

Acquisition and Protection of Possession in Roman Law

The purpose of the thesis is to analyse and describe acquisition and protection of possession in Roman Law in detail. Both aspects are closely related and it is appropriate to examine them together. Regulation of acquisition of possession would not be necessary if possession was not protected, protection of possession would be indeterminate if there was not any rules in relation to its acquisition. Description of Roman Law regulation is supported by authentic texts, especially the *Corpus Iuris Civilis*, the body of law issued under emperor Justinian.

The thesis is composed of two fundamental chapters. The first chapter consists of four parts and focuses on acquisition of possession in Roman Law. Firstly, it deals with classification of acquisition of possession as the control intentionally exercised toward a thing, especially the division on occupation and tradition of possession. Then, description of acquisition through an agent according to Roman law follows as well as cases of legal disability to manifest the intention to acquire possession.

The second chapter is composed of three parts and deals with protection of possession in Roman Law. It examines the origin of possession and its historical roots, especially interdicts used in relation to public land. Description of interdicts *uti possidetis*, *utrubi*, *de vi*, *de vi armata*, *de precario* and *de clandestina possessione* according to the classical Roman Law follows which is extended to the post-classical period.

Conclusions are drawn in the final chapter. The main aim of the thesis is to discover legal regulation of acquisition and protection of possession in ancient Rome by examining original sources of information. Highly developed system of private law in ancient Rome is presented as well as inspiration and roots of contemporary civil law, as majority of Czech civil codes issued from the 19th century, including the effective civil code, was significantly affected by Roman Law.