

**Review of the Book
“Drept internațional
privat” [Private
international law],
Author - Dumitrița
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Abstract: The book by the author Dumitrița Florea reflects the concerns for the regulation of private international law analyzed both through the lens of domestic law and the applicable European regulations in this field. The present paper highlights the study of some aspects related to private law relations with an element of foreignness, the specific sources of international law, the application of foreign law or the legal condition of the foreigner. The private international law relationship differs from the domestic law relationship by the existence of an element of extraneousness, which represents a factual circumstance related to a legal relationship due to which this relationship is related to several legal systems. It follows that the determination of the elements of extraneousness and the effects they produce differ from one legal system to another.

Keywords: *law; private law; international; domestic law; European regulations.*

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The author captures the importance of the conflict of laws, which is a notion specific to private international law and can only intervene in the field of the relationship with a foreign element that forms the object of private international law, when the application of a foreign law is sometimes admitted. Conflicts of laws are determined by the existence of different legal systems, which are special in their regulations and include the movement of people and goods from one country to another. Therefore, there is the problem of knowing which of the conflicting laws will actually be applied. The solutions are provided by the rules of private international law (Sitaru, 2013).

Institutions specific to the field of private international law - qualification and resubmission - are not bypassed, so the author manages to bring and elucidate conceptual clarifications to the readers. Since the notions that determine the content and connection of the conflicting norm do not have the same content in all legal systems, the author highlights the determination of their system, of the reality to which it refers or which includes it. The qualification is of particular importance for the resolution of the cases only in the situation where there are conflicts of qualifications, more precisely where the conflicting laws give different qualifications. It is even appreciated that the qualification institution imposes the solution of the conflict of laws (Aniței, 2015). Sometimes the qualification is not important for the resolution of conflicts of laws because there are no conflicts between the qualifications. For this reason, the role of qualification should not be exaggerated, but should be taken into account only when the interpretation of conflicting norms leads to different solutions. Regarding the resubmission, the author emphasizes that it is a legal institution in the field of private international law, caused by the negative conflict between the conflicting norms present, regarding a legal relationship, namely: in the sense that each conflicting norm gives the other the competence to govern respective legal report (Deleanu, 2013).

In the present work, the author draws attention to the notion of public order and explains that, in private international law, the derogation from the application of foreign law has an exceptional character. Much modern scholarship agrees that one cannot abstractly determine the content of the notion of public policy in private international law. The court will determine, in each individual case, whether or not the normally competent foreign law contravenes the public order of private international law in the *lex fori* of the state.

The author also expands her analysis on the concept of personal status, which constitutes a first category of connection whose unity is

achieved in private international law by subordinating the various matters that make it up to the same law, the personal law (Florea, 2022). This seems to be normal since a natural person remains the same, no matter how many borders he crosses and therefore the legal regime of his personal status tends to be the same. For this reason, laws that refer directly to persons, such as those regarding status and capacity, must govern personal status permanently. The idea of permanence characterizes the personal status and imposes the competence of the national law, in the broadest sense.

The author's research extends to the family in private international law, thus examining regulations on the conclusion of marriage, the dissolution of marriage by divorce in private international law, and aspects of filiation. Moreover, the family as a component part of the status of the natural person is a form of social relations between people linked to each other by marriage and kinship. Family relations result from marriage, natural kinship and adoption and present personal aspects and patrimonial aspects, present both in the internal legislation of the states and in international regulations.

It is certain that this work is intended to provide legal practitioners, as well as students, with real support and an overview of private international law and the international legal system, by presenting the concepts, principles and essential legal institutions specific to private international law, which to allow an in-depth study of them.

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