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Golden Jubilee of the Center of Civil Law Studies: Celebrating the Development of Legal Science in Louisiana

Agustín Parise

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**GOLDEN JUBILEE OF THE CENTER OF CIVIL LAW
STUDIES:
CELEBRATING THE DEVELOPMENT OF LEGAL SCIENCE
IN LOUISIANA**

Agustín Parise*

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I. INTRODUCTION

Louisiana may be considered a “civil law island” partially surrounded by a “sea of common law;” a status that has to be safeguarded to survive.¹ The Center of Civil Law Studies² (CCLS)

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The author of this article is indebted to Alain A. Levasseur, Olivier Moréteau, and Julio Romañach, Jr. for the information they shared on the history of the CCLS. He is also indebted to Alexandru-Daniel On for reading an earlier version of this article and to Jennifer Lane for her suggestions and careful editorial work.

1. Agustín Parise, *Non-Pecuniary Damages in the Louisiana Civil Code Article 1928: Originality in the Early Nineteenth Century and Its Projected Use in Further Codification Endeavors* 14 (May 18, 2006) (unpublished LL.M. thesis, Louisiana State University, Paul M. Hébert Law Center) (on file with the Louisiana State University Law Library).

at Louisiana State University (LSU) has for 50 years acted as one of the guardians of that status. It has also helped develop scholarship in that southern state of the U.S.: a legal science that responds to the civil law needs of a jurisdiction surrounded by neighboring common-law jurisdictions. The CCLS has further acted for 50 years as a courier of civil law knowledge between that *island* and the rest of the civil law world. Different actors helped the CCLS deliver and receive civil law knowledge, while they also assisted in the progress of legal science in Louisiana.

This article aims to address some of the landmarks in the history of the CCLS, and hence some actors will be mentioned. It must be noted *ab initio* that many actors will not be mentioned in the pages that follow. That omission should in no way be interpreted as a dismissal of some actors or their activities, it only corresponds to the selection of landmarks made by the author aiming to offer a balanced overview of the past 50 years: it is impossible to offer an account of all efforts.

The article is divided into three main parts. First, the article mentions the origins of the CCLS. The article therefore tackles the creation of the CCLS in 1965. Second, the article mentions some of the members of the CCLS. Naturally, the directors and other affiliates are mentioned in that part, reflecting that the academic contributions of the CCLS are the result of team work. Third, the article attends the academic *corpus* offered by the CCLS. In that part the article elaborates on the discussion forums, publications, and legal education efforts in which the CCLS is involved. The article is enriched by an appendix that includes a history of the CCLS by Saúl Litvinoff. That account was originally intended for the website of the CCLS and was written by an iconic former

2. CCLS, in this article, refers indistinctly to the *Center of Civil Law Studies* and the *Institute of Civil Law Studies*. The distinction is explained *infra* in II of this article.

director of the CCLS, serving as a first-hand exposition of landmarks in the history of the CCLS.

II. ORIGINS

The CCLS can be traced back to the year 1965.³ The LSU Law Center⁴ was particularly active that same decade in fostering studies on civil law and comparative law, with professors visiting in Louisiana and abroad, such as Robert A. Pascal, who visited Rome in the period 1963-1964 to participate in comparative law seminars as a Fulbright scholar.⁵ The Louisiana State Law Institute was also active that same decade on translation efforts to enhance the civil law in the English-speaking world.⁶ There was a renaissance of the civil law in Louisiana in the 1960s and 1970s.⁷ Several events accompanied and/or triggered that renaissance: implementation of comprehensive civil law courses, elaboration of several volumes of the *Louisiana Civil Law Treatise Series*, translations of seminal French texts, ignition of the revision of the Louisiana Civil Code, and the resulting interest of legal actors in the study and application of the civil law in Louisiana.⁸ The context was favorable for the creation of an institute that would devote itself to the study of the civil law and comparative law.⁹

3. See generally the early account in Paul M. Hébert, *Background, Aims, and Objectives of the Institute of Civil Law Studies LSU Law School*, 26 LA. L. REV. 621 (1966) [hereinafter *Background, Aims, and Objectives*].

4. Originally referred to as LSU Law School.

5. W. LEE HARGRAVE, *LSU LAW: THE LOUISIANA STATE UNIVERSITY LAW SCHOOL FROM 1906 TO 1977* 187-188 (2004).

For additional information on the Fulbright visit of Pascal, see Robert A. Pascal, *Recollections of a Life Studying and Teaching Law* in ROBERT ANTHONY PASCAL: A PRIEST OF RIGHT ORDER 25, 71-73 (Olivier Moréteau ed., 2010).

6. Alexandru-Daniel On, *Making French Doctrine Accessible to the English-Speaking World: The Louisiana Translation Series*, 5 J. CIV. L. STUD. 81, 83-84 (2012) (noting that the translations were undertaken in the period 1959-1972).

7. James L. Dennis, *Athanassios Yiannopoulos: Saluting a Remarkable Career in Progress*, 73 TUL. L. REV. 1021, 1022 (1999).

8. *Id.*

9. *Id.*

Paul M. Hébert¹⁰—who was for many years Dean of the LSU Law Center—offered encouragement and support, and was very much interested in the establishment of an institute that would accompany that renaissance.¹¹

An *Institute of Civil Law Studies*¹² was chartered by John A. Hunter—President of LSU—on August 4, 1965.¹³ The objectives were indeed to serve as a courier of civil law knowledge between the *island* and the rest of the civil law world.¹⁴ The newly-created institute also aimed to develop the study of civil law and comparative law.¹⁵ Hébert stated in 1966 that the new institute marked “an initial step toward achieving a better understanding of Louisiana civil law in terms of its relationship to the entire system of which it claims to be a part.”¹⁶ He also stated that same year that:

. . . there exists a long recognized need in Louisiana for institutionalizing the intimate relationship existing between Louisiana’s private law and the vast world of the civil law, represented on the contemporary scene by the advanced legal systems of Europe and the systems of Latin America oriented to the Roman tradition, and, historically, by the chronicle of development in most parts of the Western World formerly in the Roman Empire.¹⁷

10. For additional information on the life and work of Paul M. Hébert, see the special supplement to issue 3 of volume 37 of the LOUISIANA LAW REVIEW (1977).

11. Joseph Dainow, *Introduction to 1976-1977 Special Issue of the Louisiana Law Review*, 37 LA. L. REV. 643 (1977) [hereinafter *Introduction to 1976-1977 Special Issue*].

12. It should be noted that the literature refers also to *Institute of Advanced Civil Law Studies*. See, for example, HARGRAVE, *supra* note 5, at 191.

13. Paul M. Hébert, *Biennial Report of the Law School to the Chancellor of Louisiana State University, Main Campus, 1964-66*, 26 LA. L. REV. 317, 320 (1966) [hereinafter *Biennial Report*]; HARGRAVE, *supra* note 5, at 191; and LSU Office of the President, *A Look Back*, available at <http://www.lsu.edu/president/history.php> (last visited August 18, 2015).

14. HARGRAVE, *supra* note 5, at 191.

15. *Id.*

16. Hébert, *Biennial Report*, *supra* note 13, at 320.

17. *Id.*

The mission of the *Institute of Civil Law Studies* was expanded in 1976.¹⁸ That expansion was followed by a change in the name of the institute, which was thereafter the *Center of Civil Law Studies*.¹⁹ Joseph Dainow, who acted as the first director, indicated in 1977 that “the name change [was] incident to expansion of the work and program, with increasing activity related to civil law, comparative law, and civil code revision.”²⁰

III. MEMBERS

The CCLS consists of a team of professionals who joined their efforts to fulfill the objectives that were chartered as early as 1965. Article 2 of the presidential charter established that amongst the objectives of the CCLS are: “to promote and encourage the scientific study of civil law in the modern world, its history, structure, principles and actualities with a view toward facilitating a better understanding of the civil law of Louisiana and other civil law jurisdictions and making it a better instrument of good order.”²¹ The objectives were more recently expanded to include “theoretical and practical activities, such as publications, translations, sponsorship of faculty and student exchanges, visiting scholars, seminars, and lectures.”²² The CCLS also “promotes legal education by sponsoring foreign students who wish to avail themselves of the opportunity of studying a mixed legal system and American students who wish to expose themselves to other legal systems.”²³

18. HARGRAVE, *supra* note 5, at 191.

19. *Id.*

20. Dainow, *supra* note 11, at 643.

21. Hébert, *Background, Aims, and Objectives*, *supra* note 3, at 622; and Hébert, *Biennial Report*, *supra* note 13, at 320.

22. See The Center of Civil Law Studies, available at <https://www.law.lsu.edu/ccls/> (last visited August 18, 2015).

23. *Id.*

All directors of the CCLS, as their legal studies testify to, have had a solid formation in both civil law and comparative law.²⁴ Dainow—from Canada—was the first director. He held degrees from McGill University (Canada), Université de Dijon (France), and Northwestern University (U.S.).²⁵ His term saw the production of, amongst other remarkable academic results, treatises on the law of property and the law of obligations, while translations of seminal works of French doctrine were likewise developed.²⁶ Litvinoff—from Argentina—followed Dainow as director of the CCLS after 1975. He held law degrees from Universidad de Buenos Aires (Argentina) and Yale University (U.S.).²⁷ The publication of volumes of the treatises continued during his term, together with the publication of several monographs on jurisprudence and Louisiana law.²⁸ The third—and current director—is Olivier Moréteau. He has been director since 2005, and coming from France, holds degrees from Université Jean Moulin Lyon 3 (France).²⁹ Moréteau is the first holder of the Russell B. Long Eminent Scholars Academic Chair at LSU, and during his term the *Journal of Civil Law Studies* was launched,³⁰ while the ongoing translation of the Louisiana Civil Code into

24. It should be noted that Hébert suggested that Yiannopoulos would be designated General Secretary of the Institute; while Carlos Lazarus would be Assistant General Secretary. That suggestion was made in an address delivered to the organization meeting of the Management Committee of the Institute of Civil Law Studies on December 16, 1965. See Hébert, *Background, Aims, and Objectives*, *supra* note 3, at 627-628.

25. HARGRAVE, *supra* note 5, at 86-87; and Paul M. Hébert, *Dedication*, 33 LA. L. REV. ix (1972-1973).

26. See History of the CCLS, available at <http://www.law.lsu.edu/ccls/team/history/> (last visited August 18, 2015); and Mack E. Barham, *A Renaissance of the Civilian Tradition in Louisiana*, 33 LA. L. REV. 357, 362 (1973).

27. Agustín Parise & Julio Románach, Jr., *Don Saúl Litvinoff (1925-2010)*, 3 J. CIV. L. STUD. 17 (2010); and HARGRAVE, *supra* note 5, at 182.

28. History of the CCLS, *supra* note 26.

29. See LSU Law Faculty Profile: Olivier Moréteau, available at <http://www.law.lsu.edu/directory/profiles/olivier-moreteau/> (last visited August 18, 2015).

30. See <http://digitalcommons.law.lsu.edu/jcls/> (last visited August 18, 2015).

French has been undertaken.³¹ Alain A. Levasseur acted as associate director of the CCLS soon after the appointment of Litvinoff and until the creation of the Center for European Studies at LSU. He holds law degrees from Université de Paris (France), Tulane University (U.S.), and honorary degrees from Université d'Aix-Marseille (France) and Université de Paris Panthéon Assas (France).³² Amongst his many works, beyond the scope of the CCLS, are the *Louisiana Civil Code Précis Series*³³ and the *Dictionary of the Civil Code*.³⁴

A number of secretaries, assistants to the director,³⁵ and coordinators excelled in implementing and facilitating the daily activities of the CCLS. Jude Rouse was secretary until the late 1970s, while Tina Rathcke and then Sandra Saale occupied the position from the early 1980s until mid-1990s. The CCLS also had assistants to the director. In the period of the 1970s-1980s, at least four assistants were involved in the activities and academic efforts of the CCLS: Nancy Dunning,³⁶ Alejandro M. Garro,³⁷ Mary Elizabeth Paltron, and Emily Ziober. The CCLS benefited likewise

31. See generally Olivier Moréteau, *The Louisiana Civil Code Translation Project: An Introduction*, 5 J. CIV. L. STUD. 97 (2012)[hereinafter *The Louisiana Civil Code Translation Project*]; and Olivier Moréteau, *Le Code civil de Louisiane, traduction et retraduction*, 28 INT'L J. FOR SEMIOTICS L. 155 (2015).

32. See LSU Law Faculty Profile: Alain A. Levasseur, available at <http://www.law.lsu.edu/directory/profiles/alain-a-levasseur/> (last visited August 18, 2015).

33. For additional information on the *Louisiana Civil Code Précis Series*, see Susan Gaultier, *Book Review*, 5 J. CIV. L. STUD. 305 (2012); and The Russell Long Chair and CCLS Newsletter, No. 15, June 2010, at 3. All CCLS newsletters are available at <http://www.law.lsu.edu/ccls/newsletter/> (last visited October 1, 2015).

34. For additional information on the *Dictionary of the Civil Code*, see The Russell Long Chair and CCLS Newsletter, No. 31, Dec. 2014, at 1.

35. Assistants to the director were later referred to as assistant directors.

36. See the reference to the work of Dunning in the preparation of the special issue of the LOUISIANA LAW REVIEW that collected papers presented at a Louisiana and Spain Commemorative Congress.

William D. Hawkland, *Forward to 1982 Special Issue of the Louisiana Law Review*, 42 LA. L. REV. 1471 (1982).

37. His term as assistant to the director produced, amongst other scholarly endeavors, the publication of Alejandro M. Garro, *La registraci3n inmobiliaria en el Estado de Luisiana*, 846 REVISTA NOTARIAL 7 (1979).

from the efforts of coordinators. Jennifer Lane, Allison Sheffield, and Patricia Whittaker have been coordinators, and have been involved in a wide range of projects. For example, Ms. Lane was involved in the celebrations organized on the occasion of the Bicentennial of the Digest of 1808, which involved multiple events that aimed to highlight the importance of that seminal Louisiana legal text.³⁸

Research associates, translators, contributing fellows, and visiting scholars have been affiliated with the CCLS. Research associates joined the different directors in increasing the academic impact of the CCLS in the legal discourse of Louisiana and beyond. The following professionals should be mentioned from the team of research associates attached at different times to the CCLS: Alejandro D. Carrió; Afif Jebara;³⁹ Richard H. Kilbourne, Jr.;⁴⁰ Alexandru-Daniel On;⁴¹ Agustín Parise;⁴² Nina Nichols Pugh;⁴³ and Julio Romañach, Jr.⁴⁴ The development of scholarship

38. For an overview of events, see The Russell Long Chair and CCLS Newsletter, No. 5, Jan. 2008, at 1; and Olivier Moréteau & Agustín Parise, *The Bicentennial of the Louisiana Civil Code (1808-2008)*, 2 J. CIV. L. STUD. 195 (2009).

39. His term as research associate produced, amongst other scholarly endeavors, the publication of Afif Jebara, *Book Review*, 50 LA. L. REV. 1247 (1990).

40. His term as research associate produced, amongst other scholarly endeavors, the publication of Richard Kilbourne, *Securing Commercial Transactions in the Antebellum Legal System of Louisiana*, 70 KY. L. J. 609 (1981-1982). Kilbourne was in addition legal historian for the CCLS, as mentioned in Cary deBessonnet, *Book Review*, 7 S.U. L. REV. 271 (1981). During his term he also published RICHARD HOLCOMBE KILBOURNE, JR. LOUISIANA COMMERCIAL LAW: THE ANTEBELLUM PERIOD (1980) [hereinafter LOUISIANA COMMERCIAL LAW]. That work was considered “the first comprehensive study of Louisiana's early commercial law.” Shael Herman, *Book Review*, 56 TUL. L. REV. 804, 804 (1982).

41. His term as research associate produced, amongst other scholarly endeavors, the publication of On, *supra* note 6.

42. His term as research associate produced, amongst other scholarly endeavors, the publication of Agustín Parise, *The Place of the Louisiana Civil Code in the Hispanic Civil Codifications: Inclusion in the Comments to the Spanish Civil Code Project of 1851*, 68 LA. L. REV. 823 (2008).

43. Her term as research associate produced, amongst other scholarly endeavors, the publication of Nina Nichols Pugh, *The Evolving Role of Women in the Louisiana Law: Recent Legislative and Judicial Changes*, 42 LA. L. REV.

in Louisiana benefited likewise from the work of translators. More attention will be devoted to the translation efforts of the CCLS later in this article,⁴⁵ yet it is important to mention at this point the early work of David Marcantel,⁴⁶ Barbara Mayes McManis,⁴⁷ and Patricia McKay,⁴⁸ and the more recent work of Laura Castaing, Laurie Chalaux, Sarah Charlat, Oriane Defoix, Delphine Drouard, Anne-Marguerite du Doré, Giorgia Fabris, Charlotte Henry, Jean-Pierre Hufen, Anne Perocheau, Melissa Richard, Anne-Sophie Roinsard, Ivan Tchotourian, and Sara Vono.⁴⁹ Contributing fellows expanded the role of the CCLS as a courier of civil law knowledge. A number of fellows, including Matthias Martin, Michel Séjean, and Dan Stigall, offer perspectives on the civil law beyond the borders of Louisiana.⁵⁰ Comparatists and civilians from across the globe have been visiting scholars at the CCLS, hence promoting and encouraging “the scientific study of civil law in the modern

1571 (1982). Pugh also acted as translator. *See* the reference to her translation work in Hawkland, *supra* note 36, at 1471.

44. Romañach later blazed a prolific path as a translator. It has been said that his translations “are indispensable to the Spanish-impaired Attorney.” Frank Christian Olah, *Book Reviews*, 37 U. MIAMI INTER-AM. L. REV. 597, 599 (2005).

45. *See infra* IV.B of this note.

46. The CCLS has a long tradition of involving students in academic work. The translation of Marcantel in the article by Imre Zajtay provides an early example. *See* Imre Zajtay, *Reception of Foreign Laws and Unification of Law*, 35 LA. L. REV. 1117 (1975).

47. Her term as translator produced, amongst other scholarly endeavors, the publication of Charles R. McManis & Barbara Mayes McManis, *Structuring Administrative Inspections: Is there any Warrant for a Search Warrant?*, 26 AM. U. L. REV. 942 (1977).

48. In the early 1980s, McKay was credited with undertaking some translation work under the auspices of the CCLS, such as the translation into English of parts of the work of Raymond-Théodore Troplong on prescription. *See* Timothy Baucum Burnham, *A Restricted Application of Civil Code Article 3482: Bartlett v. Calhoun*, 43 LA. L. REV. 1221, 1224 (1983).

49. These contributors were involved in the translation of the Louisiana Civil Code into French. *See* The Russell Long Chair and CCLS Newsletter, No. 19, June 2011, at 2; The Russell Long Chair and CCLS Newsletter, No. 25, April 2013, at 2; The Russell Long Chair and CCLS Newsletter, No. 29, June 2014, at 1-3; and The Russell Long Chair and CCLS Newsletter, No. 33, Sept. 2015, at 1.

50. It should be noted that Martin and Séjean were also involved in translation projects at the CCLS.

world.”⁵¹ The recent decade has also welcomed, amongst others, Ibrahim Abdouraoufi, Vanessa Barbaro, Seán Patrick Donlan, Aniceto Masferrer, Asya Ostroukh, and Tsvetanka Spassova.⁵²

Members of the CCLS participated in the efforts and activities of associations beyond LSU. For example, on a number of occasions members of the CCLS were involved in the activities of the *Association Henri Capitant des amis de la culture juridique française* (AHC). The Louisiana Chapter of the AHC was created in 1978 and has since actively supported the development of the civil law in Louisiana. Michel Grimaldi, former President of the AHC, acknowledged early the role of the LSU Law Center at large in developing the civil law in English language, and facilitated the teaching of courses by French scholars such as Philippe Jestaz and Yves Guyon, who in 1996 taught a course on French Business Law in French.⁵³ Furthermore, the Louisiana Chapter of the AHC, under the presidency of Levasseur, held the *Journées Capitant on Law and Culture* in Baton Rouge and New Orleans in May 2008, gathering scholars from across the globe, with support from, amongst others, the *Organisation internationale de la francophonie*.⁵⁴

The CCLS operates within the LSU Law Center, and the members interact with faculty and students. Furthermore, the Louisiana State Law Institute is located at the LSU Law Center, and naturally experiences close interaction with the CCLS.⁵⁵ It

51. Hébert, *Background, Aims, and Objectives*, *supra* note 3, at 622; and Hébert, *Biennial Report*, *supra* note 13, at 320.

52. See The Russell Long Chair and CCLS Newsletter, No. 14, March 2010, at 2; The Russell Long Chair and CCLS Newsletter, No. 16, Oct. 2010, at 2; The Russell Long Chair and CCLS Newsletter, No. 19, June 2011, at 3; The Russell Long Chair and CCLS Newsletter, No. 20, Dec. 2011, at 2-3; The Russell Long Chair and CCLS Newsletter, No. 23, Nov. 2012, at 1; and The Russell Long Chair and CCLS Newsletter, No. 27, Dec. 2013, at 2.

53. *Id.* at 1315.

54. See The Russell Long Chair and CCLS Newsletter, No. 5, Jan. 2008, at 1.

55. It has been stated, for example, that “the LSU Law Center houses the Louisiana State Law Institute and the Institute of Civil Law Studies. Both of these entities have been instrumental in the maintenance and growth of the civil

should be noted that the CCLS has an interdisciplinary approach in which it aims to attract members from other faculties at LSU. All members, internal and external, offer an amalgam of knowledge that helps achieve the objectives of the CCLS: they all serve as guardians of the civil law.

IV. ACADEMIC CORPUS

The members of the CCLS devote their efforts to the elaboration of an array of academic contributions that together form a *corpus* of knowledge. That *corpus* should contribute to the development of legal science, both in Louisiana and beyond. This part of the article examines the main academic contributions of the CCLS, reflecting that their scope is matched only by the broad interests of the different members.

The role of the CCLS as a courier of civil law knowledge requires the building of bridges between jurisdictions. Those bridges have been traditionally laid by means of discussion forums, publications, and legal education. In recent years, however, the technological developments have paved new ways towards bridging the *island* with the rest of the civil law world. The CCLS developed the *Civil Law Online*⁵⁶ platform that serves as a means to showcase the rich repository of Louisiana scholarship, while also incorporating civil law resources from other sister jurisdictions. That platform includes several sources, of which the *Digest Online*⁵⁷ can be hereby mentioned since it made the text and manuscript notes of the de la Vergne copy of the Digest of 1808—due to the generosity of Louis V. de la Vergne—freely available to

law in Louisiana.” Roger K. Ward, *The French Language in Louisiana Law and Legal Education: A Requiem*, 57 LA. L. REV. 1283, 1312 (1997).

56. See Civil Law Online, available at <http://www.law.lsu.edu/clo/> (last visited August 18, 2015).

57. See Digest Online, available at <http://www.law.lsu.edu/clo/digest-online/> (last visited August 18, 2015).

readers across the globe.⁵⁸ That text, being the predecessor of the Louisiana Civil Code of 1825, was one of the earliest efforts to present the laws of Louisiana in a systemized way.

A. Discussion Forums

The CCLS has had a long-standing tradition of hosting conferences and workshops that offer a forum for legal ideas to be exchanged. The results of those discussions may be considered useful tools for the development of legal science and many times result in the publication of articles and monographs.

A number of academic meetings can be traced to the first years of the CCLS. For example, a symposium on the law of obligations was sponsored by the Bailey Lecture Series⁵⁹ and the CCLS in 1968.⁶⁰ Later, in the early 1970s, annual in-depth seminars examining the role of judges in civil law jurisdictions were hosted,⁶¹ making a “considerable contribution [to] keep Louisiana [as] a civil law system in the best of the civil law tradition.”⁶² Further examples are found in the 1980s, when the CCLS was instrumental in hosting, for example, Family Law colloquiums.⁶³

The new century brought new forums for legal ideas to be discussed in Louisiana. A series of Civil Law Workshops were implemented, inspired by those held at McGill University.⁶⁴ The Civil Law Workshops at LSU focus:

58. For additional information on the Digest Online, see The Russell Long Chair and CCLS Newsletter, No. 7, March 2008, at 1.

59. For additional information on the Bailey Lecture Series, see Paul M. Hébert, *Introduction to 1974 Special Issue of the Louisiana Law Review*, 34 LA. L. REV. 891, 892 (1974) [hereinafter *Introduction to 1974 Special Issue*]. The CCLS co-sponsored that lecture series, referred to, for example, in Jaro Mayda, *Lawyers and Ecomanagement*, 34 LA. L. REV. 975, 975 (1974).

60. See *Books Received*, 19 CATH. U. L. REV. 389, 389 (1970).

61. Barham, *supra* note 26, at 361-362; and Jurij Fedynskyj, *Book Review*, 50 IND. L.J. 636 (1975).

62. Barham, *supra* note 26, at 361.

63. See the announcement of a Family Law Colloquium organized by the CCLS in 1984, 6 FAM. ADVOC. 38 (1983-1984).

64. Olivier Moréteau, *Avant-Propos*, 1 J. CIV. L. STUD. 1, 2 (2008) [hereinafter *Avant-Propos*].

. . . on a broad topic, based on the civil law but to be treated with large comparative and interdisciplinary perspectives. At every session, the contributor is invited to make a presentation, followed by an open discussion [, that is] open not only to the legal community, but also to attendees that are interested in interdisciplinary studies.⁶⁵

The first series was named after Robert A. Pascal, who at age 100 is still actively interested in the civil law of Louisiana and beyond. The first series was held in 2006-2007, was edited by Moréteau and John Randall Trahan, and attended to the fundamental distinction between persons and things.⁶⁶ The second series was named after Litvinoff, who as director of the CCLS had explored the civil law and common law divide. The second series was held in 2009-2010, was again edited by Moréteau, though that time working with Ronald J. Scalise, Jr., and focused on the cross influences, contamination, and permeability between those two systems.⁶⁷ The academic *corpus* of knowledge that resulted from both series was published in the *Journal of Civil Law Studies*.⁶⁸

The Tucker Lecture Series gained reputation as the most traditional forum for civil law discussion in Louisiana. Colonel John H. Tucker, jr. was behind the idea of establishing a research unit to enhance the study of the civil law within the LSU Law Center.⁶⁹ His discussions with Hébert, early in 1965, resulted in the creation of the CCLS.⁷⁰ Col. Tucker's interest in the understanding

65. *Id.*

66. See Robert A. Pascal Series: Revisiting the Distinction between Persons and Things, available at <http://www.law.lsu.edu/ccls/civillawworkshop/civillawworkshopfirstseries/> (last visited August 18, 2015).

67. See Saúl Litvinoff Series: Civil Law and Common Law: Cross Influences, Contamination and Permeability, available at <http://www.law.lsu.edu/ccls/civillawworkshop/civillawworkshopsecondseries/> (last visited August 18, 2015); and Olivier Moréteau & Ronald J. Scalise Jr., *Foreword*, 3 J. CIV. L. STUD. 1 (2010).

68. See volumes 1 (2008) and 3 (2010) of the JOURNAL OF CIVIL LAW STUDIES.

69. For additional information on the life and work of Tucker, see the Supreme Court of Louisiana Memorial Exercises, published in the special issue 5 of volume 45 of the LOUISIANA LAW REVIEW (1985).

70. Hébert, *Background, Aims, and Objectives*, *supra* note 3, at 621.

of the sources, doctrine, and meaning of the civil law was overt;⁷¹ and motivated a group of patrons to establish a lectureship in his honor.⁷² The successful efforts of those patrons were announced to Tucker on the occasion of his birthday on February 25, 1971.⁷³ Thirty-eight distinguished scholars have since been invited to present a “Tucker Lecture” at the LSU Law Center on a civil-law-related topic.⁷⁴

The 1970s offered an optimal time to launch the Tucker Lecture Series. An impressive lineup of lecturers represented Europe and the Americas: two fundamental bastions for the civil law. Panagiotis J. Zepos,⁷⁵ René David,⁷⁶ Paul A. Crépeau,⁷⁷ T.B. Smith,⁷⁸ Julio C. Cueto Rua,⁷⁹ John Henry Merryman,⁸⁰ André Tunc,⁸¹ and Boris Kozolchik⁸² offered a mosaic of perspectives on the civil law.

The 1980s continued with *exposés* by leading scholars, and the CCLS could claim a privileged role as courier of civil law knowledge to and from Louisiana. Genaro R. Carrió,⁸³ A.

71. *Id.*

72. Hébert, *Introduction to 1974 Special Issue*, *supra* note 59, at 891.

73. *Id.*

74. See The Tucker Lecture Series, available at <https://www.law.lsu.edu/ccls/tuckerlecture/> (last visited August 18, 2015). See also the memorandum entitled *John H. Tucker, jr. Lecture Series (1972 - 2008)* by Agustín Parise to Olivier Moréteau dated May 28, 2008 (on file with the author).

75. Pan. J. Zepos, *The Legacy of Civil Law*, 34 LA. L. REV. 895 (1974).

76. René David, *The Civil Code in France To-day*, 34 LA. L. REV. 907 (1974).

77. Paul-A. Crépeau, *Civil Code Revision in Quebec*, 34 LA. L. REV. 921 (1974).

78. T.B. Smith, *Law Reform in a Mixed ‘Civil Law’ and ‘Common Law’ Jurisdiction*, 35 LA. L. REV. 927 (1975).

79. Julio C. Cueto-Rua, *The Future of the Civil Law*, 37 LA. L. REV. 645 (1977).

80. His unpublished lecture was entitled *The Civil Law as an Object of Scholarship*.

81. André Tunc, *A Codified Law of Tort—The French Experience*, 39 LA. L. REV. 1051 (1979).

82. Boris Kozolchik, *The Commercialization of Civil Law and the Civilization of Commercial Law*, 40 LA. L. REV. 3 (1979).

83. Genaro R. Carrió, *Judge Made Law under a Civil Code*, 41 LA. L. REV. 993 (1981).

Mackenzie Stuart,⁸⁴ Roberto G. MacLean,⁸⁵ Ferdinand F. Stone,⁸⁶ Peter G. Stein,⁸⁷ Arthur T. von Mehren,⁸⁸ Konstantinos D. Kerameus,⁸⁹ Alvin B. Rubin,⁹⁰ and Guy Horsmans⁹¹ added their contributions to the *corpus* of knowledge accumulated by the CCLS.

The 1990s gathered an outstanding number of Tucker Lecturers that shared their knowledge with the legal community of Louisiana. That decade brought the first female Tucker Lecturer: the men's club was finally over. Francis Delpérée,⁹² Walter F. Murphy,⁹³ Athanassios N. Yiannopoulos,⁹⁴ James L. Dennis,⁹⁵ John Minor Wisdom,⁹⁶ William D. Hawkland,⁹⁷ E. Allan Farnsworth,⁹⁸ Ruth Bader Ginsburg,⁹⁹ and Pascal¹⁰⁰ offered a great

84. His unpublished lecture was entitled *The Civil Law Tradition and the European Communities: All Roads Lead from Rome*. A manuscript version of his lecture is on file with the CCLS.

85. Roberto G. MacLean, *Judicial Discretion in the Civil Law*, 43 LA. L. REV. 45 (1982).

86. His unpublished lecture was entitled *Birth, Death and Transplants at Civil Law*. A manuscript version of his lecture is on file with the CCLS.

87. Peter G. Stein, *Judge and Jurist in the Civil Law: A Historical Interpretation*, 46 LA. L. REV. 241 (1985).

88. Arthur Taylor von Mehren, *International Commercial Arbitration: The Contribution of the French Jurisprudence*, 46 LA. L. REV. 1045 (1986).

89. Konstantinos D. Kerameus, *A Civilian Lawyer Looks at Common Law Procedure*, 47 LA. L. REV. 493 (1987).

90. Alvin B. Rubin, *Hazards of a Civilian Venturer in a Federal Court: Travel and Travail on the Erie Railroad*, 48 LA. L. REV. 1369 (1988).

91. His unpublished lecture was entitled *Common Civil Law in the European Common Market*.

92. Francis Delpérée, *The Constitution and the Civil Law*, 50 LA. L. REV. 1237 (1990).

93. Walter F. Murphy, *Civil Law, Common Law, and Constitutional Democracy*, 52 LA. L. REV. 91 (1991).

94. A.N. Yiannopoulos, *Two Critical Years in the Life of the Louisiana Civil Code: 1870 and 1913*, 53 LA. L. REV. 5 (1992). The lecture was originally entitled *The Civil Code and Social Change*.

95. James L. Dennis, *Interpretation and Application of the Civil Code and the Evaluation of Judicial Precedent*, 54 LA. L. REV. 1 (1993).

96. His unpublished lecture was entitled *Louisiana Law: The Troubled Years*.

97. William D. Hawkland, *The Uniform Commercial Code and the Civil Codes*, 56 LA. L. REV. 231 (1995).

98. E. Allan Farnsworth, *A Common Lawyer's View of His Civilian Colleagues*, 57 LA. L. REV. 227 (1996).

decade of scholarship. The lineup of Tucker Lecturers also reflected that more Louisianan actors were invited to join the honor role of distinguished speakers.

The 2000s excelled in continuing to offer to Louisiana the contributions by leading scholars on civil and comparative law. That decade finally ended a long-lasting omission, when the first African-American Tucker Lecturer took the stage. Jean-Louis Baudouin,¹⁰¹ Walter van Gerven,¹⁰² Kathryn Venturatos Lorio,¹⁰³ Horacio Spector,¹⁰⁴ Bernette Joshua Johnson,¹⁰⁵ Alan Watson,¹⁰⁶ Moréteau,¹⁰⁷ Helmut Koziol,¹⁰⁸ and Jacques Vanderlinden¹⁰⁹ kept the tradition and helped the CCLS preserve its role as one of the guardians of the civil law.

The Golden Jubilee of the CCLS has been met with enthusiasm. Three outstanding scholars have thus far shared their

99. Ruth Bader Ginsburg, *An Overview of Court Review for Constitutionality in the United States*, 57 LA. L. REV. 1019 (1997). The lecture was originally entitled *An Overview of Court Review for Constitutionality in the United States—A Comparative Side Glance*.

100. Robert Anthony Pascal, *Of the Civil Code and Us*, 59 LA. L. REV. 301 (1998).

101. Jean-Louis Baudouin, *Science, Ethics and Civil Law*, 61 LA. L. REV. 423 (2001). The lecture was originally entitled *Civil Law, Society and Bioethics*.

102. His unpublished lecture was entitled *An Emerging Common Law for Europe? The Future Meeting the Past*.

103. Kathryn Venturatos Lorio, *The Louisiana Civil Law Tradition: Archaic or Prophetic in the Twenty-First Century?*, 63 LA. L. REV. 1 (2002). The lecture was originally entitled *The Civil Law System in Louisiana: Archaic or Prophetic in the Twenty-First Century*.

104. Horacio Spector, *The Future of Legal Science in Civil Law Systems*, 65 LA. L. REV. 255 (2004).

105. Her unpublished lecture was entitled *Ruminations on Solidary Liability*.

106. Alan Watson, *The Great Paradox: The Romans, Not a Legalistic People* in ESSAYS IN HONOR OF SAÚL LITVINOFF (Olivier Moréteau et al. eds., 2008). The lecture was originally entitled *The Great Paradox: Romans Not a Law-driven People*.

107. Olivier Moréteau, *The Future of Codes in France and Louisiana* in ESSAYS IN HONOR OF SAÚL LITVINOFF 605 (Olivier Moréteau et al. eds., 2008).

108. Helmut Koziol, *Punitive Damages—A European Perspective*, 68 LA. L. REV. 741 (2008).

109. Jacques Vanderlinden, *Is the Pre-20th Century American Legal System a Common Law System? An Exercise in Legal Taxonomy*, 4 J. CIV. L. STUD. 1 (2011). The lecture was originally entitled *From the Civil Code of Louisiana to Langdell—Some Hypothesis about the Nature of Legal Systems*.

knowledge of civil and comparative law with the Louisiana community. Vernon V. Palmer,¹¹⁰ Nicholas Kasirer,¹¹¹ and Esin Örüçü¹¹² acted as ambassadors of the law in Louisiana, the Americas beyond the Bayou State, and Europe. The new decade should continue welcoming leading scholars from Europe and the Americas, though it should also welcome Tucker Lecturers from Asia and Africa—areas where the civil law developed and its impact and evolution should be explored, expanding the understanding of the civil law in the modern world.

B. Publications

The role of the CCLS as one of the guardians of the civil law in Louisiana is further developed by the publication of scholarly writings. These include law review articles, monographs, translations, and the creation of an official journal. All these components assist in disseminating the academic *corpus* of the CCLS.

Law-review special issues and autonomous law-review articles are published as a result of research undertaken under the auspices of the CCLS. That research attends—not surprisingly—to seminal areas of private law. At least five special issues were published in collaboration with the *Louisiana Law Review*. Those issues were completed in 1974,¹¹³ 1975,¹¹⁴ 1977,¹¹⁵ 1982,¹¹⁶ and 2007.¹¹⁷ The

110. His unpublished lecture was entitled *The Quest to Implant Civil Law Method and Restrain Judicial Lawmaking: Tracing the Origins of Judicial Methodology in Louisiana*.

111. His unpublished lecture was entitled *That Montreal Sound: The Influence of French Legal Ideas and the French language on the Civil Law Expressed in English*.

112. Her unpublished lecture was entitled *One into Three: Spreading the Word. Three into One: Creating a Civil Law System*.

113. Hébert, *Introduction to 1974 Special Issue*, *supra* note 59.

114. Joseph Dainow, *Introduction to 1975 Special Issue of the Louisiana Law Review*, 35 LA. L. REV. 925 (1975).

115. Dainow, *Introduction to 1976-1977 Special Issue*, *supra* note 11.

116. David D. Campbell, *Introduction to 1982 Special Issue of the Louisiana Law Review*, 42 LA. L. REV. 1469 (1982); and Hawkland, *supra* note 36.

117. Olivier Moréteau, *Opening Remarks*, 67 LA. L. REV. 1015 (2007).

last of these issues invited comparatists of the Americas and Europe to a conference in Louisiana on law making in a global world,¹¹⁸ targeting one of the main objectives of the CCLS. Autonomous law-review articles are likewise realized through the efforts of the CCLS. For example, as early as 1969, Yiannopoulos wrote on contractual and testamentary freedom in real rights.¹¹⁹ In the following decade, Pugh wrote on courts of appeal in civil law systems;¹²⁰ and in the 1980s, Ronald L. Hersbergen wrote on contracts of adhesion¹²¹ and on clauses found to be unconscionable.¹²² Leading journals welcome the work undertaken under the auspices of the CCLS. For example, in the 1970s, the *American Journal of Comparative Law* welcomed an article by David S. Clark on American Supreme Court caseloads.¹²³ The collaboration is even extended to non-LSU faculty members, since the interests of the CCLS extended to all of Louisiana. For example, in the 1980s, George L. Bilbe wrote on mistake in contract law,¹²⁴ while being affiliated to Loyola University in New Orleans. At the same time, Cary G. DeBessonnet, from Southern University, conducted an *avant-garde* research project on the structure of codification, a seminal area of the civil law.¹²⁵ That

118. The Russell Long Chair and CCLS Newsletter, No. 1, Dec. 2006, at 1.

119. A.N. Yiannopoulos, *Real Rights: Limits of Contractual and Testamentary Freedom*, 30 LA. L. REV. 44 (1969).

120. Nina Nichols Pugh, *The Structure and Role of Courts of Appeal in Civil Law Systems*, 35 LA. L. REV. 1163 (1975).

121. Ronald L. Hersbergen, *Contracts of Adhesion under the Louisiana Civil Code*, 43 LA. L. REV. 1 (1982).

122. Ronald L. Hersbergen, *Unconscionability: The Approach of the Louisiana Civil Code*, 43 LA. L. REV. 1315 (1983).

123. David S. Clark, *American Supreme Court Caseloads: A Preliminary Inquiry*, 26 AM. J. COMP. L. SUP. 217 (1977-1978).

124. George L. Bilbe, *Mistaken Assumptions and Misunderstandings of Contracting Parties—Louisiana Legislation and Jurisprudence*, 44 LA. L. REV. 885 (1984).

125. The results of the project were presented, amongst other publications, in Cary G. DeBessonnet, *A Proposal for Developing the Structural Science of Codification*, 8 RUTGERS COMPUTER & TECH. L.J. 47 (1980); Cary G. DeBessonnet, *An Automated Approach to Scientific Codification*, 9 RUTGERS COMPUTER & TECH. L.J. 27 (1982) [hereinafter *An Automated Approach*]; Cary G. DeBessonnet, *An Automated Intelligent System Based on a Model of a Legal*

work dealt with “scientific codification,” which was explained by the author as “codification produced in accord with communicative standards set in law and other scientific disciplines, including logic.”¹²⁶

Monographs are an important part of the academic *corpus* of the CCLS.¹²⁷ Several works have been completed under the auspices of the CCLS, as early as the 1960s. Some are collaborative works, such as the ones edited during the terms of Dainow¹²⁸ and Moréteau,¹²⁹ while others are individual works, such as the ones accomplished by Alejandro D. Carrió,¹³⁰ Cueto Rua,¹³¹ Dainow,¹³² Garro,¹³³ Hersbergen,¹³⁴ Kilbourne,¹³⁵ Hans G.

System, 10 RUTGERS COMPUTER & TECH. L.J. 31 (1984) [hereinafter *An Automated Intelligent*]; and Cary G. DeBessonnet & George R. Cross, *An Artificial Intelligence Application in the Law: CCLIPS, a Computer Program that Processes Legal Information*, 1 HIGH TECH. L.J. 329 (1986).

126. DeBessonnet, *An Automated Approach*, *supra* note 125, at 27, n. 1. DeBessonnet aimed to “develop drafting techniques capable of producing statutory texts that can be processed intelligently by computers.” DeBessonnet, *An Automated Intelligent*, *supra* note 125, at 31.

127. See Publications, available at <https://www.law.lsu.edu/ccls/publications/> (last visited August 18, 2015).

128. In the 1960s, the CCLS was involved in the publication of *ESSAYS ON THE CIVIL LAW OF OBLIGATIONS* (Joseph Dainow ed., 1969). For more information on that book, see P. Michael Hebert, *Book Review*, 34 LA. L. REV. 1105 (1974); and Peter Stein, *Book Review*, 29 CAMBRIDGE L.J. 313 (1971). In the 1970s, the CCLS was involved in the publication of *THE ROLE OF JUDICIAL DECISIONS AND DOCTRINE IN CIVIL LAW AND IN MIXED JURISDICTIONS* (Joseph Dainow ed., 1974). For more information on that book, see John T. Hood, Jr., *Book Review*, 35 LA. L. REV. 1303 (1975); Michael A. Schwind, *Book Review*, 8 N.Y.U. J. INT'L L. & POL. 309 (1975); and H. R. Hahlo, *Book Review*, 21 MCGILL L. J. 321 (1975).

129. *ESSAYS IN HONOR OF SAÚL LITVINOFF* (Olivier Moréteau et al. eds., 2008).

130. ALEJANDRO D. CARRIÓ, *CRIMINAL JUSTICE IN ARGENTINA: AN OVERVIEW FOR AMERICAN READERS* (1989).

131. JULIO C. CUETO RUA, *JUDICIAL METHODS OF INTERPRETATION OF THE LAW* (1981). For more information on that book, see Shael Herman, *Book Review*, 42 LA. L. REV. 1213 (1982); John S. Baker, Jr., *Book Review*, 29 LOY. L. REV. 1187 (1983); and Boris Kozolchik, *Book Review*, 1984 ARIZ. J. INT'L & COMP. L. 138 (1984).

132. 1972 COMPILED EDITION OF THE CIVIL CODES OF LOUISIANA (Joseph Dainow ed., volumes 16-17 of West's Louisiana Statutes Annotated, 1973) (1940). For more information on the compiled edition, see Jaro Mayda, *Book Review*, 34 LA. L. REV. 152 (1973).

Leser,¹³⁶ and the seminal volumes of the *Louisiana Civil Law Treatise Series* by Litvinoff.¹³⁷ A Bicentennial Series was created by the CCLS on the occasion of the Bicentennial of the Digest of 1808, again adhering to the original commitment to “promote and encourage the scientific study of civil law in the modern world, ... with a view toward facilitating a better understanding of the civil law of Louisiana and other civil law jurisdictions and making it a better instrument of good order.”¹³⁸ That series includes two selections of essays, one selection associated with Litvinoff¹³⁹ and another selection associated to Pascal,¹⁴⁰ two of the most important civilians in the centennial history of the LSU Law Center. It is notable that the collection of essays in honor of Litvinoff was edited by Moréteau, Romañach, and Alberto L. Zuppi, and gathered contributions by 46 scholars from twelve different

133. ALEJANDRO M. GARRO, *THE LOUISIANA PUBLIC RECORDS DOCTRINE AND THE CIVIL LAW TRADITION* (1989). For more information on that book, see Shael Herman, *Book Review*, 66 TUL. L. REV. 613 (1991); and Bernard Rudden, *Book Review*, 40 INT'L & COMP. L.Q. 512 (1991).

134. RONALD L. HERSBERGEN, *THE ROLE OF CONSUMER PROTECTION IN LOUISIANA CIVIL CODE REVISION* (1980).

135. KILBOURNE, *LOUISIANA COMMERCIAL LAW*, *supra* note 40; and RICHARD HOLCOMBE KILBOURNE, JR., *A HISTORY OF THE LOUISIANA CIVIL CODE: THE FORMATIVE YEARS, 1803-1839* (1987). For more information on the second book, see Judith K. Schafer, *Book Review*, 62 TUL. L. REV. 307 (1987); Joseph W. McKnight, *Book Review*, 8 LAW & HIST. REV. 309 (1990); and A.D. West, *Book Review*, 11 J. LEGAL HIST. 150 (1990).

136. HANS G. LESER, *COMPARATIVE LAW SEMINAR ON STATUTORY INTERPRETATION* (1979).

137. SAÚL LITVINOFF, *LOUISIANA CIVIL LAW TREATISE—OBLIGATIONS, VOLUME 1* (1969); and SAÚL LITVINOFF, *LOUISIANA CIVIL LAW TREATISE—OBLIGATIONS, VOLUME 2* (1975). For more information on these volumes, see Jean-Louis Baudouin, *Book Review*, 30 LA. L. REV. 537 (1970); Jean-Louis Baudouin, *Book Review*, 35 LA. L. REV. 1313 (1975); and Julio Cueto-Rua, *Book Review*, 24 AM. J. COMP. L. 335 (1976).

138. Hébert, *Background, Aims, and Objectives*, *supra* note 3, at 622; and Hébert, *Biennial Report*, *supra* note 13, at 320.

139. *ESSAYS IN HONOR OF SAÚL LITVINOFF*, *supra* note 129.

140. ROBERT ANTHONY PASCAL: *A PRIEST OF RIGHT ORDER* (Olivier Moréteau ed., 2010).

countries.¹⁴¹ The Bicentennial Series also includes a reprint of the seminal work of Kilbourne on the history of the Louisiana Civil Code.¹⁴²

A third pillar of the academic *corpus* of the CCLS is composed of translations of seminal civil law texts into English, and more recently into French. The give-and-take of civil law knowledge is increased by these translation efforts. The CCLS is currently undertaking a translation project of the Louisiana Civil Code into French,¹⁴³ with the support of a three-year grant entitled *Training Multilingual Jurists* (2012-2015), from the Partner University Fund *Supporting Transatlantic Partnerships around Research and Higher Education*.¹⁴⁴ This project will help promote and make accessible the civil law of the southern state to French-speaking civil law jurisdictions. The Louisiana Civil Code is applicable in a mixed jurisdiction, and it is drafted in the English language. Scholars of both continental European and common law systems may look to Louisiana for civil-law terminology in English. It must be acknowledged that Louisiana civil law scholars have important know-how, and the more than two-hundred-year-old tradition of English language civil-law codification in Louisiana should be valued.¹⁴⁵ The current translation project of the Louisiana Civil Code may be placed within the Louisiana translation tradition.¹⁴⁶

141. For more information on that book and on the conference that was organized for its presentation, see The Russell Long Chair and CCLS Newsletter, No. 6, April 2008, at 1-2.

142. RICHARD H. KILBOURNE JR., A HISTORY OF THE LOUISIANA CIVIL CODE: THE FORMATIVE YEARS, 1803-1839 (reprint of the 1987 edition, 2008).

143. Moréteau, *The Louisiana Civil Code Translation Project*, *supra* note 31; and The Russell Long Chair and CCLS Newsletter, No. 28, Feb. 2014, at 2-3.

144. See <http://face-foundation.org/partner-university-fund/> (last visited Sept. 30, 2015).

145. Agustín Parise, *Report on the State of Louisiana to the Second Thematic Congress of the International Academy of Comparative Law*, 31 MISS. C. L. REV. 397, 403 (2013). See also Alain Levasseur & Vicenç Feliu, *The English Fox in the Louisiana Civil Law Chausse-Trappe: Civil Law Concepts in the English Language; Comparativists Beware*, 69 LA. L. REV. 715, 735-39 (2009); and Olivier Moréteau, *Les frontières de la langue et du droit*, REVUE INTERNATIONALE DE DROIT COMPARÉ 695 (2009).

146. On, *supra* note 6, at 91-92; and Ward, *supra* note 55, at 1317.

For example, Levasseur and Trahan were members of the expert committee for the 2014 translation of the French *Code civil* into English by David W. Gruning, a mayor step undertaken to showcase the civil law tradition amongst the English-language legal discourse.¹⁴⁷ The CCLS contributed early with the translation efforts of the Louisiana State Law Institute, starting in volume three of the *Louisiana Civil Law Translation Series*.¹⁴⁸ Later, beginning in 1972, the CCLS made available other French works that were translated into English, starting with a translation by Michael Kindred of a seminal work by René David.¹⁴⁹ Gruning, Bachir Mihoubi, and Roger K. Ward completed another set of translations of works by Michel Alter, Christian Atias, Bernard Chantebout, Louis Favoreu, and Jean-Louis Halpérin in the years that followed, led by Levasseur.¹⁵⁰ Thomas E. Carbonneau stated in the pages of the *American Journal of Comparative Law* that the translation of Atias' *French Civil Law: An Insider's View*: "is a forceful statement of civilian values and dispositions. It should promote the type of understanding that is necessary to the preservation of civil law where it must cohabit, for reasons of

147. See Legifrance Translations, available at <http://www.legifrance.gouv.fr/Traductions/en-English/Legifrance-translations> (last visited Sept. 30, 2015).

148. For more information on the translation series, see Joseph Dainow, *Civil Law Translations and Treatises Sponsored in Louisiana*, 23 AM. J. COMP. L. 521 (1975). See also On, *supra* note 6, at 88.

149. RENÉ DAVID, *FRENCH LAW: ITS STRUCTURE, SOURCES AND METHODOLOGY* (Michael Kindred trans. 1972). For more information on that book, see L. Neville Brown, *Book Review*, 22 INT'L & COMP. L.Q. 386 (1973). See also On, *supra* note 6, at 91.

150. Those works are: MICHEL ALTER, *THE FRENCH LAW OF BUSINESS CONTRACTS: GENERAL PRINCIPLES* (Alain A. Levasseur trans., 1986); CHRISTIAN ATIAS, *THE FRENCH CIVIL LAW: AN INSIDER'S VIEW* (Alain A. Levasseur trans., with the assistance of Bachir Mihoubi, 1987); CHRISTIAN ATIAS, *FRENCH CIVIL LAW. LE DROIT CIVIL* (Alain A. Levasseur trans., 2002); BERNARD CHANTEBOUT, *THE FRENCH CONSTITUTION: ITS ORIGIN AND DEVELOPMENT IN THE FIFTH REPUBLIC* (David W. Gruning trans., 1998); LOUIS FAVOREU, *CONSTITUTIONAL LAW* (Alain A. Levasseur & Roger K. Ward trans., 2001); and JEAN-LOUIS HALPÉRIN, *THE CIVIL CODE* (David W. Gruning & Alain A. Levasseur trans., 2000). See also On, *supra* note 6, at 91-92.

history and geopolitics, with a competing juridical lifestyle.”¹⁵¹ This avowal reflects the role of the CCLS as a guardian of the civil law at its best.

The most recent pillar of the academic *corpus* of the CCLS is represented by the *Journal of Civil Law Studies*. The first volume was published in December 2008,¹⁵² though the impetus for its creation can be traced to the first years of the term by Moréteau. In his words, the journal is “devoted to comparative studies, with a focus on the civil law and the common law traditions, bijuralism being what makes LSU so special and unique in the United States academic world. This Journal is intended to promote a multidisciplinary and pluralistic approach.”¹⁵³ The Advisory Board of this open-access and peer-reviewed journal is composed of comparatists from across the globe,¹⁵⁴ many of them having undertaken academic visits at the LSU Law Center. LSU Law students are also involved in the activities of the journal, participating in the editorial process of submissions that have been accepted for publication by the Editor-in-Chief.¹⁵⁵ This is indeed a unique characteristic of the journal, and likewise contributes to the legal education efforts of the CCLS. In words of Paul R. Baier, the *Journal of Civil Law Studies* is part of a *jardin de fleurs juridiques* that “broadcasts the scholarship of the Center of Civil Law Studies around the globe.”¹⁵⁶

151. Thomas E. Carbonneau, *Book Review*, 36 AM. J. COMP. L. 377, 384-385 (1988).

152. The Russell Long Chair and CCLS Newsletter, No. 9, Dec. 2008, at 1.

153. Moréteau, *Avant-Propos*, *supra* note 64, at 1.

154. *Id.*

155. See the homepage of the journal, available at <http://digitalcommons.law.lsu.edu/jcls/> (last visited August 18, 2015).

156. Paul R. Baier, *Foreword: Volume 75—Of Legal Scholarship and the Louisiana Law Review*, 75 LA. L. REV. 971, 974 (2015).

C. Legal Education

The academic *corpus* of the CCLS is enriched by legal education activities.¹⁵⁷ The objectives of the CCLS, as previously mentioned, include practical activities, such as “sponsorship of faculty and student exchanges, visiting scholars, seminars, and lectures;”¹⁵⁸ and the promotion of “legal education by sponsoring foreign students who wish to avail themselves of the opportunity of studying a mixed legal system and American students who wish to expose themselves to other legal systems.”¹⁵⁹ The CCLS could therefore naturally be considered a “starting point for potential transnational legal training.”¹⁶⁰

The CCLS has as one of its aims to ignite in students a “scholarly interest in the civil law and an awareness of the breadth of legal materials that can be brought to bear upon issues of code interpretation.”¹⁶¹ Accordingly, student academic writing is valued by the CCLS. For example, civil law essay contests were organized in collaboration with the CCLS,¹⁶² hence encouraging students to develop academic writing skills from an early stage. Furthermore, the *Journal of Civil Law Studies* welcomes essays and case notes by LSU Law students, offering a forum for their publications.¹⁶³

157. Article 2 of the presidential charter stated that, “These objectives will be furthered by means of theoretical and practical efforts of all kinds including publications, research and instruction.” Hébert, *Background, Aims, and Objectives*, *supra* note 3, at 622.

158. The Center of Civil Law Studies, *supra* note 22.

159. *Id.*

160. Mark A. Drumbl, *Amalgam in the Americas: A Law School Curriculum for Free Markets and Open Borders*, 35 SAN DIEGO L. REV. 1053, 1094 (1998).

161. Paul M. Hébert, Letter to Law Alumni (1937), cited by Ward, *supra* note 55, at 1317.

162. See, for example, George L. Bilbe, *Liability of the Husband for Contractual Obligations of his Wife—Louisiana Legislation and Jurisprudence*, 30 LA. L. REV. 441 (1970); Nora K. Duncan, *Adhesion Contracts: A Twentieth Century Problem for a Nineteenth Century Code*, 34 LA. L. REV. 1081 (1974); and Michael H. Rubin, *Bailment and Deposit in Louisiana*, 35 LA. L. REV. 825 (1975)

163. See, for example, John B. Tarlton, *The Case for an Action in Tort to Restrict the Excessive Pumping of Groundwater in Louisiana*, 5 J. CIV. L. STUD. 203 (2012).

The CCLS is also a natural place for LSU Law students to approach when seeking locations at which to pursue exchange studies. Additionally, the Master of Laws (LL.M.) and the Master of Civil Law (M.C.L.)¹⁶⁴ programs at the LSU Law Center have been pioneers nation-wide by offering in-depth knowledge on the cohabitation of the civil law and the common law within a single jurisdiction. The members of the CCLS are involved in those programs, while a number of graduates from those programs have been appointed as research associates at the CCLS,¹⁶⁵ many benefits are derived from the close relationship of the CCLS with the LL.M. program.

Academic visits serve as bridges for the circulation of civil law knowledge between the *island* and the rest of the civil law world. Many visiting professors taught at the LSU Law Center during the past decades, more recently as part of the *Distinguished Global Visitors Program*,¹⁶⁶ and the CCLS has been instrumental in facilitating some of those visits.¹⁶⁷ Visitors come mainly from Europe and the Americas, and topics cover an array of areas mainly in civil and comparative law.¹⁶⁸ Many visiting professors, while in residence, participate in conferences or workshops organized by the CCLS, hence broadening the impact of their visits

164. The Master of Civil Law degree was discontinued in the fall of 2009.

165. For example, Alejandro D. Carrió and, more recently, the author of this article and Alexandru-Daniel On, all of whom received their LL.M. degrees from the LSU Law Center and were research associates at the CCLS.

166. See Global Visitors Program, available at <http://www.law.lsu.edu/internationalprograms/globalvisitorsprogram/> (last visited August 18, 2015).

167. Ward, *supra* note 55, at 1317.

168. Many professors have visited at the LSU Law Center in recent years. See Global Visitors Archive, <http://www.law.lsu.edu/internationalprograms/globalvisitorsprogram/globalvisitorsarchive/> (last visited August 18, 2015). See also The Russell Long Chair and CCLS Newsletter, No. 1, Dec. 2006, at 1; The Russell Long Chair and CCLS Newsletter, No. 2, March 2007, at 1; The Russell Long Chair and CCLS Newsletter, No. 3, June 2007, at 1; The Russell Long Chair and CCLS Newsletter, No. 5, Jan. 2008, at 2; The Russell Long Chair and CCLS Newsletter, No. 8, Oct. 2008, at 1; The Russell Long Chair and CCLS Newsletter, No. 10, March 2009, at 2; and The Russell Long Chair and CCLS Newsletter, No. 14, March 2010, at 2.

on the academic life of the LSU Law Center.¹⁶⁹ The *island* also welcomes visitors from the rest of the civil law world who aim to benefit from the privileged location of Louisiana within the civil law and common law divide. For example, in 2005 and 2008, the CCLS organized seminars on introduction to the US legal system for Argentine law practitioners that were taught by members of the LSU Law Center.¹⁷⁰ Many bridges have been constructed during the 50 years of the CCLS. Many more bridges are yet to come, since, as John J. Costonis mentioned, the CCLS assisted in giving the LSU Law Center a “broadly global vision.”¹⁷¹

V. CLOSING REMARKS

The CCLS devotes efforts to preserve and develop the civil law, both in Louisiana and beyond.¹⁷² It acts as a courier of civil law knowledge between a civil law *island* and the rest of the civil law world. It has further acted for 50 years as one of the guardians of the civil law and has developed scholarship that responds to the needs of a jurisdiction that is surrounded by the common law. All those actions resulted from the work of a team of active professionals.

This article addressed some of the landmarks in the fifty-year history of the CCLS. First, the article traced the origins of the CCLS back to 1965. A renaissance of the civil law took place at that time in Louisiana. The efforts of, amongst others, Tucker and

169. A recent example is provided by the 2007 visit of Vanderlinden. On that occasion he taught a course entitled *Legislating for Multilingual Systems* and participated in the Robert A. Pascal Series workshop with a presentation entitled *Analyzing Property in Different Societies*. See The Russell Long Chair and CCLS Newsletter, No. 1, Dec. 2006, at 1.

170. The Russell Long Chair and CCLS Newsletter, No. 6, April 2008, at 2; and Agustín Parise *Una introducción al sistema legal de los EE.UU.*, REVISTA JURÍDICA ARGENTINA LA LEY, SUPLEMENTO UNIVERSIDAD AUSTRAL 1 (May, 2008).

171. John J. Costonis, *The Louisiana State University Law Center's Bijural Program*, 52 J. LEGAL EDUC. 5, 10 (2002).

172. See the claim of Ward, though limited to the civil law in Louisiana. Ward, *supra* note 55, at 1312.

Hébert to create an institute for the study of the civil law were amalgamated into that renaissance. Second, the article mentioned different members of the CCLS. The different actors were addressed, highlighting that the efforts of the CCLS encompassed activities from a group of able hands that included the work of directors, secretaries, assistants to the director, coordinators, research associates, translators, contributing fellows, and visiting scholars. Third, the article focused on the academic *corpus* offered by the CCLS. That part stressed the value of the Tucker Lecture Series and other CCLS conferences as discussion forums on Louisiana civil law and the civil law of sister jurisdictions. That part also showed that the academic *corpus* of the CCLS is disseminated by means of law-review special issues and autonomous law-review articles, monographs, translations of seminal civil law texts, and the *Journal of Civil Law Studies*. That part finally addressed the legal education efforts in which the CCLS is involved. Those efforts include the ignition of civil-law interest in students, both from Louisiana and abroad. They also include the building of bridges for academic visits and exchanges: bridges that welcome the circulation of legal ideas and knowledge.

The Golden Jubilee of the CCLS provides a good opportunity to briefly reflect on the place of Louisiana within the civil law world. In 1976, Tunc mentioned in the pages of the *Tulane Law Review* that:

the legal systems of Louisiana, Quebec, and France, [and to some extent the legal systems of other civil law jurisdictions] all inherited from a common tradition, are comparable to children of one family, with deep common features of character, but each with his own personality. All members of the family should be grateful to the Louisiana branch for its accomplishments in maintaining the ties which connect us.¹⁷³

173. André Tunc, *Methodology of the Civil Law in France*, 50 TUL. L. REV. 459 (1976).

It should be no surprise, finally, that Tunc highlighted in his text the efforts of the CCLS in making possible the connection amongst members of that same family.¹⁷⁴ The role of guardian, courier, and developer of scholarship are all encapsulated in that early acknowledgment. The future will surely provide new means to fulfil those roles to this still young Center of Civil Law Studies.

VI. APPENDIX: *A HISTORY OF THE CENTER OF CIVIL LAW STUDIES* BY SAÚL LITVINOFF

The text that is transcribed in this appendix was drafted by Litvinoff¹⁷⁵ on May 9, 2007. The text was originally drafted for the website of the CCLS,¹⁷⁶ and offers a unique account of events from the perspective of an iconic former director of the CCLS.

The Center was established in 1965 as a division of the then LSU Law School for the purpose of preserving and enhancing the civil law component of the Louisiana legal system. Although the Louisiana Civil Code, for a long time cornered by the challenging American common law, had won over the attention of the jurisprudence starting in the third decade of the Twentieth Century, there was a dearth of civil law doctrine to help in the process of studying, understanding, and applying that code. Against such a background, the Center was created to promote the civil law scholarship necessary to give scientific and intellectual support to the revision and updating of the Louisiana Civil Code, a task by then already undertaken by the Louisiana State Law Institute, an advisory organ of the state legislature.

Professor Joseph Dainow, a distinguished scholar formed as a civilian in his native province of Quebec in Canada, was the first director of the Center and, during his term, the writing of treatises

174. *Id.* at 459, n. 1.

175. Saúl Litvinoff (1925-2010) was Boyd Professor of Law and Oliver P. Stockwell Professor of Law at the LSU Law Center.

176. See *A History of the Center of Civil Law Studies*, available at <http://www.law.lsu.edu/ccls/morehistory/> (last visited August 18, 2015).

on the law of property and the law of obligations were started, as well as translations of important works of French doctrine such as Baudry-Lacantinerie's treatise on the law of successions, and seminars for judges, and also for practitioners, were offered with success.

The first director retired in 1975, and Professor Saúl Litvinoff was appointed to succeed him. Along the budgetary bonanza of the seventh and eighth decades of the Twentieth Century, the Center of Civil Law Studies of the LSU Law Center enjoyed an increase of its personnel by the addition of an assistant to the director, a translator, a historian, and research associates. During that period several volumes of the ongoing treatises were finished, and books on jurisprudence, Louisiana substantive law, and numerous monographs saw the light.

At the end of the state and university budgetary bonanza entailed by the crisis of the oil industry in following decades of the same century, the Center of Civil Law Studies suffered casualties in its personnel that for many years was reduced to the director, a research assistant, and a secretary who made efforts to continue the much needed scholarly work.

The Twenty-first Century blessed the LSU Law Center with an important bequest that Chancellor John Costonis decided to invest in giving new life to the Center of Civil Law Studies, and also in establishing a chair of excellence, named after the donor, the holder of which would become the new director of the reborn center.

Professor Olivier Moréteau came from France to occupy the Senator Russell Long Chair of Excellence and assume the direction of the LSU Law Center of Civil Law Studies. The vast renown of Professor Moréteau in the civil law and also the common law worlds makes him especially suitable to bring the Center to the attention of the international legal community as a crucible where different legal systems converge, and the law of the future is in the making with a global tinge.