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### **The Challenges of Europeanisation to Property Law**

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#### **Abstract**

Although the process of Europeanisation (harmonisation) has gained more and more importance in the field of civil law generally, it has not yet had wide influence on property law. The increasing level of ambitiousness concerning projects on Europeanisation of civil law (e.g. the Draft Common Frame of Reference in the field of contract law) will presumably bring out the importance of Europeanisation in the field of property law, too.

In the article, the author presents one aspect to the possibilities of Europeanisation of property law. The author argues that the greatest challenges, which Europeanisation creates to property law, are at the level of legal culture, more precisely in the different ways of legal thinking and legal argumentation in Europe. However, she does not see these differences as an insuperable obstacle to Europeanisation, because the more important, deeper level of law with the underlying aims and values (legal ideology) is as a matter of fact relatively common in the field of property law. The author presents that the common carrying principles which manifest these ideologies would constitute the basis on which the European property law could be founded.

The more accurate content of the principles would be determined within discussions on the underlying aims and values of law. Thus, the key concepts of Europeanisation are then interaction and understanding. This kind of Europeanisation may be characterized on the one hand as being fairly loose, on the other hand rather profound.

Keywords: Europeanisation, Property Law, legal culture