

Opening Greetings

It gives us great pleasure to present a series of Articles in celebration of Reinhard Zimmermann's seventieth birthday. In so many ways, Reinhard Zimmermann has touched our lives. This collection wishes to honor our friend and colleague and wish him many happy returns of the day!

John Cairns (Civil-Law Systems, Judges, and the British Empire): "I first became aware of Reinhard Zimmermann when he was mentioned to me by my teacher, friend, and colleague Sandy McCall Smith, his very good friend. Reinhard then held the Schreiner Chair at the University of Cape Town. It was, however, to be some years before I actually met him. In the meantime, he had published *The Law of Obligations: Roman Foundations of the Civilian Tradition* with Juta in South Africa in 1990, a major work initially drawn to my attention by my former colleague, the late Peter Birks. To be frank, I am no longer sure when I first met Reinhard. I suspect this is because of the frequency with which over many years I have met him in Britain, Europe, and North America. But I do have strong memories of episodes of his kindness, some mysteriously fragmentary. I recall him enthusiastically buying us ice cream, as we walked down a street; I also recall walking with him somewhere, obviously in southern Europe, as it was very sunny, where the houses were pastel-painted, with plastered surrounding walls, over which bougainvillea hung; and, what I remember most, lying on the pavement were squashed figs that had fallen from overhanging branches. But the memory of where this was has now quite gone, and indeed the recollection itself is so dream-like that I sometimes wonder if it is accurate or a strange composite created by my memory. Even if this memory is inaccurate, the sense of Reinhard's kindness is most decidedly not. I contributed a chapter to the *Oxford Handbook of Comparative Law* that he edited with Mathias Reimann, the first edition of which was published in 2006. As so often in my scholarly life, I was both late and running well over the word limit. It was a difficult time. I was dealing with many problems arising from my late father's progressive deterioration and illness. I shall always be grateful to Reinhard for his sympathy, understanding, and gentle encouragement."

Richard H. Helmholz (English Common Law and the *Ius Commune: The Contributions of an English Civilian*): "When the University of Chicago awarded an honorary doctorate to Reinhard Zimmermann in 1997, it fell

to me to proceed down the aisle of the chapel with him. We processed to the chancel where he received the award. Afterwards my wife told me this had been a bad idea. Reinhard towered over me the whole way, she said, and I looked like a midget. But under the circumstances—it was a recognition of his achievements—I thought the contrast had actually been quite appropriate.”

David Johnston (*Loss, Knowledge, and Prescription: Some Problems in Scots Law*): “Here are two snapshots from my friendship with Reinhard Zimmermann. The first is a still image: a remarkably authentic Burns supper (leaving aside a slight dearth of kilts) which Reinhard hosted in Regensburg, having assembled an extraordinary cast of scholars from Scottish law faculties (plus myself). The second is more like a video clip, playing on repeat, from Reinhard’s year as Goodhart Professor in Cambridge (1998/99). Mid-morning, with unfailing regularity (I could probably have set my watch by it) there would be a knock on the door of my office, and Reinhard would suggest a tea break. ‘Break’ does not, of course, mean that subjects such as European private law and prescription were off limits. Both images remind me how much I have gained from time spent in Reinhard’s company over a period going back many years.”

Agustín Parise (*An Endless Web of Jurists for the Development of Comparative Legal History: John H. Wigmore, the Committee on Legal History of the AALS, and the Continental Legal History Series*): “My first talk with Reinhard Zimmermann was in Hamburg, during a snowy December. I recall entering his office and seeing a narrow path delineated by hundreds of Christmas cards elegantly standing on the floor. Friends from across the globe sent him greeting cards every year, and that year was no exception. A small fork on the path guided Reinhard from his desk to his volumes on Roman law and legal history. I could only imagine how many times he had walked that path. A smile immediately came to my face. He responded with a smile. I treasure our friendship and smile each time we exchange cards!”

Daniel Visser (*Reception in Real Time: Reinhard Zimmermann and the Influence of German Law of Unjustified Enrichment in Scotland and South Africa*): “I met Reinhard in circumstances that nearly led to the elimination of most of the Roman law expertise in South Africa at the time. In 1981, the South African Association of Teachers of Law was held at the University of Natal in Pietermaritzburg. A group of professors from

universities in the north of the country had organized to travel together from Pretoria in a Volkswagen mini-bus. I was one of the group, and Reinhard, who was up from Cape Town, also came along. Professor Paul van Warmelo, the doyen of South African Roman lawyers, insisted on driving the bus all 600 km to Pietermaritzburg. It was a trip which one still marvels at having survived. The kindly Paul van Warmelo's driving skills were clearly of a different order than his skill in Roman law, and we the passengers were in a state of terror—Professor Ralph Dannenbring, another Roman-law professor from the University of South Africa, occasionally throwing himself on the floor of the mini-bus when he was convinced that a particular maneuver would surely bring about our end. But we got to Pietermaritzburg, and Reinhard and I became firm friends and were both able to contribute to the *Festschrift* compiled for the venerable professor three years later. In 1985, a state of emergency was declared in South Africa as the apartheid government fought a rear-guard action against the increasingly effective internal protests. Staff and students at UCT were united in the view that that there must be protest—and in this Reinhard stood up to be counted: in 1987, when he was serving as Dean, he led the Faculty in taking the route of civil disobedience by publishing an advertisement in the *Weekly Mail* calling for the restoration of the rule of law and an end to the state of emergency, even though the Emergency Regulations prohibited calls for the state of emergency to be terminated; when one of our activist students, Sandra Liebenberg (Now the H.F. Oppenheimer Professor of Human Rights Law at the University of Stellenbosch) was detained without trial under the Emergency Regulations, he visited her in the Pollsmoor Prison and forced the authorities to allow her to write her examinations in prison; and he resigned as President of the South African Society of Teachers of Law when the organization refused to condemn the state of emergency.”

Vernon Valentine Palmer (Editor in Chief of the *Tulane European and Civil Law Forum*): “I met Reinhard nearly thirty years ago in a fairly obscure place in Africa. We were both invited in 1984 to an international conference in Lesotho, a small mountainous kingdom in southern Africa where I once taught law. The conference was a celebration of Lesotho's ‘Centenary of Roman-Dutch Law.’ I remember the opening remarks by the King, Moshoeshoe II, the fascinating dance steps of the Chief Justice as he gyrated about the dance floor, and Reinhard's learned paper concerning the reception of Roman-Dutch law in southern Africa, which later appeared in the inaugural issue of the Lesotho Law Journal. That first

encounter with Reinhard in Lesotho was the beginning of a very fortunate friendship and a collaboration which has lasted to this day and which I shall always cherish.”

Markus G. Puder (The Doctrinal Relationship between the Public Records Doctrine and the Acquisitive Prescription of Immovables in Louisiana: Comparative Insights): “When Reinhard Zimmermann and I met for the first time, he chaired the Department of Roman and Comparative Law at the University of Cape Town, Republic of South Africa. He had generously arranged for my stay there. The whole experience was, of course, a formative immersion in the arts of comparative law and legal history. I also recall Reinhard Zimmermann’s exquisite musical taste, in particular his great affection for Beethoven’s Violin Sonata No. 5 (‘Spring’) and Mozart’s Violin Concerto No. 5 (‘Turkish’). New Orleanians will take great delight in learning that Reinhard Zimmermann has recently added Gottschalk’s Symphony No. 1 (‘Night in The Tropics’) to his musical collection.”

To Reinhard Zimmermann from all of us: Happy Birthday, Feliz cumpleaños, Vrolijke verjaardag, Joyeux anniversaire, Tanti auguri, Co-là breith sona dhuit and Herzliche Glückwünsche zum Geburtstag!