

Comparison of alternative forms of cohabitation in the Czech Republic and France

Abstract

The main objective of this thesis is to provide a detailed and systematic view of different types of alternative forms of cohabitation in two different countries, in the Czech Republic and in France, using descriptive, analytical and comparative methods.

This thesis is divided into six parts. First three parts are focused on French legislation. The first part introduces the French legal order and its liberal approach to homosexuality in general and to various forms of cohabitation. The second part describes in detail the Civil Solidarity Pact, registered partnership of its kind, its development over the years, as well as main reasons of its rising popularity in French society. It also provides a brief comparison with the institution of marriage in order to fully understand the advantages and disadvantages of the Civil Solidarity Pact. The third part of this thesis is concerned with concubinage, a very informal alternative form of cohabitation, also embodied in French legal order.

The following fourth and fifth parts describe the conservative approach of the Czech Republic to various forms of cohabitation over the years and their main advantages and disadvantages in comparison with France. It points to the division of Czech society into two groups on the basis of gender, where registered partners can only officially enter into registered partnership which is the main difference from the French legislation, where they are also allowed to enter into marriage. However, the thesis also points out possible amendments currently being discussed by the Parliament of the Czech Republic which aim to extend the rights of homosexual couples. Since 2006, when the Act of Registered Partnerships was adopted, the possibility of establishing a „marriage for all“ will be discussed for the first time.

The final part opens up space for discussion on the evaluation of both legal regulations. The author comes up with an outline of possible solutions to the currently discussed issues.

Keywords: alternative forms of cohabitation, civil solidarity pact, concubinage.