

**IN MEMORIAM
MIRCEA MUREȘAN
(1937-2003)**

*Ilie Urs**

The date of 5 October 2013 marks ten years since the passing away of the of the great professor and jurist Mircea Mureșan. We remember with great sadness that, on the evening of 5 October 5 2003, after a year of suffering, he passed from among us. He was a model and an idol for many younger colleagues in higher education and research, and he helped generations of students to improve their knowledge in the field of law, by guiding them with patience and kindness. Both his undergraduate and his doctoral students benefited greatly from his generosity, as he always put a lot of energy into helping them prepare their dissertations and theses. There are thousands of reasons why we cannot let the life, the personality, and the work of Mircea Mureșan fall into oblivion.

Mircea Mureșan was born in Gherla, on 25 January 1937. His father was a lawyer, with a doctorate in law, and his mother was a teacher. He graduated from the No. 2 Highschool for boys, in 1954. Between 1954 and 1958 he was a student at the Faculty of Law in Cluj and he graduated in 1958 as valedictorian. At the age of 33, under the supervision of the renowned and demanding professor Aurelian Ionașcu, he obtained his PhD in law, with a thesis on "The Force Majeure in Economic Contracts".

Following the example of his father, he started to work as an intern for the Bar Association of Cluj. After completing the internship, he started to work for the Cluj Inter-County State Arbitration, where he served for five years and accumulated a wealth of experience. As arbitration failed to offer him full professional satisfaction, he decided to make a career change and head for the far more challenging field of scientific research. Thus, on 1 December 1965, after passing a thorough examination, he was selected for the position of scientific researcher at the Centre for Social Sciences in Cluj-Napoca, which later become the Humanities Research Institute and was subsequently reorganized as a department of the "George Bariț" Institute of History, a branch of the Romanian Academy in Cluj-Napoca. He then climbed all the professional steps and in 1990 was promoted to senior researcher. Throughout his career, he was head of department, deputy director of the Center for Social Sciences (1971-1989), and director of the Humanities Research Institute (1990-1998).

In 1990, in recognition of his scientific merit, he received the right to supervise doctoral researches in the field of Civil Law at "Babeș-Bolyai" University of Cluj-Napoca. The author of these lines enjoys the privilege and honor of having been one of professor Mureșan's doctoral students.

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In 1992, Professor Mircea Mureșan was tenured in the position of professor of special disciplines of civil law and he taught a course entitled *Special Contracts and Succession* at the Faculty of Law of "Dimitrie Cantemir" Christian University in Cluj-Napoca, where he worked until the fall of 2002, when he fell ill. He collaborated with other universities in the country, especially with "Tibiscus" University from Timișoara and "Vasile Goldiș" University from Arad.

Among his numerous interests there was also the preoccupation with establishing a publishing house specialized in legal academic books. Thus came into being the well-known Cordial Lex publishing house from Cluj-Napoca, whose director he became in 1994.

In the last period of his life, before his illness, he fulfilled with much responsibility his duties as President of the Arbitration Commission of the Cluj Chamber of Commerce and Industry. Together with engineer Sorin Stadnic Puiu, he designed and built a valuable computer application called InfoLEX.

Mircea Mureșan has left behind a rich and valuable scientific work, both as sole author and in collaboration with Professor Aurelian Ionașcu or with other researchers who shared his passion for law.

The scientific work of Professor Mircea Mureșan materialized through the publication of 25 volumes he signed as author, coordinator, or co-author, 50 articles and 70 scientific papers. From the long series of published volumes we mention the following:

Aurelian Ionașcu, Nicolae Comșa, Mircea Mureșan, *Dreptul de autor în R. S. România*, Editura Academiei R. S. R., București, 1969.

Mircea Mureșan, *Principiul forței obligatorii a contractului*, in Aurelian Ionașcu (coord.), *Contribuția practicii judecătorești la dezvoltarea principiilor dreptului civil român*, [vol. I], Edit. Academiei R.S.R., București, 1973.

Mircea Mureșan, *Răspunderea independentă de culpă pentru repararea prejudiciilor cauzate de prepuși*, in Aurelian Ionașcu (coord.), *Contribuția practicii judecătorești la dezvoltarea principiilor dreptului civil român*, vol. II, Edit. Academiei R.S.R., București, 1978.

Mircea Mureșan, *Raporturile dintre soți*, in Aurelian Ionașcu (coord.), *Familia și rolul ei în societatea socialistă în lumina legislației R.S.R.*, Edit. Dacia, Cluj-Napoca, 1975.

Mircea Mureșan, *Filiația din înfiere*, in Aurelian Ionașcu (coord.), *Filiația și ocrotirea minorilor în dreptul R. S. R.*, Edit. Dacia, Cluj-Napoca, 1980.

Mircea Mureșan, *Dicționar de drept civil*, Edit. Științifică și Enciclopedică, București, 1980 (în colaborare).

Mircea Mureșan, *Clauzele esențiale și indispensabile ale antecontractului și clauzele sale accesorii*, in Mircea Mureșan (coord.), *Dinamica relațiilor sociale reglementate de lege oglindită în teoria și practica dreptului*, vol. I, Cluj-Napoca, 1988, vol. II, Cluj-Napoca, 1989–1990.

Mircea Mureșan (coord.), *Dinamica relațiilor sociale reglementate de lege oglindită în teoria și practica dreptului*, vol. II, Cluj-Napoca, 1989–1990.

Mircea Mureșan, Dicționar de drept civil, Edit. Cordial Lex, Cluj-Napoca, 2009 (a posthumous edition brought up to date by a team led by professor Paul Vasilescu, PhD).

To support and aid his students, professor Mureșan published at Cordial Lex the textbooks he used for his courses: *Drept civil. Partea generală* (1994, 1996, 1998); *Drept civil. Persoanele* (1994 and 1997); *Contractele civile*, vol. I. *Contractul de vânzare-cumpărare* (1996, 1998); *Contracte civile speciale*, vol.II (1999); *Drept civil. Succesiunile - Privire sintetică* (in collaboration, 1995).

It must be said that his university textbooks are unique and unmistakable in essence, clarity, and accessibility.

Beyond the profile of a prominent intellectual, Professor Mircea Mureșan was a person with an outstanding moral conscience. He was a good-hearted, intelligent, open-minded man, endowed with a keen sense of perception and observation and an impressive logical thinking. He mastered the art of writing and always proved exquisite rhetorical skills; he always defended his arguments clearly and convincingly. His kindness, fairness, and sobriety have guided his life and research.

Through the disappearance of the great professor and scientist Mircea Mureșan, the colleagues at the Department of Private Law and the students of the Faculty of Law from Cluj-Napoca suffered a great loss. God rest his soul.