

## **Marriage law and today's society**

### **Abstract**

The thesis focuses on the comparison of social advance in the context of family, pointing out the relatively rapid development towards equality and the reduction of stigmas associated with unmarried cohabitation. This societal development is then confronted with the existing legal framework, especially in the Czech Republic. This thesis attempts to point out the rigidity of the legal system and to identify certain injustices resulting from it for the addressees of legal norms.

This thesis is divided into 4 parts. The first part deals with the concept of family and how this phenomenon is perceived in terms of sociology. In part two, the thesis focuses on marriage, with particular emphasis on delineating the problems associated with marriage. Part Three then describes marriage in terms of different schools of thought, where marriage is analytically confronted with questions of the meaning and function of its existence in legal orders. Finally, in the fourth part, different directions of legal regulation are presented that could ensure a more just and comprehensive regulation of matrimonial, and therefore family law, so that this regulation meets the requirements of today's society. Overall, the work focuses mainly on property rights, inheritance rights and some social rights. The primary subject of this thesis is not the regulation of parental rights and obligations.

The aim of this thesis is therefore to provide a different perspective on the regulation of matrimonial law and to present the possibilities that modern family law could follow. The options offered include legal deregulation, partial deinstitutionalization, but also cohabitation regulation. For this purpose, the comparative method is used, whereby a number of, mainly European, legal orders are described and structured.

**Key words: marriage, family, cohabitation, law**