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Dedication: Professor Joseph Dainow

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*This issue of the
Louisiana Law Review
Is Respectfully Dedicated to
Professor Joseph Dainow
First Faculty Editor of the Review*



Joseph Dainow
Emeritus Professor of Law

DEDICATION

After thirty-five years of dedicated service as a member of the Law Faculty, Professor Joseph Dainow will retire this year to assume the status of Professor Emeritus. In that capacity he plans to continue his scholarly research and further to pursue his interest in the civil law in connection with the work of the Institute of Civil Law Studies. The loss to the Law School's teaching program is great. The best wishes of his colleagues, students and numerous friends in the academic world and of members of all branches of the legal profession accompany Professor Dainow as he accepts the retirement which he requested and which his distinguished work has so richly merited.

Professor Dainow, a native of Montreal, came to Louisiana following graduate study at Northwestern University Law School where his talents were recognized by Dean Wigmore who issued an invitation to him to be a teaching fellow. Professor Dainow had previously studied at McGill University where he received the Bachelor of Arts and Bachelor of Civil Laws degrees. In 1929 he went to France for advanced civil law studies of two years' duration. The earned degree of Docteur en Droit was conferred upon him by the University of Dijon in 1931. There followed a short period of practice combined with lecturing on Roman law at McGill. By 1933 he had made the decision to enter teaching and his studies at Northwestern, where he received the S.J.D. degree in 1938, were undertaken with this objective in mind. The late Professor Newman F. Baker, who had taught in Louisiana before joining the Northwestern law faculty, was instrumental in recommending Professor Dainow for appointment to the Faculty of Loyola University School of Law. Along with Dean Wigmore and other comparativists at Northwestern, Professor Baker urged Professor Dainow to make the transition to Louisiana as the law of this state would provide an opportunity to utilize fully his background and training in the civil law.

It was in 1935 that Mr. Dainow moved to Louisiana. For three years he taught civil law courses at Loyola University Law School. In 1938 he was asked to join the L.S.U. Law Faculty and to become the founding Faculty Editor of the *Louisiana Law Review*. Since 1938, except for his absence during World War II for military service and except for briefer leaves for scholarly

pursuits abroad and in other American law schools, Professor Dainow has been continuously in residence as a member of the L.S.U. Law Faculty.

The work of Professor Dainow has covered a variety of broad subject-matter areas. As a leading exponent of civil law in Louisiana, he has taught, at one time or another, virtually all major divisions of the Louisiana Civil Code. For many years he taught both public and private International Law. He will be remembered more recently for his teaching of such difficult courses as Civil Law Property and Security Devices under the Louisiana Civil Code. Each subject to which he devoted his keen intellect was enriched by his analytical approach and his contributions to organization and teaching materials to aid students in their studies. Thus his *Cases and Materials on Civil Law Property* has gone through several editions as has his *Security Devices, Cases and Materials*.

The broad range of Professor Dainow's scholarly interests is well reflected in his numerous writings and in the variety of major projects for which he has been responsible during his exceptionally busy and fruitful career. It is impossible to encompass in this brief statement the rich detail of the many contributions he has made in research and through his publications. A few examples may, however, be given. In 1940-42, he was the Chief Reporter for the Compiled Edition of the Civil Codes of Louisiana published by the Louisiana Law Institute. This compilation contains the texts of the Louisiana Codes with indication of their source in the French Civil Code. This important work is the starting point for any major research into a problem of the Louisiana Civil Law. The Compiled Edition is now being prepared by Professor Dainow for republication as part of West's statutory and Civil Code series. It is being edited to include references to texts and civil law treatises published or translated since the initial appearance of the Compiled Edition. Out of the Compiled Edition of the Codes there emerged the one volume edition of the Louisiana Civil Code edited by Professor Dainow and first appearing in 1947. This Code has been widely used by law students and has been kept current by pocket parts reflecting legislative changes. A mere scanning of the list of extensive publications by Professor Dainow reveals the scope of his versatile work. One will there be referred to a large number of in-depth studies constituting important contributions to difficult areas of comparative law. The doctrine of forced

heirship, for example, has been subjected to intensive study by Professor Dainow and his series of articles on this subject constitutes an important comparative treatment of limitations on testation under different legal systems.

As an American legal scholar thoroughly conversant with both the Anglo-American and continental systems of private law and as a gifted lecturer in both the French and English languages, Professor Dainow has had many calls at home and abroad for participation in conferences and teaching programs. To such endeavors Professor Dainow has given generously of his time. He served as a Fulbright Lecturer in Paris in 1954 and as a Guggenheim Fellow in Europe during part of that same year. In 1962-63 he was a Fulbright Lecturer at the University of Ghent. That University subsequently recognized the distinguished quality of his teaching contributions under this lectureship by conferring upon him the degree of Doctor of Law *honoris causa*. He served as Visiting Professor of Law at the University of Puerto Rico in 1950, at Northwestern in 1956, at Texas in 1957, at Michigan in 1958, and at New York University in 1959.

Professor Dainow has been an active member of many learned societies and organizations, both national and international. He was a member of the United States National Commission for UNESCO, 1957-59. From 1956-62 he served on the Executive Council of the American Society of International Law. He twice served as a member of the Board of Governors of the Louisiana State Bar Association and for years has represented the Law School as a member of the Council of the Louisiana State Law Institute. He is one of the American members of the International Academy of Comparative Law. During World War II he rendered distinguished service as Chief of the Research Branch, Office of the Judge Advocate General of the Army. In that capacity he was in charge of research facilities and publications, including Military Laws of the United States and the monthly Bulletin of the Judge Advocate General's Department. He served as a member of a special task force to prepare research materials for use in connection with the Nuremberg Trial conducted before the International Military Tribunal. In 1945, he was assigned as a member of the prosecution staff at Nuremberg.

During many years Professor Dainow served as a member of the Board of Editors of the *American Journal of Comparative*

Law. He has maintained a continuing interest in the Journal since its establishment and has been a frequent contributor of items for publication. The demanding character of his teaching and research responsibilities did not deter Professor Dainow from assuming an important relatively recent assignment as Director of the Institute of Civil Law Studies of Louisiana State University. The Institute under his direction has produced and collaborated in bringing about a number of significant publications in the civil law field.

Each undertaking to which Professor Dainow has devoted his energies and his enthusiasm has been translated into a generous measure of accomplishment. Many eminent practitioners and jurists have been his students during the past thirty-five years. His constructive ideas and penetrating insight have pushed forward into developing areas of the private law. His deep interest and knowledge of the processes of legal education have been a continuing source of strength at the L.S.U. Law School. His constructive work seems to know no limitations.

It is appropriate that these abbreviated comments concerning Professor Dainow's contributions should emphasize his role as a teacher and scholar. In doing this his human qualities must not be ignored for he is a warm, friendly man with a deep interest in people and above all a devotion to helping students. Rarely would he be absent from any student gathering and he enjoyed these as a rewarding experience.

In his home and family Professor Dainow found his highest happiness. He lost his beloved wife Frieda Fineman Dainow in 1969. Their home was ever a haven of warmth and congeniality, not only for their son Jariel and their daughter Keren, but also for a wide circle of friends, colleagues and visitors.

As Professor Dainow gives up the formal teaching which has meant so much to him during his brilliant career, the good wishes of the Law Review—which he founded—are with him. The entire Law School family takes comfort in knowing that he will still be at the Law School to offer advice and to furnish inspiration for further work toward a better understanding of the law to which he has always devoted the perfection and idealism constituting the hallmarks of his own character.

Paul M. Hebert
Dean