

Res extra commercium

The purpose of this thesis is to analyse one category of things – things outside commerce (*res extra commercium*) in Roman Law, especially one of the main classes of these things, things in divine ownership (*res divini iuris*).

The thesis consists of four chapters, which are further subdivided into parts. First chapter describes basic methods of dividing things in the system of the Roman Law, thus defining the topic of this thesis.

Second chapter, which constitutes the main and the longest part of the thesis, deals with religious things (*res religiosae*). After the first subchapter, which contains basic demarcation of *res religiosae*, follows the second subchapter, which focuses on legal status of these things. Within its framework are also addressed some issues and concepts common to all three categories of the things in divine ownership. Third subchapter contains the analysis of the legal relations of the persons concerned with religious things. In the fourth subchapter is explanation of the *actio funeraria*, which was used for the settlement of expenses among persons who arranged a funeral, and persons, who had the obligation to cover the costs of that funeral. Finally, the fifth subchapter concentrates on the protection of *res religiosae* and protection related to them – on the protection of the owner of a land against unlawful burial, on the protection of the religious places using interdicts *de mortuo inferendo* and *de sepulchro aedificando*, and finally on the action (and crime) *sepulchri violati*.

Third chapter focuses on the second category of the things in divine ownership – on the sacred things (*res sacrae*). Its first subchapter contains basic demarcation of this term and legal status of these things, second subchapter describes the act needed for creation of a sacred thing – consecration (*consecratio*), and the third, last subchapter, contains description of the means of protection of these things – *sacrilegium* and *interdictum ne quid in loco sacro fiat*.

Fourth chapter deals with last category of these things, sanctified things (*res sanctae*). Its first subchapter contains demarcation of the term *res sanctae*, second subchapter brief description of their protection.