



"Nihil animalis instrumenti esse": una nueva lectura de Alfeno Varo [

Universidad Católica de Valencia "San Vicente Mártir",
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text (article)

Analítica

In the section of the Digest concerning -de instructo vel instrumento legato‖ there is a text by Ulpianus that seems on first glance to offer an interesting ius controversum. Determining the contents of instrumenta fundi has depended on a jurisprudential criterion that has been practically unanimous since Sabinus, according to which both agricultural machinery and slaves and animals used for labor in the fields form a part of the -farm implement‖, and therefore of the instrumentum legatum. However, Alfenus Varus distances himself from this criterion in that he excludes all living beings from the catalog of instrumenta fundi. I propose a revised reading of Ulpianus' text, particularly that part which concerns Varus' -supposedly‖ singular doctrine

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