

A CRITICAL APPRAISAL OF THE RAISON D'ÊTRE OF THE CANONICAL MARRIAGE FORM IN THE CONTEXT OF POLISH LAW

Summary

The article assesses the reasons behind the present norm of the obligation of the canonical form to marry, in the circumstances of Polish law system. It represents a contribution to the discussion on the legitimacy of the present canonical norms.

The paper consists of the following parts. In the first part the canonical form is presented. In the second one, some norms of Polish law system are offered to show that the main goals of the canonical form are successfully fulfilled by the Polish civil law.

All this leads to a conclusion that in Poland the *raison d'être* of the requirement of the canonical form does not exist. So, it is justified to be in favor of the demand *de lege ferenda* to legislate the canonical form of marriage not *ad validitatem* of matrimony, but only *ad liceitatem*.