

## SUMMARY

This thesis concerns the proving of nullity of a marriage on the ground of force and fear. According to can. 1103 Code of Canon Law 1983, force and fear should be characterized as: grave, external, current, and coercive to enter undesirable marriage. Regarding the rulings of the Roman Rota, an important symptom is an aversion to the prospective spouse or to the project of marriage with this person. It is also important to consider the fear of respect, which is the type of fear specified by the Roman Rota. To declare the nullity of a marriage, a judge should obtain a moral certitude, which excludes the rational possibility of proving the opposite. For this purpose, the judge uses the evidence prescribed by law, which are: statements of the parties, documents, expert witness evidences, a local vision and inspection of things. The judge evaluates the evidence based on the criteria for statutory assessments of evidence and reconstructs the facts regarding the contested marriage. The court case ends with a final judgment in which the judge provides the reasons for the decision based on the reconstructed facts. An analysis of the verdicts of the Metropolitan Tribunal of Cracow for the diocese of Bielsko-Żywiec in 1992-2017 has revealed a demand to increase the value of the expert witness evidences and the value of applying the pastoral investigation postulated by Pope Francis (tł. D. Baster).