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A Tribute to F. Hodge O'Neal

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INTRODUCTION: A TRIBUTE TO F. HODGE O'NEAL

DORSEY D. ELLIS, JR.*

Robert Burns' ironic accolade "a gentleman and scholar" has long since become a mark of high regard—indeed to the point of trivialization. If ever there were one of whom it is apposite, it is F. Hodge O'Neal. Remarkably, he has retained his entitlement to both elements despite having thrice been a dean.

This issue of the *Quarterly* celebrates Hodge's long and distinguished career as teacher, scholar and educational leader. While this career has reached yet another major turning point with his retirement from Washington University's faculty, it is clearly far from over.

A native Louisianan, Hodge obtained both his undergraduate and law degrees from Louisiana State University in Baton Rouge, where he was Editor-in-Chief of the Louisiana State University Law Review, first in his class, and a member of the Order of the Coif. Following a year of graduate study at Yale, a brief period as an associate with Sullivan and Cromwell, and service as a naval officer during World War II, he joined the faculty of the University of Mississippi School of Law. Two years later, he became Acting Dean and then Dean of the Walter F. George School of Law at Mercer University, a position he held for nearly a decade. During his teaching career, he twice returned to the role of student to obtain advanced degrees in law, a J.S.D. from Yale in 1949, where he was a Sterling Fellow, and an S.J.D. from Harvard in 1954. Following his extended stay at Mercer, he served on the faculties of Vanderbilt and Duke University Schools of Law. He was Dean at Duke from 1966 through 1968, after which he remained on the Duke faculty as the James B. Duke Professor of Law. In 1976, Hodge joined this faculty as the George Alexander Madill Professor of Law. His faculty tenure at Washington University was interrupted from 1980 to 1985, when he was persuaded to serve as Dean of the School of Law.

In recognition of Hodge's distinguished scholarly career, last year Hodge's alma mater inducted him into the Louisiana State University Law Center's Hall of Fame. His bibliography, found elsewhere in this

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issue, and the thousands of page of publications it represents, attests to the fecundity of his scholarly efforts. But a mere listing of titles, impressive though it is, can not do justice to the influence his work has had on the law.

Few scholars can legitimately claim to have created a new subject of study. Yet the development of law relating to closely-held corporations is virtually synonymous with Hodge's scholarship in that area. It was Hodge who first identified the field as a topic meriting separate attention, beginning with law review articles in the 1950's and evolving into the authoritative treatise on the subject, now in its third edition (co-authored with our mutual colleague Bob Thompson). Hodge's scholarship in the area of closely-held corporations has reflected an abiding concern for the expectations of the minority stockholder. His attention to the law relating to the oppression of minority owners and their potential for being squeezed out of the corporation by those in control culminated in a treatise that dominates the field.

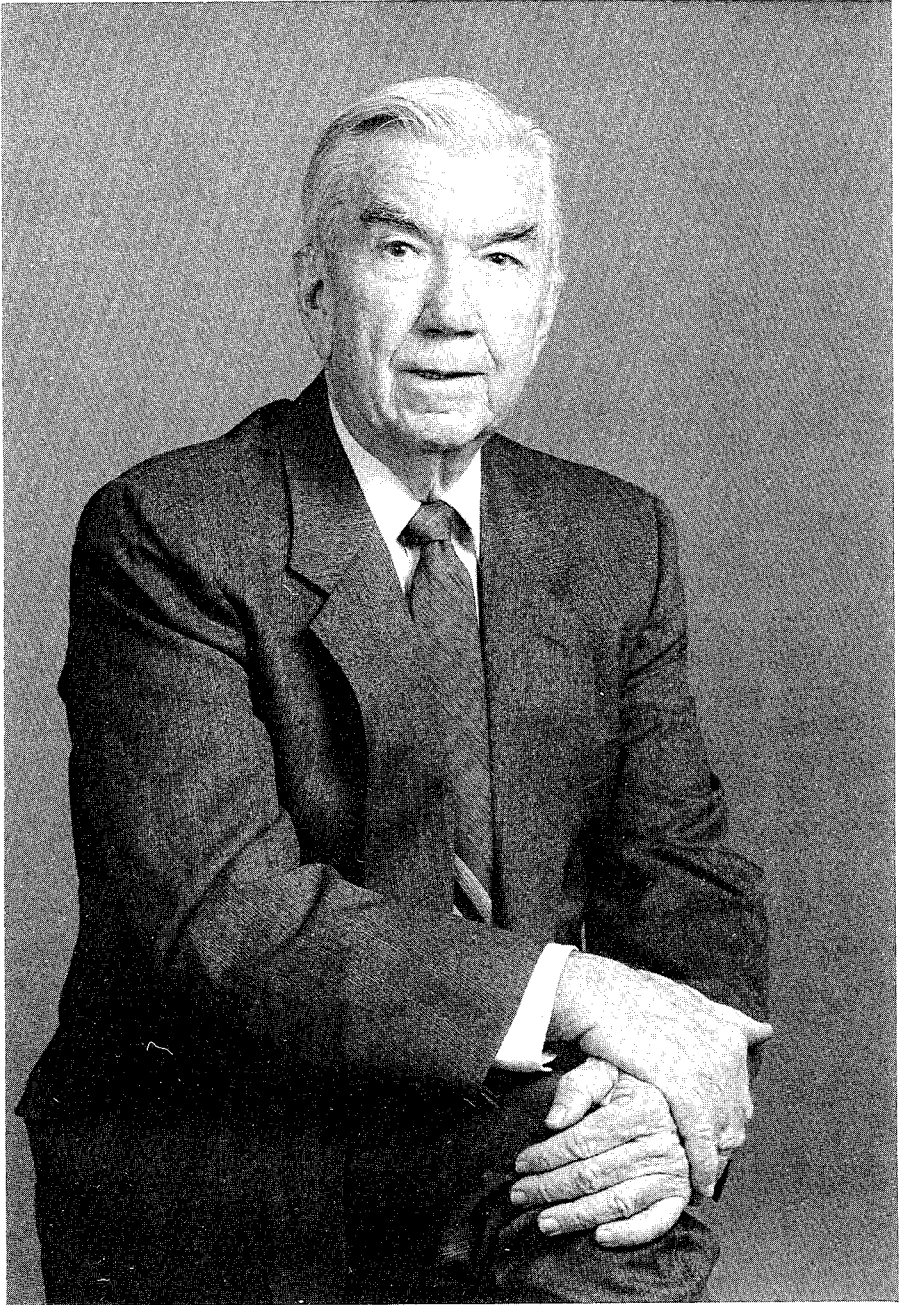
Scholarly creativity and innovative teaching are not inevitably linked; in Hodge's case they certainly are. He not only introduced the concept of preventive law in his writings on close corporations, but also in the seminar and classroom. His Business Planning and Drafting course, invariably oversubscribed, emphasizes the necessity of anticipating potential problems and providing mechanisms to avoid or resolve them. To all his courses, he brings a profound knowledge of the issue, a zest for the subject, and a dedication to effective teaching.

Three law schools are stronger institutions because of Hodge's leadership from the Dean's chair. My observations of Hodge' career are limited to Washington University, but the impact of his tenure here as Dean is evidenced by the outstanding faculty members he first recruited, and then nurtured in their scholarly careers. During my first year as Dean, he has generously offered good advice, wise counsel and unstinting support, without which my initiation would have been far more difficult.

Although his retirement has relieved him of the active demands of the professorial role, his scholarly activity continues unabated. He is at work on a new edition of the classic *Ballantine on Corporations* and continues to edit the *Corporate Practice Commentator*. Ever the educator, he has agreed to teach his Business Planning and Drafting course this semester and in the spring he will serve as the Stephen C. O'Connell Distinguished Professor at the University of Florida.

All of us at the Washington University Law School look forward to his

return next fall and to many more years of collegial fellowship. For now, Hodge, we join the editors of the *Quarterly* and your fellow scholars in the corporate law field, some of whose articles appear in this issue in saluting you for all you have contributed to the law and legal education.



F. HODGE O'NEAL
George Alexander Madill Professor of Law
—1976 through 1988—
Dean
—1980 through 1985—
Washington University School of Law

