

## IS THE ROMANIAN CIVIL CODE TENDING TOWARDS GREENING? (Part I)

Lucretia DOGARU\*

**ABSTRACT:** *The greening of legislation is a dynamic and evolving process, driven by the obvious realities of the state of the environment and its ecosystems, their role and value. The good integration of environmental concerns into the legal system, the coherent approach to environmental issues and the interactions between regulations have contributed to the evolution of the greening of legislation.*

*Not only the imposition of ecology as a constitutional value but also the greening of civil law has succeeded in reordering and transforming the landscape for the branch of environmental law, which also has a solid basis in ecological research and the construction of ecological civilization.*

*In this paper we will analyze the tendency of greening of the current Romanian Civil Code, by inserting in its text provisions on the protection of subjective rights, the conservation of environmental resources, the establishment of liabilities related to the reparation of environmental damages and others. In order to capture the ecological orientation of this legislation, we have tried to analyze the extent to which traditional civil notions and concepts, principles and systems are compatible with the current requirements of ecological interests. One obvious fact we reveal is that its rules fail to fit in with the dynamism of the extremely important field of the environment with all its problems and that they do not adequately adapt to the requirements of environmental interests.*

**KEYWORDS:** *environmental rules, ecological requirements, greening, civil Code*

**JEL Code:** K32

---

\* Professor, Ph.D., University of Medicine, Pharmacy, Sciences and Technology „George Emil Palade” from Tîrgu-Mureş, ROMANIA.