The year 2014 was a busy one for legal lexicographers. Bryan Garner’s extensive undertaking of adding 7,500 new entries to his fourth unabridged edition of Black’s Law Dictionary (10th ed.) illustrates that the work of defining the law is never complete. But there is another impressive work of legal scholarship that should be particularly appealing to the Louisiana lawyer: the Dictionary of the Civil Code.

At its root, the Dictionary of the Civil Code is an English translation of more than 1,600 civil law concepts in the French Vocabulaire juridique, first published in 1936 under the direction of Henri Capitant and later revised extensively under the supervision of Gérard Cornu, dean of the University of Poitiers Law School. The Vocabulaire juridique was translated into the Dictionary of the Civil Code under the supervision of Alain A. Levasseur, leading the Louisiana team, and Marie-Eugénie Laporte-Legeais, leading the Poitiers-Juriscope team at the University of Poitiers. A close study of the Dictionary reveals that it is so much more than a translation: it is an essential tool for exploring the civil law of France through a Louisiana lens.
While the enormity of this translation project is self-evident, the difficulty is underscored by Cornu’s preface of the *Vocabulaire*: “Monolingual and monolithic, this work draws only from the French language and expresses only the French juridical system.” In other words, “keep out” if you are not the intended audience.

The lexicographer’s pursuit of precision is often at odds with the limits of literal translation. This tension is clear in the way courts interpreted Louisiana’s 1808 Digest of Civil Laws and the 1825 Civil Code, both of which were originally drafted in French and translated into English. Even though there was no legislative provision for the resolution of conflicts between the French and English texts of the 1825 Code, the prevailing view among courts was that the original French text was controlling.1 As Louisiana’s adherence to French authority eroded, and the influence of the common law in Louisiana reached its peak, E.D. Saunders sought to rekindle the French connection as he wrote in his Preface to the 1909 edition of the Louisiana Civil Code: “There is probably no legal literature in the world so rich and instructive as that of modern France.”2 A hundred years later, in spite of the “monolingual” and “monolithic” nature of the *Vocabulaire*, translators Levasseur and J. Randall Trahan acknowledge and adopt in their approach to translation the more encouraging and inviting words of Cornu, who wrote that “language of the law is a public, social language, a civic language” and that “the language of the law is, to a major extent, a legacy of tradition.”3

Instead of lamenting the shortcomings of literal translations, the translators include fundamental and essential meanings of the entries, together with reference to the *Vocabulaire* and Louisiana authorities. This is where the work of the translators truly shines, and where the reader can embark upon a deeper study more suitable for the Louisiana legal scholar. A citation to peremption, for example, invites the reader to compare the concepts of forclusion, déchéance, prescription extinctive, and caducité. Turn a few pages back and the entry for Paulien (for a Paulian action) gives reference to Louisiana Civil Code article 2036 (on revocatory actions), and the Roman praetor Paulus for whose namesake it was adopted.

Purists will especially appreciate the inclusion of translations to avoid. For the lawyer who maligns the square peg/round hole organization of Louisiana legal concepts in the West Key Number System (see, e.g., predial servitudes under “easements”), respite can be found in the direction to avoid the term “joint and several” under solidarité, or “merger” under confusion.

Should the Louisiana lawyer shelve Black’s in preference to this bespoke dictionary for the civilian? Not exactly. The *Dictionary of the Civil Code* will not help the bemused law student to understand what it means to say that “[t]he propriunity of consanguinity is established by the number of generations,”4 but Black’s will. In fairness to West Publishing, the influence and contributions of Louisiana jurists who have served on its panel of academic contributors are evident. But, the audience for “the most widely cited lawbook in the world”5 is not the same as that of the *Vocabulaire juridique* or of the Dictionary of the Civil Code. For the Louisiana lawyer, the Dictionary of the Civil Code is a helpful companion to Black’s.

The Dictionary of the Civil Code should be regarded for what it is and not confused with what it is not. It is not, strictly speaking, a primary source of Louisiana law. Likewise, it is not a compendium of every civilian concept found in the Louisiana jurisprudence. To consider it as such neglects the multiple sources from which Louisiana law is drawn and the evolution of certain concepts that are indigenous to Louisiana. It is, however, a window to understanding civil law terminology in a format that invites the reader to learn more about the foundations from which much of Louisiana law was built. The translators’ reasons for including references to the Louisiana Civil Code in the otherwise “monolithic” Vocabulaire “are meant to stress that the French juridical system, at least insofar as the ‘civil law’ part of it is concerned, is not the only juridical system to be expressed in the *Vocabulaire* and, further, that the French language is not the only language in which the concepts/ notions addressed in the *Vocabulaire* may be expressed.”6

Given the continued efforts to translate the French civil law into English over the past several decades — from the Louisiana State Law Institute’s *Civil Law Translata-

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**FOOTNOTES**


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