

DEDICATION AND FOREWORD

The example of a great teacher and colleague continues to sustain us even after his death. Undoubtedly this will be so in the case of Judge Albert Tate, Jr., whose works constitute the most significant contribution by an individual to the jurisprudence of Louisiana. Only his contemporaries could know fully the intensity, the honesty, the generosity of his personality, but his judicial opinions and scholarly commentary remain as a source of strength and inspiration for future generations.

This revival issue of the Tulane Civil Law Forum is aptly dedicated to his memory. More assiduously than any other jurist, he pursued the goals which the Forum, in its statement of purpose, suggests for our civilian bench and bar: "creative examination and serious discussion of the Louisiana Civil Code" and "originality in the use of civilian concepts". Moreover, he drew important inspiration from an excellent student article in the Forum during the preparation of his most virtuosic and influential civil law opinion. See *Loescher v. Parr*, 324 So.2d 441, 447, 449 n.6, 7 (La. 1976) (citing *D. Verlander, We Are Responsible ...*, 2 Tul. Civil Law Forum 1 (1974).) Although Judge Tate's work contains countless examples of fecund scholarly influence upon civilian jurisprudence, this instance alone offers a strong argument for the restoration of the Forum's publication on a regular and frequent basis. As civilians, we have cause to rejoice in its revival and in the prospect of a continuing journal dedicated exclusively to the nurturance of the civil law in Louisiana.

I believe that Judge Tate would have been proud of the work that the editors have done in preparing for the revitalization of this journal. Certainly he would have delighted in the three articles contained in this issue which follow what he considered to be the most appropriate civilian methodology. For the authors have recognized, as did he, that the code should be interpreted as a system of fundamental principles, not as a collection of ad hoc statutes; that the redactors discovered these principles by reason within the experience of the community, and did not deduce them purely from ancient tradition or modern conceptualism; and that the application of these principles to everyday contemporary legal problems, such as those involving landlord-tenant relations, promissory

estoppel or good faith purchasers, should primarily serve the ends of justice and social utility, rather than the mechanical adhesion to judicial precedent or formalism.

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