

BOOK REVIEW

**CARMEN TAMARA UNGUREANU,
MANUAL OF CIVIL LAW. GENERAL PART. PERSONS,
București, Ed. Universul juridic, 2011**

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The *Manual of Civil Law. General Part. Persons*, authored by Carmen Tamara Ungureanu¹ is a welcome publication in the Romanian legal space.

As the author herself notes in the foreword, her work - suggestively named “Manual”, since it represents a classical approach to the general part of the civil law - constitutes a very useful instrument, for both students and law graduates, as well as for practitioners, scholars in law, and also for anyone interested in understanding the “meanders” of the civil law.

The work had been elaborated based on an extensive bibliography, including treaties, university courses of classical juridical doctrine², and also of contemporary civil law doctrine³, of procedural civil law, of private international law, works of French legal literature; it is also based on the jurisprudence of Romanian courts, on effectual legislation (the present Romanian Civil code, Law no. 202/2010, regarding certain measures for accelerating the solving of lawsuits, Law no. 272/2004, regarding the protection and the promotion of the child rights, etc.), and on the new Civil code, also.

First of all, the book brings to the attention of those interested a series of introductory notions, starting with the definition of the civil law, the position of the civil law among other law branches, the formal and the informal sources of civil law, the enforcement of civil law in time, space and upon persons and the interpretation of the civil law norms.

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² M. B. Cantacuzino, *Elementele dreptului civil*, Edit. All Educational, București, 1998; C. Hamangiu, I. Rosetti-Bălănescu, *Tratat de drept civil român*, Edit. Națională, București, 1929, vol. I.

³ Gh. Beleiu, *Drept civil roman. Introducere în dreptul civil. Subiectele dreptului civil*, ed. a XI-a, revăzută și adăugită de Marian Nicolae, Petrică Trușcă, Edit. Universul Juridic, București, 2007; G. Boroș, *Drept civil. Partea generală*, ed. a IV-a, Edit. Hamangiu, București, 2010; Șt. Răuschi, C.T. Ungureanu, *Drept civil. Partea generală. Persoana fizică. Persoana juridică*, Edit. Fundației Chemarea, Iași, 1995; O. Ungureanu, *Drept civil. Introducere*, ed. a VI-a, Edit. Rosetti, București, 2002, ș.a.

The next discussed topics are, of course, the fundamental institutions of the general part of civil law: the civil juristic relationship, the civil juristic act, proof of civil rights (evidence), and the limitation.

The last part of this course consists in a detailed analysis of the two categories of subjects participating in the civil juristic relationships: the natural and the legal person.

The book is very useful, especially for students, since it offers a multitude of examples, (some of which are personal creations – as the author herself points out, and others that are taken from the jurisprudence of the Romanian courts of law) that perfectly illustrate the approached civil law institutions, that are, sometimes, quite difficult to be understood and defined by first year students, for whom this book is designed.

The main contribution of the author lies in the comparative approach of the general part of the civil law, from the perspective of the Romanian civil code in force and of the new Romanian civil code, which, as the author herself notes, “does not contain any provisions of an absolute novelty”. However, the novelty of the future civil code consists in the resolutions proposed for the controversial issues found in the judicial theory and practice, and in certain provisions, that have already been verified, taken from other states’ civil legislation (The French civil code, the Italian civil code, the Swiss civil code) and especially from the Civil code of Québec, which represents the main inspirational source for the new Romanian civil code.

Furthermore, the originality of this work consists in the analysis of the legislative amendments and novelties proposed by Law no. 202/2010, regarding certain measures for accelerating the solving of lawsuits, regulations that meet the provisions of the new Romanian civil code, providing a progressive implementation of the latter.

In conclusion, the *Manual of Civil Law. General Part. Persons*, brought, by author Carmen Tamara Ungureanu, to the attention of present and future law specialists, as well as to the attention of anyone interested in the classical as well as in the current aspects of civil law and in its constantly controversial issues, represents a modern, useful instrument for theoretical and practical understanding, and of a most interesting comparative approach of what the law practitioners call the common law – the civil law foundations.