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What Can Be Said about the Condition of the Contemporary Polish Family in the Light of Annulment of Marriage in the Catholic Church? The Research Findings*

Abstract: The study of the condition of marriage and family is an essential task of science. This is because the results of this research can be of great importance for the direction and shape of actions taken by secular and Church authorities to protect and for the development of society. This article presents the results of research on contemporary marriage and family in Poland. This research uses an innovative method of obtaining data on marriages as a result of quantitative and qualitative surveys conducted among people who have decided to obtain a declaration of nullity of their marriage in the Catholic Church.

Keywords: marriage, family, nullity of marriage, divorce, family condition

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1. Introduction

Marriage is a fundamental institution for society. It serves as the basis for its existence, function, and flourishing. Retaining an interest in this institution is very important for members of any society and those responsible for it. Due to these reasons, the institution of marriage merits more attention from scholars.

There are many ways in which a scholar may approach marriage as a subject. Various academic disciplines have made marriage and family the subject of their research and allow us to learn about and describe the institution of marriage. The subject has a vast literature, which is still growing.¹

Among many methods, there is also an interdisciplinary one, that is, an approach to a family that makes it possible to combine various methods and scientific viewpoints. We have already described such an interdisciplinary way of studying marriage elsewhere.² The said approach made it possible to integrate theological, legal, canonical, and social perspectives using statistical methods. We applied the method in question in our research in the space of Polish society. It was anchored in the specific conditions of this particular society's functioning. It seems that the method may also be suitable for other societies.

Through our research, we utilized an innovative method to provide a comprehensive description of the situational conditions, as well as the social and religious motivations of individuals who initiate the process of declaration of nullity before a diocesan court in the Roman Catholic Church. This information can provide vital support in understanding the state of marriage in Poland. Hence, analyzing the current state of this institution can help in understanding the overall condition of Polish society.

¹ For example: W. DASZKIEWICZ: "Małżeństwo i rodzina w badaniach antropologii kulturowej." *Cywilizacja* 34 (2010), pp. 20—31; I. DZIERWA-PABIN: "Współczesne zagrożenia dla trwałości małżeństwa." In: *Kultura bezpieczeństwa. Nauka — praktyka — refleksje*. Lipiec—sierpień 2012, pp. 9—16; D. Gębuś: "Czy grozi nam upadek rodziny? Kondycja rodziny polskiej na tle innych krajów europejskich." *Wychowanie w Rodzinie* XV (2017), pp. 135—144; T. BORUTKA, T. KORNECKI, P. KROCZEK: *Rodzina fundamentem społeczeństwa: aspekt społeczno-prawny*. Kraków 2017; J. STRUZIŁ, M. ŚLUSARCZYK, P. PUSTUŁKA: *Contemporary migrant families: Actors and issues*. Newcastle upon Tyne 2020; T. SZLENDAK: *Socjologia rodziny. Ewolucja, historia, zróżnicowanie*. Warszawa 2010; M. BIEŃKO, M. ROSOCHACKA-GMITRZAK, E. WIDEL: *Obrazy życia rodzinnego i intymności*. Olsztyn 2020.

² P. KISIEL, P. KROCZEK, P. ULMAN: "Examining the family in the light of marriage annulment as a new research perspective." *Analecta Cracoviensia* 53 (2021), pp. 143—168. DOI: <https://doi.org/10.15633/acr.5307> [accessed 12.03.2024].

The primary objective of this article is to present a concise summary of the survey findings.

2. The main research findings

The main results of the research presented below were obtained based on a statistical survey conducted in the period from 2017 to 2021 among people applying to the Ecclesiastical Court of the Archdiocese of Kraków for the nullity of marriage. Finally, 326 questionnaires were collected, most of them fully completed, which became the basis for a statistical analysis.

It is best to present study results by listing specific conclusions and elaborating on individual points if necessary.

1. Respondents' religious formation significantly affects their personal and family life, which should follow the teaching of the Church contained in canon law. This view was substantiated by the statistical survey results when the respondents indicated the level of their faith and their motives for taking action to have their existing marriage declared invalid.

About 74% of the respondents declared that they believe in God and attend celebration of the Eucharist on Sundays and holydays of obligation. Slightly more often, women assessed their faith in this way (see Table 1).

Table 1. The structure of the surveyed respondents due to the assessment of their faith

Sex	Evaluation of the respondent's faith [%]					Total
	no	yes1	yes2	yes3	yes4	
Woman	—	2.05	22.05	35.90	40.00	100.00
Man	—	1.63	27.64	36.59	34.15	100.00
Total	—	1.89	24.21	36.16	37.74	100.00

Answers: no — “I don't believe in God”; yes1 — “I believe in God, but I do not practice my faith in the Church”; yes2 — “I believe in God and participate in the celebration of the Eucharist on some Sundays and only the most important holydays of obligation”; yes3 — “I believe in God and participate in the celebration of the Eucharist every Sunday and every holyday of obligation”; yes4 — “I believe in God and participate in the celebration of the Eucharist every Sunday, every holyday of obligation, and also on weekdays.”

Source: Authors' own calculations.

Furthermore, more than 80% of those surveyed said that they came from a family with strong Christian tradition and practiced faith. Among the most important changes in the lives of the respondents after obtaining a ruling on the invalidity of their marriage was the ability to receive the sacraments, to appease their conscience, and to be able to marry (again)

and in accordance with the legal order of the Church (see Table 2). The latter motive seems to be the key one, with more than 48% of respondents indicating it. These results show that the religious formation of the respondents — usually acquired in the family of origin — is the driving force behind their desire to resolve the difficult life situation they found themselves in due to a failed marriage. The results presented in Table 2 also show that, with some degree of caution, it can be concluded that women more often perceive spiritual factors as very important, whereas men value the factors related to social relations within the immediate environment.

Table 2. The importance of factors (areas of life and functioning of the respondents) that will be affected by the decision on the nullity of the marriage — structure according to the respondent's sex (in %)

Factor	Sex	Importance level				
		1	2	3	4	5
Possibility of receiving the sacraments	W	2.12	—	0.53	1.59	95.77
	M	0.85	0.85	1.69	14.41	82.20
	T	1.63	0.00	0.01	6.51	90.55
Possibility of entering into a sacramental marriage	W	1.08	—	5.91	12.37	80.65
	M	2.54	—	1.69	12.71	83.05
	T	1.64	—	4.28	12.50	81.58
Soothing one's conscience	W	2.69	2.15	4.84	17.74	72.58
	M	4.59	1.83	7.34	23.85	62.39
	T	3.39	2.03	5.76	20.00	68.81
Meeting the expectations of loved ones (parents and other relatives)	W	26.44	13.22	24.14	19.54	16.67
	M	19.63	18.69	26.17	16.82	18.69
	T	23.84	15.30	24.91	18.51	17.44
Meeting the expectations of the current partner	W	27.89	10.20	12.24	21.09	28.57
	M	14.56	3.88	7.77	21.36	52.43
	T	22.40	7.60	10.40	21.20	38.40
Improving your image in the living environment	W	37.79	11.63	26.16	11.05	13.37
	M	34.91	12.26	31.13	9.43	12.26
	T	36.69	11.87	28.06	10.43	12.95
To conclude a certain stage of life	W	4.86	3.78	5.95	32.43	52.97
	M	7.27	3.64	11.82	29.09	48.18
	T	5.76	3.73	8.14	31.19	51.19
Setting a good example for the children	W	1.81	—	1.20	15.66	81.33
	M	6.80	0.97	3.88	22.33	66.02
	T	3.72	0.00	2.23	18.22	75.46

Abbreviations: W — woman, M — man, T — total;

1 — definitely not important, 2 — not important, 3 — neutral, 4 — important, 5 — very important.

Source: Authors' own calculations.

2. The recognition of the invalidity of marriage is an essential component of legal (canonical) awareness and knowledge. It was assumed that people with higher education would be more interested in initiating the process of the marriage annulment. However, our research did not provide a definitive conclusion on this matter.

About 80% of the respondents indicated that their knowledge of the possibility of declaring a marriage invalid was at least average and at least good, more than 25% of respondents. The main sources of this knowledge were the Internet, the parish priest, and friends (see Table 3). More than 61% of respondents indicated the Internet as a source of information on the process of a declaration of nullity of their marriage. In comparison, this source was reported in more than 28% of all responses. In the case of a parish priest, these shares amounted to 54% and 25%, respectively.

Table 3. Source of information on the possibility of the marriage nullity process — structure in % according to the respondent's sex (in %)

Source	Sex				Total	
	woman		man			
	answer	case	answer	case	answer	case
Media (radio, television, newspaper)	7.57	16.34	11.79	25.62	9.21	19.81
Internet	29.36	63.37	27.03	57.85	28.49	61.30
A law firm dealing with secular law	2.52	5.45	0.39	0.83	1.73	3.72
A law firm dealing with canon law	5.50	11.88	4.63	9.92	5.18	11.15
Friends	19.95	43.07	18.53	39.67	19.42	41.80
Parish priest	23.85	51.49	27.41	58.68	25.18	54.18
Bishop's court	5.50	11.88	3.86	8.26	4.89	10.53
Other	5.73	12.38	6.18	13.22	5.90	12.69

Explanation: answer — the percentage of indications (responses) for a given source of information in relation to all indications (responses) made by respondents (for all sources of information); case — the percentage of respondents who indicated a given source of information in relation to all surveyed respondents.

Source: Authors' own calculations.

However, it is those with higher education and a stronger commitment to religious practice and Christian tradition who are relatively more interested in launching the process of declaring that their marriage was in fact not valid according to Church law. Among the respondents, those with higher education (more than 45%) and high school education (more than 36%) far outnumbered those with a high school education, which deviates from the educational structure of the general population.³

³ INSTYTUT STATYSTYKI KOŚCIOŁA KATOLICKIEGO SAC, GŁÓWNY URZĄD STATYSTYCZNY: *Rocznik statystyczny. Kościół Katolicki w Polsce 1991—2011*. Warszawa 2014, p. 175;

3. The process leading to the declaration of nullity of marriage is not initiated immediately after obtaining a divorce, but with at least a lapse of one year — more than 70% of respondents indicated such a delay. It should be noted that there is no legal (canonical) obligation to connect the process of declaring a marriage null in the Church with a divorce. From the canon law vantage point, it is possible to declare the marriage was not valid according to Church law, while the spouses remain married under state law. However, due to mainly pastoral and practical reasons, church courts accept the case for declaring nullity usually after the divorce judgment becomes final.

4. The most common reasons for the breakup of a marriage are differences between spouses in terms of the preferred model of marriage and family functioning, along with the influence of third parties, such as parents, other relatives, and friends.

Other causes of a breakup, indicated most often by women, are a lack of mutual understanding with the husband, followed by financial disagreements, and the husband putting his own interest in other matters over that of his wife. For men, also the most common reason for marital problems was a lack of mutual understanding, followed by infidelity.

In contrast, economic problems of family functioning are not a significant cause of marital breakdowns. Indeed, financial disagreements were not a key cause of marital problems among the respondents surveyed. Furthermore, more than 38% of the respondents reported that their material situation during their marriage was at least good, and only about 20% indicated that their material situation was rather bad or downright wrong. Thus, economic and material factors should be regarded as mediating the process of marriage breakdown. They might rather be perceived as the impetus that generates the main (direct) causes of divorce.

5. As far as the in-depth psychological characteristics of those willing to initiate a process of annulment of marriage are concerned, the analysis of the collected empirical material clearly indicates the need to consider it in two dimensions. The first dimension is related to the context of the breakup of the bond between the spouses, resulting in the breakup of the relationship in the emotional sense, which can be confirmed by a divorce. The second dimension is related to the context of the decision to initiate canonical proceedings for the marriage nullity. These two dimensions should be analyzed separately, as both the situations in which

the persons involved are placed, and their motivations are significantly different, as the typological descriptions clearly indicate.

6. Analysis of the process of the breakup of the marital bond clearly proves the great importance of the premarital period, during which three types of threats to the proper formation of the marital bond become apparent. These threats are as follows: a) dangers associated with deficits in the social cognitive competence of spouses in their ability to adequately assess people and situations, b) dangers associated with deliberate actions of the future spouse or those around him/her aimed at misleading others, and c) dangers that arise out of the general cultural context.

7. On the other hand, the analysis of the context of the decision to initiate canonical proceedings allowed the construction of a typology consisting of six basic types of social attitudes towards such proceedings. The first type refers to God and the need to maintain an appropriate relationship with Him. The second one refers to the axiology associated with the Catholic faith and membership in the Church (e.g., respecting Catholic teaching regarding marriage and the family). The third type invokes the requirements pertaining to institutional membership in church structures, enabling, among other things, the realization of certain rights of the faithful (e.g., the possibility of receiving the sacraments). The fourth type expresses a pragmatic approach to planning future life in the context of, for example, the possibility of a new marriage in the Church. The fifth one expresses the need to satisfy a sense of security, for which canonical confirmation of definite separation from a violent and often addicted (e.g., to alcohol) spouse is essential. Finally, the sixth type stems primarily from observing the behavior of others, their daily social practices, and their reluctance to exclude any possibilities for the future.

These findings are largely in line with other studies on the motivations of those seeking the declaration of nullity of their marriage.

Thus, with this in mind, it can be concluded that the analyses carried out have made it possible to grasp the profound differentiation of situations and social behavior that result in the breakup of the marital bond and the initiation of canonical proceedings to declare the marriage null. Recognizing this differentiation undoubtedly allows for a better understanding of the phenomenon under study and should allow for more effective remedial measures.

8. It is important to acknowledge that the dissolution of a marriage can be an extremely traumatic experience for those involved. Research has shown that individuals often require assistance, support, and encouragement from others in order to successfully navigate this difficult period and regain their independence. This is especially true during critical moments of the process. The presence of a supportive commu-

nity can make all the difference and constitute “turning points” in the said process.

Such a “turning point” is undoubtedly a situation in which the behavior of an abusive spouse (e.g., physically abusive) has to be perceived as unacceptable, as it may pose a threat to family members (usually the wife and children). The result of such a transformation is a determination to oppose or resist. Sometimes, the catalyst for resistance is the “significant other” (we use this term in the sociological sense given to it by George H. Mead or Peter Berger and Thomas Luckman⁴), who helps make the affected person aware that certain behavior cannot be tolerated.

Such situations are also traumatic because, from that moment, it becomes impossible to rebuild trust between the spouses. A marital relationship devoid of trust forces the affected spouse(s) to redefine themselves in the new situation and prompts them to find solutions to rebuild a sense of stability. In the process of redefining oneself, a key role is played by a process that Anselm Strauss calls “the transformation of identity”⁵ and Peter Berger calls “the alternation.”⁶ This process implies, among other things, the necessity to construct a completely new interpretation of one’s past concerning the origins, duration, and dissolution of a marriage. As a result of these reinterpretations, past events start to be perceived in a completely different context, which deepens the traumatic nature of the whole situation.

9. At the same time, it should be emphasized here that for the (religious) faithful, the trauma of divorce is a more acute experience than for non-religious people. For the faithful, the breakup of their marriage is not only an experience of family disintegration but also a crisis of limited rights within the religious community and the impossibility of entering into another marriage. This leads them to seek a solution that will protect them from the negative consequences of the situation in their private and religious life. Such a solution may be the initiation of proceedings for a declaration of nullity, and obtaining such a decision allows them to become once more a full member of the community and to regain their place in the community structures, as well as to remain among the people actively involved in the religious life of the community. This fact undoubtedly proves that the institution of declaring a marriage invalid based on canon law plays an extremely important role in contemporary religious and social life, which is also confirmed by the growing interest of the

⁴ See more: G. H. MEAD: *Mind, Self and Society*. Chicago 1994 and P. BERGER, T. LUCKMANN: *The Social Construction of Reality: A Treatise in the Sociology of Knowledge*. London 1971.

⁵ A. L. STRAUSS: *Mirrors and Masks. The Search for Identity*. London 2017.

⁶ P. BERGER: *Invitation to sociology. A Humanistic Perspective*. New York 1963.

faithful in the possibility of verifying the validity of a marriage that ended.

It is worth noting that the aforementioned trend is closely linked to the transition from traditional to contemporary family models. In families that adhere to traditional values, marriages may unravel, but divorce is often shunned, which means there is no need for canonical proceedings. On the other hand, modern families tend to opt for divorces when marriages dissolve, which makes it possible to initiate the relevant canonical proceedings.

3. Conclusions

The empirical data collection stage during our research was not free of difficulties. The subjects of the study were of vital importance, often intimate, and related to one's painful past. This made many potential respondents unwilling to participate due to fear that the survey might bring back often traumatic memories, disrupting their inner balance, which they achieved with great difficulty and effort by themselves and those supporting them.

Although our research is not without limitations and potential misrepresentations, we believe that the knowledge we have acquired is valuable and contributes to the diagnosis of modern marriages and society as a whole. We hope that our conclusions will inspire further studies of the condition of the Polish family from the perspectives of social science and theology.

Research into the condition of the family, which is the basic structure of any society, is a highly momentous problem. It is essential to take into account that both the family and the contemporary religious context in which it is rooted are subject to dynamic processes of social transformation. This means that the issues addressed in the monograph should be continuously monitored, and this requires systematic renewal of research into the problems addressed in this monograph and the realization of research into related phenomena.

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PRZEMYSŁAW KISIEL, PIOTR KROCZEK, PAWEŁ ULMAN

Que peut-on dire de la situation de la famille polonaise contemporaine
à la lumière de l'annulation du mariage dans l'Église catholique ?
Résultats des recherches

Résumé

L'étude de la situation du mariage et de la famille est une tâche importante de la science. En effet, les résultats de ces recherches peuvent être d'une grande importance pour l'orientation et la forme des actions entreprises par les autorités laïques et ecclésiastiques afin de protéger la société et son développement. Cet article présente les résultats des recherches sur le mariage et la famille contemporains en Pologne. La méthode utilisée dans ces recherches est une méthode innovante qui consiste à obtenir des données sur les mariages par le biais d'enquêtes quantitatives et qualitatives auprès de personnes qui ont choisi de faire déclarer leur mariage invalide par l'Église catholique.

Mots-clés : mariage, famille, annulation, divorce, condition familiale

PRZEMYSŁAW KISIEL, PIOTR KROCZEK, PAWEŁ ULMAN

Che cosa si può dire della condizione della famiglia polacca
contemporanea alla luce della dichiarazione di nullità matrimoniale
nella Chiesa cattolica? Risultati della ricerca

Sommario

Esplorare la condizione del matrimonio e della famiglia è un compito importante della scienza. I risultati di questa ricerca potrebbero essere di grande importanza per la direzione e la forma delle azioni intraprese dalle autorità secolari ed ecclesiastiche per proteggere la società e il suo sviluppo. Questo articolo presenta i risultati della ricerca sul matrimonio e la famiglia contemporanei in Polonia. La presente ricerca ha utilizzato un metodo innovativo che consiste nell'ottenere dati sui matrimoni come risultato di una ricerca quantitativa e qualitativa condotta tra le persone che hanno deciso di dichiarare la nullità del loro matrimonio nella Chiesa cattolica.

Parole chiave: matrimonio, famiglia, dichiarazione di nullità, divorzio, condizione della famiglia