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## Introduction to 1974 Special Issue of the Louisiana Law Review

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## **INTRODUCTION TO 1974 SPECIAL ISSUE OF THE LOUISIANA LAW REVIEW**

This 1974 Special Issue of the Louisiana Law Review is an innovation and is a part of the contribution being made to the legal profession and to current legal literature by the Institute of Civil Law Studies; it has been compiled and edited by Joseph Dainow, Emeritus Professor of Law and Director of the Institute. Among the contents of this Special Issue are certain items which call for some background explanation: the John H. Tucker, jr. Lectures in Civil Law, the Bailey Lectures, and the Institute itself.

Colonel John H. Tucker, jr. is among Louisiana's foremost legal scholars and distinguished citizens. He has served the bar of this state with the greatest ability for many years, both through the bar association and as chairman of the Louisiana State Law Institute. His writings in legal periodicals have done much to illuminate the history and present-day viability of our civilian system. Colonel Tucker has written that the civil law, "produced and developed by the learning, philosophy and character of great jurists and scholars," is built upon foundations that are "indestructible because its precepts are moral and equitable." And he has said that "the civil law that commenced with the Twelve Tables in Rome and reached its apogee in the Code Napoleon . . . is a valid and pervasive force in a great part of the modern world."

In recognition of Colonel Tucker's civil law scholarship and in appreciation of his long career dedicated to law reform, a group of interested patrons of the civil law who are his friends, established the lectureship in his honor through anonymous donations to the Louisiana State University Foundation. This action was announced as a surprise gift on the occasion of Colonel Tucker's birthday of February 25, 1971. Chancellor Cecil G. Taylor of the Baton Rouge Campus of the University in accepting the anonymous donation wisely suggested that, whenever possible, the Lecturer be invited for an additional sojourn as visiting scholar in residence in order to make class participations possible in various law school courses. This plan has been successfully implemented in connection with the initial three lectureships.

The first of the Tucker Lecture Series was delivered in 1972 by Professor Pan. J. Zepos of the University of Athens, Greece. The second was delivered in 1973 by Professor René David of the University of Paris and the University of Aix-en-Provence, France. The 1974 Tucker Lecture was given by Professor Paul-A. Crépeau of McGill University, Montreal, Canada. In each case, an appropriate manu-

script was prepared for publication, and all three are included in this Special Issue.

The Bailey Lecture series was established at the Law School from gifts made by Mrs. Fairfax Foster Sutter as a memorial to her late husband, James J. Bailey, a distinguished leader of the Baton Rouge bar. Mr. Bailey was a graduate of the Law Class of 1934. He had a remarkable mind which was put to good use in a dedicated career as lawyer and public servant. For a time he represented the parish of East Baton Rouge as state senator. He enjoyed the confidence and respect of a large clientele and was highly regarded by his colleagues in the legal profession and by his fellow citizens. Throughout his career he maintained a deep interest in the Law School and was especially active in the alumni gatherings of his class. Mr. Bailey's association with the Law School made it particularly appropriate that a special lecture program should be founded in his honor. Publication of the lectures was contemplated as a means of assuring valuable contributions to legal literature.

The first Bailey Lectures were given in 1965, and over the years, have been delivered by outstanding scholars on a variety of subjects ranging from commercial law and torts to international law, and a number of them have been published. This Special Issue contains the 1973 lecture by Professor Jaro Mayda of the University of Puerto Rico.

The Institute of Civil Law Studies was established in 1967 under the academic sponsorship of the Louisiana State University Law School as a means of promoting the study of civil law in all its aspects and relationships, with particular emphasis on the Louisiana civil law. One of the primary purposes of the Institute is to encourage and facilitate research and publication in the civil law, and considerable progress has already been achieved. Works which have appeared include two volumes by A.N. Yiannopoulos, *The Civil Law of Property* and *Personal Servitudes*; the first volume of a treatise on *Obligations* by S. Litvinoff; *Essays on the Civil Law of Obligations*, edited by J. Dainow; also *French Law: Its Structure, Sources and Methodology* by René David, translated by Michael Kindred. A volume of essays by recognized scholars from several countries on *The Role of Judicial Decisions and Doctrine in the Civil Law and in Mixed Jurisdictions* (edited by J. Dainow) is due from the L.S.U. Press about the same time as this Special Issue. In collaboration with the Louisiana State Law Institute, there have appeared the two-volume *Successions and Donations* by Aubry and Rau in the English translation by C.E. Lazarus; the English translation by J. Mayda of *Prescription* treatise

tises by Baudry-Lacantinerie and Tissier, Aubry and Rau, and Carbonnier; and the 1974 *Compiled Edition of the Civil Codes of Louisiana* edited by J. Dainow and appearing as volumes 16 and 17 in the Civil Code series of the Louisiana Statutes Annotated.

*Paul M. Hebert*  
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