

Professor John Crabb's *The French Civil Code*

The French Civil Code: Revised Edition (as Amended to 1 July 1994),
Translated by JOHN H. CRABB, Fred B. Rothman & Co., Littleton,
Colorado, and Kluwer Law and Taxation Publishers, Deventer, The
Netherlands, 1995, pp. 460.

*Thomas J. Holton**

As a revision of Professor Crabb's original translation of *The French Civil Code* (the Code), which appeared in 1977, this 1995 edition provides for readers of English new access to the world of civil law in general and, in particular, the law of France. Commissioned and promulgated by the Emperor Bonaparte, the French Code has enjoyed a place within the civil law tradition second only to the systematic compilation of the body of Roman law that was promulgated by the Emperor Justinian in the early sixth century. Like Bonaparte's *Corpus Juris Civilis*, the Code of 1804 was an accumulation of centuries of legal experience reduced to a rationally organized, understandably written text. As such, it served as a unifying vehicle in a society emerging from revolutionary upheaval.

Beyond the borders of France, the influence of the Code has extended far. "The French Civil Code," writes Crabb in his introduction, "may be said to have initiated the contemporary system of the civil law as we know it with its codifications."¹ Indeed, it has served as a model for codified private law not only in the Francophonic world, including Quebec, but in other areas such as Italy, Spain, and Latin America. As a former part of the French empire, Louisiana is an important beneficiary of this Napoleonic legacy.

The codification movement has reached even beyond the borders of the civil law and influenced the development of canon law. The format of the *Code of Canon Law*, which was first promulgated in 1917 and revised in 1983, reveals this influence in its striking resemblance to that of *The French Civil Code*.

The revised translation is marked both by developments in the law, provided by the French legislature, and by new textual features provided

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¹ THE FRENCH CIVIL CODE xx (John H. Crabb trans., rev. ed. 1995).

by the author. Noteworthy among the products of legislative updating is a major revamping of the French law of partnership. This important body of business norms comprising Title IX is reorganized throughout and greatly expanded. Developments in this new translation, however, are not limited to amended legislation. They include, in particular, two quite helpful editorial innovations.

The first is a streamlining of scholarly notes. The former edition had noted the legislative modifications of individual articles of the Code, listing, in consecutive order, each statutory alteration. In the present work, by contrast, only the citation of the most recent statutory change is given. References to earlier legislative history are removed. Reading the affected articles thus becomes simpler.

This is illustrated, for example, by Article 375 in Section II of Title IX, "Parental Authority." In the author's earlier edition, the article number was followed by a long series of references. The new simplified text carries only a single reference to the latest enactment, to wit: Law no. 87-570, 22 July 1987, Art. 20.²

Crabb's second editorial innovation is an aid to verbal understanding. The old edition contained an elaborate glossary of French legal expressions that appeared in the Code. Eleven pages of French terms were matched with their English counterparts. Retaining this useful guide, the new edition adds an eight page section called "Terms in English Referring to Glossary."³ From a given legal expression in English it moves to a corresponding French term. Thus, for the English word "lawyer," it offers three possible French expressions: *avocat*, *avoué*, *maître*.⁴ These in turn are found separately listed in the French glossary, each with its distinctive meaning in English; e.g., for *avocat*: "practicing lawyer and presently active member of the bar entitled to represent clients in litigation."⁵

In addition to these reader-friendly features, Crabb's work is graced with an analytical summary, an informative introduction, and a detailed index. Lastly, the sharper print of the new edition is much easier on the eyes. In this very readable translation, John Crabb offers the English-speaking lawyer reliable and very helpful access to an important body of foreign law.

² See *id.* at 93.

³ See *id.* at 433.

⁴ See *id.* at 436.

⁵ *Id.* at 422.

Erratum

In Professor Thomas Holton's book review *Professor John Crabb's The French Civil Code*, 28 SETON HALL L. REV. 312 (1997), the third sentence of the first paragraph should have read, "Like his *Corpus Juris Civilis*, the Code of 1804 was an accumulation of centuries of legal experience reduced to a rationally organized, understandably written text." 28 SETON HALL L. REV. 312, 312 (1997).