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RECIPROCAL INFLUENCES BETWEEN THE LAWS OF SPAIN AND LOUISIANA

*José María Castán Vazquez**

On entering upon the presentation of this paper, I found myself suddenly struck by a serious and well-grounded fear, a fear caused by the fact that I have never presented a paper concerning the reciprocal influences between the Spanish civil laws and the civil law of Louisiana, for I am no specialist in that area and, worse yet, because I must present this paper to a good number of Louisiana judges, lawyers, professors and researchers who have a profound knowledge of the existing law of their state in its actual and normative version, as well as of its historical elements and sources. Nevertheless, when I first learned from Dr. José María Morenillas, my admired friend and colleague, about the invitation to participate in this congress and to present this paper, and later when the invitation was officially confirmed by Don José María Alvarez Romero, the renowned Director of the Cultural Division of the Institute of Latin American Cooperation, I realized that I could not decline such an honorable invitation that offered me the opportunity, probably the only one in my life, to be in direct contact and collaboration with jurists of a North American state having a profound juridical bond with Spain.

On the other hand, since I began my work in comparative law in 1958 at the Department of Comparative International Law, I have been surprised by and interested in the singular position that the state of Louisiana occupies among the different types of juridical systems in the world, systems which can also be called, according to Professor René David, "law families." I have also been intrigued by the uniqueness that one must recognize in that state when confronted with the difficulties of integrating it among the pure, or unmixed, legal systems existing in the world, pure legal systems that are collected under that "geography of law" which, as has been noted by the Spanish Professor Jaime Guasp, is the comparative law. To that old interest which, as a modest comparatist, I have had in the situation of Louisiana, one can add that, being attracted by the American themes and having traveled for business reasons to Latin America, I have studied for a few years now the possible unity within the Latin American juridical system and have looked for common elements, that surely exist, among the codes of that part of the world.

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All of this persuaded me, perhaps with some audacity, to accept the invitation to prepare this paper. Without attempting to reveal anything new, and conscious of my limitations, I will simply try first to summarize the historical phases of Louisiana's civil law, with which most readers are more familiar than I, and the influences that were left in that system by the Spanish civil law. Then I would like to briefly discuss the influences that the Louisiana law subsequently had on the Spanish law, such influences being attributable to the work of García Goyena, and, finally, I would like to point out the adoption of certain principles from the Louisiana Civil Code of 1808 which, directly or through Goyena's work, occurred within the codes of Spanish-speaking countries in America.

INFLUENCES OF THE SPANISH CIVIL LAW ON THE CIVIL LAW OF LOUISIANA

The influence which the Spanish civil law had on the civil law of Louisiana is well known, even if some discrepancies exist among scholars studying the subject as to the appraisal and value of that influence. A point worth examining is whether that influence was greater or lesser than the influence of the French law. To focus on this theme, it is necessary to recall the essential and most important political stages of Louisiana's history. Even if the first explorer of the Mississippi region was the Spaniard Hernando de Soto, it certainly was the French who colonized the territory during the 17th Century. As is pointed out by Emilio Garrugues:

By 1670, the French were firmly established in the North, in the lower valley of the St. Lawrence River as well as in the Caribbean (on 14 of the Antilles Islands) to the south. Convinced that the Mississippi River, which had been converted into a marvelous means of traveling into the interior and of transporting [goods], flowed into the sea at the Gulf of Mexico, they [the French] had a great interest in preventing the control of the mouth of such a waterway from falling into the hands of the Spaniards. In 1682, La Salle traveled down the river to its mouth, taking formal possession of the big valley, that was then named Louisiana, in honor of Louis XIV. When the Court of Madrid found out that the Lord of Iberville was planning to establish a colony at the mouth of the Mississippi River, the viceroy of New Spain sent Andrés Arriola to stop such plans. As a consequence, the fortress of Pensacola, which was a stronghold during the battles against the French in the regions, was founded. These battles did not stop the prosperity of the French colony, nor the prosperity of the capital city, New Orleans. The French directed military and commercial expeditions into neighboring Texas with the objective of

breaking the monopoly held there by Spain. In spite of all the [French] victories, the Court of Versailles, which was never characterized by its enthusiasm for the overseas colonies, felt that Louisiana was more a burden than an active part [of its territorial holdings] and considered it more a pawn to be used in the political circles of that era. It is not surprising, then, that in October of 1762, Louis XIV handed it [Louisiana] over to Charles III.¹

Louisiana embraced at the time New Orleans and the west bank of the Mississippi River, from Missouri to Kansas and from the Red River to Cadadacho. It had a total population of 10,000 people.

This was a time of extensive and intense Spanish presence in North America. In a recently published book about the Spanish heritage in the United States, the author Darío Fernández-Flórez states:

When the Paris peace [treaty] (1763) incorporated Louisiana into the Spanish dominion, and with the Treaty of Versailles in 1783 which reincorporated Florida, North America was divided into two large halves: Spanish and British. These halves were divided by the "father of the waters," the great Mississippi, grave of the conqueror of tragic destiny—Hernando de Soto. Of these two great halves, the Spanish one was somewhat larger than the British, which means, naturally, that more than half of the U.S. territory—not taking into consideration the present states of Alaska and the Islands of Hawaii—was Spanish.²

Louisiana, particularly, was regarded as being another part of Spanish territory and it even received special considerations and treatment that contributed to its prosperity. Garrigues writes:

The commerce flourished at the expense of the British and especially in favor of the French; the population grew to 50,000 people. The tobacco and sugar industries were developed and continue, up to the present, to be the principal wealth of the region. At the beginning of the XIX Century, New Orleans was a rival of Philadelphia, the most important city of the newly created United States. It was then that the Carondelet Channel was built, fortresses were erected, night-lighting was introduced and the [St. Louis] Cathedral was raised. Even today, New Orleans preserves a marked international atmosphere, where it is difficult to clearly distinguish what is properly French or Spanish. The famous quarter of the Vieux Carré actually belongs to a Spanish architec-

1. E. GARRIGUES, *LOS ESPAÑOLES EN LA OTRA AMÉRICA* 45 (1965) [hereinafter cited as GARRIGUES].

2. D. FERNÁNDEZ-FLÓREZ, *LA HERENCIA ESPAÑOLA EN LOS ESTADOS UNIDOS* 150 (1981). See also *id.* at 154.

tural tradition, with its typical open galleries and cast-iron railings. Distinctly Hispanic also are the City Hall—former quarters of the Spanish governor—the Presbyter and the Cathedral.³

A member of the Spanish nobility, the Baron of Carondelet, would [come to] be considered as “one of the best of governors of New Orleans.”⁴

Against this background, in 1776 came the historical event of the signing of the Declaration of Independence by the “representing members of the United States of America,” which gave birth to the Union and set the foundations of the country that two centuries later would occupy a place of major importance among the nations of the world. It is well known that Spain helped the North American people as they faced Great Britain in the process of [gaining their] independence. Spanish Louisiana was at the time of great importance on a military and political level.

The Spanish decline had begun, however. Spain was already paying for the super-human efforts of the discovery, conquest and colonization of most of the American continent (not to mention the intense efforts of its European undertakings during the imperial period). With the 18th Century, the process that the historian Palacios Atard has called “the defeat, exhaustion and decadence of Spain” had begun. By the beginning of the 19th Century, the pressure of Napoleon on a weakened Spain had become difficult to withstand; and, as in the game of chess, a valuable piece had to be relinquished, Spain, on the diplomatic chess board of the times, had to give up Louisiana to France in 1803, the same year that France would sell Louisiana to the United States, not withstanding prohibitions in the contract between the French and Spanish.

Thus, Louisiana was incorporated forever into the United States, although—on the human and cultural aspects of the state—there remain, perhaps forever, traces of the two European countries that occupied it: Spain and France. The influence of these two countries would be absorbed within many areas, and among them, the field of law. What is worth examining now, as pointed out earlier, is the extent to which the Spanish and French laws remain deeply rooted in Louisiana and the question of which one of the two left a deeper imprint on the codes of that beautiful North American state. Two prestigious French jurists, André and Suzanne Tunc, have studied in detail the law of the United States, and they have observed that the content of the laws in force in Louisiana in 1803, at the time of the cession of the territory to the United States, continues to be uncertain,

3. GARRIGUES, *supra* n. 1, at 46-47.

4. *Id.* at 49.

although they recognize that the basis of such laws was certainly established by the Spanish law, a law essentially legislative and, up to a point, codified. The importance of the French influence, set upon this Spanish base, they add, is the object of controversy and seems to have been quite weak. The French law had certainly been applied from 1712 to 1769, but a few years after that, a Spanish governor introduced the Spanish law, and the twenty days of French occupation in 1803 had no influence on the laws in force at the time. Along with the Spanish law, the Tuncs also point out that the Roman law was certainly, because of its prestige, the most important law-source used to interpret the Spanish law or to fill its gaps.⁵

The cession of Louisiana to the United States was followed, as the Tuncs note, by a rather violent conflict between the citizens, who were attached to their law on the one side, and the government, along with the new immigrants, that wanted to introduce the common law on the other. Soon afterwards the federal government, recognizing the need to bend with the will of the people and to clarify the existing law, appointed a commission in 1806 to codify that law.⁶ The product of their work was the Code of 1808, which has the honor of being not only the first code in Louisiana, but one of the first offered to the world by the process of codification.

Which sources were principally used by the redactors of the Code of 1808? To what extent does the Spanish law continue to have a latent effect through the sources of those articles? Those are questions that have given rise to a number of doctrinal controversies. According to the Tuncs, the Code of 1808 reflects essentially the French influence, which is "a cause of surprise for legal historians." To them, even if the reasons for such a change from one legal system to another are unknown, it is possible that this change was due to the reputation and influence of the French codification, both from a technical and political standpoint.⁷ Along the same lines, more recently and from Louisiana, Professor Batiza has also emphasized the French influence through a series of articles in which he presents a thorough checking and comparison of various provisions of the Code of 1808 with the corresponding ones of the Code Napoleon and those of the *Projet* that preceded it.⁸ Nevertheless, also from Louisiana, Professor Pascal, likewise checking and comparing texts, has pointed out that the Digest of 1808, even if drafted with words taken or adapted from the French

5. A. TUNC & S. TUNC, *LE DROIT DES ETATS-UNIS D'AMÉRIQUE; SOURCES ET TECHNIQUES* 69-70 (1955) [hereinafter cited as TUNC & TUNC].

6. *Id.* at 70.

7. *Id.* at 71.

8. See Batiza, *Sources of the Civil Code of 1808, Facts and Speculation: A Rejoinder*, 46 *TUL. L. REV.* 652 (1972) [hereinafter cited as Batiza].

text, had as an objective the reflection of substantial portions of the Spanish laws in force in Louisiana prior to 1808.⁹

I certainly will not attempt to enter the controversy, since that would require a detailed historical and legal study which would be impossible to undertake here. Perhaps, on the other hand, it is not extremely important which conclusion is drawn. The undeniable fact is that in the Code of 1808 contains traces of both Spanish and French law, and it is only natural that they coexist. The imprint of Spanish law remains, not only because of the the enforcement of the Spanish law in that region, which, as stated earlier, was considered by Spain as part of its territory, but also because of the diffusion of Spanish legal texts throughout the region. For a few years now I have attempted to show¹⁰ that one of the common elements of the community that makes up Latin America is grounded in the common basis of juridical culture resulting from the diffusion in South and Central America of Spanish legal texts, which the Hispanic "ships of the Indies" took to that continent in considerable quantities from the time of the discovery. (Here I would like to point out that it was a North American, Professor Leonard, who through his important monograph *Los Libros del Conquistador* has called our attention to the importance of the shipments of Spanish books to the Indies during the 16th Century.¹¹ Also obvious is the importance that the production of books by printing houses established in America by the Spaniards had.¹² Thus, as did all the other Spanish territories, Louisiana received, even though for a shorter period of time, Spanish legal texts that were used by its jurists for the study and application of the law. The diffusion in Louisiana of a number of specific texts is familiar, such as those containing the texts of the *Partidas*, as well as doctrinal works often relied upon by the courts, like the famous *Febrero*.¹³

The French imprint, for its part, remains, since it is true that the influence of the Code Napoleon was quite great (even Spain did not escape its effects) and no true codification could have been produced without having it at hand. In effect, the French influence is compatible with the Spanish one; the Spanish and French law had common sources—specifically the Roman law—and both belonged to

9. See Pascal, *Sources of the Digest of 1808: A Reply to Professor Batiza*, 46 TUL. L. REV. 603 (1972) [hereinafter cited as Pascal].

10. Castán Vazquez, *El sistema jurídico iberoamericano*, in REVISTA DE ESTUDIOS POLÍTICOS (1968). See also Castán Vazquez, *El sistema de Derecho Privado Iberoamericano*, in ESTUDIOS DE DERECHO (1969) (wherein the subject receives further elaboration).

11. See I. A. LEONARD, *LOS LIBROS DEL CONQUISTADOR* (1953).

12. See G. BAUDOT, *LA VIE QUOTIDIENNE DANS L'AMÉRIQUE ESPANOL DE PHILIPPE II* 256-64 (1981).

13. See S. HERMAN, D. COMBE, & T. CARBONNEAU, *THE LOUISIANA CIVIL CODE: A HUMANISTIC APPRAISAL* (Tulane Law School 1981).

the same "law family," the family of the *civil law* or Roman law system.¹⁴ If, as has already been pointed out, it can be said that New Orleans preserves a marked Latin atmosphere, where it is difficult to separate or differentiate what is fittingly Spanish or French, I believe that one can also admit the fact that it is not easy to distinguish in the Code of Louisiana elements that are only Spanish or only French or, at least, that it is not easy to determine precisely which one of the two influences is greater. One must thus limit himself here to proclaiming the merit, historical transcendence and importance of the compendium of civil laws that is known as the Code of 1808, which, as Batiza notes, is one of the most interesting and significant developments in the history of codification in the Western hemisphere, having established a system of private civil law for Louisiana and having offered one of the oldest examples of an American code drafted with a variety of European sources.¹⁵

The application of the Code of 1808 was not accomplished without a number of difficulties, however. Its interpretation, as observed by the Tuncs, was necessarily to be undertaken against the background of the Spanish law, since it was to this law, which had been previously applied in that region, that Louisiana jurists turned for the solution of problems not resolved by the Code. The uncertainties resulting from the existence and enforcement of the Spanish laws together with the Code of 1808 resulted in the drafting of a second civil code that was promulgated in 1825.¹⁶ Did this new code do away with the Spanish influence? Certainly not. One must remember that, on the one hand, as Professor Pascal states, it is not to be taken for granted that the adoption of a new code in 1825 had as a result the grand-scale renunciation of Spanish institutions and norms. Some of those in fact did change, but a study of the *Projet* of the 1825 Civil Code, its classification of additions and amendments to the Digest of 1808, as well as the comments of its drafters, allows one to conclude that the character and strength of the Spanish-Roman laws were still preserved unless a better rule could be found or developed.¹⁷ On the other hand, in spite of the general repeal of all former laws, the Code of 1825 did not become the sole source of civil law in Louisiana. Since 1827, the state Supreme Court has ruled that all former laws not in conflict with the Code are maintained.¹⁸

14. See R. DAVID, LES GRANDS SYSTEMES DE DROIT CONTEMPORAIN 18-26, 72 (1964); R. DAVID, TRATADO DE DERECHO CIVIL COMPARADO 216-17 (1953).

15. Batiza, *supra* n. 8; Batiza, *The Louisiana Civil Code of 1808: Its Actual Sources and Present Relevance*, 46 TUL. L. REV. 4 (1971). See also Sweeney, *Tournament of Scholars Over the Sources of the Civil Code of 1808*, 46 TUL. L. REV. 585 (1972).

16. TUNC & TUNC, *supra* n. 5, at 71.

17. Pascal, *supra* n. 9.

18. TUNC & TUNC, *supra* n. 5, at 72.

After the two versions of the Louisiana Civil Code already mentioned, the one of 1808 and the one of 1825, there was a third—that of 1870. If some have seen in it a rupture with the former codes, others understand, rightly, that the Code of 1870 limited itself to the revision and completion of the 1825 Code, without pretending to do away with the past.¹⁹ As Professor Yiannopoulos has recently written, the Civil Code of 1870 is essentially the Code of 1825.²⁰

Since 1870, the law of Louisiana has gradually developed and evolved, as do all codes, since law cannot become stagnant. In the particular case of Louisiana, comparatists observe an interesting conflict of influences between the common law and the Roman law. There are many factors or elements that favor the influence of the common law and there are many areas in which this influence is quite intense.²¹ At this point, a discussion of that subject cannot be entered into, although it is a subject with which the reader is quite familiar. I will therefore limit myself, in concluding this part, to praising the legal bodies of Louisiana that have up to today permitted the subsistence of a Roman civil law system, one deeply rooted in its people for historical reasons and in a region of a nation integrated by the common law.

INFLUENCE OF THE CIVIL LAW OF LOUISIANA ON SPAIN'S CIVIL LAW

Having recalled some of the aspects of the Spanish influence on the civil law system of Louisiana, it follows that the influence that, in its turn, the law of Louisiana has had in Spain should be pointed out, if only briefly due to the limitations of time and space. The boomerang effect that Louisiana's codification had on the Spanish codification has been correctly noted—as was done in the opening ceremony of the congress by the Spanish Minister of Justice, Don Pío Cabanillas. That effect came about thanks to the interest in the Louisiana Code on the part of one of the most important Spanish jurists of the 19th Century: Don Florence García Goyena.

Born in 1783, García Goyena was, as is well known, the principal drafter of the 1851 *Projet* of the Spanish Civil Code.²² The importance of that *Projet* has been emphasized by such contemporary specialists in civil law as Peña Bernaldo de Quiróz and Lacruz Berdego—the *Projet* of 1851 constitutes, according to those writers, not only a valuable

19. *Id.*

20. Yiannopoulos, *The Civil Codes of Louisiana*, in LOUISIANA CIVIL CODE XI-XXV (West ed. 1980).

21. See TUNC & TUNC, *supra* n. 5, at 74.

22. See de Castro, *Derecho civil de España*, in I. INSTITUTO DE ESTUDIOS POLITICOS 209 (3d ed. 1955).

antecedent to the Spanish Civil Code, but also an early version of the Code itself, which in 1889 obtained its definitive form.²³

García Goyena constantly had at hand the Code of Louisiana during the preparation of the *Projet* and, in his book, *Concordancias, motivos y comentarios del Código Civil español*, he frequently cited articles of the Louisiana Code regulating the matters under review. In some cases, he even included explanations of his reasons for not following the solutions offered by the Louisiana Code. Thus, the Code of Louisiana became one of the sources for the Spanish *Projet*. Consequently, as many of the articles of the 1851 *Projet* became part of the Civil Code, the law of Louisiana became one of the sources for the Spanish Code.

Without attempting a detailed comparison among the articles of the Louisiana Civil Code of 1825, the *Projet* of 1851 and the Spanish Civil Code—a task which would be worthwhile but obviously extremely long—I would like to offer only some examples of important matters in which the Spanish Civil Code reveals traces of the Louisiana Code as a result of García Goyena's *Projet*.

Regarding general dispositions, articles 4, 5 and 6 of the Louisiana Civil Code, concerning enforcement of the law, were taken into account for article 1 of Goyena's *Projet*, which eventually was incorporated into article 1 of the Spanish Code. Article 7 of the Louisiana Code on ignorance of the law was part of Goyena's articles 1 and 2 and became part of article 2 of the Spanish Code. Article 8 of the Louisiana Code, concerning retroactivity of the law, was in article 3 of Goyena's *Projet*, and formed part of article 3 of the Spanish Code. Louisiana article 12 on agreements contrary to law was in article 4 of the *Projet* and became part of article 4 of the Spanish Civil Code. Article 439 of the Louisiana Code, on the distinction between moveable and immovable property, was in article 379 of Goyena's work and became part of article 333 of the Spanish Code.

In matters of real rights, article 489 of the Louisiana Code, concerning the protection of ownership, was taken into account in article 392 of Goyena's work and became part of article 349 of the Spanish Code; article 3389 of the Louisiana Code, on the notion of possession, was in article 425 of the *Projet* and went into article 430 of the Spanish Code.

Concerning obligations, article 1754 of the Louisiana Code, on the notion of obligations, was in article 973 of Goyena's work and became

23. Lacruz Berdejo, *Nota preliminar*, in F. GARCÍA GOYENA CONCORDANCIAS, MOTIVOS Y COMENTARIOS DEL CÓDIGO CIVIL ESPAÑOL V (reprint 1974); Peña Bernaldo de Quirós, *El Anteproyecto del Código civil en 30 abril 1888*, 13 ANUARIO DE DERECHO CIVIL 1171-93 (1960).

part of article 1254 of the Spanish Civil Code; article 2414 of the Louisiana Code, concerning the concept of the contract of sale, was in article 1367 of Goyena's *Projet* and went into article 1445 of the Spanish Code; and article 2772 of the Louisiana Code on the definition of partnerships was in article 1564 of the *Projet* and became part of article 1665 of the Spanish Code.

In matters of the family, article 123 of the Louisiana Code, on the rights and duties between spouses, was in article 57 of Goyena's *Projet* and went into article 56 of the Spanish Code; article 263 of the Louisiana Code concerning tutorship was in article 171 of Goyena's work and went into article 199 of the Spanish Code, even though the latter differs by having suppressed the concept of guardianship. Finally, in the matter of successions, article 1445 of the Louisiana Code, concerning the concept of testaments, was in article 555 of the Goyena's *Projet* and went into article 667 of the Spanish Code. Undoubtedly, many more examples could be cited by examining more carefully and slowly those three legal works, but these examples should suffice to establish the influences of the Louisiana Civil Code of 1825 on the Spanish Civil Code.

INFLUENCE OF THE CIVIL LAW OF LOUISIANA ON THE LATIN AMERICAN CODIFICATIONS

After having gained their independence from Spain, the young Latin American states undertook the tasks of their respective codifications, the Louisiana Code being, naturally, one of the sources which the legislators had at hand for their work. Often during the process of emancipation, the South Americans turned toward the already-emancipated North America, which for them had set an example and marked the way for independence. For instance, the fascination which the emancipator *par excellence*, Simon Bolivar, had for the North American ways is well known. Among the redactors, the three best known from Latin America—Bello, Freitas and Vélez—had an opportunity to evaluate adequately the Code of Louisiana, by consulting it either directly or by working with the Spanish *Projet* of 1851, which they studied intensely. They were also familiar with García Goyena's *Concordancias*, realizing the appreciation and esteem which that jurist had for the young North American code. Reference is made here to only one of the three famous drafters mentioned above—Don Dalmacio Vélez Sarsfield, author of the Argentine Civil Code, a work of great importance within the context of American codifications.²⁴ It is well known that among the sources used by Vélez, García Goyena's *Projet*

24. See Moisset de Espanes, *Derecho civil español y americano: Sus influencias recíprocas*, 56 REVISTA DE DERECHO PRIVADO 599-614 (1972).

figured prominently, thus assuring us of the indirect knowledge that Vélez had of the Louisiana Code. But, it is also evident that Vélez had direct knowledge of that code. According to Dr. Mustapich, the Louisiana Code is the source of fifty-two articles of the Argentine Code.²⁵ However, in Vélez's famous footnotes to that Code, one discovers an even greater number of references to the Louisiana Civil Code. In fact, the provisions of the Argentine Civil Code for which Vélez's footnotes refer to the Louisiana Code number more than 150. To point out some that are especially interesting, one can mention the following:

1. Concerning capacity: Article 54, for which Vélez in his footnotes explains why he does not consider one who is wasteful as being incompetent, cites as his only source favoring the solution adopted article 413 of the Louisiana Code;
2. Concerning *lesion*: In the final footnote to Title I of Sección II of Book II, where Vélez points out the reasons for his not providing for *lesion*, there are references to instances where the contrary solution has been adopted by, among others, the Code of Louisiana (article 2567);
3. Concerning possession: Article 2445, which establishes the principle that possession is considered *solo animo*, has its source in the doctrine of article 3407 of the Louisiana Civil Code, as noted by Vélez Sarsfield;
4. Concerning mortgages: Articles 3201, 3202 and 3203, relative to the cancellation of mortgages, have as their only mentioned source the Louisiana Code.

With these examples I have intended to point out the idea that the influence of the Louisiana Code transcends the boundaries of the Spanish codification and extends to the parameters of South American codifications as well. This fact is quite striking. A territory, which in 1808 had just been separated from the Roman law countries and integrated into a common law nation, affirmed with extreme effectiveness, through its Civil Code, its faithfulness to the Roman law system that it had inherited from Spain and France and, at the same time, produced a legal work capable of serving as a model in a number of matters for Spanish and Latin American legislators.

The presence in Madrid of so many prestigious Louisiana jurists who, for a few days during the course of this congress, will collaborate with Spanish jurists in recalling the historical juridical bonds between Louisiana and Spain is undoubtedly a fine testimony of the faithfulness of Louisiana to its roots. I hope that the congress proves to be ex-

25. Mustapich, *Estudio preliminar*, in *CÓDIGO CIVIL DE LA REPÚBLICA ARGENTINA* 22 (Edidicones Cultura Hispánica, Madrid 1960).

tremely fruitful, and I would like to congratulate the American participants for their dedication. Finally, as a Spanish jurist, I express my sincere hope that Louisiana, in the future, will continue to succeed in the progress and development of its civil legislation and the glorious traditions of its law.