



The Russell Long Chair and CCLS Newsletter

December 2008 - #9

This Newsletter keeps you informed of the activities of the **Russell B. Long Eminent Scholars Academic Chair** and the **Center of Civil Law Studies**, as well as any related program at the **LSU Paul M. Hebert Law Center**. Please e-mail comments to moreteau@lsu.edu or ccls@law.lsu.edu

Journal of Civil Law Studies

The inaugural volume of the newly created **Journal of Civil Law Studies** is freely available online, at www.law.lsu.edu/jcls

The first volume [1 JCLS (2008)] publishes the papers of the First Civil Law Workshop Series, dedicated to Professor Emeritus Robert A. Pascal, ***Revisiting the Distinction between Persons and Things***. Authors from various parts of the world and from different legal systems contributed to this project:

- *Avant-Propos*
Olivier Moréteau
- *The Distinction between Persons & Things: An Historical Perspective*
J.-R. Trahan
- *Is the Name Property? Comparing the English and the French Evolution*
Audrey Guinchard
- *Analyzing Property in Different Societies*
Jacques Vanderlinden
- *Human Embryo, Animal Embryo, Chimerical Embryo: What Legal Status in French law?*
Laurence Brunet & Sonia Desmoulin
- *The Valladolid Controversy Revisited: Looking Back at the Sixteenth-Century Debate on Native Americans While Facing the Current Status of Human Embryos*
Agustín Parise
- *The Protection of Genetic Identity*
Laura Maria Franciosi & Attilio Guarneri
- *Rethinking Civil-Law Taxonomy: Persons, Things, and the Problem of Domat's Monster*
Eric H. Reiter
- *Robert Anthony Pascal: Writings About Law, 1937-2008*

Agustín Parise receives the Cueto Rúa Award 2008

Agustín Parise, LSU LLM 2006 and Research Associate at the CCLS, is the first recipient of the Cueto Rúa Award, created this year by the Argentine Association of Comparative Law, in honor of the late Julio Cueto Rúa. Professor Cueto Rúa, a prominent scholar in Argentina and Spanish speaking countries, taught at LSU, and wrote leading texts on the common law and civil law.

Agustín Parise received this prestigious award for his paper on *The importance of comparative law scholars and law libraries for the understanding of the law*, focusing on Gustavus Schmidt, a 19th

century scholar who created the first law journal in Louisiana. The ceremony took place at the National Academy of Law and Social Sciences of Argentina, in Buenos Aires, on December 16th. The Academy is a hall of fame for LSU: Professor Litvinoff was inducted into the Academy in summer 2007.

Civil Law Workshop, Saúl Litvinoff Series

The LSU Law Center has declared 2009 the Year of Litvinoff. The 2009 Civil Law Workshop Series is dedicated to our eminent civilian and comparativist, at the time where he moves to retirement after a rich career as practitioner, teacher, author, and reformer of the civil law of Louisiana. The general topic of the Series is ***Civil Law and Common Law: Cross Influences, Contamination and Permeability***.

Tentative calendar for spring 2009:

- Thursday, February 12
Fernando Toller, *Professor at Austral University (Argentina)*
Tentative title: Cross Influences in Legal Education
- Wednesday, March 4
Ulrich Magnus, *Professor at the University of Hamburg (Germany)*
The Vienna Sales Convention (CISG) between Civil and Common Law - Best of all Worlds?
- Thursday, April 2
Sheldon Leader, *Professor at the University of Essex (United Kingdom)*
Tentative title: The Impact of Legal Theorists beyond the Divide

All three speakers are Distinguished Global Visitors at the LSU Law Center, during the spring semester. All sessions start at 4:00 p.m., to end at 5:30 p.m. Drinks will be served.

International Colloquium at Tulane Law School

On November 22, Professor Olivier Moréteau made a presentation on ***Recodification in Louisiana and Latin America***, prepared with Agustín Parise. This closed a one-and-a-half day session on *Challenges of Recodification Worldwide*, the second part of the International Colloquium, presented by the Eason-Weinmann Center of Comparative Law and the Tulane Law School to celebrate the **Bicentennial of the Louisiana Civil Code**.

Publications: The Bicentennial Series

The Bicentennial Series was created on the year of the Bicentennial of the Louisiana Civil Code (Digest of 1808), to promote publications on the civil law of Louisiana and its interaction with other legal systems. Professor Olivier Moréteau is the General Editor.

Two volumes are already published in the series:

- *Essays in Honor of Saúl Litvinoff*, edited by Olivier Moréteau, Julio Romañach, Jr. and Alberto Luis Zuppi, 2008 (volume 1)
- *A History of the Louisiana Civil Code*, by Richard H. Kilbourne Jr., (reprint of the 1987 edition), 2008 (volume 2)

Publications in 2008

- **Professor Olivier Moréteau** (Russell Long Chair, Director of the CCLS)
 - *Le mandat et la société en nom collectif* (The Law of Agency and Partnership), collection “La common law en poche”, edited by J. Vanderlinden, Y. Blais et Bruylant, Montreal, Brussels, 2008 (116 p.).

- “France”, in *European Tort Law 2007*, European Center of Tort and Insurance Law, H. Koziol and Barbara Steininger (Eds.), Springer, Vienna and New York, 2008, 274-287.
- “The Future of Civil Codes in France and Louisiana”, *Essays in Honor of Saúl Litvinoff* (O. Moréteau, J. Romañach, A. Zuppi, Eds.), Claitor’s, Baton Rouge, 2008, pp. 605-632.
- “Policing the Compensation of Victims of Catastrophes: Combining Solidarity and Self-Responsibility”, *54 Loyola Law Review* 65-93 (2008).
- “Avant-Propos”, 1 *Journal of Civil Law Studies* 1 (2008).
- Foreword to “A Summary Reflection on Legal Education” by Robert A. Pascal, *69 Louisiana Law Review* 125-128 (2008).
- Foreword to *Essays in Honor of Saúl Litvinoff* (O. Moréteau, J. Romañach, A. Zuppi, Eds.), with J. Romeñach and A. Zuppi, Claitor’s, Baton Rouge, 2008.
- Foreword to Jacques Royal: *Louisiana History, 1804-1808 Digest of the Civil Laws now in force in the Territory of Orleans (Ancestor of the Louisiana Civil Code)*, Bilingual edition, Art by Royal and Associates, 2008.
- **Mr. Agustín Parise** (Research Associate at the CCLS)
 - “The Valladolid Controversy Revisited: Looking back at the Debate on Native Americans while facing the Current Status of Embryos,” 1 *Journal of Civil Law Studies* 107 (2008).
 - “La Carta Fundamental de los Argentinos. Desde lo intrínseco, un siglo y medio después”, *Essays in Honor of Saúl Litvinoff* (O. Moréteau, J. Romañach, A. Zuppi, Eds.), Claitor’s, Baton Rouge, 2008, pp. 659-673 (2008).
 - “The Place of the Louisiana Civil Code in the Hispanic Civil Codifications: Inclusion in the Comments to the Spanish Civil Code Project of 1851”, *68 Louisiana Law Review* 823-929 (2008).
 - “Slave Law and Labor Activities during the Spanish Colonial Period: A Study of the South American Region of Río de la Plata”, *32 Rutgers Law Record* 1(2008).
 - “Una introducción al sistema legal de los EE.UU”, *La Ley - Suplemento Universidad Austral*, p.1 (May, 2008).

LL.M. Program

The LSU Law Center boasts the second best LL.M. program offered by any public law school in the United States. For more information, visit <http://www.law.lsu.edu/> and click on ‘International Programs’. The website gives access to our LL.M. blogs, with information on the present class (<http://lsu-llm2009.blogspot.com/>) and testimonials from previous students (<http://lsu-llmalumni.blogspot.com/>).

The Supreme Court of Louisiana just amended its rules, making the Louisiana Bar Exam accessible to foreign lawyers authorized to work lawfully in the United States. They must provide proof, in addition to full legal training recognized as equivalent to a J.D., that they successfully completed a minimum of 14 semester hours of credits from an American law school in core legal subjects. Our LL.M. Graduates will easily qualify, which makes our program even more attractive.