

Jurnalul de Studii Juridice

Journal of Legal Studies

ISSN: 1841-6195 (print); e-ISSN: 2067-8509 (electronic)

Covered in: Index Copernicus, Ideas RePeC,

EconPapers, Socionet, CEEOL

**BOOK REVIEW: LIABILITY IN
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LECTURER PHD NEMŢOI GABRIELA IAŞI,
ROMÂNIA: LUMEN PUBLISHING HOUSE**

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Jurnalul de Studii Juridice, Year X, No. 1-2, June 2015,
169-171

Published by:
Lumen Publishing House

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Abstract

Liability Forms, whether it is a contractual or a tortious liability, occupies an important space in any branch of law, because they require an act, or by default by carrying out an obligation in case of a legal relationship.

Liability is a way, indirectly said, to sanction the lack of an act or a legal fact that was committed.

In case of constitutional responsibility, the author had in mind not only the limited legal norms which coordinates the work of state institutions and the limit of the work of state officials, in their capacity as the dignitaries under the name of parliamentary, ministers, magistrates.

Constitutional responsibility must be perceived as its existential form of constitutional guarantees, which allows the state to correct the abuses, which government institutions are committing in relation to the citizen.

Thus, the importance of the theory of constitutional responsibility and state law is given by the fact that it provides an overview of all phenomena that relate to the theme addressed "Liability in constitutional law".

Keywords:

political responsibility of MPs, pecuniary liability, disciplinary responsibility of magistrates.

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Introduction

The book "Liability in constitutional law" written by Nemțoi Gabriela, published by Lumen Publisher in its 2015 Legal Collection, is a comprehensive study on a segment of constitutional law, namely various poses in which constitutional responsibility is found.

Divided into five chapters, the paper stands out by identifying and limiting the constitutional responsibility of some state institutions or high scale public functions.

Taken as a whole, the paper outlines an important part of constitutional law, to establish common standards concerning constitutional responsibility, in the context when liability is seen from the perspective of the tool, with which it is sanctioned by the state institution in case of an error.

Liability constitutional demonstrative arguments

The rule of law - is the state in which the policy of the state bodies have the task of ensuring the continuity and development of the social - microeconomic subsystem and the state as a whole, the starting point being the medium and long term interests, as confirmed by the majority of citizens by law vote.

In this context, the Constitution of 1991 is the foundation of governing these relations, and brings accountability on the first plan, to the action triggered by state institutions.

The book "Liability constitutional law" exposes the quintessential of the topic, after going through various political events, in which state institutions delegate its jurisdiction, such as the Parliament - legislature is substituted in its activity by Government - the executive, by issuing laws to which the last assumes responsibility.

The factual conducting of these phenomena, in the politic life of Romanian state in the contemporary period, brought to the public, a fundamental question: Which of state institutions is responsible for the errors to the citizens?

In this context, the author Gabriela Nemțoi, through this legal literature has attempted to identify some forms of constitutional responsibility. Therefore, the paper includes: presidential disclaimer, responsibility of govern members, the procedure of incurring of liability of Government, the liability of members of parliament, magistrates liability.

We must not neglect the fact that the literature of constitutional law (Nemțoi Gabriela, 2013), which she notices, emits clear arguments on the

existing constitutional responsibility (Cristian Ionescu, 2013), on the representative institutions of state power, to eg Head of State's institution, or Government institution (I. Deleanu, 2000).

Innovative aspect of this work is given first by the concrete approach from theoretical perspective by exposing and commenting normative texts, alongside with practical perspective, bringing a theory of argumentation in discussions on practical situations from the palette of Constitutional Court's jurisprudence, constitutes a demonstration that state politics life is not just a theory, is not a utopian concept but is a real one. Acts committed by state institutions in civil society are practically found in the state citizens.

In this regard, the author has proposed to evaluate the forms of constitutional responsibility, compared theoretically and practically, so practicing an answer to the question of civil society, who is responsible for the state errors to the citizen.

Conclusion

Under the constitutional aspect, the book is a summary of liability forms in constitutional law, meaning that the legal address of constitutional law rules is not located only within the constitution, but it is primarily reflected in constitutional jurisprudence.

Thus, we can conclude that in all, the paper proposes a rigorous analysis of liability exponents according to institutions or to dignities that the Constitution confers.

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