

Adversarial principle in the literature and jurisprudence is understood as the right to conduct the process in the form of a dispute the two sides of opposite, "fighting" for favorable decision for himself before not involved on either side of the dispute and an independent body process. In other words, the essence of this principle comes down to guarantee to the parties equal opportunity to defend their rights and interests by reporting requests and applications, presenting allegations and evidence, as well as the use of remedies. The specificity of canon law showing its ecclesial roots means that the Church has the right as a community of faith, hope and love, the theological roots of canon law is an essential element distinguishing the legal order in the Church from state law. By examining procedural rules in canon law should therefore take account of their ecclesial nature.

The aim of this research project is to analyze the legal scope of the adversarial principle in canonical court proceedings. The answers will require not only a question, within which the analyzed procedures principle is implemented to the fullest extent, and in which proceedings is experiencing adversarial principle the major limitations, but above all, what are the reasons for the formation of this principle in each of the analyzed court procedures. Implementation of the research project will determine the legal status concerning the issues discussed which are currently in force in canon law. Then you will be presented with a list of critical problems resulting from the study of this matter in the analyzed jurisdictions and encompasses the optimal range of the adversarial principle in canon law aimed at improving the individual canonical court procedures.

The project provides for multi-faceted analysis of research issues from scope of the adversarial principle in some canonical processes, special, mainly in the process of marriage, through the legal aspects of this principle in the canonical penal trial, ending the possibility of applying this principle in the canonical proceedings controversially-administrative.

In canon law there is no studies exhaustively analyzing the issues of the scope of the adversarial principle in various judicial procedures canon law, but there is no publication that would holistically presented this issue. There is also in the court files of research or survey, for which the author intends to enrich the previous analysis of the dogmatic law.