

**WESTERN LEGAL TRADITIONS AND SYSTEMS:
LOUISIANA IMPACT
LAW-5015**

ASSIGNMENT LIST

- 1. Introduction to Comparative Law and the Western Legal Traditions**
Review Syllabus, Course Overview Outline & Course Outline 1-Introduction (available on Moodle)
Read JOHN W. HEAD, GREAT LEGAL TRADITIONS, pp. 3-31 (29 pages)
Read [A.J.G.M. Sanders, *The Characteristic Features of the Civil Law*, 14 COMP. & INT'L J. OF S. AFR. 196 \(1981\)](#) (12 pages)
- 2. Civil Law Historical Perspective—The Rise and Fall of Roman Law**
Review Course Outline 2-Civil Law Historical Perspective
Watch Video Lecture “Rise and Fall of the Roman Empire.”
Read Head, pp. 41-72 (32 pages)
- 3. Civil Law Historical Perspective—The Rediscovery of Roman Law and the Development of the *Ius Commune***
Read Head, pp. 72-110 (39 pages).
- 4. Civil Law Operational Perspective – Sources of Law**
Download Course Outline 3-Civil Law Sources of Law
Read Head, pp. 151-174 (24 pages)
Read Supplement—Civil Law Sources of Law (31 pages). Note that this Supplement contains traditional civil law doctrinal writings on the subject of sources of law. These readings are a bit dense. In class, we will explore these writings in detail in small group discussions. Thus, please focus your attention predominantly on the sections assigned to your groups: Groups A, G (pp. 1-3); Groups B, C, H, I (pp. 4-8); Groups D, J (pp. 8-20); Groups E, K (pp. 20-25); Groups F, L (pp. 25-31).
- 4. Civil Law Operational Perspective – The Civil Code**
Read [Jean Louis Bergel, *Principle Features and Methods of Codification*, 48 La. L. Rev. 1073 \(1988\)](#) (26 pages) and [Alain Levasseur, *On the Structure of a Civil Code*, 44 Tul. L. Rev. 693 \(1969\)](#) (12 pages).
- 5. Civil Law Operational Perspective – Legal Profession & Courts**
Download Course Outline 4-Civil Law Legal Profession & Courts
Read Head, pp. 174-181; 208-228 (29 pages)
- 6. Common Law Historical Perspective**
Download Course Outline 5-Common Law Historical Perspective
Read Head, pp. 329-364 (36 pages)
- 7. Common Law Historical Perspective, Cont'd**
Read Head, pp. 364-382; 408-431 (43 pages)

8. **Common Law Operational Perspective – Sources of Law**
Download Course Outline 6-Common Law Sources of Law
Read Head, pp. 433-447 (15 pages)
Read Bodenheimer, 79-105 (27 pages)
9. **Common Law Operational Perspective – Legal Profession & Courts**
Download Course Outline 7-Common Law Legal Profession & Courts
Read Head, pp. 451-54 (4 pages)
Read Bodenheimer, pp. 58-70 (13 pages)
10. **Louisiana Historical Perspective**
Download Course Outline 8-Louisiana Historical Perspective
Read [John T. Hood, *The History and Development of the Louisiana Civil Code*, 33 TUL. L. REV. 7 \(1958\)](#) (20 pages); Supplement—Louisiana Historical Perspective pp. 1-22 (23 pages); Louisiana Civil Code pp. XXV-XXXII (8 pages).
11. **Louisiana Historical Perspective, Cont'd**
Read Supplement—Louisiana Historical Perspective pp. 23-39 (17 pages); Louisiana Civil Code pp. XXXIII-XLII (10 pages); [Kenneth M. Murchison, *The Judicial Revival of Louisiana's Civilian Tradition: A Surprising Triumph for the American Tradition*, 49 LA. L. REV. 1, 1-37 \(1988\)](#) (you may omit the section titled “*Practical Accomplishments*” at pp. 11-25, with the exception of the first paragraph on page 25) (24 pages).
12. **Louisiana Operational Perspective – Sources of Law**
Download Outline 9-Louisiana Operational Perspective--Sources of Law
Read Louisiana Civil Code articles 1-4 (including all comments) and Supplement—Louisiana Sources of Law pp. 1-48 (49 pages).
13. **Louisiana Operational Perspective – Legal Profession & Courts**
Download Course Outline 10-Louisiana Legal Profession & Courts
Read Supplement—Louisiana Legal Profession & Courts.

Review of Comparative Legal Traditions: Online Quiz and De-Briefing

14. **Comparative Methodology – Civil Law**
Download Outline 11-Comparative Legal Methodology
Read Supplement—Civil Law Methodology and work problems in the Handout.
15. **Comparative Methodology – Common Law (Statutes)**
Read Bodenheimer, pp. 119-150 & Karl N. Llewellyn, *Remarks on the Theory of Appellate Decision and the Rules or Canons about How Statutes are to be Construed*, 3 Vand. L. Rev. 395-406 (1950).
16. **Comparative Methodology – Common Law (Cases)**
Read Bodenheimer, 150-204; 213-224; 226-227.
17. **Comparative Methodology – Louisiana**
Read Louisiana Civil Code articles 9-13 (including all comments) and Supplement—Louisiana Methodology.

Review of Comparative Legal Methodology: Group Writing Exercise

- 18. Comparative Retroactivity of Laws – Civil Law**
Download Outline 12-Comparative Retroactivity of Laws
Read Supplement—Civil Law Retroactivity of Laws.
- 19. Comparative Retroactivity of Laws – Common Law**
Read Bodenheimer, pp. 99-102; 105-117 (17 pages) & Supplement—Common Law Retroactivity of Laws.
- 20. Comparative Retroactivity of Laws - Louisiana**
Read Louisiana Civil Code article 6 (including all comments) and Supplement—Louisiana Retroactivity of Laws.

Review of Retroactivity of Laws: Individual Writing Exercise

- 21. Juridical Relations in General**
Download Outline 13-Juridical Relations
Read Supplement—Juridical Relations in General (including all Louisiana Civil Code articles referenced in the supplement).
- 22. Subjects of Juridical Relations**
Read Supplement—Subjects of Juridical Relations (including all Louisiana Civil Code articles referenced in the supplement).
- 23. Objects of Juridical Relations**
Read Supplement—Objects of Juridical Relations (including all Louisiana Civil Code articles referenced in the supplement.)
- 24. Sources of Juridical Relations**
Read Supplement—Sources of Juridical Relations (including all Louisiana Civil Code articles referenced in the supplement).

Final Exam Review