

Guest Editorial Preface: Symposium of The *Ius Commune* Casebook on European Law and Private Law

The *Ius Commune* Casebook on European Law and Private Law – edited by Arthur Hartkamp, Carla Sieburgh and Wouter Devroe – was published in March 2017 as a volume of the well-known *Ius Commune* Casebook series started by the highly respected Walter van Gerven. These casebooks are all the fruits of sound cooperation among European legal scholars and they all try to attract attention to the common components of the European legal orders by bringing to surface the common or overlapping elements in various areas of private law. However, this newest *Ius Commune* Casebook has a somewhat different character from the previous ones. First, while the previous volumes were mostly devoted to the comparison of various European jurisdictions, this Casebook concentrated on both EU law, mostly on primary, but at some point on secondary EU legal sources and national private law provisions and cases. It therefore considerably broadened the room for scholarly study and analysis, as it aimed at discovering whether and to what extent EU primary law has exercised its influence on national case law in private law matters. Second, different from the former volumes that tried to present the actual state of a given private law doctrine – for instance tort law, non-discrimination law or consumer law – in a detailed comparative way, this Casebook puts a serious emphasis on analysing both the interactions between EU law as a source of supranational law and national private law, as well as the interaction between various national private law doctrines when the interpretation of a given EU law provision is at stake. As such, the vision behind the Casebook implied a broader and more dynamic approach of the legal issues discussed.

Because of this innovative character, the Casebook intends to stimulate a more profound academic exchange between EU law and private laws studies. Moreover, it aims to inspire judges, lawyers, scholars, students and other legal professionals, when they prepare a new problem or plead relevant cases in courts.

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To make the Casebook known to the potentially interested audience, three symposia were held as soon as the first months of 2017; the first one in April in The Peace Palace, The Hague, the Netherlands; while the second one was in May in the Palazzo Aldobrandini, Unidroit, Rome, Italy. Finally, the idea of promoting the Casebook in Central Europe was an important motivation for the editors and the authors, too. We were therefore very happy when the Eötvös Loránd University Law Faculty invited us to organise a similar symposium dedicated to the Casebook. This book-promotion conference, more than four hours long, was held on 19 June 2017 and it proved to be a great success from the aspect of both academic discussion and the involvement of national professionals. In the first four sections of the event, some of the editors and the authors (Arthur Hartkamp, Carla Sieburgh, Wouter Devroe and Balázs Fekete) presented the main points of their chapters and each presentation was followed by the comments of a Hungarian expert (Attila Menyhárd, Réka Somssich, Gábor Fejes and Miklós Boronkay) and an intensive discussion. The closing section of the conference was a roundtable talk on the Casebook as such, with the participation of Hungarian professionals (Róbert Dezső, attorney; Veronika Guba, judge; Anikó Kátai, head of department at the Ministry of Justice; Endre Orbán, law clerk at the Constitutional Court; and Márton Varju, EU law expert at the Hungarian Academy of Sciences), who welcomed the book and explained its utility for their respective fields. This discussion revealed important professional insights and confirmed the original intent of the editors to targeting practising professionals besides the academic community.

As a main point, the participants and the audience learnt, at the end of the conference, that Western and Central-European lawyers struggle with the same problems when dealing with the national cases in which EU law provisions are involved. And, this seems to be equally important, too, one of the conclusions was that ‘we now know that we are not alone’ when improving and refining the European legal community when dealing with individual and country-specific cases.

We are very pleased that some participants prepared their contributions or interventions in a written form for those who could not attend the event. We are also very grateful to the Editorial Board and the Editors of the ELTE Law Journal who made it possible to publish these pieces in this journal as a separate section. This section contains seven shorter pieces and each of them is dedicated to one specific aspect of the Casebook. However, they cannot be regarded as mechanical recapitulations of certain chapters. They all give rise to new questions, ideas or doubts. That is, they all contribute to the discourse on the common law of Europe and, thereby, they also enhance and strengthen it – in line with the original intent behind the birth of the series of *Ius Commune* Casebooks.