
BOOK REVIEW

David Kereselidze, General Part of the Civil Code of Georgia of 1997 (Der Allgemeine Teil des Georgischen Zivilgesetzbuches von 1997), Frankfurt am Main/Berlin/Bern/Bruxelles/New York/Oxford/Wien (Peter Lang), 2005, 318, ISBN 3-631-53440-X.

Given that commentaries on Georgian fundamental laws published in foreign languages are still rare, David Kereselidze's doctoral thesis on the General Part of the Georgian Civil Code of 1997, which has been admitted at University of Saarbrücken (Germany) in 2004 and recently published at Peter Lang Publishing House in German, will be of great interest particularly for German speaking lawyers who wish to receive a comprehensive introduction to Georgian private law.

In his work David Kereselidze compares the Georgian Civil Code with other post-soviet civil law codifications, such as those of the neighbouring states of the Russian Federation, Armenia and Azerbaijan, and that of western countries, in order to identify its compliance with the requirements of modern civil legislation and further to investigate whether Georgian law has succeeded in developing a genuine approach to civil law or merely transposed foreign models.

In doing so the author puts strong emphasis on comparing the Georgian Civil Code with the German Civil Code, as the latter had an important role in the development of the Georgian Civil Code of 1997, because Georgian legal scholars intended not to deviate too much from historical predecessors during the drafting process. This led to the consideration of many provisions either of the Civil Code of the Georgian Socialist Soviet Republic, which was much influenced by the provisions of the German Civil Code, or those of the German Civil Code itself.

The contribution of David Kereselidze receives special value by the provision of an interesting overview of the history of Georgian lawmaking dating back to the ancient past of legal codification in the tenth century to recent legal reforms required by Georgia's transition from a state to a market economy in the difficult social context of civil war and economic disaster, which had an important impact on the contents of many Georgian laws, including the Civil Code. This overview not only helps to explain the social context of the legal reforms during which the Civil Code of 1997 was elaborated, but also sheds light on the intentions of the drafters, which enables us to better understand and interpret the law.

The system of discussion closely follows the structure of the General Part of the Georgian Civil Code. Thereby it proceeds from the Introductory Rules, Law on Persons, Rules on Declaration of Will, Law on Things to Property Law, which are discussed as being main topics of civil law so that the author's findings in many aspects carry an exemplary charac-

ter for the whole Georgian civil law system. Linguistic problems that the drafters encountered during the creation of a new legal terminology are highlighted as well. In this context the author critically reviews numerous problematic issues that are important for the application of the Code and future legal reforms.

In conclusion, the author stresses the necessity of continuing private law reform in Georgia, by stimulating a broad discussion on the interpretation of the rules of the Civil Code, in particular by court practice and legal scholars and to carefully review and systemise the legal language of the law. In this context, he emphasises that much work lies ahead towards the perfection of Georgian civil law terminology. To achieve this purpose the work of David Kereselidze is a tool of utmost value and it definitely would be of great merit to make his contribution accessible to a broader audience through the publication of a Georgian translation.

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