

Ius Commune Prize 2005

In 2001 the Ius Commune Prize was established to award and further stimulate talented young researchers with regard to their work in the research area of the Ius Commune Research School. Our laureates have come from the ranks of the School itself as well as from outside: Sophie Cools, Ilse Samoy, Mieke Olaerts, Igor Olekhov, Geert de Baere, Vincent Sagaert, Harriet Schelhaas.

Let me briefly summarize the criteria for awarding the prize:

- outstanding scholarly quality, as to contents, methodology and use of sources;
- originality;
- a substantial contribution to the debate on the feasibility, methodology and the contents of the ius commune;
- finally, the article justifies the fact the author should receive the greatest encouragement possible.

This year 25 papers have been submitted to the jury. The jury consisted of Sophie Stijns (KUL), Sander Jansen (UM), Marco Loos (UvA), Ellen Vos (UM) and Michael Milo (chair, UU).

All of the papers, evenly distributed between public and private law, were of excellent quality. The authors were from various jurisdictions: Belgium, Czech Republic, Canada, England, Estonia, Germany, Italy, Lithuania, Poland, the United States and The Netherlands. The topics widely ranged from constitutional law, EU law, family law, legal persons, property, tort and contract. The important theme of a changing legal culture in the new EU member states has been addressed. The methodologies varied, but all used comparative law, often strengthened by legal history, economics or sociology. The jury was pleasantly surprised by presence and strength of interdisciplinary research.

After a stringent study and discussion, the jury came to its decision that two of the papers were of outstanding quality, and competed for the 2005 prize. In the end the jury came to the conclusion that one of these two papers deserves to be honourably mentioned. The other paper wins the 2005 Ius Commune Prize.

The paper which is to be honourably mentioned deals with a highly original topic. The paper compares, in a fundamental way, 5 jurisdictions, positive law as well as legal history, in the perspective of the Principles of European Contract Law, the legal status of the promise. The paper is entitled:

- De verbindende eenzijdige belofte: een bron van gebondenheid in het Europese privaatrecht,

by Caroline Cauffman.

The winning paper deals with an exciting development in family law: the restructuring of non-marital relationships in 6 European jurisdictions: Belgium, France, The Netherlands, Switzerland and the United Kingdom. The jury was particularly impressed by the author's ability to fruitfully compare on the explicit basis of a very strong methodology. It makes the winning paper a highly valuable contribution to the common family law in Europe.

The paper is entitled:

Uniform trends in non-marital registered relationships in Europe

The winning author of the 2005 Ius Commune prize is: mr. Ian Curry-Sumner.