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The Russell Long Chair and CCLS Newsletter

June 2014 – No. 29

Journal of Civil Law Studies, Volume 6, Number 2

Vol. 6 #2 of the JCLS is available at <http://digitalcommons.law.lsu.edu/jcls/>. This issue features articles by Esin Örüçü (A Legal System Based on Translation: The Turkish Experience), François-Xavier Licari (François Gény in Louisiana), François du Toit (Criticism of the Testamentary Undue Influence Doctrine in the United States: Lessons for South Africa?), and Aimate Jorge (Inflation in Enrichment Claims: Reflections on the Brazilian Civil Code). A note by Juan Cianciardo visits Neoconstitutionalism, Rights, and Natural Law, while a note by Carlos Felipe Amunátegui Perelló reflects on the Origins of the Division of Servitudes into Natural, Legal and Contractual.

Two books of the Louisiana Civil Code are published in bilingual version (Mandate and Suretyship, in English and French), followed by a student essay on European Union Law and Gay Rights, by Jeneba Barrie. Five student-written case notes (by Bogdan Buta, Garrett Condon, John H. Leech Jr., Alexandru-Daniel On and Michael Wynne) enrich the Civil Law in Louisiana section, whilst Civil Law in the World features France (Olivier Moréteau) and Italy (Laura Franciosi).

37th Tucker Lecture by the Hon. Nicholas Kasirer

On Thursday, April 10, 2014, The Center for Civil Law Studies of the LSU Paul M. Hebert Law Center proudly presented the 37th John H. Tucker, jr. Lecture in Civil Law, given by Justice Nicholas Kasirer (Court of Appeal of Québec), formerly a professor at and the Dean of the McGill University Law School. A [video](#) of his remarks on “**That Montreal Sound: The Influence of French Legal Ideas and the French Language on the Civil Law Expressed in English**” can be seen from the [following link](#).

The Louisiana Civil Code Translation Project: Enhancing Visibility and Promoting the Civil Law in English

On April 10-11, 2014, the CCLS hosted an international conference to discuss the Louisiana Civil Code translation project conducted at the CCLS in cooperation with the Université de Nantes and the financial support of the [Partner University Fund](#), held with the additional support of the Association Henri Capitant des amis de la culture juridique française, and McGill University. [Click here to view the full program](#).

Susan Gaultier, Foreign Comparative and International Law Librarian at the LSU Law Center, gave a detailed account of the event on a [FCIL blog](#).

French Visitor in Residence

From January to June 2014, the CCLS hosts Dr. Matthias Martin (Université de Lorraine, Nancy). Dr. Matthias Martin recently defended his doctorate on “L’annotation des codes, étude et comparaison en droits français et monégasque.” He presently works on the concept of annotation in the Louisiana Civil Code and contributes to the revision of the translation of the Louisiana Civil Code and other CCLS projects. Dr. Matthias Martin was a panelist on the April conference discussing the Louisiana Civil Code Translation Project.

Matthias Martin
holding a volume of the
Martin’s Reports



John Ashby Hernandez III Memorial Francophone Leadership Award

Professor Olivier Moréteau was awarded the **John Ashby Hernandez III Memorial Francophone Leadership Award** by the Louisiana State Bar Association at the General Assembly and House of Delegates meeting. As chairman of the Francophone Section, Warren Perrin had the honor of

presenting the award to Prof. Moréteau for his outstanding service to the bar of Louisiana. Here are his comments for the award ceremony at the Bar Convention in Destin, Florida on June 5:

Professor Olivier Moréteau is developing a website making the Louisiana Civil Code accessible in English and in French. The French translation is prepared by French students in a Master of Trilingual Legal Studies at University of Nantes, visiting at LSU in the spring during a period of three months. Scholars visiting from France also participate in the project. Nearly two thirds of the Code have been translated to date. Full titles of the Code have already been published in bilingual form in the Journal of Civil Law Studies. The translation project has been discussed during a two-day international conference at LSU last April. The translation project increases the worldwide visibility of the Louisiana Civil Code and its revision process. Other sites created by Professor Moréteau at the Center of Civil Law Studies feature older versions of the Louisiana Civil Code: Digest of 1808, Compiled Edition of the Civil Codes of Louisiana... Professor Moréteau has also published, in English and in French, leading articles on the experience of codification in Louisiana.



John A. (Ti-Jean) Hernandez III

Here are links to the [Louisiana Civil Code Online](#) page and to published parts including the [law of obligations](#), and [mandate & Suretyship](#). See also the [Digest Online](#) project, and the [compiled version of the Louisiana Civil Codes](#).

This award honors the whole team of the [Center of Civil Law Studies](#).

The Compiled Edition of the Civil Codes of Louisiana Available Online

The Compiled Edition of the Civil Codes of Louisiana was prepared by the Louisiana State Law Institute, pursuant to Act 165 of the Legislature of Louisiana of 1938, under the leadership of Joseph Dainow and with the assistance of Robert A. Pascal (general layout; compilation of Preliminary Title and Book I) and several other scholars (Books II and III). It was published in two volumes by the State of Louisiana (Baton Rouge, Louisiana, 1940) as Volume 3 of the Louisiana Legal Archives. The Compiled Edition presents each



Prof. Moréteau and Pascal discussing the bilingual Compiled Edition of the Louisiana Civil Codes

article of the Civil Code of 1870 with corresponding or source provisions of the Digest of 1808, the Code of 1825, the French Civil Code of 1804 and the *Projet du gouvernement* of 1800, in English and in French.

This essential source for in-depth research in the Louisiana Civil Law is now available at your fingertips on [DigitalCommons @ LSU Law Center](#). The Compiled Edition is easily searchable online.

The Compiled Edition in online format was inaugurated at the April Conference discussing the Louisiana Civil Code translation project: Professor Moréteau interviewed Professor Emeritus Robert A. Pascal on his major contribution to the project. Prof. Pascal, presently in his 99th year, was the assistant to the late Prof. Joseph Dainow, in the summer of 1938.

The Judge Allen M. Babineaux International Civil Law Symposia

Prof. Olivier Moréteau was a guest speaker at two recent symposia organized by the Francophone Section of the Louisiana State Bar Association.

On November 21, 2013, at the Historic New Orleans Collection, on a Commemoration of Bicentennial of the Louisiana Supreme Court (1813-2013), he reincarnated 19th century Justice François-Xavier Martin, making him speak at the first person about his major contribution to Louisiana jurisprudence.

On April 25, 2014, at the United States Federal Courthouse in Lafayette, at a symposium on 2014 Louisiana Law: A Jambalaya of French, Spanish and Common Law, he commented on the Louisiana Civil Code Translation Project and its international impact, giving a summary of the April conference at LSU.



Prof. Olivier Moréteau addressing the Francophone Section of the Louisiana Bar at the US Federal Courthouse in Lafayette

Three Interns Visiting from Nantes to Translate the Civil code

From late March till late June, Oriane Defoix, Giorgia Fabris, and Melissa Richard, all three in their final year of a Master Program in Trilingual Legal Studies at Université de Nantes (France) reside in Baton Rouge for a three-month internship at the Center of Civil Law Studies. They work on the translation of the Louisiana Civil Code into French, as part of the [“Training Multilingual Jurists”](#) project, sponsored by the [Partner University Fund \(PUF\)](#), based on the cooperation between Université de Nantes and LSU Law (2012-2015).



On the right, the CCLS Team: from left to right, Alexandru-Daniel On (Research Associate), Jennifer Lane (Coordinator), Oriane Defoix, Mélissa Richard, Giorgia Fabris (Interns from Université de Nantes), Prof. Olivier Moréteau (Director), and Dr. Matthias Martin (Post-Doc Researcher, Université de Lorraine).

