

Academy of Economic Studies of Bucharest

Doctoral School of Law

Field - Law

Transhumance in criminal matters - the path from practice to research  
and back

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## **Summary**

**1.** This habilitation thesis represents, as is only natural, a synthesis of the professional activity carried out from the time of acquiring the PhD degree, at the end of 2016, to the present.

The specificity of our work is, as the title of the thesis makes clear, the quest to constantly emphasize the indissoluble link between theory and practice, a desire that is manifested in all the professional areas in which we have worked.

The paper consists of two main parts. The first of these is devoted to the defining aspects of our work, especially our academic work to date.

The second part deals with our plans for the future, both in terms of the research activities that we foresee, as well as our teaching and, last but not least, our legal practice within the structures of the Public Prosecutor's Office.

**2.** In the first part, dealing with the elements related to the areas of research that we have considered in recent years, we distinguish works included rather in the field of Criminal Law, works where there is a more pronounced concern for Criminology aspects and, last but not least, books and articles in the field of Criminal Procedural Law.

Equally, at this point, we address in turn university courses, monographs, specialized articles published both in journals and in the volumes of conferences, as well as papers delivered at scientific events in which I have participated both in the country and abroad.

We pay particular attention to the Criminal Law courses, the special part, in which we have invested a lot of energy - and which, moreover, have been very well received by both practitioners and students - as well as the monograph that we have achieved.

Thus, the course that covers the subject of Criminal Law, Special Part I is structured in two main parts, which cover the offenses from the first two titles of the special part of the Criminal Code: offenses against the person and offenses against property.

As for the Criminal Law Course, Special Part II, it contains extensive references to offenses against authority, offenses against the administration of justice, corruption and service offenses, offenses of forgery of documents, offenses against the safety of traffic on public roads and, last but not least, family offenses. The work is structured in a slightly atypical way, the analysis of offenses beginning with service offenses, and more specifically with abuse of office. We believe that, from a didactic point of view, this order provides the best perspective of the offences for two reasons: the first is that abuse of office is recognized as a general rule - this is the reason why we prefer to analyze this offence before studying embezzlement, for example -

and the second is that a whole series of other offences are based on component elements of abuse of office - such as the notion of public official, for example - and we have the opportunity to analyze them extensively in this context and to use this research of terms further on.

Our efforts were also manifested through our participation in research projects on issues of great practical relevance, such as the *means of protection of minors in the context of family relationships*.

Last but not least, we also describe the work carried out by us as a result of the requests made by the High Court of Cassation and Justice in order to formulate legal opinions in cases concerning the judgment of the appeal in the interest of the law or the resolution of legal issues.

Equally in this part of the thesis we refer to the didactic activity carried out, including those extracurricular hours that we dedicate to our students so that they have all the conditions to acquire the knowledge and skills necessary for an elite legal professional, such as: organizing moot trials, supporting circles, attending conferences addressed to them in order to choose their career path, etc.

**3.** The second part of the paper is dedicated to a look into the future - here we reveal the plans we have going forward.

Under a first aspect worth mentioning, our wish is to continue to get involved and to develop in all three areas, which we believe are imperative: research, didactic activity and professional activity within the Public Prosecutor's office.

From the perspective of our academic concerns, they essentially aim at the following directions:

- a. Family protection through Criminal Law. The real utility of incrimination rules in controlling the phenomenon.
- b. Regulation of abuse of public authority. The limits of corruption and service offences.
- c. Impact of binding decisions on incrimination rules.
- d. The legislative process in relation to incrimination rules. The relationship between the effectiveness of the legislature and the effectiveness of the Criminal Law.
- e. Regulation in the matter of offenses concerning trafficking and exploitation of vulnerable persons.

Among these, the first topic we will focus on is the exploitation of vulnerable people, especially in the light of the relatively recent legislative changes in this area.