

X. RÉSUMÉ

In my work I deal with marriage, specifically with the conditions of its inception and the consequences of its demise. In spite of the fact that the crisis of family and marriage has been discussed extensively in the last years, marriage remains the fundament of a family and a relationship that gives birth to children. The decline of the number of marriages in the Czech Republic can be seen as being caused by the creation of a space for individualization, for free lifestyle, both in men and especially in women. Marriage is no longer regarded as an institution serving the purposes of the whole but in the future should serve mainly to individuals. One of its characteristics is the higher age of people entering into marriage, and the number of people living as lifelong singles has been increasing. Another alternative to marriage, living as partners without entering into marriage, is gaining a prominent position. It could be seen as caused also by adverse economic conditions, the growth of the costs of living, the lack in social welfare, housing etc. It is also characterized by the transition to a one-child family model. Natality has been decreasing, while the ratio of children born outside marriage has been increasing. The divorce rate has likewise been increasing. The stability of marriage, however, does not depend only on the spouses alone but is also considerably determined by the society. Anyhow, I still think that marriage remains an important part of the society that should have concern for its preservation, not to mention the preservation of family. This is an area that is very sensitive and emotional; moreover, marriage is characterized by its long-term duration. It is therefore necessary that the legal regulation is exhaustive and protects the position of weaker persons. I concentrated mainly on the legal regulation of the conditions of the inception of marriage and its defects, as for the demise of marriage I will deal with mainly with divorce and its consequences not only for the spouses themselves but possibly for their children as well. At the same time my tendency is to introduce the new facts brought about in this area by the proposal of the new Civil Code. Marginally I also mention the procedural aspect and certain aspects of foreign regulations.