

**LOUISIANA STATE UNIVERSITY - PAUL M. HEBERT LAW CENTER
CENTER OF CIVIL LAW STUDIES**

INTERNATIONAL CONFERENCE



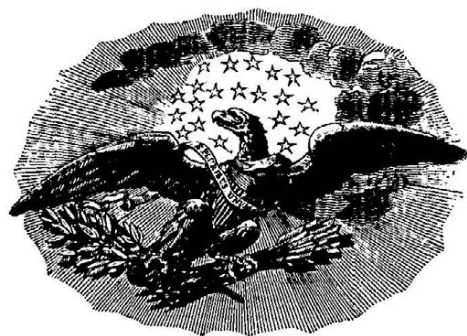
**The Louisiana Civil Code of 1825:
Content, Influence and Languages; Past and Future**

Thursday & Friday, March 20-21, 2025
Louisiana State University, Baton Rouge, Louisiana
Lod Cook Alumni Center



LSU Law

CIVIL CODE
OF THE
STATE OF LOUISIANA,
PRECEDED BY THE
TREATY OF CESSION WITH FRANCE,
THE CONSTITUTION
OF THE
UNITED STATES OF AMERICA,
AND OF THE STATE.



Published by a Citizen of Louisiana,

1825.

General Presentation

This conference is part of the statewide commemoration of the Bicentennial of the Louisiana Civil Code of 1825, coordinated by the Supreme Court of Louisiana Historical Society. The Digest of the Civil Laws now in Force in the Territory of Orleans, adopted in 1808, marked the survival of the civil law tradition in the Territory of Orleans after the Louisiana Purchase. The adoption of the 1825 Civil Code solidified the Louisiana civil law heritage for at least two centuries. The State Constitution of 1812 consolidated the Louisiana civil law by prohibiting the adoption of the common law, or any other legal system by reference, by way of a provision that has been retained in all subsequent Louisiana constitutions, including the current 1974 Constitution. Article 1 of the current Louisiana Civil Code continues to proclaim that the sources of the law are legislation and custom, upholding this constitutional mandate.

The conference will revisit the history and content of the 1825 Civil Code, examining its legal and intellectual context, the codifiers, the need for a new enactment, and whether it was intended to be a digest or a code. It will also consider the abrogation of earlier laws, the extent and significance of the Code, and the combination of legislative and doctrinal elements that made it unique. The conference will explore the influence of the Civil Code of Louisiana throughout the Americas, including its impact on the Field Codes in New York and California, as well as the Quebec civil codes, and the civil codes of Latin America. Worldwide influences will be discussed, particularly in Spain and in shaping uniform model laws.

The languages of the Civil Code and issues surrounding code translation will be addressed. The code was bilingual, promoting the linguistic rights of the Louisiana population, later sacrificed by the state's subsequent constitutions when English prevailed. The English translation of a code originally written in French marks the beginning of the civil law English terminology that complements the common law English terminology, allowing for proper expression of civil law concepts in English worldwide. Several contributions will focus on the future of civil codes in Louisiana, mixed jurisdictions, and globally, addressing challenges such as the development of uniform laws in the US and in Europe, constitutional interferences, a possible loss of centrality with the expansion of special laws, and the impact of the digital age.

The conference languages are English and French. March 20 is the Journée internationale de la francophonie.

Venue

All conference events, including the Tucker Lecture, to be held at the

Lod Cook Alumni Center, Louisiana State University,
3838 West Lakeshore Drive, Baton Rouge, LA 70808

Conference events will take place in the following rooms,
as indicated in the program:

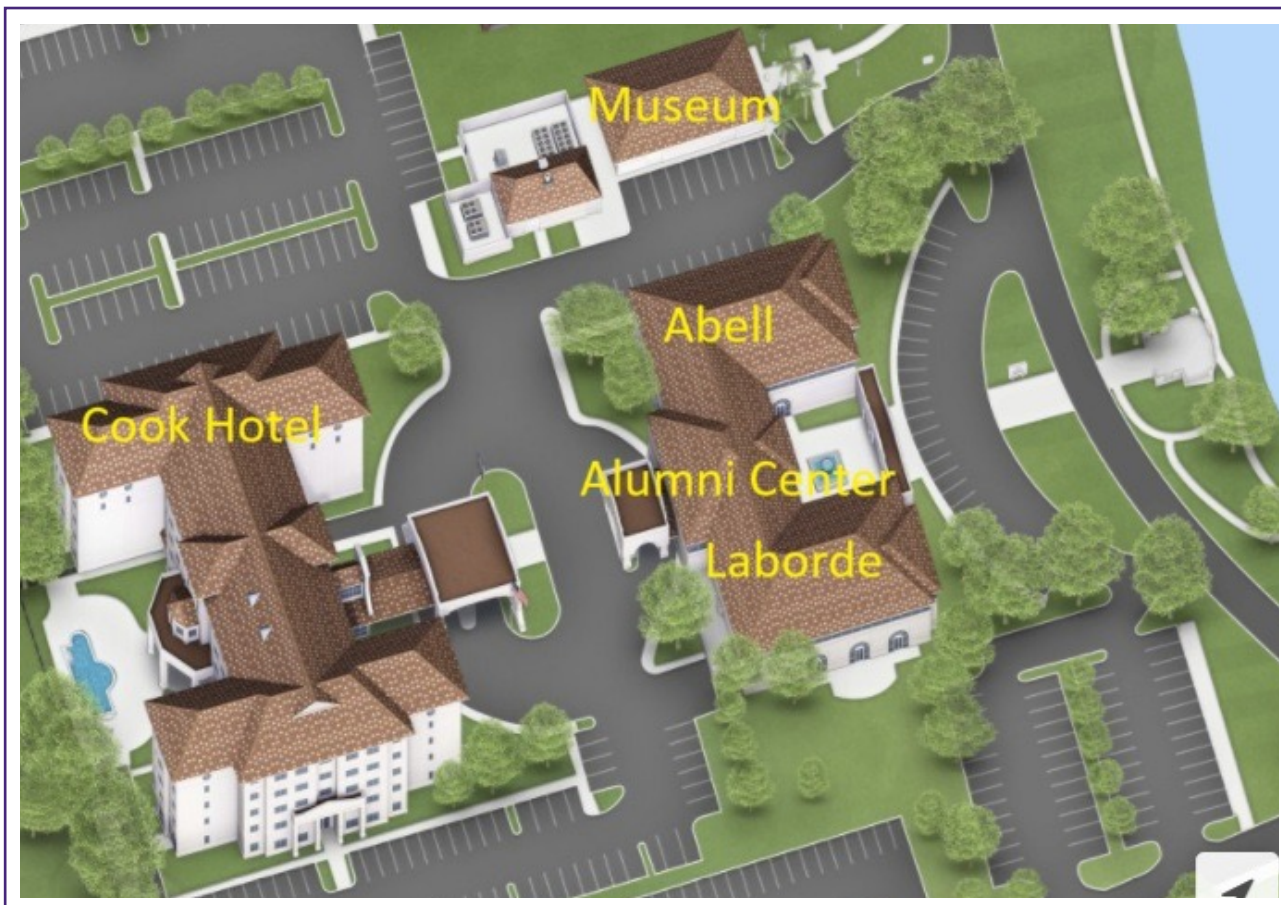
- Andonie Sports Museum (Museum)
- Abell Conference Room (Abell Room)
- Noland Laborde Conference Room (Laborde Room)

The Tucker Lecture reception will be in the Cook Room in the main Alumni Center building.

Registration for Day 1 (including Tucker Lecture) will be in the Museum.

Registration for Day 2 will be in the Laborde Room.

The Lod Cook complex has ample free parking,
and it is a 10-minute walk from the LSU Paul M. Hebert Law Center and the
Center of Civil Law Studies.



DAY 1 / 1^{re} JOURNÉE

Thursday, March 20, 2025 / Jeudi 20 mars 2025

Journée internationale de la francophonie

8:30-9:00 Registration (Museum)

9:00-9:15 Opening Remarks (Museum)

- Alena Allen (Dean of the LSU Paul M. Hebert Law Center)
- Rodolphe Sambou (Consul General of France in New Orleans)
- Olivier Moréteau (LSU, Baton Rouge, Louisiana)

9:15-11:15 Session 1 (Plenary Session) (Museum)

Learning from the Civil Code (CLE 2 credits)

Chair: Andrea Beauchamp Carroll (Associate Dean of the LSU Paul M. Hebert Law Center)

- Ronald J. Scalise Jr. (Tulane Law School, New Orleans, Louisiana)
The 1825 Louisiana Civil Code: A Didactic Code and Its Enduring Impact
- John W. Cairns (University of Edinburgh, Scotland)
Reforming Guardianship of Children in the Civil Code of 1825
- David Gruning (Loyola University New Orleans, Louisiana)
Getting Here from There: Lessons from the Louisiana Civil Code of 1825
- Michael McAuley (Montréal, Québec)
Civil Codes as Expressions of Social Projects

11:15-11:45 Break (Coffee, Refreshments & Snacks) (Museum)

11:45-13:15 Session 2 (Plenary Session) (Museum)

Ownership of the Code and Codification of Ownership (CLE 1.5 credits)

Chair: Louis R. Koerner, Jr. (Koerner Law Firm, New Orleans)

- Warren Perrin (Lafayette, Louisiana)
Revisiting the Genesis of French Louisiana: It's No Coincidence the Civil Code Was Adopted—We Ain't Anglos!
- John A. Lovett (LSU, Baton Rouge, Louisiana)
The Civil Code of 1825 and the Rise of Absolute Dominion in Louisiana Property Law
- Asya Ostroukh (University of the West Indies, Cave Hill, Barbados)
Louisiana Property Law from the Digest to the Code: A Substantive Reform?

13:15-14:15 Lunch (Abell Room)

14:15-15:45 Session 3 (Parallel Sessions)

**3A-Louisiana Civil Code Influence in the United States (Museum)
(CLE 1.5 credits)**

Chair: Etienne Viator (Loyola University New Orleans, Louisiana)

- **Peter L. Reich** (University of California, Los Angeles, USA)
The Rejection and Reinvention of the Louisiana Civil Code in California
- **Julie Rocheton** (Max Planck Institute for Legal History and Legal Theory, Germany)
The Nineteenth-Century US Civil Codes and Their Codifiers
- **Milton J. Hernandez** (Mississippi College, Jackson, USA)
Codification in Mississippi: Nineteenth-Century Efforts for a Mississippi Civil Code

**3B-Louisiana Civil Code Influence in Latin America (Abell Room)
(CLE 1.5 credits)**

Chair: David Gruning (Loyola University New Orleans, Louisiana)

- **Carlos Amunátegui Perelló** (Pontificia Universidad Católica de Chile, Santiago, Chile)
Influence of the Louisiana Civil Code in Bello's Codification
- **Asya Ostroukh** (University of the West Indies, Cave Hill, Barbados)
The Influence of the Louisiana Civil Code in Saint Lucia: From One Mixed Jurisdiction to Another
- **Francisco J. Alterini** (Universidad Austral, Buenos Aires, Argentina)
General Rules, Principles, and the Perdurability of the Civil Codes

15:45-16:15 Break (Coffee, Refreshments & Snacks)

16:15-17:45 Session 4 (Parallel Sessions)

**4A- Louisiana Civil Code Influence Worldwide (Abell Room)
(CLE 1.5 credits)**

Chair: Nikolaos A. Davrados (LSU, Baton Rouge, Louisiana)

- **Alejandro M. Garro** (Columbia University, New York, USA, and Universidad de Buenos Aires, Argentina)
The Contribution of Law Reform in Louisiana and Its Worldwide Influence in Shaping Uniform Model Laws
- **Aniceto Masferrer & Patricia Plana de Juan** (Universidad de Valencia, Spain)
Law and Morality: The Influences of the 1825 Civil Code of Louisiana in the 1889 Spanish Civil Code
- **Aniceto Masferrer & Marta Cantín-Larumbe** (Universidad de Valencia, Spain)
The Influence of the Louisiana Civil Code of 1825 on Spanish Marriage Law of the Nineteenth Century

4B-Codification et francophonie (Museum) (CLE 1.5 credits)

Chair: Olivier Moréteau (LSU, Baton Rouge, Louisiana)

- **Jean-Louis Halpérin** (École normale supérieure, Paris, France)
Livingston, ses codifications et l'esclavage
- **Marie-Ève Arbour** (Université Laval, Québec, Québec)
Les traditions dans les codes civils : de la coutume aux droits fondamentaux
- **Pascale Deumier** (Université Jean Moulin Lyon 3, France)
et **Mathieu Devinat** (Université de Sherbrooke, Québec)
L'avenir des codes civils à l'épreuve de leur réforme : regards croisés France-Québec

17:45-18:15 Break

44th Tucker Lecture in Civil Law

18:00-18:30 Registration (Museum)

**18:30-20:00 44th John H. Tucker, jr., Lecture in Civil Law (Museum)
(CLE 1 credit)**

- **Agustín Parise** (University of Maastricht, The Netherlands)
A Bicentennial Approach to an Exegetical School of Private Law in Louisiana

20:00-21:30 Tucker Reception (Cocktails and Buffet) (Cook Room)



DAY 2 / 2e JOURNÉE

Friday, March 21, 2025 / Vendredi 21 mars 2025

8:30-9:00 Registration (Laborde Room)

9:00-11:00 Session 5 (Plenary Session) (Laborde)

Translating Civil Codes: The Law and Language Connection (CLE 2 credits)

Chair: Alain A. Levasseur (LSU, Baton Rouge, Louisiana)

- **Markus G. Puder** (Loyola University New Orleans, Louisiana)
The Many Splendors of Translation: Insights from Louisiana's Law-and-Language Landscape for the Advancement of Comparative Law
- **Olivier Moréteau** (LSU, Baton Rouge, Louisiana)
Translating the Louisiana Civil Code from French into English: The Birth and Development of the Civil Law English Terminology (CIVLET)
- **Mariano Vitetta** (Universidad Austral, Buenos Aires, Argentina)
The Value of Repealed Law for Legal Translation: The Journey of Penal Clauses in the Louisiana Civil Codes Through the Years
- **Michel Séjean** (Université Sorbonne Paris Nord, France)
What Artificial Intelligence is Doing to Legal Translation: A Case-Study of the French Civil Code's English Translation

11:00-11:30 Break (Coffee, Refreshments & Snacks)

11:30-13:00 Session 6 (Parallel Sessions)

6A-La fonction de la loi et l'avenir des codes au-delà des nations (Museum) (CLE 1.5 credits)

Chair: David Gruning (Loyola University New Orleans, Louisiana)

- **Mustapha Mekki** (Université Paris 1 Panthéon-Sorbonne, France)
La fonction de la loi dans le Code civil de 1804
- **Nathalie Blanc** (Université Sorbonne Paris Nord, France)
La codification face aux règles issues de l'Union européenne
- **Viviane Curran** (University of Pittsburg, USA)
Quel avenir pour les codes à l'aune de la mondialisation ?

6B-The Challenges of Codification (Laborde) (CLE 1.5 credits)

Chair: Agustín Parise (University of Maastricht, The Netherlands)

- **Ignacio E. Alterini** (Universidad Austral, Buenos Aires, Argentina)
Decodification Process and Legislative Microsystems: Resignifying the Centrality of Civil Codes
- **Melissa T. Lonegrass** (LSU, Baton Rouge, Louisiana)
Alignment, Assimilation, and Atrophy: The Challenge of Uniform Law in Louisiana
- **Donna Schwab** (Southern University, Baton Rouge, Louisiana)
Bonne Chance: Louisiana's Good Fortune in Adopting Provisions of the French Civil Code: A Comparative Look into Louisiana Construction Defect Litigation

13:00-14:00 Lunch (Laborde)

14:00-15:30 Session 7 (Plenary Session) (Museum)
Long Live the Civil Code? (CLE 1.5 credits)

Chair: Etienne Viator (Loyola University New Orleans, Louisiana)

- **Nikolaos A. Davrados** (LSU, Baton Rouge, Louisiana)
The Civil Code in the Cyber Age
- **Nadia Nedzel** (Southern University, Baton Rouge, Louisiana)
Louisiana's Civil Code: Has our Beloved Catahoula Leopard Dog Been Contaminated by Common Law, and Is That a Good or a Bad Thing?
- **Alain A. Levasseur** (LSU, Baton Rouge, Louisiana)
The Louisiana Civil Code of 1825: Its 'Crépuscule'?

15:30-16:00 Break (Coffee, Refreshments & Snacks)

16:00-18:00 Session 8 (Plenary Session) (Museum)
Bouquet Final: Conversation Panel (CLE 2 credits)

Moderators: John J. Costonis (Chancellor Emeritus, LSU Law, Baton Rouge, Louisiana), Nikolaos A. Davrados, Olivier Moréteau

- **George Bermann** (Columbia Law School, New York, USA)
- **Raymond Diamond** (LSU, Baton Rouge, Louisiana)
- **Claire Germain** (University of Florida, Gainesville, USA)
- **Michele Graziadei** (University of Turin, Italy)
- **Vernon Valentine Palmer** (Tulane Law School, New Orleans, Louisiana)
- **Mathias Reimann** (University of Michigan, Ann Arbor, USA)
- **John Randall Trahan** (LSU, Baton Rouge, Louisiana)

18:30-20:30 Cocktails & Conference Banquet (Laborde)



Conference Registration & Contact

Conference attendance requires prior registration.
Registration Forms will be available by the end of February.
CLE credits will be available.

Registration is free for LSU Faculty and Students.

Faculty from other schools may ask for a discount code. Registration fees include lunch and refreshments: \$35 per morning or after-noon session.

Conference Banquet on March 21: \$80.

The Tucker Lecture is free and open to the public.

The program and registration forms are available on the CCLS website at <https://law.lsu.edu/ccls/>.

Donations to the CCLS Support Fund can be made from this webpage.



Professor Olivier Moréteau, CCLS Director
(moreteau@lsu.edu)

Katie Meek, CCLS Coordinator
(katiemeek@lsu.edu)



The Center of Civil Law Studies

The Center of Civil Law Studies (CCLS) was established in 1965 to promote and encourage the scientific study of the civil law system, its history, structure, principles, and actualities. Its purpose or mission is to facilitate a better understanding and further development of the private law of the State of Louisiana and other civil law jurisdictions, particularly those of continental Europe and Latin America, through theoretical and practical activities, such as publications, translations, sponsorship of faculty and student exchanges, visiting scholars, seminars, and lectures. The Center of Civil Law Studies 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. Such programs take advantage of Louisiana's natural position as an education center for international and comparative legal studies.

In the past 20 years, the CCLS has created the Journal of Civil Law Studies (JCLS), the Louisiana Civil Code Online, with publication of the current Civil Code in English, and the French and Spanish translations made by the Center. The CCLS also launched a Louisiana Civil Code Commentary, published by installments in the JCLS.

<https://law.lsu.edu/ccls/>

The Journal of Civil Law Studies

The Journal of Civil Law Studies (JCLS) is a peer-reviewed, online and open-access periodical, published by the Center of Civil Law Studies, with the help of a team of student editors. First published in 2008, the JCLS is beyond its 15th anniversary. With authors and readers on all continents, it promotes a comparative and interdisciplinary approach to the civil law in Louisiana and in the world.

<https://digitalcommons.law.lsu.edu/jcls/>

Our team

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Prof. Dr. Nikolaos Davrados, Assistant Director, Curry Family Professorship

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