

IMPLEMENTATION BY THE CATHOLIC CHURCH OF THE CONSTITUTIONAL PRINCIPLE OF COOPERATION WITH THE POLISH STATE IN FAVOUR OF THE INSTITUTION OF RELIGIOUS MARRIAGE WITH CIVIL EFFECTS

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Abstract. The competence to co-operate between the state authorities and the Catholic Church results both from the Constitution of the Republic of Poland of 2 April 1997, as well as from the Concordat and ordinary laws. The Polish state in many areas of social life (e.g. in the field of education, protection of monuments or charitable activity) is supported in achieving its goals by churches and other religious organisations. The co-operation may be spontaneous and rely on the convergence of activities of both entities, but it may also be contractual, i.e. agreed upon by their competent representatives. The aim of this paper is not only to present the legal regulations relevant to the cooperation between the state and the Catholic Church, but above all to show the practical side of the principle of cooperation in the area of actions taken by the Catholic Church for the benefit of marriage, especially that the Polish legislation, allowing for the possibility of concluding religious marriages on the territory of the Republic of Poland with civil effects, has extended the possibility of cooperation with religious organisations.

Keywords: principle of cooperation; Church; State; Concordat; Constitution.

INTRODUCTION

The principle of co-operation between the state and religious associations, legally permissible in Poland, constitutes an obligation to undertake and carry out actions aimed at the realisation of the human good and the common good. This principle expressed in Article 25(3) *in fine* of the Constitution of the Republic of Poland¹ provides the possibility for institutional religious

¹ Constitution of the Republic of Poland of 2 April 1997, Journal of Laws No. 78, item 483 as amended.

entities to co-operate with the state in achieving the above objectives, which are of a broad nature. It represents one of the constitutional principles defining the relationship between the state and churches and other religious associations.² As is well known, religious communities play an important role in the field of education, humanitarian activities or health care, among others, their participation in the performance of social assistance tasks was expressed *expressis verbis* in Article 2(2) of the Act of 12 March 2004 on social assistance.³

In doctrine, cooperation means the pursuit of a common goal through the fulfilment of one's own tasks [Krukowski 2013, 159], the obligation of both the state and religious communities to develop a coordinated policy for the implementation of activities that are of interest to these entities [Dudek 2004, 208], as well as the obligation to seek consensual solutions, which requires compromise, dialogue and agreement on both sides [Sobczyk 2013, 158]. It is indisputable that there are many converging non-religious areas of cooperation between public authorities and churches and other religious associations. The legislator has not explicitly indicated the scope of cooperation between state and church authorities, as it has been specified in acts of lower order [Garlicki 2016].

The aim of this article is to present legal regulations relevant to the cooperation between the State and the Catholic Church in the area of the religious form of marriage with civil effects, as well as to outline the scope and tools allowing for joint initiatives for the benefit of existing marriages. In the light of the axiology adopted in the current Constitution, marriage is a value occupying a particularly high rank in the hierarchy of constitutional values.⁴

1. LEGAL BASIS AND ESSENCE OF THE PRINCIPLE OF COOPERATION BETWEEN STATE AND CHURCH

Adopting the principle of the state and the church working together for the benefit of humanity and the common good implies a subservient role of these entities towards man [Sobczyk 2015, 172]. In this way, churches and other religious associations have been integrated into the concept of subsidiarity and civil society [Orzeszyna 2007, 19-27]. The principle of cooperation

² The other principles on which this relationship is based are: 1) equal rights of churches and other religious associations; 2) impartiality of public authorities in matters of religious, philosophical and philosophical beliefs; 3) freedom of expression of religious, philosophical and philosophical beliefs in public life; 4) respect for the autonomy and mutual independence of each within its own scope in the relations between the state and churches and other religious associations; 5) consensual regulation of the relations between the state and churches and other religious associations: on the basis of agreements, and in the case of the Catholic Church – an international agreement with the Holy See (Article 25 of the Constitution of the Republic of Poland).

³ Act of 12 March 2004 on social assistance, Journal of Laws of 2023, item 901.

⁴ Judgment of the Constitutional Court of 18 May 2005, ref. no. K 16/04, OTK-A 2005, No. 5, item 51.

complements the principle of autonomy and independence of church and state. Furthermore, it is noted in the doctrine that the formulation of two principles defining the relations between the state and religious associations in one paragraph of Article 25 of the Constitution of the Republic of Poland has given a positive meaning to such concepts as autonomy and independence [Borecki 2022, 89-90]. The Constitution in force, when defining the model of relations between the State and churches and other religious associations, adopted, in essence, the same formulation as in Article 1 of the Concordat of 1993,⁵ which reads: "The Republic of Poland and the Holy See reaffirm that the State and the Catholic Church are, each in its own domain, independent and autonomous, and that they are fully committed to respecting this principle in all their mutual relations and in co-operating for the promotion of the benefit of humanity and the good of the community." Thus, both entities, independent of each other, should take action to build an order and a social order in which every human being will be assured the realisation of his or her rights and freedoms [Krukowski 2004, 98; Steczkowski 2008, 157-60], which is a consequence of adopting a personalistic vision of social life, where the aim of cooperation is human development. The essence of cooperation should be seen in activities undertaken on the basis of partnership and good will, as there are grounds for directing mutual expectations. The concept of cooperation used by the legislator presupposes the activity of both state and church bodies. It is not clear from the constitutional provision what legal forms this cooperation may take, hence it is permissible, *inter alia*, in the form of financial assistance.⁶

The scope of cooperation between the state and religious associations is contained not only in the Act of 17 May 1989 on Guarantees of Freedom of Conscience and Religion,⁷ but also in individual acts on the relationship between the state and the religious association concerned. In addition, with regard to the Catholic Church, this scope is contained in the Concordat, which is an instrument for the normalisation of relations between the State and the Catholic Church.

Of particular importance in Polish religious legislation is the Law of 17 May 1989 on Guarantees of Freedom of Conscience and Religion, the so-called General Act. According to Article 18(2) of this Act: "Provisions of Article 2 defining the rights of churches and other religious unions can however be applied to churches and other religious unions whose situation is regulated by the laws when separate laws defined in Item 1 do not stipulate

⁵ Concordat between the Holy See and the Republic of Poland, signed in Warsaw on 28 July 1993, Journal of Laws of 1998, No. 51, item 318.

⁶ Judgment of the Constitutional Court of 14 December 2009, ref. no. K 55/07, OTK-A 2009, No. 11, item 167.

⁷ Act of 17 May 1989 on guarantees of freedom of conscience and religion, Journal of Laws of 2023, item 265.

such rights.” The legal and property situation of the Roman Catholic Church is defined in the Law of 17 May 1989 on the relationship between the State and the Catholic Church in the Republic of Poland.⁸

The General Law on the Principle of State Co-operation with Churches and Other Associations states that an area of co-operation, in addition to preserving peace and shaping the conditions for national development, is the fight against social pathologies (Article 16(1)). Undoubtedly, current social pathologies include divorce. The tool for the implementation of the principle of cooperation “may be the conclusion of agreements between the materially competent central government administration bodies and the authorities of individual churches and other religious unions” (Article 16a(1)). Organisational units of religious unions are equal in rights to non-governmental organisations and may carry out activities related to the performance of public tasks, which may be subject to control by the Supreme Audit Office.⁹ Pursuant to Article 4 of the Act on the Relationship between the State and the Catholic Church in the Republic of Poland, the competent body to deal with problems related to the development of relations between the State and the Catholic Church is the Joint Commission of Representatives of the Government of the Republic of Poland and the Polish Bishops’ Conference. A particular example of cooperation for the benefit of marriage regulated in the individual law is Article 15a concerning the religious form of concluding a marriage producing civil law effects.

The cooperation for the defence of the family and the respect of marriage as the foundation of society is clearly expressed in Article 11 of the concordat. The concordat regulation of marriage includes, on the one hand, issues of marriage and, on the other hand, issues of adjudication in matrimonial matters (Article 10).

It does not follow from the above-mentioned legal provisions that the state is the only active actor on which cooperation is dependent. The correlated actions of the two coexisting actors – the state and the church – should be the foundation for healthy cooperation and collaboration in the various areas of human assistance.

2. FORM OF MARRIAGE

The Catholic Church obliges her faithful to conclude marriages according to the provisions of her own law (Canons 1059, 1117 of the Code of Canon

⁸ Act of 17 May 1989 on the relationship between the State and the Catholic Church in the Republic of Poland, Journal of Laws of 2023, item 1966.

⁹ Act of 23 December 1994 on the Supreme Chamber of Control, Journal of Laws of 2022, item 623, Article 2(3).

Law¹⁰). If at least one of the parties is a Catholic, then the marriage, in order to be valid, must be celebrated in either the ordinary or the extraordinary form. The ordinary form of concluding a marriage is understood as contracting a marriage in the presence of the Ordinary of the place or the parish priest, or a priest or deacon delegated by one of them,¹¹ and in the presence of two witnesses (Canons 1108-1111, 1113 CIC/83) [Kamiński 2020, 49-89]. Among Catholics in Poland this is the most common form of entering into marriage.¹²

The ecclesiastical legislator, bearing in mind the natural right of persons to marry, has recognised that there are situations where Catholics can also validly enter into marriage without the presence of a clergyman competent to assist in its conclusion. In Canon 1116 § 1 CIC/83, he has written: “If a person competent to assist according to the norm of law cannot be present or approached without grave inconvenience, those who intend to enter into a true marriage can contract it validly and licitly before witnesses only: 1° in danger of death; 2° outside the danger of death provided that it is prudently foreseen that the situation will continue for a month.”¹³ The method of marriage described in Canon 1116 is referred to as an extraordinary form of marriage.

The Bishop of Rome, taking into account the serious difficulties¹⁴ that the future spouses may encounter, has also recognised the possibility for the Ordinary of the place and the Holy See (usually) to grant a dispensation from the norm prescribing the observance of the ordinary canonical form (Canons 1127 § 2, 1079 § 1-2 CIC/83). A Catholic, having obtained the dispensation in question, may validly contract a marriage, e.g. in the USC or another religious union. The lack of a dispensation does not result in the invalidity of the marriage when the Catholic party marries a non-Catholic party of the Eastern rite (e.g. Orthodox). In such a case, the canonical form of marriage is only required for its licitness.¹⁵ For validity, the participation of a priest

¹⁰ *Codex Iuri Canonici auctoritate Ioannis Pauli PP. II promulgatus* (25.01.1983), AAS 75 (1983), pars. II, p. 1-317 [hereinafter: CIC/83].

¹¹ When the marriage is assisted by a clergyman who does not have the authority to do so by virtue of his office or delegation, in the cases described in Canon 144 CIC/83, this deficiency is remedied. The marriage is then validly concluded.

¹² According to Canon 1112 § 1 CIC/83, “Where there is a lack of priests and deacons, the diocesan bishop can delegate lay persons to assist at marriages, with the previous favorable vote of the conference of bishops and after he has obtained the permission of the Holy See.” In Poland, such a way of concluding marriages is not possible.

¹³ The circumstances set out in Canon 1116 § 1, 2° CIC/83 do not occur in Poland.

¹⁴ Polish Bishops’ Conference, *General Decree on Conducting Canonical and Pastoral Conversations with Fiancées before Conducting a Canonical Marriage*, “Akta Konferencji Episkopatu Polski” 3 (2019), p. 28-93 [hereinafter: *Decree*]. Article 90 of the *Decree* mentions as an example of such difficulties: preserving family harmony, obtaining parental consent to the marriage, recognising the particular religious commitment of the non-Catholic party or his/her bond of kinship with a minister of another Church or ecclesial community.

¹⁵ The term ‘illicit’ in ecclesiastical law describes an act validly but unlawfully performed.

and the observance of other requirements of the law governing its validity are required (Canon 1127 § 1 CIC/83) [Jakubiak 2019, 137-52; Idem 2013, 119-42]. The Catholic Church does not usurp the right to determine the purely civil effects of marriages. In Canon 1059 CIC/83, the Bishop of Rome confirms the competence of the secular authorities on this subject. Furthermore, in Canon 1071 § 1 CIC/83, he indicates that, except in the case of necessity, Catholics wishing to enter into a marriage governed by ecclesiastical law, which cannot be recognised or concluded according to state law, must obtain the permission of the Ordinary of the place. Taking into account the canon law in force in the whole Church and the provisions of the Family and Guardianship Code,¹⁶ the Polish Bishops' Conference recalled the necessity to take care that each canonical marriage is at the same time recognised in the state legal order, so that the spouses can fully exercise their rights. The bishops obliged the faithful of the Catholic Church in Poland entering into a canonical marriage to obtain civil effects for it (*Decree*, Article 95).

The Polish Bishops' Conference in Article 96 of *the Decree* has recognised the conclusion of the so-called concordat marriage,¹⁷ meeting the requirements set out in Article 10 of the Concordat¹⁸ as the ordinary way of ensuring civil effects of a canonical marriage. The separate conclusion of civil and canonical marriages should be an exception and occur only in those cases where the nuptupants have already been civilly bound for a long time and wish to regulate their marital situation in the Church (quoted *Decree*, Article 97). The bishops stated that Catholics "only in occasional cases and for exceptionally grave reasons" may enter into so-called civil marriages exclusively. However, in the sense of Church law, they will not then be married (*Decree*, Article 96).

Due to the possibility of concluding religious marriages with civil law effects in the legal order, priests have been presented with new duties. In the *Decree* (Article 99) and the Concordat (Article 10(2)) they are obliged to inform the betrothed of, inter alia, the content of the provisions of the Polish law on the effects of marriage, which is done by familiarising the nupturients with the content of Article 1, 8, 23 of the Polish Civil Code. The norm recorded in the Concordat differs from that recorded in the Polish Family Code, Article 2(3), according to which the head of the Registry Office explains to persons intending to get married the significance of the marriage,

¹⁶ Act of 25 February 1964, the Family and Guardianship Code, Journal of Laws of 2023, item 2809, Article 4.

¹⁷ According to *the Decree*, Article 98, the procedure and formalities connected with the contracting of a concordat marriage are regulated by a separate instruction of the Polish Bishops' Conference, *Instruction for pastors concerning concordat marriage* (15.11.1998), "Dokumenty Konferencji Episkopatu Polski" 1998, p. 231-37. It does not take into account subsequent changes in the state regulations of civil status acts.

¹⁸ Concordat, Article 10; Civil Code, Article 1, para. § 2-3, 4¹, 8.

the provisions regulating the rights and obligations of the spouses and the provisions on the name of the spouses and the name of their children. It should be noted that *the Decree* contains a provision that expands the content to be explained to the nupturients (Article 99 and Form 16b) in relation to the norm enshrined in the Concordat.

It is worth noting at this point that pursuant to the rule provided in Article 9(2) of the Polish Family Code, it is possible to enter into a religious marriage with civil effects before a clergyman without presenting a certificate drawn up by the Head of the Registry Office stating that there are no circumstances excluding marriage. Such a situation occurs in the case of a danger directly threatening the life of one of the parties. The state legislator has imposed further obligations on the clergy in the aforementioned circumstances.

In the analysis of the cooperation between the Church and the State for the benefit of marriages, it should also not be overlooked that the Catholic Church in Canons 1104 and 1105 of Code of Canon Law – like the Polish State in Article 6 of the Family and Guardianship Code – allows for the possibility to conclude a marriage by proxy. Then, the power of attorney referred to in Article 6(2) of the Family and Guardianship Code may also be effective under ecclesiastical law, provided that it meets the other requirements set out in Canon 1105 CIC/83.

Since ecclesiastical law prefers that Catholics concurrently conclude marriages recognised under state law, the bishops have pointed out in Article 100 of *the Decree* that nupturients wishing to enter into marriage without civil effects must obtain the consent of the local Ordinary. The consent of the Ordinary of the place is also necessary if they promise to obtain the civil effects of the union only after it has been concluded in ecclesiastical form. Exceptionally, the Ordinary will grant this consent if, in spite of being instructed by the priest about the consequences of such a decision, the nupturients persist in their opposition and present serious reasons for living in a marriage that is valid only in the ecclesiastical forum.

Polish legislation, by allowing religious marriages with civil effects on the territory of the Republic of Poland, extended the possibility of cooperation between the state and the church. In the registry offices in 2022, 76 405 civil marriages and 79 412 religious marriages were registered (98.8% of them were concluded in accordance with the law of the Catholic Church).¹⁹ In 2021, 78,012 marriages were performed before a Registry Office clerk, while 90,312²⁰ were performed in religious union (98.99% of them in the Catholic Church).²¹ A year earlier (2020), 67 265 unions were concluded in the civil form, while

¹⁹ Central Statistical Office, *Rocznik demograficzny* 2023, Warsaw 2023, p. 181.

²⁰ The 2022-2020 data only includes marriages registered at the Registry Office.

²¹ Central Statistical Office, *Rocznik demograficzny* 2022, Warsaw 2022, p. 181.

77 780 were concluded in the religious form (99.02% in the Catholic Church).²² It is impossible not to notice that more than half of the marriages registered in the Registry Office were concluded in the ordinary canonical form, as so-called concordat marriages. For the state administration this represented a significant time and economic relief [Wojewoda 2017, 82-83]. A higher number of marriages performed in the Registry Office would have required additional infrastructure and would have been more demanding for the already involved. In addition, other full-time positions would have to be created for the Registry Office staff directly handling civil marriage ceremonies. It is worth noting that currently some of the Registry Offices in Warsaw make marriage ceremonies shorter, and yet one has to wait several months to get married in them.

The entitlement to concordat marriage under Article 9(2) of the Civil Code significantly increases the possibility for citizens to realise their rights to marry in a situation of direct threat to the life of one of the parties. In 2022, there were 10,357 parishes in Poland in which there are from one to several clergymen who can provide pastoral services at any time. On the other hand, data made public by the Ministry of the Interior and Administration show that there are currently 2256 Registry Offices in Poland which are open at specific times.²³

Concluding the analysis of the legal status concerning the canonical form of marriage, it should be noted that the clergy, by assisting in concordat marriages – cooperate with the Polish State in fulfilling its functions concerning: social security, family support, administrative service, civil matters. By their service they significantly relieve the Polish State in economic and administrative terms. Their availability also increases the chances of concluding a marriage with civil effects on the territory of the Republic of Poland in urgent situations when one of the fiancées is in immediate danger of death.

3. MEASURES IN FAVOUR OF CONCLUDED MARRIAGES

According to the Central Statistical Office, in 2022 there were about 8.6 million marriages in Poland.²⁴ The actions of the Church have also been and are directed to them, the need for which is indicated by numerous documents of the Holy See and the Polish Bishops' Conference, reminding of the need for communities of the faithful to provide assistance to married couples. This obligation has been enshrined in Canon 1063 CIC/83.

Care for marriages is not limited to those recognised by canon law. It also covers those who are legally and factually separated, those who are newly

²² Idem, *Rocznik demograficzny 2021*, Warsaw 2021, p. 181, 199.

²³ See <https://www.gov.pl/web/mswia/urzedz-stanu-cywilnego> [accessed: 08.08.2024].

²⁴ Central Statistical Office, *Rocznik demograficzny 2023*, Warsaw 2023, p. 181.

married, those who hold different world views or come from different cultures, as well as widowers. The assistance of Church institutions is not only addressed to Catholics.²⁵ Since there are many levels in which the Catholic Church accompanies spouses, and since this publication is limited in size, the authors will only indicate some of the forms of service that the community of faithful provides to married couples [Skreczko 2009, 129-48].

Data published by the Institute for the Catholic Church Statistics shows that in 2021 there were 2360 family life counselling centres in Poland (mainly maintained by the Church), in which 3903 family life counsellors provided assistance. Their activities are used not only by future spouses, but also by spouses affected by various types of difficulties. In 2021, more than 92,000 people were beneficiaries of the service of family life counselling centres. When those presenting themselves to a family life assistant require more expert knowledge, they are referred to specialist counselling centres – including those run by the Catholic Church. In 2021, there were 121²⁶ of the latter on the territory of the Polish Episcopal Conference, with 875 specialists working in them. 34,076 people benefited from their assistance. There are currently nine specialist counselling centres in the Warsaw Archdiocese alone²⁷ [Jakubiak, Kołodziej, and Lorkowski 2024, 116].

The Catholic Church's support for the institution of marriage is carried out not only in providing assistance to people in crisis, but also through activities of a preventive nature. The latter include, among others, ongoing human, marital and family formation provided at parish and diocesan level. This is carried out through individual consultation with a clergyman,²⁸ participation in various groups and communities,²⁹ and through ongoing

²⁵ Franciscus PP., *Adhortatio apostolica post-synodalis Amoris laetitia* (19.03.2016), AAS 108 (2016), p. 311-446, no. 217-58.

²⁶ Institute for Catholic Church Statistics SAC, *Annuario Statisticum Ecclesiae in Polonia. Data for 2021*, Warsaw 2021, p. 22, 29.

²⁷ One of them is the Catholic Psychological and Pastoral Care Centre 'Poradnia Dewajtis'. In 2022, it provided 297 hours of free counselling. Considering the average market amount of PLN 250 per 1 hour of service, the cost of counselling could have been around PLN 74 250. The centre provided counselling at prices well below the market value. Thus, there were 3981 individual visits (reduced amount of PLN 477,720), 203 marital therapies (reduced amount of PLN 20,000), 317 visits from parenting counselling (reduced amount of PLN 24,000). There were also 13 visits to the Family Counselling Centre and the therapeutic and formative Programme 'Finally to live – 12 steps towards the fullness of life', attended by 55 people, for a total of 94 meetings. Through its activities, the Catholic Psychological and Pastoral Care Centre significantly relieved the burden on the Bielany health care system.

²⁸ The seminar curriculum takes into account pedagogical and psychological preparation. It also includes subjects dealing directly with marriage and the family.

²⁹ Some of the communities are aimed at men – e.g. Men of St Joseph, women – e.g. Miriam Community of Women, families – e.g. Domowy Kościół, Neocatechumenal Way, Covenant of Families. The number of members in various types of parish organisations was around

homiletic and retreat formation.³⁰ A special role in promoting the value of marriage is played by grandly celebrated anniversaries in parishes on the 25th, 50th and 60th anniversaries of the sacrament of marriage.

When talking about the support of marriage, it is impossible to omit educational activities. Catholic universities and institutes conduct numerous scientific studies on issues concerning the family and marriage. They organise workshops, training courses and conferences on these issues. They prepare and publish numerous publications (e.g. the journals “*Ius Matrimoniale*” and “*Family Studies*”). They educate spousal supporters.³¹

Summing up the part of the study devoted to the undertakings within the Catholic Church for the benefit of already existing marriages, it should be noted that the planes of cooperation between the Church and the Republic of Poland in these fields are the most numerous. They are located in the following functions of the state: educational, upbringing and caring activities; culture and protection of national heritage; Polish science; social security and family support; civic affairs.

CONCLUSIONS

The State and the Church, although independent and autonomous from each other in their respective fields, are obliged to serve man and society as a whole. This need was pointed out by the Catholic Church in the 1965 conciliar document *Gaudium et spes*, which reads: “Therefore, to encourage and stimulate cooperation among men, the Church must be clearly present in the midst of the community of nations both through her official channels and through the full and sincere collaboration of all Christians – a collaboration motivated solely by the desire to be of service to all. This will come about more effectively if the faithful themselves, conscious of their responsibility as men and as Christians will exert their influence in their own milieu to arouse a ready willingness to cooperate with the international community” (no. 89).

The principle of cooperation between the state and religious associations is still valid and needed, especially as its implementation to date has proven itself against various social phenomena. However, respect for such principals as the principle of respect for a pluralistic society, the principle

2.5 million in 2019.

³⁰ The retreats often include teachings promoting the value of family and marriage and introducing ways to overcome crises and difficulties.

³¹ The Catholic Academy in Warsaw, for example, runs a two-year ‘Marriage and Family Study’. The Archbishop Kazimierz Majdański Institute of Family Studies in Łomianki organises a ‘Study of practical preparation for accompanying married couples’, which includes 120 hours of exercises and lectures.

of independence and autonomy of the state and the church or the principle of respect for religious freedom in private and public life should form the basis for the implementation of the principle of healthy cooperation between the two entities [Krzywkowska 2018, 47-49]. In order to eliminate conflict situations, the scope of cooperation should be agreed upon through concrete arrangements.

The cited legal provisions have made the state and religious associations partners and allies who, possessing good will, can realise the common good, i.e. the good of the state, the good of citizens and, finally, the good of all people. Comparing Article 25(3) of the Constitution with Article 1 of the Concordat, it should be stated that in essential content they are identical. The state authorities and the ecclesiastical authorities are entitled and obliged to co-operate, first of all, in the scope of helping a person to protect his/her due rights and freedoms resulting from the dignity of a human person, especially in the situation of their violation. The statutory catalogue of forms of cooperation is not of a closed nature. As can be seen from the analysis of the implementation of the principle of cooperation for the benefit of marriage presented above, ecclesiastical institutions may not only be executors of tasks, but also their initiators.

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