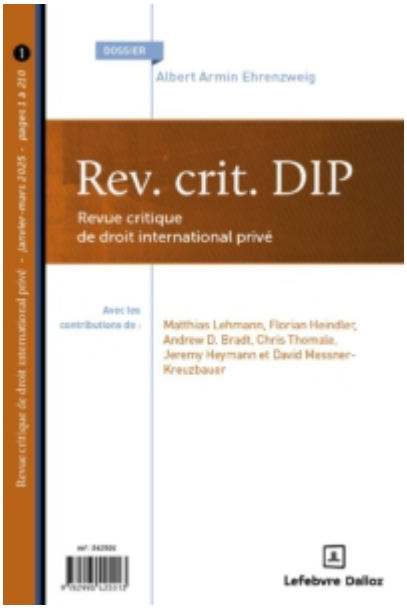
Revue Critique de droit international privé – issue 2025/1

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The first issue of the *Revue Critique de droit international privé* of 2025 has just been released. It gathers six contributions honouring Albert Armin Ehrenzweig and his legacy, as well as seven case notes and numerous book reviews.

The doctrinal part of the volume is devoted to the proceedings of the Albert Armin Ehrenzweig Conference organized in June 2024 at the University of Vienna, fifty years after the passing away of the great author. The contributions commemorate both the man and the scientist, testifying to the relevance of Albert A. Ehrenzweig's scholarship to contemporary private international law. They are published in French in the printed version of the Revue (also available online here), and will be available shortly in English (here).

The conference opens with Prof. Matthias Lehmann (University of Vienna) personal tribute to *Albert A Ehrenzweig – A Giant of the Conflict of Laws*. It recalls the dramatic journey through which Professor Ehrenzweig built his legacy as a "communicator between different cultures":

> *With Albert Ehrenzweig, Austria lost one of its undoubtably greatest legal talents. But one's loss was another's gain, that of the US. This simple zero sum*

is worth emphasising at a time when the hatred against migrants is rising yet again on both sides of the Atlantic. Ehrenzweig brought to the US plenty of ideas from his native Austria. Among them is the abstract consideration of legal problems and the strictly logical approach to their solution, which is particularly helpful in areas such as conflicts of jurisdiction or conflicts of laws. He also brought with him a great deal of interest and knowledge in the area of psychology, which was en vogue in his days in Vienna.

In the following contribution, Prof. Florian Heindler (Sigmund Freud Privat University, Vienna) reflects on two major lines of the dedicatee's scholarship, namely the *Comparative Method and the Integration of Conflict of Law's with Jurisdiction*. The article is introduced as follows:

Ehrenzweig's work deserves attention –primarily because of its topicality– beyond its historical-bibliographical interest and its link the question of remedy for past injustices. Two methodological cornerstones of his work on the conflict of law must be emphasised. Firstly, transatlantic dialogue: Ehrenzweig frequently sought to align "European learning and experience" with the "pragmatic approach" and "technique of recording daily experiences". He was endowed with the particular ability to address discussions in the US and in Europe so as to bridge the gaps between European and US private international law, thus bringing the highly divided US and European legal systems closer together. The second theme is linked to the integrated thinking of Ehrenzweig which shaped his theories in the area of conflict of laws. Indeed, Ehrenzweig was also famous tort lawyer, where he demonstrated out-of-the-box thinking, also characteristic of his way of conducting legal research. Illustrating this talent, most prominently, is his publication on "a proper law in a proper forum" ("jurisdictional approach").

In the third contribution on *Albert Ehrenzweig, Berkeley, and Un-stating Choice of Law*, Prof. Andrew D. Bradt (University of California, Berkeley School of Law) pays tribute to Professor Ehrenzweig's influence on Conflict of Laws in the United States. The abstract reads as follows:

Like his fellow realists, Ehrenzweig eschewed metaphysical dogma, viewing choice of law in a more "pluralistic" way, as a matter for the law of the forum, so that applying a different state's law to a case is less a choice of foreign law

than an expression of forum law and policy. In this respect, his campaign against Restatements of choice of law voices concerns that remain pertinent as the American Law Institute enters its second decade of its efforts to create a Third Restatement.

In the fourth article, Prof. Chris Tomale (University of Vienna) calls for a contemporary reappropriation of the dedicatee's writings on *Datum and Substance – Albert Ehrenzweig's moral data approach*. The contribution is presented as follows:

The changing, almost fluid nature of Ehrenzweig's legal scholarship between three modalities of claims about the law has opened up his work to much undeserved criticism, which calls for a new and instructive look at the very epistemological substance of his findings. Moreover, the contemporary re-politization of private law could also be a call for its re-moralization, raising exactly the same moral data questions that were on Ehrenzweig's mind. In this respect, too, Ehrenzweig's moral data approach offers a helpful heuristic to describe and understand these developments.

Then, bridging the gaps between two continents and two intellectual traditions, Prof. Jeremy Heymann (Université Jean Moulin Lyon 3) delivers though-provoking reflections on *Ehrenzweig's Legacy in European Private International Law*. The abstract read as follows:

All too often reduced by his detractors, at least over the European side of the Atlantic, to his plea for the « proper law of the forum » – and all too often misread –, Ehrenzweig's thinking calls to be reconsidered. His very distinctive unilateralist approach to the conflict of laws is well in tune with the method posited, in numerous judgments, by the Court of Justice of the European Union and more generally by the EU legislator.

The tribute concludes with Dr. David Messner-Kreuzbauer's (University of Graz) last thinkings on *The Argument from "Substantive Evolution" as a Legacy of Albert Armin Ehrenzweig's Private International Law. Continuities From Vienna to Berkeley.* The article's abstract reads as follows:

Albert Armin Ehrenzweig has been portrayed as a "European Legal Realist",

and is remembered for the fact-oriented data approach as well as a preference for the lex fori. This article presents a slightly different Ehrenzweig: a Viennese judge and academic who went to the United States formed by strong ideas about substantive (tort) law, by the jurisprudence of interests and with a keen sense for moral psychology. His thoughts may have great value in navigating a contemporary task: bringing together contemporary private international law with the evolution of substantive (tort) law in recent decades.

The full table of contents is available here.

Previous issues of the Revue Critique (from 2010) are available on Cairn.