

Laudatio Serge Dauchy, 24.02.2010

Georges Martyn

Ladies and gentlemen,
Dear colleague, Serge Dauchy,

Your journey to Ghent today may, I imagine, have felt in a certain sense like coming back home. Wandering through our beautiful capital of the old Flemish county may well have awakened fond juvenile memories but perhaps also induced mixed feelings... After all, Ghent University – when you studied here, still a Belgian state institution – is your *alma mater*. And together with you, I especially appreciate the presence of your ‘doctor father’, professor em. dr. dr. honoris causae multiplex, Raoul Charles Baron van Caenegem, just like you in a few moments, Serge, Sarton medalist of our Law Faculty.

Together with Dirk Heirbaut and Rik Opsommer, my legal history colleagues, I am truly happy that you are being awarded the Sarton Medal. When we were invited to present a faculty candidate to the Sarton University Committee, the three of us immediately agreed on proposing your name, and by doing so expressing our admiration for the academic career of one of our university’s own alumni. And this proposal was not just an act of personal sympathy and friendship towards a legal historian of our own generation and national background. In the first place, the presentation of the medal is intended as the expression of our sincere appreciation for the vast amount of work you have been doing, both within the community of legal historians of the Low Countries and also, more generally, in the international academic world. Our Ghent Legal History Institute, in the heart of the historic county of Flanders, admires the achievements of your

internationally respected research centre, the *Centre d'Histoire Judiciaire* in that other old Flemish town of Rijsel, 'Ville Flamande'. Within the broader context of European legal history, you have managed to bring together in Lille a dynamic group of young and established scholars with a particular interest in the old Flemish institutions and jurists. Reason enough to add your name to the list of Sarton medallists for legal history, along with Robert Feenstra, Philippe Godding, Ditlev Tamm, Anne-Lefebvre-Teillard, Jean-Louis Thireau and Alain Wijffels, to name just some of them.

Indeed, by honoring you personally, on the one hand, we also want, on the other hand, to congratulate the many collaborators of your research centre.

Ladies and gentleman, Serge Dauchy, born at the Flemish seaside in the sixties (Ostend, February 21st 1963), is a man of the true Belgian type that has become very rare these days. Speaking fluently both Dutch and French, he has studied and worked in Flanders, Brussels and France. Having obtained a history degree in Ghent in 1985, he took a *diplôme d'études approfondies en histoire du droit et des institutions* in Paris in 1987. For his thesis, *Les voies de recours extraordinaire: proposition d'erreur et requête civile de Saint-Louis à l'ordonnance de 1667*, he won a prize from the University of Paris II, which also published his work, a work of reference for scholars dealing with problems of procedural law in the ancien régime. Four years later, Serge obtained his Ph.D. degree in history at the Faculty of Arts of the University of Ghent, with a thorough study of the Flemish appeals to the *Parlement de Paris* from the fourteenth to sixteenth centuries. His research was awarded the Flemish Academy prize. Finally, in Lille, in 1997, he was awarded the French *habilitation à diriger des recherches* in law.

His extensive and painstaking research into the archives of the Flemish and French judicial institutions was, and still is, the solid basis of many publications that have followed, in total some hundred articles, contributions to volumes and edited volumes. I shall come back to these publications – of legal sources on the one hand and of conference proceedings on the other – in a while. But let me first point at some very relevant topics which have appeared in papers presented at international conferences or published in A1-periodicals such as the *Legal History Review*.

Having a solid grounding in both legal and historical scholarship, Serge Dauchy always manages to guide his readers safely through the labyrinth of old procedures and enigmatic archival sources. Late medieval process files provide us with, on the one hand, picturesque cases as mirrors of everyday life. But on the other hand, they also show us legal solutions as mirrors of power and authority. Articles focusing on the former find their way to local and national history reviews, those focusing on the latter to specific legal history periodicals and international conferences. Serge has become a well respected specialist in judicial history, with articles, for instance, on *fol appel*, arbitration, conflicts of competence and problems of execution of the verdict, and even the early foundations of the recently so popular phenomenon of (judicial and extra-judicial) mediation. In these articles, special attention is drawn to the role of central courts, the motivation for court decisions and the emergence of case law literature in the continental tradition, the subject on which he will be addressing us in a few moments. Recently, topics in colonial law have also been dealt with. As an inhabitant of, and professor in, Ghent, I am also very grateful to Professor Dauchy for introducing 'our' Filips Wielant into the recent *Dictionnaire historique des juristes français*. Flemish or French? What does it matter? Filips Wielant, like Serge Dauchy, aren't we all Europeans?

Serge Dauchy, to be sure, is a European! Moreover, he is a universally recognised scholar. In 2000 he became professor at the *Facultés Universitaires Saint-Louis* in Brussels, where he teaches Critical Study of Historical Sources and History of Law and Institutions, courses very well evaluated by the numerous students, who appreciate his teaching style as *clair et sympathique*. In his courses, again, we find the fruitful interaction between law and history, between legal and historical scholarship. Legal sources are also important historical sources, as he has demonstrated in some of his articles. In recognition of his expertise in this interdisciplinary field, Professor Dauchy, in 2001, was appointed, by royal decree, President of the Royal Commission for the Editing of the Old Laws and Ordinances of Belgium.

The importance he attaches to the painstaking editing of old legal texts is one of the major reasons for dedicating to him the Sarton Medal. Serge Dauchy underlines, and rightly so, the importance to scholarship of good editing. His recent publication, in collaboration with Veronique Demars-

Sion, of the eighteenth century case commentaries of Georges de Ghewiet is a veritable scholarly monument. And it deserves special congratulations to deliver this kind of work today, now that source editions are pretty poorly or even not at all appreciated by supposedly scientific ‘auditing commissions’.

The publication of the de Ghewiet edition, the several conference proceedings already mentioned, and, not to forget, the recent setting up of the *Fontes Historiae Iuris* website, where references to digitalised old legal sources are brought together in a systematic overview, all bring me to a few words on the *Centre d'Histoire Judiciaire* in Lille. The medal that Serge Dauchy receives today is also dedicated to the centre and its many members. If the director is today globally recognised, this is, to a large extent, also thanks to his many collaborators. And conversely, if the centre is a flourishing research school, this is the work of Serge as its director and Veronique Demars-Sion as its co-director.

Since my ever first steps in the world of legal history, whether this was on the occasion of the famous *journées internationales* of both the ‘big’ and the ‘small’ *sociétés* (*Société d'Histoire du Droit* and *Société d'Histoire du Droit et des Institutions des Pays flamands, picards et wallons*) or that of a research conference in Lille, I have always been impressed by the scientific enthusiasm and the warm hospitality of Jean-Pierre Royer, René Martinage and their many collaborators. I congratulate the whole team and each of its members, especially the youngest researchers, who have come to Ghent today and presented this morning their Ph.D. and post-doctoral research. May this meeting be the start of a lasting and fruitful cooperation between our institutions. You in Lille, we in Ghent, we share a common legal culture, with many research possibilities to explore. I wish all these young legal historians great success. May they model themselves on the active research spirit of Serge Dauchy, a pearl in the crown of legal history.

But there is one more point I would like to make. For a jewel to sparkle, it sometimes needs some polishing. This brings me to some final words on the strong and intelligent wife at Serge’s side, a proud woman, ready to move regularly from place to place and open to the scientific adventures of her husband. I have to admit, Mrs Dauchy, dear Emanuelle, that if, on the one hand, I appreciate your husband for his hard working spirit and his scientific achievement, on the other hand, I also admire his art of life, the



way he enjoys a tasty dish and a glass of good wine, talking about his holidays in Brittany with you and your children, Simon, Vincent, Héloïse and Eléonore. And when I see the twinkle in his eyes, I know that the steam engine in locomotive Serge is called love. That is why my final congratulations are addressed, not to Serge alone, but to the two of you.

