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Dissertation Summary
"Concordat marriage system in Italian and Polish legal order"

The first aim of this dissertation is to present the concordat marriage system in Italy, taking into consideration the Concordat of 1929, as well as its revision of 1984. The second aim is to find an answer to the question whether, and to what extent, one can speak about the existence of a concordat marriage system in the Polish legal order, consisting in the state's recognition of civil effects of canonical marriage.

Recognition of the essence of the concordat marriage system would not be possible without tracing the history of its creation, therefore the first chapter of this work has been devoted to the genesis of the church and state jurisdiction over marriage with particular emphasis on the clash of secular and ecclesiastical authorities in this field. The examined period covers the time from the beginning of the Church's activity until the era when the institution of civil marriage became widespread in Europe.

The second chapter is a culmination of the first one because it presents the contemporarily visible effects of the above mentioned dispute. It presents the so-called marriage systems, i.e. sets of criteria by which states harmonize the various marriage laws existing in their countries, and in particular regulate the possible civil effects of religious marriages.

The third chapter is devoted to the Italian model of concordat marriage, constituted by the so-called Lateran Pacts of 1929 and widely regarded as the first mature regulation in this respect. The discussion of the provisions of the concordat itself was preceded by the presentation of the marriage legislation of the pre-united Italian states. In addition, the statutory provisions implementing the concordat were analysed, as well as the interpretative doubts that arose in this context and the constitutional jurisprudence.

The fourth chapter provides a presentation of the regulation of concordat marriage in the Italian Republic after the amendments introduced by the Concordat of 1984. The discussion of the amendment and interpretative disputes which arose on its basis is set in a broader context, especially taking into account the debate of the Italian society on the introduction of the institution of divorce, which took place in 1970.

Finally, the fifth chapter is devoted to presenting an unfinished - as it seems - discussion on the existence in the Polish legal order of the construction of recognition of civil effects of canonical marriages on the basis of Article 10 of the Concordat between the Holy See and the Republic of Poland of 1993. The presentation of the system of provisions and the arguments raised in the doctrine is accompanied by the consideration of the Italian experience as well as a broader comparative legal perspective. Finally, conclusions concerning the direction of evolution of the institution of concordat marriage are presented.

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