
Dr. VERNON VALENTINE PALMER

Current
Positions:

Thomas Pickles Professor of Law
Tulane University

President, World Society of Mixed Jurisdiction Jurists

Titular Member, International Academy of Comparative Law, Paris

Co-Director, Eason-Weinmann Center
of Comparative Law, Tulane University

Editor-in-Chief, Tulane European and Civil Law Forum

Elementary &
High School
Education:

- New Orleans Academy
- Newman High School
- Jesuit High School

College &
Graduate
Studies:

- Doctor of Philosophy, 1985, Pembroke College, Oxford University
- LL.M. 1966, Yale University (Sterling Fellow)
- LL.B. 1965, Tulane University (Law Review Editor)
- B.A., 1962, Tulane University
- Diploma in Spanish, Instituto Mexicano-Norteamericano de Relaciones Culturales, Mexico City

Academic
Appointments:

1966-1970 Assistant Professor of Law
Indiana University at Indianapolis

1967-1969 Lecturer in Law
University of Botswana, Lesotho & Swaziland
Southern Africa

1970-1975 Associate Professor of Law
Tulane University

1975 Professor of Law
Tulane University

1980 Clarence Morrow Research Professor

*1983-1984 Professeur Associé, University of Strasbourg Institut
de Droit Comparé, Strasbourg, France*

1986-1987	<i>Professeur Associé</i> at the Sorbonne, University of Paris I and Paris II
1988-2007	Director Tulane Paris Institute of European Legal Studies Paris, France
1990	Investiture as Thomas Pickles Professor
1991	Appointed Constitutional Adviser to the Kingdom of Lesotho
1992	Appointed Constitutional Consultant to the Republic of Madagascar
1992-1993	<i>Professeur Associé</i> at the Sorbonne, University of Paris I and Paris II
1996-1998	Visiting Professor Université des Antilles, Martinique
1997-2008	Director of European Legal Studies
1998-1999	Visiting Professor of Comparative Law, Universidad Ramon Llull, Barcelona
1999	Visiting Professor of Comparative Law, University of Trent, Trento, Italy
2000	Visiting Professor of Comparative Law, University of Lausanne, Switzerland
2000	Visiting Professor of Comparative Law, University of Geneva, Switzerland
2005	Visiting Professor of Comparative Law, University of Fribourg, Switzerland
2005	Co-Director, Eason-Weinmann Center of Comparative Law
2006	Visiting Professor, Bucerius Law School, Hamburg

Current Subjects: ◦ Civil Law Obligations
 ◦ Comparative Law (European Legal Systems)
 ◦ Contracts –Sales & Leases (Obligations II)
 ◦ Products Liability -- The United States and Europe
 Seminar in Mixed Jurisdictions Worldwide

Subjects
 Previously Taught: *Civil Law*
 Obligations II -- Sales and Leases
 ◦ Obligations I -- General Contract
 ◦ Property I

- Property II
- Persons (Roman-Dutch law)
- Delict (Roman-Dutch law)
- Quasi Contracts
- European Obligations
- Principles of the Civil Law

Common Law

- Contracts I
- Anglo-American Contract Law
- Criminal Law
- Torts
- Constitutional Law
- First Amendment Freedoms
- History and Theory of Contracts

Comparative Law

- Introduction to Comparative Law
- Comparative Products Liability
- Anglo-American and French Contract Law
- African Customary Law

Current International Projects

Co-editor and organizer (with Reid) of joint Scotland-Louisiana comparative law project

Planning and organizing the 3rd World Congress of Mixed Jurisdictions in Jerusalem 2011.

Leading a “Common Core” project (in progress) of ‘Immaterial Damages in Contract Law in Europe’

Books:

Mixed Jurisdictions Compared: The Private Law of Louisiana and Scotland (co-edited with Elspeth Reid) (Edinburgh University Press (2009)

Pure Economic Loss Beyond Europe: New Horizons in Comparative Law, (co-edited with Mauro Bussani) (Routledge Cavendish, London 2008)

The Louisiana Civilian Experience: Critiques of Codification in a Mixed Jurisdiction (Carolina Academic Press 2005)

Strict Liability in Europe (co-edited with Franz Werro) (Carolina Academic Press, Staempfli, Bruylant, 2004)

Pure Economic Loss in Europe (edited with Bussani) (Cambridge University Press, July 2003) (with special edition translated into Chinese, Law Press China 2005)

Mixed Jurisdictions Worldwide: The Third Legal Family

(Cambridge University Press 2001)

Louisiana – Microcosm of a Mixed Jurisdiction (Carolina Academic Press 1999)

The Civil Law of Lease in Louisiana (Harrison Co. 1997)

The Paths to Privity - The History of Third Party Beneficiary Contracts at English Law
(Austin & Winfield 1992) (reprinted by Law Book Exchange 2006)

The Legal System of Lesotho
(The Michie Press 1972) (with Poulter)

The Roman-Dutch & Sesotho Law of Delict (Sijthoff, 1970) (reprinted by Morijs Press 2006)

Articles:

Absolute Emancipation
85 SOUTH AFRICAN L.J. 24 (1968)

The Misinterpretation of Article 1801
46 TUL. L. REV. 859 (1972)

A Review of the Louisiana Law on Potestative Conditions
47 TUL. L. REV. 284 (1973) (with Plauché)

Symposium on Incapacity
47 TUL. L. REV. 1085 (1973)

Contractual Negligence in the Civil Law --
The Evolution of a Defense to Actions for Error
50 TUL. L. REV. 1 (1975)

In Quest of a Strict Liability Standard Under the Code
56 TUL. L. REV. 1317 (1982)

Why Privity Entered Tort --
An Historical Reexamination of *Winterbottom v. Wright*
27 AM. J. LEGAL HIST. 85 (1983)

Common Lawyer as Civilian Intermediaries:
The Influence of Roman Law and Civil Law
in England and the United States
Tulane Law 40 (1986)

Trois Principes de la Responsabilité Sans Faute
1987 REVUE INTERNATIONALE DE DROIT COMPARE 825

The Residential Lease in the Civil Law --
A Consideration in Social Context
4 TUL. CIV. L. FORUM (1988)

A General Theory of the Inner Structure of Strict Liability --
Common Law, Civil Law, Comparative Law
62 TUL. L. REV. 1303 (1988);

The Death of a Code -- The Birth of a Digest
63 TUL. L. REV. 221 (1988)

The History of Privity -- The Formative Period
33 Amer. J. Legal History. (1989)

Revision of the Code or Regression to a Digest?
A Rejoinder to Professor Cueto-Rua
64 Tul. L. Rev. 177 (1989)

The Great Debate Over the Louisiana Civil Code's Revision
(with Dennis, J. et. al), 5 Tul. Civ. L. Forum 49 (1990)

Tortious Interference With Contract at French Law:
An Excursion Along a Road Not Taken
6/7 Tul. Civ. L. Forum (1991-92)

A Comparative Study (From a Common Law Perspective)
of the French Action for Wrongful Interference With Contract
40 Amer. J. Comparative Law (1992)

Celebrating the Québec Codification Achievement: A Louisiana
Perspective
38 Loy. L. Rev. 311 (1992)

The Many Guises of Equity in a Mixed Jurisdiction
69 Tul. L. Rev. 7 (1994)

The Authors and Origins of the Code Noir
56 La. L. Rev. 1 (1996)

“Que Dieu nous garde de l'équité des Parlements:” Equity Through
the Lens of Separation of Powers
73 Tul. L. Rev. 1287 (1999)

From Embrace to Banishment: A Study of Judicial Equity in France
47 Amer. J. of Comp. Law 277 (1999)

The Fate of the General Clause in a Cross-Cultural Setting: The Tort
Experience of Louisiana, 46 Loy. L. Rev. 535 (2000)

Insularity and Leadership in American Comparative Law:
The Past One Hundred Years
75 Tul. L. Rev. 1093 (2001)

Contracts In Favor of Third Parties in Europe: Steps Toward
Tomorrow's Harmonization ,1-2003 European Review of Private Law 8

The Comparative Law and Economics of Pure Economic Loss, (with Bussani and Parisi) 51 Am.J. Comp. Law (2003).

The French Connection and the Spanish Perception: Historical Debates And Contemporary Evaluation of French Influence on Louisiana Civil Law La. L. Rev. (2004)

The Recent Discovery of Moreau Lisset's System of Omissions and Its Importance to the Debate over the Source of the Digest of 1808 49 Loyola L. Rev. 301 (2003)

From Lerotholi to Lando: Some Examples of Comparative Law Methodology, American Journal of Comparative Law (2005), and published online at bepress.org (Global Jurist), and as chapter contribution in *Mélanges Blanc-Jouvan*

The Customs of Slavery: The War Without Arms, American Journal of Legal History (2007); also published online 6 Global Jurist , Issue 1 (2006) accessible at Globaljurist.com

Historical Notes on the First Codes and Institutions in French Louisiana (Festschrift honoring Professor Saul Litvinoff, 2007))

Two Rival Theories of Mixed Legal Systems, 3 Journal of Comparative Law 7 (2007), and online at www.EJCL.org

The Louisiana Supreme Court in Question: an Empirical and Statistical Study of the Effects of Campaign Money on the Judicial Function (with Levendis) 82 Tul. L. Rev. 1291 (2008)

Quebec and Her Sisters in the Third Legal Family, 42 McGill Law Journal (2009)

Strange Science of Codifying Slavery—Moreau Lisset and the Louisiana Digest of 1808, 24 Tul. European & Civil Law Forum 83 (2009)

The Louisiana Supreme Court in Caperton's Wake: An Empirical Investigation Into the Effects of Campaign Contributions on Louisiana's Highest Court
(Ready for submission and forthcoming in 2009, this is a revised and expanded version of a 2008 article).

Book Chapters

“On the High Road to Scotland with T.B. Smith” in *Essays in Honor of Sir Thomas Smith* (Edinburgh Press 2005)

“The Frontier between Contractual and Tortious Liability in Europe: Insights from the Case of Compensation for Pure Economic Loss”, (with Bussani) Ch. 38, in *Towards a European Civil*

Code (3rd Edition 2004); and also appearing in *Bases de un derecho contractual Europeo*, edited by Espiau and Vaquer (Valencia 2003)

“In a Race Against Time” among the Essays in Honor of Denis Tallon, (Paris)

“Concernant le 200eme anniversaire du Code Napoléon: son importance historique et contemporaine sur la codification du droit in Louisiane” in *Le Code Civil 1804-2004, Livre du Bicentenaire* (Daloz 2004)

“L’essor et le déclin du modèle napoléonien en Louisiane” in *Code Civil et Modèles* (sous la direction de Thierry Revet) (LGDJ Paris 2005)

“Between Contract and Tort: Pure Economic Loss in Europe” (with Bussani) in Nili Cohen and Ewan McKendrick, *Comparative Remedies for Breach of Contract* (Hart 2005)

“Mixed Jurisdictions” in *Elgar Encyclopedia of Comparative Law* (Jan Smits ed. 2006)

“Mixed Legal Systems” in *Encyclopedia of Law & Society* (David Clark ed. 2007)

“Contracts of Intellectual Gratification –A Louisiana-Scotland Creation” in Vernon Palmer and Elspeth Reid (eds), *Mixed Jurisdictions Compared: The Private Law of Louisiana and Scotland* (Edinburgh Univ. Press 2009)

“Mixed Legal Systems” in *The Cambridge Companion to Comparative Law* (Mattei and Bussani eds.,forthcoming 2010)

Honors and Activities:

Knighted, French Legion of Honor, Paris 2006

Knighted, Ordre des Palmes Académiques, Paris 1995

Provost’s Award for Scholarship and Research, Tulane 2005

Who’s Who in the World , Who's Who in America, Who's Who in American Law

Bar Admissions: Supreme Court of the United States and Supreme Court of Louisiana

Convention Delegate, National Democratic Convention, New York, 1976

Former President, The Alliance for Good Government (1974-1975)

Former President, The French Quarter Resident Association (1973-1975)

Former Director, The Vieux Carre Property Owner & Associates

Member, The Louisiana Bar Association

Member, Henri Capitant Association

Member, Société de Legislation Comparée

Member of the Board of Editors, South African Law Journal

Member of the Board of Editors, The Edinburgh Law Review

Foreign
Languages:

French: Complete fluency, literacy and proficiency

Spanish: Literacy, comprehension and proficiency in writing,
moderate fluency

International
and local community
service:

- As constitutional adviser to the Kingdom of Lesotho, I completed in 1991 a major report on the reform of the constitution and the return of the country to democracy.
- As constitutional consultant to the Republic of Madagascar, I was engaged by the American government in 1992 to advise Madagascar in its constitutional reform process.
- *Pro bono* attorney in a variety of civic matters in New Orleans. These include:
 - the first desegregation of the Jefferson Parish Prison, together with relief from other unconstitutional conditions. This litigation lasted approximately seven years, resulted in complete relief and ultimately in voter approval of a new prison.
 - the preservation of the "tout ensemble" of the French Quarter from various intrusions, including a sound and light show at Jackson Square and the placing of a helicopter port nearby.
 - A suit to prevent the New Orleans water system from being "privatized"
- Unsuccessful candidate for mayor of the City of New Orleans 2002

Outside Interests:

Tennis fanatic; classical pianist; piano composer, including "Sketches of New Orleans and other Original Compositions" (2005)