

ADDRESS IN HONOUR OF PROFESSOR BASIL MARKESINIS*

IOANNIS KARAKOSTAS**

Ladies and Gentlemen,

THE National and Kapodistrian University of Athens honours today a multifaceted intellectual, an eminent scientist of international prestige, having a multifarious authoring work and a multilevel presence in various international fora. Primarily, however, today we are pleased to honour a restless Greek mind, who already from a young age decided to conquer the academic - and not only - world both in Europe and the USA.

Basil Markesinis is not only a great jurist of our times, but also an imposing personality respected by a great number of civil officers of the highest ranks around the world. His international prestige is not just an element of his cosmopolitan personality, but also the fruit of a continuous, for almost 40 years now, passion for science, law, political justice and ecumenical humanism.

Allow me, nonetheless, to make a short review of the so far brilliant career of Basil Markesinis, a very close friend of mine, ever since our student years at the Faculty of Law of the University of Athens.

Basil Markesinis was born in Athens in 1944. He graduated from the Faculty of Law of the National and Kapodistrian University of Athens in 1965. He presented his first doctoral thesis at the University of Athens, where he obtained his doctorate in 1968. Some people among the audience in this room will perhaps remember him teaching during that time History of Byzantine and Medieval European Law. Afterwards, he held a studentship at the University of Cambridge where he was awarded his second Ph.D. in 1979. Later on, he has received honorary doctorates from the Universities of Gent, Munich, Oxford and Paris I (Panthéon-Sorbonne). As an academic teacher, he held successively the chairs of European and Com-

* This is a translation of the original Greek text.

** Vice-Rector of the National and Kapodistrian University of Athens

parative Law at the University of Oxford, where he founded the Institute of European and Comparative Law. Afterwards, he moved to the University of London, where he held the chair of Common Law and Continental-European Law which he still holds today along with the Jamails Regents chair at the University of Texas. Furthermore, for 20 years he has been Visiting Professor of Comparative Law at the University of Leiden.

Basil Markesinis has authored or co-authored more than thirty-two books, as well as more than one hundred and twenty legal articles, which have been published in leading legal journals in America, England, France, Germany, Greece, Belgium, Italy and the Netherlands. His books *The German Law of Torts - A Comparative Treatise*, *The German Law of Contract - A Comparative Treatise* and *Comparative Law in the Courtroom and Classroom* are considered worldwide as his most important works. For many years, he has lectured in twenty-five different Law Faculties worldwide, including the schools of Cornell, Harvard, Berkley, Tulane, Michigan, Gent, Leiden, Munich, Paris I, Paris II, Rome and Siena. Moreover, he is a Fellow of the British Academy, a Foreign Fellow of the French, the Italian, the Royal Belgian and the Royal Netherlands Academies, a Corresponding Fellow of the Academy of Athens, and a Member of the American Law Institute. In 2002 he was appointed *Conseiller Scientifique du Premier Président de la Cour de Cassation* (France) on matters of European law.

For his academic work and other multifarious services and activities - focused mainly on the promotion of the idea of European integration -, Basil Markesinis has received high decorations and offices from the Presidents of the Hellenic, French, German and Italian Republics. It should be particularly stressed at this point the fact that he has received the Grand Cross by four European countries: England, Germany, France, and Italy, while since 1998 he has been holding the title of Queen's Counsel.

In the field of law, it is obvious that his favourite field of study is Comparative Law, where not only has he excelled but moreover at the international level, on both sides of the Atlantic, he is regarded as one of the best comparativists. His basic purpose was and still is to highlight the similarities rather than the differences between the various legal systems, as well as to bring the Anglo-Saxon legal thought closer to the continental-European one. He firmly believes that what keeps us together is much more than what drives us apart. He is absolutely right.

This ecumenical humanism, this ecumenical sensitivity and the wideness of his intellectual horizons are the elements which characterise Basil Markesinis not only as a jurist but also as a human being. There is a deep and firm background of values guiding his every word and deed, which as

a red thread has governed his life up to now. The ecumenical understanding and the avoidance of tensions, the faith in the values and ideals of European humanism are elements of a primarily progressive way of thinking, which continuously pursues the best for both man and society.

This is exactly where Basil Markesinis's concern for the idea of European integration is focused on. He believes in the common European civilisation, he desires and promotes constantly, through his publications and his lectures around the world, the harmonious union of legal cultures which appear to have developed from different assumptions. Because in his pragmatist legal viewpoint, the starting point is actually common and is nothing else than the problem which is raised each time. Simultaneously, it is clear that the conceptualism does not express Basil Markesinis's scientific anxieties, because it creates walls that impede to a considerable extent the communication between the various legal systems, between the various legal cultures.

Ladies and Gentlemen,

Basil Markesinis is a restless, free mind, who always knows how to surprise others pleasantly, being at the service of the principles and values of European humanism, without however ignoring the elements of cultural progress that come from the other side of the Atlantic as well.

Basil Markesinis is indisputably a citizen of the world. At the same time, however, he is Greek and he never forgets that. He is a brilliant ambassador of the democratic and free spirit of classic Hellenism, recognising the human sensitivities and weaknesses, but also being driven by a firm faith in human Reason and in the idea of social responsibility. This exact idea of social responsibility is what often drives him to oppose, passionately, every effort of distortion or downgrading of the European civilisation values. And he will manifestly prove this with his exceptionally interesting speech today.