




National-Grade Textbooks in the 10th Five-Year-Plan
普通高等教育“十五”国家级规划教材

Marriage and Family Law

婚姻家庭 法学

(第二版)

主 编 杨大文 龙翼飞 夏吟兰
Chief Editor Yang Dawen Long Yifei Xia Yinlan

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。章八、六、五

析和阐释，同样有助于从事立法、司法和法律服务工作的读者更好地把握当代中国婚姻家庭法律制度的立法精神和司法规则。

本教材的各位撰稿人长期从事婚姻家庭法学的研究和教学工作，同时又参加了当代中国婚姻家庭法律制度的立法活动和法律实践。杨大文和龙翼飞是中国人民大学法学院教授、博士研究生导师，夏吟兰是中国政法大学教授、博士研究生导师，曹诗权是中南财经政法大学教授、博士研究生导师，孙若军是中国人民大学法学院副教授、硕士研究生导师。各位撰稿人的分工是：

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龙翼飞：第九、十一章；

夏吟兰：第七、十二章；

曹诗权：第十、十三、十四、十五章；

孙若军：第五、六、八章。

编 者

2007年7月



Introduction

This book is one of the national textbooks conducted by the program of the tenth five-year planning for the higher education.

Marriage and family law is an important part in the civil and commercial law. However, it also contains its unique content. The characteristic of this textbook is as following: First, this book conveys completely the basic theory of marriage and family law, which can help students grasp the basic knowledge of marriage and family law systematically. Secondly, this book analyzes the regulations on how to apply marriage and family law and introduces relating cases for improving the reader the ability of analyzing and solving problems. Third, this book uses the prevailing views in this field to argue the theory of marriage and family law as well as gives a brief introduction on some typical views in order to broaden the reader's academic thinking. Fourth, in

order to help the reader grasp the current law and regulation of marriage and family law, the authors also attaches the latest laws and regulations as well as judicial explanation in the book, such as Marriage Law, Adoption Law, Regulation of Marriage Registration and the judicial explanation of Marriage Law released by the Supreme People's Court.

This book can be used not only by the undergraduate and postgraduate students majoring in Law, but also by other students, such as self-studying students or the students studying law by radio or Internet. This book can also be used by the legal professionals for better understanding the legislation spirits and regulations of marriage and family law.

The authors of this book all have done the research and teaching works for many years as well as taken part in the current legislative activities and legal practice of marriage and family law. Professor Yang Dawen and professor Long Yifei, both are the professors and the supervisors of the doctoral candidates of Renmin University of China law school. Professor Xia Yinlan is the supervisor of the doctoral candidates of China University of Political Science and Law. Professor Cao Shiquan is the supervisor of the Master candidates of Zhongnan University of Economics and Law. Associate professor Sun Ruojun is the Supervisor of the Master candidates of Renmin University of China law school.

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June 2007



目 录

第一编 总 论

● 第 1 章 导言 /3

第一节 婚姻家庭的观念
和社会本质 /4

第二节 婚姻家庭制度及其
历史类型 /11

第三节 婚姻家庭法的沿革 /19

● 第 2 章 婚姻家庭法概述 /32

第一节 我国近现代的婚姻
家庭立法 /33

第二节 婚姻家庭法的概念和
调整对象 /44

第三节 婚姻家庭法在法律体系
中的地位 /53

第3章 婚姻家庭法的原则 /60

第一节 婚姻家庭法中的原则规定 /61

第二节 保障原则实施的禁止性规定 /71

第4章 亲属关系原理 /79

第一节 亲属的概念和亲属制度的沿革 /80

第二节 亲属的种类和范围 /83

第三节 亲系和亲等 /87

第四节 亲属关系的发生、终止及效力 /96

第二编 分 论

第5章 结婚制度 /103

第一节 概说 /104

第二节 结婚条件 /110

第三节 结婚程序 /116

第四节 无效婚姻和可撤销婚姻 /121

第6章 夫妻关系 /140

第一节 概说 /141

第二节 夫妻人身关系 /142

第三节 夫妻财产关系 /147

第7章 离婚制度 /155

第一节 概说 /156

第二节 离婚登记 /163

第三节 诉讼离婚 /165

第四节 离婚的效力 /177



第8章 亲子关系 /204

- 第一节 概说 /205
- 第二节 婚生子女 /209
- 第三节 非婚生子女 /216
- 第四节 继子女 /220
- 第五节 亲权 /222

第9章 收养 /227

- 第一节 概说 /228
- 第二节 我国的收养立法及其基本原则 /229
- 第三节 收养关系成立的法定条件 /231
- 第四节 收养关系成立的法定程序 /236
- 第五节 收养关系的法律效力 /239
- 第六节 收养关系的解除 /242

第10章 扶养 /246

- 第一节 概说 /247
- 第二节 我国现行扶养制度 /255
- 第三节 扶养制度的完善 /260

第11章 监护 /265

- 第一节 概 说 /266
- 第二节 监护关系的设立、变更和终止 /272
- 第三节 监护人的法律地位 /279

第12章 救助措施与法律责任 /286

- 第一节 救助措施 /287
- 第二节 法律责任 /289

第三编 附 论

第13章 民族、涉外、涉侨及中国区际婚姻家庭法律问题 /297

第一节 民族婚姻家庭法律问题 /298

第二节 涉外婚姻家庭法律问题 /302

第三节 涉侨、涉港澳台的婚姻家庭法律问题 /307

附 录 /315

中华人民共和国婚姻法 /316

最高人民法院关于适用《中华人民共和国婚姻法》

若干问题的解释（一） /323

最高人民法院关于适用《中华人民共和国婚姻法》

若干问题的解释（二） /327

婚姻登记条例 /331

中华人民共和国收养法 /335



Contents

Part I General Introduction

Chapter 1 Introduction /3

- Section 1 The Concept and Nature of Marriage and Family /4
- Section 2 The System of Marriage and Family and Its Historical Types /11
- Section 3 The Historical Developments of the Marriage and Family Law /19

Chapter 2 Outline of the Marriage and Family Law /32

- Section 1 Modern Marriage and Family Law /33
- Section 2 Concepts and Objectives Adjusted by the Marriage and Family Law /44
- Section 3 Status of the Marriage and Family Law /53

Chapter 3 Principles of the Marriage and Family Law /60

- Section 1 The Regulation on the Principles in the Marriage and Family Law /61
- Section 2 The Forbidden Regulations on the Practice of Safeguarding the Principles /71

Chapter 4 Principles of Kinship /79

- Section 1 Concepts and the Historical Developments of Kinship /80
- Section 2 The Types and Sphere of Kinship /83
- Section 3 Seriation of Kinship and Degree of Kinship /87
- Section 4 Establishment, Termination and the Legal Validity of Kinship /96

Part II Specific Introduction

Chapter 5 The System of Marriage /103

- Section 1 General Survey of Marriage System /104
- Section 2 Conditions of Marriage /110
- Section 3 Procedures of Marriage /116
- Section 4 Invalid Marriage /121

Chapter 6 The Relation of Spouse /140

- Section 1 General Survey of Spouse Relation /141
- Section 2 Status Right of Spouse /142
- Section 3 Property Relation of Spouse /147

Chapter 7 The System of Divorce /155

- Section 1 General Survey of Divorce /156
- Section 2 Divorce Registration /163
- Section 3 Divorce by Litigation /165
- Section 4 The Legal Validity of Divorce /177



Chapter 8 Relation of Kinship /204

- Section 1 Right and the Relation of Kinship /205
- Section 2 Child Born in Wedlock /209
- Section 3 Child Born out of Wedlock /216
- Section 4 Child by Inheritance /220
- Section 5 Right of Kinship /222

Chapter 9 Adoption /227

- Section 1 General Survey of Adoption /228
- Section 2 Legislation of Adoption in China and Essential Principles Concerned /229
- Section 3 Legal Conditions for Establishing Adoptive Relationship /231
- Section 4 Legal Procedures for Establishing Adoptive Relationship /236
- Section 5 Legal Effects of Adoptive Relationship /239
- Section 6 Dissolution of Adoptive Relationship /242

Chapter 10 Maintenance /246

- Section 1 General Survey of Maintenance /247
- Section 2 The Current Maintenance System /255
- Section 3 Perfection of the Adoptive System /260

Chapter 11 Custody /265

- Section 1 General Survey of Custody /266
- Section 2 Establishment of Custody /272
- Section 3 Rights, Obligations and Duties of Custodian /279

Chapter 12 Helping Measures, Remedies and Legal Liability /286

- Section 1 Helping Measures, Remedies /287
- Section 2 Legal Liability /289



Part III Additional Comment

Chapter 13 Legal Issues on Marriage and Family Concerning Different Nationalities, Foreigners, Overseas Chinese, and People of Hong Kong, Macao and Taiwan /297

- Section 1 Legal Issues Concerning Marriage and Family between Different Nationalities /298
- Section 2 Legal Issues on Marriage and Family Concerning Foreigners /302
- Section 3 Legal Issues on Marriage and Family Concerning Overseas Chinese, Hongkongnese, Macaonese and Taiwanese /307

Appendix /315

- Marriage Law of the People's Republic of China /316
- Interpretation No. 1 of the Supreme People's Court on Several Issues in the Application of Marriage Law of the People's Republic of China /323
- Interpretation No. 2 of the Supreme People's Court on Several Issues in the Application of Marriage Law of the People's Republic of China /327
- Regulation on Marriage Registration /331
- Adoption Law of the People's Republic of China /335

第一编

总论

