LAUDATIO

In honor of Professor CORNELIU BÎRSAN Ph.D
Professor Emeritus of the Faculty of Law of the University of Bucharest,
Correspondent Member of the Romanian Academy

Abstract: This LAUDATIO was proposed by a Commission of Teachers from the Law Degree Program of the Faculty of Economic, Legal and Administrative Sciences of "George Bacovia" University of Bacau, led by Ioan CIOCHINĂ-BARBU Ph.D, within the University procedures, with the proposal to grant the title of DOCTOR HONORIS CAUSA to Professor Dr. CORNELIU BÎRSAN. It was approved at the University Senate meeting, consisting of a Alexandru AMITITELOAIE Ph.D - president and Radu FLOREA Ph.D, Gabriela FOTACHE Ph.D, Radu Cristian BUCSĂ Ph.D, Violeta URBAN Ph.D, Cristinel BUIJORD - student AP II and Vasile GRAIJEANU - student DR III, members. LAUDATIO was presented in the plenum of the National Conference with International Participation "Delinquency and Crime. Evolution, Trends and Perspectives" - DECRET, 4th edition, which took place at "George Bacovia" University in Bacau on 22 November 2018, when he was awarded the title of DOCTOR HONORIS CAUSA to Professor Dr. CORNELIU BÎRSAN. It was presented by Mr. Ioan CIOCHINĂ-BARBU Ph.D.

Keywords: laudatio; doctor honoris causa; Corneliu Bîrsan.

Honored assistance
The tradition of recognizing scientific, professional, managerial and cultural contributions, proclaiming and promoting academic values is the purpose of a university. In the spirit of this tradition, we offer today the highest expression of our recognition - the title of Doctor Honoris Causa – to Professor Univ. Dr. Corneliu Barsan, correspondent member of the Academy, thus expressing our admiration and appreciation towards a prominent personality of contemporary Romanian society.

On this occasion I have the privilege to present you LAUDATIO.

Preamble
Talking about Professor CORNELIU BÎRSAN is a challenge, but also a possible risk. The challenge means exploring all aspects, diverse and complex, through which we can pencil the personality of his reign. The risk threatens the one who would not be able to capture synthetically the essential aspects of a life devoted passionately to an exceptional teaching career and scientific research in the field of law.

It is difficult to encompass in a small frame the entire activity of a personalities of such magnitude, which is why we have selected only a few significant milestones which define the work of his reign, in order to grant by the university "George Bacovia "in Bacau of the title of Doctor Honoris Causa.
Biographical highlights

Professor CORNELIU BÎRSAN was born on 16 December 1943 in the commune of Muntenii de Jos, Vaslui County. He attended the "Mihail Kogălniceanu" high School in the municipality of Husi, Vaslui, which he graduated in 1961. In the period 1961-1966 he attended the day courses of the Faculty of Law at the University of Bucharest and, after graduating he was invited by the late Academician and Professor Traian Ionașcu to enter the faculty body of the same faculty, teaching civil law discipline, starting with the year 1967, as a substitute assistant, then, from 1970, as assistant professor. In his didactic activity he as mentors the renowned professors Traian Ionașcu, Constantin Stătescu, Francis Deak and Tudor Radu Popescu, who were recognized both as pedagogues of law, but also perfect theorists.

In close conjunction with his didactic activity, Mr. Corneliu Bîrsan also carried out scientific research, first by publishing several studies, then through monographic works, having a fruitful collaboration with University professor Ștefan Beligrădeanu, on the occasion of publication in the Romanian Journal of Law of several studies in the late 60’.

In the years 1971-1974 he continued his studies at the International Faculty of Comparative Law, following the Cycle I in Strasbourg in 1974, Cycle II in Strasbourg in 1975 and cycle III in Saint-Jacques de Compostelle, studies completed with the Diploma of High Studies in compared law. These cycles of university studies in France and Spain allowed the young teacher, Corneliu Bîrsan, to acquire, in addition to the specialization in civil law, resulting from the matter he teaches, a comparative law specialization, which facilitated his familiarity, many years later, with the field of international trade law and that of international protection of human rights. In the period 1974-1975 he conducted private law studies in the legal department of the European University Centre in Nancy.

Returned to Romania, he was promoted to university lecturer in the Department of Civil Law of the Faculty of Law, University of Bucharest, and in 1977 completed his doctoral studies in the Faculty he taught in, obtaining the title of Doctor in law with the thesis "The legal effects of good faith in Romanian civil law".

His didactic and doctrinal activity

His close collaboration with his mentors also resulted in important works of monographic nature or scientific treatise, among which the most important were the Treaty of Civil Law. The general theory of real rights, in collaboration with Constantin Stătescu, a work that served as a landmark in the matter of real rights not only in the years 1980 and 1988 in which it was republished, but also after the Romanian Revolution of 1990. The same destiny had the Civil Law Treaty. The general theory of Obligations, in collaboration with Constantin Stătescu, Academy Publishing, Bucharest, 1971, which was used by students and practitioners of law until the emergence of the Civil Law Treaty. The general theory of Obligations, in collaboration with Constantin Stătescu, All Publishing House, Bucharest, 1992, republished in 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2004, 2008, thereby becoming the longest work written as a treaty in the matter of obligations in Romania. Moreover, in the year 2000, this work was awarded the COPYRO Award of the Romanian Writers' Union. Another work with didactical character, which is representative for his activity of publishing collaboration is the Interdisciplinary Guide of judicial practice, developed together for with Savelly Zilberstein, Francisc Deak, Ada Petrescu, Viorel Mihai Ciobanu and Lucian Mihai, which appeared in the year 1983. The book The legal regime of immovable property, which saw the light of the pattern in the same year, 1983, at the Scientific and encyclopedic publishing house, is one of his works as single author of monographic character that must be mentioned.

From 1977 until now, Professor Corneliu Bîrsan is a member of the French Society of Comparative legislation, as a sign of appreciation by its members of his knowledge of private law.

The professor expanded his specialization concerns in the field of international trade and as a consequence in 1977 he was received in the Body of referees of the Committee of International Trade Arbitration in addition to the Chamber of Commerce and Industry of Romania, in which he activated, as an arbitrator, until 1990, quality which he reacquired in 2014, after the termination of the mandate of judge in the European Court of Human Rights in Strasbourg, currently being enrolled both on the list of referees, and
umpires of the International Commercial Arbitration Commission in addition to the Romanian Chamber of Commerce and Industry.


In addition to the didactic and doctrinal activity carried out uninterrupted throughout this period, Professor Corneliu Bîrsan also carried out a legislative advisory activity, being appointed in committees drafting legislative projects, the most Important being the Commission for drafting the Civil code Project and the Family Code Project in the Ministry of Justice, in which he activated during the period 1975-1986. Also, in the period 1982-1985, he was a member of the Legal Council of the Ministry of Foreign Trade.

In 1991, Mr. Corneliu Bîrsan obtained the teaching title of Associate Professor, after that, on 20 January 1990, was elected by the new Council, dean of the Faculty of Law of the University of Bucharest, quality in which he activated two consecutive mandates (until Year 1998). In this capacity he reformed both the administrative organization of the faculty and the interinstitutional and external relations. The most important project he initiated in this respect was the Franco-Romanian legal College of the Faculty of Law – University of Bucharest, a higher education institution founded by a consortium of French universities with the center at the University Paris I Panthéon-Sorbonne, with a study program of three and five years, in the Bologna system, at the end of which a Conjoint diploma is issued in the law specialization, for the licensing studies and specialization in European business law, for Master studies. Since its establishment in the year 1993, and until the end of his mandate in 1998, he has established a prestigious reputation for this form of higher education, which currently has an uninterrupted activity for more than 20 years. Another very important project to which he laid the foundations of, in his first mandate as Dean of the faculty was the Franco-Romanian Institute of Business Law and international cooperation "Nicolae Titulescu-Henri Capitan", an institutional project that formed many lawyers during the years 90.

During the two mandates of Dean Professor Corneliu Bîrsan applied in practice principles such as: improving the performance of tasks; facilitating and supporting the implementation of change; improving the quality of courses and teaching; Promoting creativity and innovation, developing development programs; supporting research projects of teachers and students.


In 1992, after becoming a university professor at the private Law department of the Faculty of Law in Bucharest, Professor Corneliu Bîrsan began his doctoral management activity within the school, which he carried out from 1993 to Present, uninterrupted. Under the coordination of his reign, representative PhD theses were supported for Romanian research in the field of private law, both on civil law and human rights protection.

The specialization of Professor Corneliu Bîrsan in the field of human rights was mainly shaped in the era in which he first held the quality of member of the former European Commission of Human Rights in Strasbourg, between 1995 and 1998, and subsequently, in 1998, when he was elected by the Parliamentary
Assembly of the Council of Europe as a judge at the European Court of Human Rights in Strasbourg. By the year 2013, he served three consecutive mandates as a judge from Romania at this high international jurisdiction. He harmoniously merged the practical and doctrinal activities during his mandates by drafting a large two-volume work in the field of human rights protection, published by the C.H. Beck publishing house Romania, which serves as a landmark for the Legal literature in the Romanian language. The comment analyzes legal protection both from a substantial and procedural perspective. The same publisher house reedited this work in the year 2010. For the work *European Convention on Human Rights. Comment on articles Vol I Rights and freedoms*, Professor Corneliu Bîrsan received, in the year 2005, the "Mihai Eminescu" prize of the Lawyers Union in Romania.

In the trend established since the 70’, it has been recognized Professor Corneliu Bîrsan contribution to the development of legal culture by both the community and institutions with skills in the field of Romania and abroad but also in the subsequent period. Thus, as a researcher, he was received, in 1990, as a member of the International Institute of French Expression Law, institute in which he currently operates; In 1993 he was co-opted as a member of the Scientific Council of the Romanian Institute of International Studies, quality he kept so far without interruption.

Also, Professor Corneliu Bîrsan conducts coordination and supervisory publishing activities in scientific councils and editorial committees of some prestigious periodicals in Romania, including the Judicial Courier, the Romanian magazine of private Law, the Romanian Magazine of Community Law, the Romanian Journal of Maritime Law and to our pride and honor at the University Magazine, Acta Universitatis George Bacovia.Juridica, published in BDI.

Academically, Professor Corneliu Bârsan was involved in projects for the coordination and reform of the university education system, the most important contributions he has made to the academic system of education including the mandate of the period 1994-1998 at the National Council for Academic Evaluation and accreditation, as well as a member of the National Council for Education Reform, in the period 1999-2008. These mandates have confirmed the confidence of the competent authorities in its skills of harmonious development of university education, skills based on his extensive experience both didactic and managerial.

The research activity carried out over the years by researcher Corneliu Bârsan was completed with the publication of 25 monographs, university courses, treaties and contributions in collective volumes, as well as more than 85 studies, articles, notes, Comments on case-law, or opinions. Many of the books he wrote were republished or were added editions and enjoyed popularity among students – being used as teaching material by students from other university centers, as well as practitioners, especially in the judiciary system. The recognition enjoyed by the doctrinal activity of his reign is also reflected in the awards and distinctions received from the prestigious institutions. Among the recent journalistic works, the most important is the course for the licensing years devoted to matter Civil Law. *The main real rights*, which, until now, has three editions, 2013, 2015, 2017, the work was developed in the regulation of Civil Code 2009. We also note that, in 2013, Professor Corneliu Bîrsan received the award "Mihai Eminescu" of Lawyers unions in Romania.

As of 2002, Professor Corneliu Bîrsan became an honorary member of the Bucharest Bar, and from 2004 member of honor of the National Union of Bars in Romania. At the same time he reopened, following the termination of the mandate as a judge at the European Court of Human Rights in Strasbourg, the lawyer activity he had previously to occupying the position of member of the former European Commission on Human Rights in Strasbourg and focused his practice in the field of private law.

As a sign of gratitude for his rich career, Professor Corneliu Bîrsan was awarded the title of member in some prestigious professional organizations, among which, starting with 2006, honorary member of the Association of Magistrates of Romania, a member of the Romanian Academy of Legal Sciences, etc.

The scientific activity of distinguished Professor Corneliu Bîrsan was recognized by higher education institutions by granting numerous distinctions, such as the Diploma of Honor for the scientific activity of the Centre for International Legal Studies, Salzburg, Austria, in 1991, but also by acquiring the title of honorary
Doctor of the University of Paris I Panthéone-Sorbone, of the West University of Timisoara, of the University of "Lower Danube" in Galati.

The didactic activity carried out within the Faculty of Law of the University of Bucharest was doubled by the multiple invitations received to lecture at prestigious higher education institutions abroad. Thus, Mr. Corneliu Bîrsan was a guest professor of the University of Paris I Panthéone-Sorbone, in the years 1994, 1995, 1997, of the University of Robert-Schumann Strasbourg, in 1992, at Centre Européen Universitaire de Nancy, in 1991 and at the Institute Catholique d'arts d'études supérieures (ICES) Roche-sur-Yon, in 2010. Numerous participations in PhD judges at French universities such as Université Paris I Panthéone-Sorbone, Université Robert-Schumann Strasbourg, Université Montpellier, Université Sophia Antipolis Nice can be added to his teaching activity. Last but not least, he was invited as a university professor to present interventions in numerous congresses, conferences and other international scientific meetings.

The scientific, university and professional legal community of the country, but also from abroad, have dedicated to him written volumes in the collective, first in the year 2006, The collection of studies in Honorem Corneliu Bîrsan - Liviu Pop, when he had the honor of sharing this recognition with his co-worker, university professor Liviu Pop, and then, in 2013, The tribute volume in Honore Corneliu Bîrsan. The latter had approximately 70 contributions from Romanian and foreign university and magistrates, including judges to the Court European of Human Rights.

Also, Professor Corneliu Bîrsan was awarded high state distinctions, first in the year 1999, the title of Knight of the Legion of Honor of France, then, in 2007, the National Order "Star of Romania" in the rank of knight with insignia for civilians, granted by the Romanian state.

At present, Professor Corneliu Bîrsan carries out several activities, including teaching, starting with the year 2014 as professor emeritus of the Faculty of Law of the University of Bucharest, starting in 2015, as professor at the disciplines Main Real rights and the Theory of obligations at the Faculty of Law of the "Nicolae Titulescu" University of Bucharest; he is referee and umpire on the lists of the International Commercial Arbitration Court in addition to the Romanian Chamber of Commerce and Industry, lawyer Member of the Bucharest Bar, has publishing activity, including very recent, and also participates as a moderator or speaker at prestigious international scientific events.

In 2017 Professor Corneliu Bîrsan became a correspondent member of the Romanian Academy, a distinction awarded to him as a token of appreciation for his uninterrupted reign brought to the legal academic environment both at national and International level.

In order to have a wider look at what the young man from the Moldavian lands was to become, Corneliu Bîrsan, now a law student in Bucharest, I will play, with your permission, below an excerpt from the memories of the venerable University professor Dr. Nicolae Volonciu that were includ in the Homage volume in Honorem Corneliu Bîrsan:

"During the period when the Dean of the faculty was Professor Constantin Stâtescu, I had a long talk with him about the faculty and the people who moved things. It was natural, given the previous experience I had when managing the institution as vice-dean, but especially the friendship that tied us for decades. We were fellow students in the 1946-1950 promotion and at graduation both were offered positions as intern assistants due to our merits. At the time of our conversations we were among the oldest teachers in college. He calls me "Yo, Nae," and my answer was "Dear Titică." In such an ambiance, among many problems, it was normal to talk about the young staff, trying to figure their development tendencies. In the mentioned context, there is no way that we could not have discussed those who were to be the future faculty professors, including Corneliu Bîrsan. Regarding this, I remember the scene and the words perfectly. Professor Stâtescu took a long, long break as usual, didn't look at me and seemed to look out, saying, "Hey, Nae, listen to me, this boy's going to get very far!"

Can anyone today contradict Titică when it is notorious that from Bucharest to Strasbourg there is such a long way? The question now asked of me is of course oratorical (rhetorical) and I used it more for the sake of the game of words. But what remains certain is that the teacher did not consider the marker distance
of the distances on the map, but the professional and scientific level to which the one he targeted will rise. If for Professor Stătescu this was a prevision now for us it is an undeniable certitude".

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It is undeniable that this LAUDATIO partially covers the rich, diversified and complex scientific life of Professor Corneliu Bârsan. People like him are rare and are our models to be in the future.

We conclude, stating that Professor Corneliu Bîrsan is a remarkable personality of Romanian legal Science, a name that has long passed the country's boundaries and will be enrolled in golden letters in the pantheon of Romanian legal culture alongside other personalities such as: D. Alexandresco, C. Hamangiu, I Rosetti-Bâlănescu, A. Băicoianu, (from the interwar period) Traian Ionașcu, C. Stătescu, T.R.Popescu, Francisc Deak, Gh. Beleiu, Viorel Mihai Ciobanu, etc.

For the contribution brought to the development of Romanian science and legal practice, as a symbol of recognition of professional, managerial, academic and scientific prestige, the Senate of "George Bacovia" University of Bacau decided to grant The title of DOCTOR HONORIS CAUSA to Professor Dr. CORNELIU BĂRSAN, Professor Emeritus of the Faculty of Law of the University of Bucharest, correspondent member of the Romanian Academy.

On behalf of the entire university community "George Bacovia" I wish you, distinguished Professor Corneliu Bîrsan, wholeheartedly, health, luck, joys, work power, fulfillment, continuous and increased local, national and world recognition!

VIVAT, CRESCAT, FLOREAT, PROFESORE, CORNELIU BÎRSAN!
HAPPY BIRTHDAY!

22 November 2018