

## **Laudation for Prof. Hugh Beale**

By prof. Matthias SE. Storme

Mr Rector Magnificus, decanus spectabilis, ladies and gentlemen,

It is my great honour to present this laudation for Prof. Hugh Gurney Beale, Law Commissioner for England and Wales and professor at the University of Warwick.

Professor Beale graduated from Oxford in 1969 and immediately started his career as a lecturer and later as a professor, first in the US (Connecticut), subsequently in Wales, and finally at various universities in England. His many teaching and research activities have made him one of today's leading experts in English civil and commercial law.

First and foremost, he is the most prominent author on contract law, a topic which he approaches from many angles, with attention not only for theoretical and practical considerations, but also for the law and economics and legal-sociological aspects, as well as the comparative law side, which is rather more unusual for England and indeed for other large countries. I shall spare you a list of Professor Beale's major publications. You will also forgive me for not summing up all the visiting professorships which he has held in various countries and all the other academic plaudits which he has earned.

In 1987, Hugh Beale became a member of the Commission on European Contract Law, also known as the Lando Commission, and whose purpose was to unify contract law in Europe. Thanks to his insight and ability for accurate formulation, he soon became one of the most authoritative members on that commission. Not only was he the author of the first version of various parts of its report (the final version was based on subreports on the various topics, which had been prepared by rapporteurs), but he also put the finishing touch to the definitive version of Part I and Part II of the *Principles of European Contract Law*, a publication that excels in its precision.

When the need arose to expand the scope of this project and to set up a larger network on the study of the harmonisation of a broader field of private law in the European Union, Hugh Beale was among the first to join the Steering Committee of the Study Group on a European Civil Code in 1999. For that matter, just a few weeks ago, this group obtained a contract from the European Commission to draft a so-called Common Frame of Reference for European Contract Law, in implementation of the Action Plan on Contract Law of the European Commission. The Study Group is chaired by Christian von Bar, who in part for this reason was granted an honorary doctorate from the KU Leuven not so long ago.

Although Prof. Beale is not a fanatical proponent of unification for the sake of unification, he has supported the harmonisation of contract law in Europe greatly, despite some scepticism, especially among English legal and political circles.

In the meantime, he was asked in 2000 to join the Law Commission for England and Wales, more in particular as a Commissioner for Commercial and Common Law. The Law Commission has existed since 1965 and is made up of only five members. They are comparable to Belgium's royal commissioners for new legal codes, but unlike the latter they work on a permanent rather than an ad hoc basis. Apart from the chairperson, each member is

responsible for a broad legal field. Prof. Beale is the Commissioner for Commercial and Common Law. The Law Commission's aim is to constantly improve and simplify legislation and common law by drafting bills for law reform and codifications, which are meticulously prepared. The fact that over two-thirds of the Commission's proposals become law is a testimony to the quality of its work.

Hugh Beale has, in recent years, been the driving force behind reform of and reform plans for consumer contract law and the law on securities on movable goods. He has also worked in the field of contracts for the benefit of third parties (these proposals have since been enacted), psychiatric patients, accident law (personal damage), defamation law (more in particular in relation to the electronic media), the implications of illegal contracts, and e-commerce. As an academic, Hugh Beale has also published and taken part in international debates on most of these topics. In all of his activities, he has always shown a keen interest in, on the one hand, the quality of rules of law and, on the other, the social and economic effects of the law on all parties involved and on society as a whole.

Last but not least, Hugh Beale is a true gentleman, with a great geniality and modesty, which makes him an absolute pleasure to work with.

For the above reasons, I ask you, Mr Rector Magnificus, to confer an honorary doctorate of the University of Antwerp upon Professor Hugh Beale and to extend this tribute to Mrs Beale.

Matthias E. Storme