

Abstract

The The Diploma Thesis deals with the institute of Catholic marriage, also called matrimony, and aims to provide detailed analyses on nullity of matrimony due to invalidity of matrimonial consent and its declaration.

Firstly, the Thesis states a definition of matrimony with respect to Sacrament of Marriage being governed by the divine law, the canonical law, and, in regards to certain effects, the civil law. Pursuant to Code of Canon Law [CIC], 1983, canon 1055, §1, the matrimonial covenant, by which a man and a woman establish between themselves a communion of the whole life, is by its nature ordered toward the good of the spouses and procreation and education of offspring. Hence, marriage is a contract by which a man and a woman become irrevocably united, the Code of Canonic Law set up essential properties of marriage *obligationes matrimonii essentialis*, which are not to be excluded by either contractants.

The Thesis further provides commentary on the grounds for the invalidity of the matrimonial consent, by describing the reasons for nullity of matrimony which are defined by the Code of Canon Law, and can be grouped under these main causes: serious mental incapacity, incapacity to assume obligations, ignorance, error of person, simple error, fraud, simulation, conditional marriage, force and fear.

Thirdly, the Thesis is not to be a definitive commentary on the above causes, instead, provides a non-exhaustive list and detailed description of psychological nature causes determining the impossibility to assume the essential obligations of marriage. The last chapter summarizes the procedure on annulment declaring the marriage null and void.

The most important source of the Thesis is Code of Canon law, supplemented by the Czech and Slovak bibliography and American commentary on the Code playing an important role as well. Internet resources have too become by their extensiveness and actuality the irreplaceable grounds of informations. Given the above, the Thesis aims to bring into the issue of matrimony and its nullity, providing an overview of reasons for the nullity of matrimonial consent with emphasis on the the psychical caises, further, analyzing the respective provisions of Code of Canon Law and describing the process leading to the annulment of matrimony.