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The Center of Civil Law Studies Newsletter

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The Russell Long Chair and CCLS Newsletter

June 2017 – No. 40

The CCLS Welcomes Three French Interns

For the seventh consecutive year, between March and June, the Center of Civil Law Studies hosts three interns from the Université de Nantes Master in Trilingual Legal Studies, as part of the Training Multilingual Jurists Program, sponsored by the Partner University Fund (PUF). Though the PUF program is now coming to an end, the cooperation between LSU and Nantes is strongly established and will continue in the years to come.

New translation projects have been started this year: under the supervision of Prof. Olivier Moréteau, Camille Audebaud, Laura Potvain, and Yasmina Saadane started the translation from English into French of the Uniform Commercial Code. They also translated from French into English a law review article presenting the recent French reform of contractual obligations, to be later published in the [Journal of Civil Law Studies](#).

Every Tuesday and Thursday, the translation team meets during two hours to revise ongoing translation work.



Juris Diversitas, 5th Annual Conference, July 10-12, 2017, Lyon, France

Professor Olivier Moréteau, President of Juris Diversitas, invites you to participate in the 5th Annual Conference, to be held on **July 10-12, 2017**, in **Lyon, France**. The theme is *Law & Food, La cuisine juridique*.



The Theme:

For its 5th Annual Conference, Juris Diversitas revisits its culinary origins, expressed in the logo. The links between law and food are as old as the concept of law. Babylon, Egypt, Greece, and Rome cared about access to water resources and food, whether it came to trade or protection. Since times immemorial, Bhutan makes sure every citizen has access to a minimal acreage of land to secure food for the family. Whilst religions multiplied food prohibitions and prescriptions, customs redistributed land, shared its occupancy in creative ways, or favored communal property so that everyone had access to food. Laws have multiplied to facilitate food trade, security, safety, traceability, and also to promote and protect food and wine production, using trademarks and geographical denominations. In addition, the language of food and cooking offers legal thinkers and teachers mouth-watering metaphors, comparing rules to recipes, and their combination to culinary processes.

All law related food topics, whether liquid or solid, vegetal or animal, real or symbolic, tasty or toxic, old or new, homemade or industrial, fast or simmering, whether connected or not to the environment, sustainable development, climate change, literature, art, science, faith, beliefs, or any dimension of human experience may be revisited in an interdisciplinary perspective from the moment they intersect with rules, norms, or prescriptions of all kinds. You are invited to cook and share food for thought at every possible level, past, present, and future, local, regional, and global, topical and utopic, and feed at a two-day and a half worldwide intellectual banquet in a truly unique culinary capital of Europe.



Registration Fees:

€200 or €125 for *Juris Diversitas* members paid up for 2017. For membership, fee payment, and special rates, visit the *Juris Diversitas* Blog (<http://jurisdiversitas.blogspot.com/>). Note that fees *do not* cover travel, accommodation, or the conference dinner (€50). To access [practical information, click here](#).

Registration Form:

[Click here to download the registration form](#). It can be completed electronically and emailed to moreteau@lsu.edu

Conference information:

Follow the *Juris Diversitas* webpage (<http://jurisdiversitas.blogspot.com/>)
The EVENTS tab is regularly updated: [click here for direct access](#).

LAW & FOOD: LA CUISINE JURIDIQUE

An International, Interdisciplinary Conference on Comparative Law
Colloque international et interdisciplinaire de droit comparé

Co-sponsored by

EM Lyon Business School

Faculté de droit de l'Université Jean Moulin – Lyon 3

Institut de droit comparé Édouard Lambert

MONDAY, JULY 10 / LUNDI 10 JUILLET

Venue/lieu: EM Lyon Business School

23 Avenue Guy de Collongue, 69130 Écully, France

(Écully is suburban. Bus service will be organized from and to several points in the City of Lyon on the first day of the conference)

8:30—9:15 *Registration & Breakfast / Accueil et petit-déjeuner*

9:15—9:30 PLENARY—OPENING & WELCOMING ADDRESS

- *Anne M. Tercinet*, EM Lyon Business School (France)
- *Franck Marmoz*, Doyen de la Faculté de droit, Université Jean Moulin Lyon 3
- *Olivier Moréteau*, Louisiana State University Law Center, President of *Juris Diversitas*

9:30—10:30 PLENARY—KEYNOTE

- **Feasting on the Legal Regulation of Food: An Ever More Abundant Banquet over the Centuries**, *Donald Buckingham*, Chairperson of the Canada Agricultural Review Tribunal, Ottawa (Canada)

10:30—11:00 *Break*

11:00—12:30 PARALLEL SESSIONS I

I.A Culinary Metaphors: Legal Game?

- **Food Analogies and Metaphors in Law: Understanding the Law in a Fun Way!** *Christa Rautenbach*, North-West University (USA)
- **Alchemistic Metaphors in Comparative Law: Cooking Recipes for Mixed Legal Systems, Reception of Laws and Legal Transplants**, *Andreas Rahmatian*, University of Glasgow (United Kingdom)
- **Law as Gourmetism: A Synesthetic Exploration**, *Rostam J. Neuwirth*, University of Macau (China)

I.B Food Safety and Consumer Protection

- **The Law and Economics Analysis on the Food Safety Problems**, *Yang Yanling*, Sichuan University (China)

- **Comparison and Reflection on the Consumer Protection in Law of Food Safety and The Law on the Protection of Consumer Rights and Interests in China**, *Yang Suiquan*, Sichuan University (China)
- **“Fake Food” as a New Ingredient in the “Cuisine Juridique”: A Case for “Regulatory Co-opetition”?** *Alexandr Svetlicinii*, University of Macau (China)

12:30—14:30 Lunch

14:30—16:00 PARALLEL SESSIONS II

II.A Anthropological and Cultural Approach

- **The “Law of Necessity” in the Relationship between Man and Food**, *Gianmatteo Sabatino*, University of Trento (Italy)
- **Indigenous Market Laws in Southern Nigeria: Past, Present, and Future**, *Anthony C. Diala*, University of Cape Town (South Africa)
- **Is it lawful to Eat of the Flesh of Animals? Clemente Tosi and his *Dell’India Orientale* (XVIIth century)**, *Maria Sole Testuzza*, Catania University (Italy)

II.B L’appréhension du secteur alimentaire par le droit

- **L’application du droit de la concurrence au secteur de l’agroalimentaire en France**, *Anne M. Tercinet*, EM Lyon Business School (France)
- **Le dilemme du nouveau prisonnier: le droit de refuser l’alimentation ou le devoir de la supporter forcément?** *Fabio Ratto Trabucco*, Pázmány University of Budapest (Hongrie)
- **La procédure participative avec avocat, un nouveau mode de règlement amiable des litiges au service du consommateur ?** *Sylvie Bissaloué*, Université Jean Moulin Lyon 3 (France)

16:00—16:30 Break

16:30—18:00 PARALLEL SESSIONS III

III.A Food Standards and Diversity: Where is the Response?

- **Small Businesses in the Food Supply Chain: A Diversity of Tastes**, *María de la Cuesta*, European University Institute, Florence (Italy)
- **Legal Pluralism and Private Regulation in the Food Sector**, *Lorenzo Bairati*, University of Pollenzo (Italy)
- **Chocolate beyond Borders** *Nikitas Hatzimihail and Konstantinos Kotoulas*, University of Cyprus (Cyprus)

III.B Le Code civil et ses saveurs

- **À la table du Code civil ou le droit civil vu au travers de ses références alimentaires**, *Matthias Martin*, Université de Bretagne Sud (France)
- **À la recherche des ingrédients du droit louisianais : comment cuisiner et déguster le gumbo juridique**, *Olivier Moréteau*, Louisiana State University (États-Unis)
- **Les ingrédients et les recettes de la cuisine juridique québécoise : entre mixité et pluralité** *Matthieu Juneau*, Université Laval (Canada)

18:15 Reception

TUESDAY, JULY 11 / MARDI 11 JUILLET

Venue/lieu: Université Jean Moulin Lyon 3, Faculté de droit
15 Quai Claude Bernard, 69007 Lyon, France

9:00—11:00 PANELS

Panel 1: Knowing the Other: Foods and Water in Comparative Perspective

- **Protecting Recipes?** *Andrea Borroni*, Second University of Naples (Italy)
- **Kosher and Halal Food**, *Marco Seghesio*, University of Milan (Italy)
- **Organic Food Certifications: Different Models Compared**, *Camilla Maria Simeone*, University of Campania Luigi Vanvitelli (Italy)
- **Food as Traditional Knowledge**, *Giovanna Carugno*, University of Campania Luigi Vanvitelli (Italy)
- **Information on Food Products: The European Consumer Perspective**, *Naiara Posenato*, University of Milan (Italy)

Panel 2: Food Liability: A Cake Divided in Half between States and Privates

- *Lorena Ambrosini*, University of Teramo (Italy)
- *Andrea D'Alessio*, University of Teramo (Italy)
- *Federica Girinelli*, University of Teramo (Italy)

11:00—11:30 Break

11:30—12:30 JURIS DIVERSITAS GENERAL MEETING

12:30—14:30 Lunch

14:30—16:00 PARALLEL SESSIONS IV

IV.A Certifications: Tensions between the Local and the Global

- **Gastronomic Traditions and Protection by UNESCO**, *Raffaele Aveta*, Vanvitelli University (Italy)
- **Wine Certifications and Geographic Indicators: The Non-Certifying Function of American Viticultural Areas**, *John M. Church*, Louisiana State University (USA)
- **Food Protected Designation of Origin and Misleading Advertising** *Lucia Di Costanzo*, Vanvitelli University (Italy)

IV.A Human or Animal Welfare? The Search for Harmony

- **Organic Food Regulation in Africa?: The East African Organic Product Standards**, *Odile Lim Tung*, University of the Witwatersrand (South Africa)
- **EU-Wide Label for Farm Animal Welfare**, *Moa Näsström*, University of Leeds (United Kingdom)
- **A Comparatist View on Food Law in Europe: When Harmonising Leads to New Divergences**, *Olivier Beddeleem*, EDHEC Business School (France)

16:00—16:30 Break

16:30—18:00 PARALLEL SESSIONS V

V.A Civil law, Common law and their Cultural Values: Recipes in Torts and Contracts

- **Anglophone and Civilian Legal Cultures: Obesity, Addiction, Nutrition, and Health in an Age of Globalization** *Joseph P. Garske*, Boston (USA)
- **Impact Assessments – The Recipe for a Better Law of Contract**, *Isabelle Rueda*, University of Exeter (United Kingdom)
- **Food and Tort Law in Common Law and in Civil Law**, *Domitilla Vanni di San Vincenzo*, University of Palermo (Italy)

V.B Comment alimenter la procédure et le pouvoir judiciaire

- **Le pouvoir judiciaire aux saveurs chinoises : un plat qui manque de sel ?** *Christine Chaigne*, Université d'Aix-Marseille (France)
- **Le témoin oculaire, le témoin auditif et le témoin par les tripes. L'intéroception, la proprioception et l'extéroception en Cour**, *Emmanuel Didier*, Ottawa (Canada)

19:30 Conference Banquet

WEDNESDAY, JULY 12 / MERCREDI 12 JUILLET

Venue/lieu: 15 Quai Claude Bernard, 69007 Lyon, France

9:00—10:30 PARALLEL SESSIONS VI

VI.A Access to Water: Tensions between Market Governance and Human Rights

- **'Elusive and Fugitive' – Relationships between Water, Law, Culture and Survival** *Francine Rochford*, La Trobe University (Australia)
- **The Right to Water and the Right to Food: Interactions and State Obligations**, *Paulo Canelas de Castro*, University of Macau (China)
- **The Need for a more Realistic and Sustainable Water Resources Management Regime in Namibia**, *Samuel Amoo*, University of Namibia (Namibia)

VI.B Are Food and Social Recipes Gender Neutral?

- **Legal Pluralism, Food, and Bridewealth: Insights from South-East Nigeria**, *Jane C. Diala*, University of Cape Town (South Africa)
- **Women, Food Security and the Law: Access to Land under Customary Law** *Kagiso Maphalle*, University of Cape Town, (South Africa)
- **Don't Steal my Recipe! A Comparative Study of French and U.S. law on the Protection of Culinary Recipes against Copying** *Claire M. Germain*, University of Florida (USA)

10:30—11:00 Break

11:00—12:00 PARALLEL SESSIONS VII

VII.A Supply, Demand, and Food Security

- **Food Security: A Supply or Demand Problem?** *Aeyal Gross*, Tel-Aviv University (Israel)

- **Law and Lack of Food: Legal Regulation of Food Distribution in Soviet Russia** *Asya Ostroukh*, University of the West Indies (Barbados)

VII.B Protecting, Punishing, and Improving the People through Food Regulation

- **The crime of consumption of alcoholic beverages in the Somali penal code**, *Salvatore Mancuso*, University of Cape Town (South Africa)
- **The Balance of Losing Lives v Creating jobs: The Sugar Tax Dilemma in Developing Countries, A South African Story**, *Nasholan Chetty and Arthur Shirichena*, University of Fort Hare (South Africa)

12:00—12:30 PLENARY, CLOSING SESSION

Congratulations to Our New Law Graduates

Special congratulations to **Matthew Boles**, J.D./D.C.L. who graduated *cum laude*. Professor Moréteau says: “Matt was my research assistant these past two years and provided tremendous help in my academic work. In his capacity as Graduate Editor and Managing Editor of the Journal of Civil Law Studies, he has been a wonderful resource in difficult times. He is always willing to help.” Matt was an active officer of the International Law Society. He organized events, attended the *Café français*, *Che pasa PMH*, learned French, took the Introduction to French Law course, studied one semester at Austral University in Buenos Aires. According to Moréteau, “Matt is a role model to any LSU Law student willing to benefit from all aspects of our unique civil law curriculum and international resources.” He made friends with the LL.M. candidates, French interns, and helped them adjust to life in Baton Rouge and the LSU Law Center.

Congratulations also to our wonderful LL.M. graduates: Clarisse Baugier, Marina Biragova, Tatiana-Amalia Ciolpan, Sixtine Bonnard, Nils Langensteiner, Audrey Michenaud, Sebastian Telecan. Thakshila Jayasinghe is also complimented for her great achievements.



From left to right, Sixtine Bonnard, Matt Boles, Audrey Michenaud, Clarisse Baugier