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Nota di contenuto	Intro -- Contents -- Major Jurists Cited in This Casebook -- Introduction to Roman Family Law -- Chapter I. Basic Concepts -- Case 1: Freedom, Citizenship, and Household -- Case 2: Slavery and Freedom -- Case 3: Agnatic Relationship -- Case 4: The Household (Familia) and the Pater Familias -- Case 5: Sui Iuris and Alieni Iuris -- Case 6: The Age of Majority -- Chapter II. Marriage -- Part A. Getting Married -- Section 1. Capacity to Marry -- Section 2. Agreement and Marital Affection -- Section 3. Ceremony? -- Part B. Further Aspects of the Marriage Process -- Section 1. Betrothal -- Section 2. Dowry -- Part C. The Marital Regime -- Section 1. Manus Marriage -- Section 2. Relations between Spouses -- Section 3. Procreation and Sexual Fidelity -- Section 4. The Property of the Spouses -- Section 5. Administering the Dowry -- Part D. The End of Marriage -- Section 1. Captivity, Deportation, and Divorce -- Section 2. Return of the Dowry -- Chapter III. Patria Potestas -- Part A. Powers -- Section 1. The Power of Life and Death -- Section 2. Consent to Marriage -- Section 3. Custody and Maintenance -- Part B. Property and Obligations -- Section 1. Acquiring for the Pater Familias -- Section 2. Obligating the Pater Familias -- Section 3. The Peculium -- Section 4. Liability for Wrongful Acts -- Part C. Creation and Termination -- Section 1. Birth -- Section 2. Adrogation and Adoption -- Section 3. Emancipation -- Chapter IV. Succession -- Part A. Intestate Succession -- Section 1. Civil and

Praetorian Law -- Section 2. The Senatusconsulta Tertullianum et Orphitianum -- Part B. Heirs and the Will -- Section 1. Freedom of Testation and Substitution -- Section 2. The Sui Heredes -- Section 3. Bonorum Possessio against the Terms of a Will -- Section 4. The Undutiful Will -- Part C. Bequests to Nonheirs -- Section 1. Legacies -- Section 2. Fideicommissa. Section 3. Gifts Mortis Causa -- Chapter V. Tutelage and the Status of Children and Women -- Part A. Children, Young Adults, Lunatics, and Spendthrifts -- Section 1. The Tutelage of Children -- Section 2. Curatorship of Young Adults -- Section 3. Curatorship of Lunatics and Prodigals -- Part B. The Status of Women -- Section 1. The Permanent Tutelage of Women -- Section 2. Women's Public Position -- Appendix: Biographies of the Major Roman Jurists -- Glossary of Technical Terms -- A -- B -- C -- D -- E -- F -- G -- H -- I -- J -- L -- M -- N -- O -- P -- Q -- R -- S -- T -- U -- V -- Suggested Further Reading -- Bibliography on the Roman Family -- Index of Sources.

Sommario/riassunto

The Roman household (familia) was in many respects dramatically different from the modern family. From the early Roman Empire (30 B. C. to about A.D. 250) there survive many legal sources that describe Roman households, often in the most intimate detail. The subject matter of these ancient sources includes marriage and divorce, the property aspects of marriage, the pattern of authority within households, the transmission of property between generations, and the supervision of Roman orphans. This casebook presents 235 representative texts drawn largely from Roman legal sources, especially Justinian's Digest. These cases and the discussion questions that follow provide a good introduction to the basic legal problems associated with the ordinary families of Roman citizens. The arrangement of materials conveys to students an understanding of the basic rules of Roman family law while also providing them with the means to question these rules and explore the broader legal principles that underlie them. Included cases invite the reader to wrestle with actual Roman legal problems, as well as to think about Roman solutions in relation to modern law. In the process, the reader should gain confidence in handling fundamental forms of legal thinking, which have persisted virtually unchanged from Roman times until the present. This volume also contains a glossary of technical terms, biographies of the jurists, basic bibliographies of useful secondary literature, and a detailed introduction to the scholarly topics associated with Roman family law. A course based on this casebook should be of interest to anyone who wishes to understand better Roman social history, either as part of a larger Classical Civilization curriculum or as a preparation for law school.
