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The Russell Long Chair and CCLS Newsletter

January 2008 - #5

Bicentennial of the Louisiana Civil Code

In 2008, the LSU Paul M. Hebert Law Center commemorates the Bicentennial of the Louisiana Civil Code, marking the confirmed survival of the civil law in Louisiana after the 1803 Purchase. This was the first civil code, anywhere in the world, to be drafted in the wake of the Napoleonic codification. It still has a significant influence not only in the United States but also in Quebec, Latin America, and Spain.

The Digest of the Civil Laws now in Force in the Territory of Orleans will be published online in May 2008, both in the original French and English translation, with the notes made by the drafters at the time. An added search function will make it an easily researchable source. The Code will be accessible to scholars, students, practitioners, and laymen alike, all over the world, whether their interest is law or culture in all its possible dimensions.

The unveiling of this historic project will occur during the *Journées Capitant on Law and Culture*, to take place in Baton Rouge and New Orleans from May 18th through May 23rd. This conference will be held in French by the *Association Capitant des amis de la culture juridique française*, and will attract more than one hundred participants from French speaking countries all around the world. Support has been obtained both for the publication of the Louisiana Civil Code online and the organization of the events from the *Organisation internationale de la francophonie*, the World Organization of French Speaking Countries. The Consulate of France in New Orleans and the Ministry of Cooperation in Paris are also monitoring the event.

Friday, May 16th, 2008, LSU Paul M. Hebert Law Center (All Friday events are in English)

- 3:30 Welcoming Address and Speeches
- 4:00 Presentation of the Louisiana Civil Code online, by Olivier Moréteau (Russell Long Chair, Director of the Center of Civil Law Studies, LSU)
- 4:30 **35th Tucker Lecture**, by Jacques Vanderlinden (Professor Emeritus, Free University of Brussels and University of Moncton, N.-B., Canada), discussing the use of sources by the Louisiana Supreme Court between 1808 and 1830: reliance on the new Civil Code, survival of the French and Spanish legal tradition.
- 6:00 Reception

Sunday, May 18th, 2008, Baton Rouge, Old Capitol of Louisiana (All Sunday events are in French)

Opening of the *Journées de l'Association Capitant des Amis de la Culture Juridique Française* on Law and Culture

- 3:00 Welcoming Address and Speeches
- 3:30 Presentation of the Louisiana Civil Code online, by Professor Olivier Moréteau
- 4:00 Portraits of two Louisiana great jurists of French origin: Martin (Professor Olivier Moréteau) and Moreau-Lislet (Professor Alain Levasseur, Paul M. Hebert Law Center, Director of European Studies, LSU)
- 4:30 The Legal Traditions of Acadia and Louisiana, by Professor Jacques Vanderlinden
- 5:30 Reception

Tucker Lecture

Professor Jacques Vanderlinden (Professor Emeritus, Free University of Brussels and University of Moncton, N.-B., Canada) is a world-class scholar in the areas of comparative law, legal history, and legal anthropology. His book on codification, published in 1967, remains the main source in the field and he has worked extensively on the cross-influences of the civil law and the common law between Europe and America, in a historical, anthropological, and legal perspective.

He will be the keynote speaker for the **Bicentennial Events**, and will give the **35th Tucker Lecture** on May 16th, 2008.

Distinguished Global Visitors Program

- **Professor Michael Faure**, Maastricht University (Netherlands), January 7th – January 24th, taught *Economic Analysis of Environmental Policy and Law*.
- **Professor Ewoud Hondius**, Utrecht University (Netherlands), January 8th – January 25th, taught *European Contract Law*.
- **Professor Francisco Reyes**, Javeriana University (Colombia), January 28th – March 5th, teaches *Comparative Corporate Law*.

CCLS Website

Since September 2007, the new homepage of the CCLS is fully accessible. It is directly accessible from the LSU Law Center homepage (<http://www.law.lsu.edu> menu 'Centers & Institutes') or from the following link: www.law.lsu.edu/civillaw. A **Bicentennial of the Civil Code** menu has been added.

Civil Law Workshop

First Series "Revisiting the Distinction between Persons and Things"

On November 1st, 2007, **Professor Eric Reiter** (Concordia University, Montreal, Canada) was the speaker at the Seventh and last Session of the Series. His paper: *Rethinking Civil-Law Taxonomy: Persons, Things, and the Problem of Domat's Monster*, will be published along with all of the papers of this First Series in the forthcoming *Journal of Bijural Studies*.

Second Series "Codes as Constitutions and Constitutions as Codes"

On January 23rd, 2008, **Professors Paul Baier** and **Olivier Moréteau** opened the Second Series of the Civil Law Workshop. **Professor Ewoud Hondius** (University of Utrecht, The Netherlands) was the speaker of the First Session. His topic was: *Codes as Constitutions & Constitutions as Codes: A European Perspective*.

Graduate Program

We continue to accept applications to our LL.M. program, a unique opportunity to study in a bijural environment, after the deadline of February 1st. Visit <http://www.law.lsu.edu/> and click on 'International Programs' or contact Ms. Jennifer Lane, Jennifer.lane@law.lsu.edu

Louisiana Law Review Symposium

If you did not receive a complimentary copy of the Louisiana Law Review volume with the papers of the Symposium "Law Making in a Global World", please indicate precise contact details, emailing to ccls@law.lsu.edu. Hundreds have already been circulated.

Publications in 2007

- **With the academic support of the CCLS**

Law Making in a Global World, A Symposium, LOUISIANA LAW REVIEW, Volume 67, Number 4 (2007).

- **Professor Olivier Moréteau** (Russell Long Chair, Director of the CCLS)

Policing the Compensation of Victims of Catastrophes: Combining Solidarity and Self-Responsibility, in SHIFTS IN COMPENSATION BETWEEN PRIVATE AND PUBLIC SYSTEMS 199-218 (Willem H. Van Boom & Michael Faure eds., 2007).

France, in EUROPEAN TORT LAW 2006 196-212 (European Center of Tort and Insurance Law, H. Koziol & Barbara Steininger eds., 2007).

Opening Remarks, Symposium on Law Making in a Global World, 67 LA. L. REV. 1015 (2007).

Post Scriptum to Law Making in a Global World: From Human Rights to a Law of Mankind, 67 LA. L. REV. 1223 (2007).

Foreword, in ANDREA BORRONI, COMPARATIVE GASTRONOMY: LEGAL AND CULTURAL FRAMEWORK, (57 Publications of the Swiss Institute of Comparative Law 2007).

Sortir de la caverne pour comprendre la guerre des droits (Coming out of Plato's Cave to understand the competition among legal systems), *Droit et économie*, RAPPORT DU 38^E CONGRES DU MOUVEMENT JEUNE NOTARIAT, SAN FRANCISCO, 18-24 NOVEMBRE 2007, www.mjn.fr/congres2007 at 41-49.

Les éléments constitutifs de l'estoppel : L'inconséquence (The Constitutive Elements of Estoppels: The Representor's Inconsistency), 9 REVUE DE LA COMMON LAW EN FRANÇAIS (2007).

Regards sur le droit des Etats-Unis en 2006 : La vie humaine, de la conception à la mort (A survey of United States Law in 2006: Human Life, from Conception to Death), with Agustín Parise & Aissatou Sylla, 9 REVUE DE LA COMMON LAW EN FRANÇAIS (2007).

Une vision bigarrée des droits et des mots, interview of Olivier Moréteau by Didier Lamèthe, LETTRE DU CENTRE FRANÇAIS DE DROIT COMPARE, Number 52, 2007, pp. 2-7 (http://www.centrefdc.org/publications/Lettre_52.pdf).

- **Mr. Agustín Parise** (Research Associate at the CCLS)

Responsabilidad por violación de copyright en la jurisprudencia de los Estados Unidos de América, LA LEY (Argentina), February 7, 2007, 6.

El status legal de los embriones humanos en la jurisprudencia de los Estados Unidos de América, LA LEY (Argentina), November 7, 2007, 5.

Regards sur le droit des Etats-Unis en 2006 : La vie humaine, de la conception à la mort (A survey of United States Law in 2006: Human Life, from Conception to Death), with Olivier Moréteau and Aissatou Sylla, 9 REVUE DE LA COMMON LAW EN FRANÇAIS (2007).

- **Dr. Tsvetanka Spassova** (Editing Assistant at the CCLS)

Law-Making in a Global World, ПРАВНА МИСЪЛ, 2007-2, 99-101.