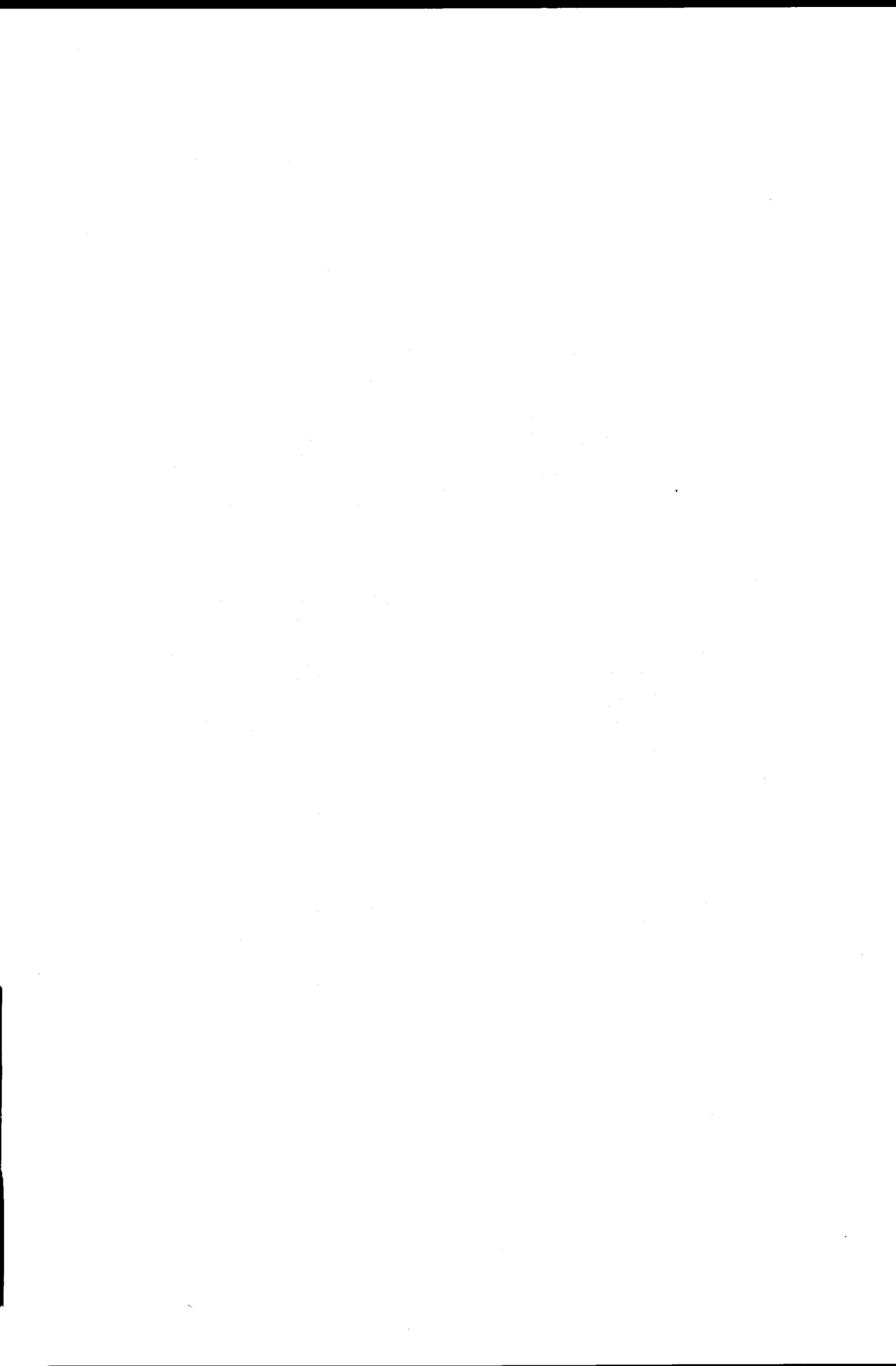




PROFESSOR FERDINAND FAIRFAX STONE  
DECEMBER 12, 1908 - JUNE 10, 1989



**PROFESSOR FERDINAND F. STONE**  
(December 12, 1908 - June 10, 1989)

A law teacher, according to received wisdom, will most deeply influence students in their first year. The premise for this belief is that students newly engaged in legal analysis are uncommonly receptive to fresh ways of seeing the world. Because Ferd Stone was my teacher, this wisdom surely applied to me; Ferd has always figured in my view of the law. For the editors, the preparation of this tribute in honor of Ferd Stone has been a unique exercise in hero worship and ancestor worship. Among his students, Ferd, like other heroes and ancestors, enjoyed a respect verging on reverence. The articles published here indicate that this reverence was shared widely among his colleagues as well.

Professor Stone's professional credentials and achievements were, of course, impressive: J.S.D., Yale University; B.C.L., Oxford University; Docteur en Droit Honoris Causa; Director, Tulane Institute of Comparative Law; Editor, International Encyclopedia of Comparative Law. Yet titles give only a partial account of a life and a career; and beyond these formal designations, there was about Ferd a mystery a little like the mystery that surrounded the Pied Piper of Hamelin.\* Ferd's music lured and enchanted his students, though not to the disaster awaiting the mice of Hamelin. In my own case, this sense of mystery, as in the case of any other hero or ancestor, derived from personal experience.

Until law school, I had seen Ferd Stone only in a photograph in which he bore a striking resemblance to Alan Bates, the British actor with a run of successful films in the 1960s. I saw Ferd Stone "live" in class for the first time with his head fully shrouded in bandages. He had apparently suffered an accident requiring surgery during the preceding summer. From this mask there issued everyday a Bates-like baritone, complete with British inflections, on the law of torts. When the mask finally came off, the mystery continued, for during our first term, we followed Ferd, in groups of eight, to his office for special tutorials where he shared with us secrets of legal analysis. In the days

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\* An enchanting verse account of this musical wizard who retaliated against the citizens of Hamelin when they refused to pay him appears in R. Browning, *The Pied Piper of Hamelin* (1842). A prose version of the tale appears in *Tales From Times Past* 120-127 (Ed. B. Holme, 1977). For having found these versions of the story, grateful acknowledgement is made to Kimberly Koko and Margaret Carlson, Tulane Law Library.

before anonymous grading and grade curves, it never occurred to us that Ferd's highly personalized hospitality was an invasion of privacy.

Wherever I went in the United States, France and England, the mystery surrounding Ferd Stone persisted. His name was a sort of talisman; it signified "open sesame," whether the scholar on the other side of the door was Arthur von Mehren, Tony Jolowicz, Jean-Louis Baudouin, Barry Nicholas, André Tunc, Ian Fletcher, Tony Weir or his late colleagues, Pan Zepos, Jacques Flour, and Jean Maillet.

Old Tulane files reintroduced us to many of the contributors in these pages. These authors, who have cheerfully and generously contributed to our enterprise, are luminaries in a pantheon of jurists situated in the United States and on both sides of the English Channel. For the most part, they are comparative scholars whom Ferd brought to the Tulane campus under the auspices of the Tulane Institute of Comparative Law. For decades, their writings graced the pages of the *Tulane Law Review*; their names appeared in the *Review's* masthead as contributing editors. Over the years, these scholars have often demonstrated their affection for Ferd and their dedication to Tulane as a comparative law center. They have given Tulane a unique luster among United States law schools, and the *Tulane Civil Law Forum* is now the proud beneficiary of their largesse.

In closing, I should like to record the homage to Ferd Stone of Professor Marc Ancel, who for decades headed the French Society of Comparative Legislation, the French Center of Comparative Law, and the Research Center of Criminal Policy. A contributing editor of the *Tulane Law Review*, Professor Ancel generously promised us an article. Regrettably he passed away before he could compose it. In a sense, Ferd was Tulane's version of Marc Ancel.

To all of our contributors we express our sincerest appreciation for joining us in this enterprise. We hope that our readers will enjoy reading these pages, full of personal reminiscence and superb scholarship, as much as we have enjoyed assembling and editing them.

Shael Herman  
on behalf of the editors