

Editorial

Jacques WERNER

Cedric Barclay, or the Art of Arbitrating

Cedric Barclay left us last March. Many mourn him as a dear personal friend and the arbitral world mourns the cruel loss of one of its great arbitrators.

A naval architect and marine engineer by profession, he was for a long time a successful shipowner. He came to arbitration as a man in the trade, which gave him such a distinct approach to the disputes before him, not only in maritime, but also in general commercial cases.

For those who were privileged to arbitrate at his side, or before him, he was a true hero, able to conduct difficult proceedings skillfully and render awards while earning the respect and confidence of all parties and individuals involved. He embodied the kind of arbitrator which everyone seeks but unfortunately rarely finds: the professional man turned arbitrator, who does not write voluminous treaties or numerous learned articles, but who through good justice case after case satisfies the users of international arbitration and strengthens their confidence in the system.

Cedric was one of those who helped make this journal possible. His enthusiasm and generosity, so different from the attitude of others in the arbitration community who opposed our idea for the sole reason that it was not theirs, gave us confidence and the courage to persevere in the critical early stages of launching a new publication. He hoped that the journal would help to stem the rise in proceduralism and formalism, which greatly disgruntled him, and to keep the procedure the way he liked it: close to the facts, close to the parties, and with common sense always to the fore. We will endeavour to honour his memory by pursuing our efforts in that direction.