

Resumé

At present, divorce is a common matter in our society and nearly everybody has a certain experience with it – either directly as a participant to divorce proceeding or indirectly. Last year, as much as 49 per cent of concluded marriages were divorced in the Czech Republic (Source: Czech Statistical Office).

Divorce is a traumatizing, painful experience with long-lasting consequences for all involved individuals, especially for children.

The present doctoral thesis deals with the evolution of marriage termination in the course of the spouses' life in the Czech territory from 1783 to 1992. The time period of concern is rather extensive and the legal regulation of marriage termination went through profound changes in its course, whereas marriage did not always formally terminate by divorce.

The doctoral thesis is divided into 12 general chapters. Chapter one is dedicated to the historical evolution and brief description of marriage termination up until the issuance of the Marriage Patent by Joseph II. The following chapters concern the Marriage Patent and detail the termination of marriage as regulated by the General Civil Code. Further chapters describe the impacts of the Concordat and the so-called May Acts on the matrimonial law, followed by a chapter dedicated to further evolution after the rise of independent Czechoslovakia. The thesis continues by a detailed explanation of marriage termination after the issuance of the Marriage Act Amendment, which is also the focus of the most extensive part of my thesis. Furthermore, I deal with changes in the matrimonial law regulation in the course of the Nazi occupation and during the communist regime in Czechoslovakia. Subsequent chapters are dedicated to marriage termination pursuant to the Family Law Act No. 265/1949 Coll. and the Family Act No. 94/1963 Coll. Finally, I explain how the fall of communism and return to democratic legal order was reflected in the matrimonial law. The time area of concern is limited to 1992, but to provide a complete and complex view of the marriage termination legislation, I have attached a brief description of changes introduced by amendment in 1998.