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REVIEW OF THE VOLUME „THE PROMISE OF MARRIAGE (ENGAGEMENT) IN ROMANIAN PRIVATE INTERNATIONAL LAW. FAMILY RELATIONS IN ROMANIAN PRIVATE INTERNATIONAL LAW", AUTHOR NADIA-CERASELA ANITEI, PUBLISHING BY LAP LAMBERT PUBLISHING HOUSE

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REVIEW OF THE VOLUME „THE PROMISE OF MARRIAGE (ENGAGEMENT) IN ROMANIAN PRIVATE INTERNATIONAL LAW. FAMILY RELATIONS IN ROMANIAN PRIVATE INTERNATIONAL LAW", AUTHOR NADIA-CERASELA ANITEI, PUBLISHING BY LAP LAMBERT PUBLISHING HOUSE

Carmen Tamara UNGUREANU[1]

Abstract

The monograph, The promise of marriage (engagement) in Romanian Private International Law. Family relations in Romanian Private International Law", was published by LAP (Lambert Academic Publishing) in 2020 and is part of the author's constant preoccupations in the field of private international law

The author holistically captures in her book, The promise of marriage (engagement) in Romanian Private International Law, the institution of engagement from its origins to the present in Romanian Law, in comparative law and in Romanian Private International Law.

Keywords

The promise of marriage (engagement) in Romanian Private International Law; Family relations in „Romanian Private International Law".

The Romanian legal literature in private international law has recently been enriched with the contribution of Mrs. Nadia Cerasela Anitei, a professor at "Dunarea de Jos" University of Galati.

The monograph, "*The promise of marriage (engagement) in Romanian Private International Law. Family relations in Romanian Private International Law*", was published by LAP (Lambert Academic Publishing) in 2020 and is part of the author's constant preoccupations in the field of private international law. To name just a few of her recent works on Family Law in a private international context, they are worth mentioning: *The law*

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applicable to matrimonial agreement. Romanian private international law (2013); *Marriage agreement under the provisions of the Romanian Civil Code* (2012); *Matrimonial property agreement under the new civil Code* (2012); *Matrimonial property regimes under the new civil Code* (2012); *Family law* (2012).

The author holistically captures in her book, *The promise of marriage (engagement) in Romanian Private International Law,* the institution of engagement from its origins to the present in Romanian Law, in comparative law and in Romanian Private International Law.

In the brief history of engagement in the old Romanian Canon law, it is encapsulated the essence of engagement: "[…] the exchange of the rings and/or the kiss, the gifts, the religious ceremony and the feast." (p. 30). Nowadays, even if the religious significance of engagement in the Canon Law rests, the ceremony of engagement cannot be performed before the civil marriage took place.

The Romanian regulation of engagement comprised in the five articles (art. 266 – art. 270) of Civil Code is critically analyzed, by using a rich legal literature on the subject. The author finally reaches to the conclusion that the regulation was not necessary, as the legal effects of the engagement are merely noticeable. Moving the research into comparative law, the author takes a revealing peak at the engagement in French law, which she describes quite exhaustively and gives brief references to Italian, Swiss and Quebec law (as the last one served as a source of inspiration for the Romanian provisions included in the Civil Code).

The second part of the book is devoted to the engagement in Romanian private international law. The author first clarifies the terminology used in the only article of Civil Code regarding engagement in an international context: the meaning of promise of marriage (which is considered broader in private international law than in domestic law), the substantive conditions required for the conclusion of the promise of marriage, the effects of the promise of marriage and the consequences of breaching them.

The author conducts a valuable and useful analysis on the conflicts of laws in the field of the promise of marriage. Using questions at the beginning of the study Mrs. Nadia Cerasela Anitei manages to clarify all the aspects of the law applicable to the promise of marriage in Romanian private international law.

The article 2585 Civil Code is interpreted in a comprehensive manner and the conflict rules are deeply analyzed in all of the possible situations which could appear in practice.

We appreciate the monograph as a useful tool not only for students, especially for those enrolled in comparative and international studies, but for lawyers in general and, last but not least, for all persons interested in Family Law in an international environment.

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