

IN MEMORIAM: PROFESSOR JEAN GEORGES SAUVEPLANNE

When on 12 April 1994 Professor Georges Sauveplanne passed away at the age of 71, the scholars and students of both comparative law and the conflict of laws, in the Netherlands and beyond, lost an outstanding colleague and guide. Those who have had the privilege of working with him more closely will miss his true friendship and affectionate personality.

Sauveplanne's career was marked by a fortunate balance of practical experience and academic work. While the greater part of his life was devoted to scholarly activities, he never lost sight of the practical – and indeed human – aspects of legal theory. His doctoral thesis on aviation insurance (1949) concerned an eminently practical subject-matter and in the following years he became acquainted with the life of the law in its international dimensions, as Head of the Benelux Section of the Dutch Ministry of Foreign Affairs and as assistant to its Legal Adviser. In 1958 Sauveplanne moved to Rome where he gave his best efforts to legal unification as Assistant Secretary General of Unidroit. In this international meeting place *par excellence*, he significantly contributed in particular to comparative studies on the protection of the bona fide purchaser, a subject on which he later published several valuable papers. The inspiring intellectual environment of the Eternal City offered full scope for Sauveplanne to develop not only his predilection for comparative law, but also his interests in the arts and history, literature and languages.

As Sauveplanne's qualities did not go unnoticed in his fatherland, he was called upon in 1961 to occupy the chair of Private International and Comparative Law at the University of Utrecht. He held this double tenure for almost a quarter of a century and thanks to his prestige, both areas of legal education have become spearheads of the Faculty's curriculum. During all these years Professor Sauveplanne proved to be an inspiring teacher to those about to discover parts of the wonderful legal world beyond mere Dutch law. First and foremost, however, he was a prolific writer. An impressive bibliography is appended to the collection of essays offered to him on the occasion of his retirement in 1984 under the fitting title *Unification and Comparative Law in Theory and Practice*. It includes publications in Dutch, French, English, German and Italian on a wide range of subjects. In the very first year of this Review, Sauveplanne wrote on the Central Authority of the Rhine Navigation Community (1 NTIR (1953-54) p. 140) and ever since he has contributed articles and book reviews, lastly a study on consumer protection in private international law (32 NILR (1985) p. 100).

His shorter introduction to private international law (*Elementair Internationaal Privaatrecht*) has been an essential companion to an entire generation of Dutch students (and many practitioners as well) trying to grasp the basics of this notoriously intricate topic. The book – first published in 1965 and now in its 9th edition, an unrivalled feat in Dutch conflicts law – excels through its lucid style, typical of Sauveplanne; it conveys the irresistible impression to the reader that private international law is after all quite simple – even though a further study may well reveal the fallacy of that impression. The same virtues transpired in his 1971 consultative report on international divorce law for the Dutch Lawyers Association: systematic, careful, crystal clear and balanced, to quote the late Professor De Winter's characterization of this piece of work.

Among his other writings on private international law, special mention should be made of his course at the Hague Academy of International Law on 'New Trends in the Doctrine of Private International Law and Their Impact on Court Practice' (175 Hague Recueil (1982-II)) and the concise yet complete chapter on *Renvoi* he contributed to the International Encyclopedia of Comparative Law (1990).

Sauveplanne was for many years a Member of the Board of the Dutch branch of the International Law Association, and a Member of the Dutch Standing Government Committee on Private International Law. His proficiency in international circles was of much benefit when he served as a Dutch delegate to several sessions of the Hague Conference on Private International Law, dealing, *inter alia*, with the law applicable to agency (1976) and consumer sales (1980), and as a member of the EEC working group which drafted the Rome Convention on the Law Applicable to Contractual Obligations.

In the field of comparative law Sauveplanne's contributions are at least as significant. He was one of the founding fathers and a long-time Board Member of the Netherlands Comparative Law Association for which he wrote the very first consultative report in 1968, hailed as having 'well-nigh achieved the ideal of what comparative law should be' (J.E.J.Th. Deelen, *Geschriften van de Nederlandse Vereniging voor Rechtsvergelijking* no. 2, p. 4). In 1975 he submitted another seminal paper – 'Methods of Comparative Private Law' – to the Dutch comparatists and in the same year he published the first Dutch language treatise on foreign law in a comparative perspective, *Rechtsstelsels in vogelvlucht* (A Bird's Eye View of Legal Systems, 2nd edn. (1981)).

On the international scene of comparative law Sauveplanne was active as a member of the Governing Council of Unidroit and of the Board of the International Academy of Comparative Law, as well as being President of the Dutch group of the *Association Henri Capitant des amis de la culture juridique française*. He acted as Editor and Contributor of *Security over Corporeal Movables* (1974), a major comparative research project which owed its success largely to Sauveplanne's skilful and determined direction.

As noted above, Sauveplanne's writings show a mastery in expounding complex issues in simple terms without any frills. He would draw a picture of his topic in broad strokes and would then add some shades of detail where appropriate. These qualities were also reflected in his social personality, whose salient characteristics were modesty, sincerity and straightforwardness. He was a gentle, yet frank debater, showing due deference to his opponents' opinions, and took much interest in the well-being of others.

Although fascinated by the law, Sauveplanne did not see legal scholarship as *l'art pour l'art* but was deeply convinced of its social function and its relationship to other human disciplines. In particular, his ever-lasting passion for comparative law was embedded in the firm belief that it should be put to the service of unification of the law and approximation – in the true sense of the word – of different cultures. Throughout his career he kept alive his interests in music, modern painting and literature. His membership of the Section for the Humanities of the Royal Dutch Academy of Sciences bears witness to these cultural dimensions of his life. Fortunately, after his retirement Sauveplanne found more occasions, together with his beloved wife Thera, to attend cultural events both in Holland and elsewhere.

We mourn the loss of an eminent lawyer and a true humanist.

Harry Duintjer Tebbens
Member of the Board of Editors