

The Extended Family Under Peruvian Family Law: Between Tradition and Globalization

Ana María Olguín Britto

Professor of Law

Saint Toribio of Mogrovejo Catholic University

Family law in the Peruvian legal system maintains a special legal tradition, because it is not only the legacy of Hispanic heritage which belongs to the Roman-Germany law system but it also received a Pre-Hispanic influence; getting a cultural synthesis, as a mixed identity, and the recognition of the family as a natural institution, and a social and legal person.

Because of the current phenomenon of globalization which tends to standardise situations and realities, family law in Peru has a lot of challenges to face, especially those ones which are related to its constitutional legal identity, which can be better observed in contrast to other systems, which finally demonstrates its reference to the human nature underlying the historical and cultural affairs.

If we talk about the extended family, there are many social required needs, the responses at a legislative, jurisprudential and doctrinal level are examples of the necessity for appropriate legal and political coordination, based on their own concepts in order to start a dialogue considering international standards.

These reflections are developed on this work, not emphasizing fully on the topic at hand but using it as a base to contribute to the contemporary debate.