

## University of San Diego School of Law

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### Comparative Law

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#### Documents

1. PL, “*Lawrence, Roper, and Graham*” [excerpts from various publications].
2. R. Posner, “No Thanks, We Already Have Our Own Laws”, *Legal Affairs* (July/August 2004), pp. 40-42.
3. *Bodum USA, Inc. v. La Cafetière, Inc.*, 621 F.3d 624 (2010).
4. Excerpts from G.W. Leibniz and G. Tarde.
5. Excerpts from H.-G. Gadamer, M. Heidegger, and J. Derrida.
6. PL, “Gadamer”, in D.S. Clark (ed.), *Encyclopedia of Law and Society*, vol. 2 (Sage, 2007), pp. 617-18.
7. PL, “Heidegger”, in D.S. Clark (ed.), *Encyclopedia of Law and Society*, vol. 2 (Sage, 2007), pp. 700-01.
8. Excerpts from J. Ellul, P. Legendre, and J. Derrida [World/Word].
9. Excerpts from Camus (*L’Etranger*) and Kafka (*Die Verwandlung*) in English translation.
10. S. Glanert and PL, “Foreign Law in Translation: If Truth Be Told...”, in M. Freeman and F. Smith (eds), *Law and Language* (Oxford UP, 2013), pp. 513-32.
11. PL, summarizing PL, *Negative Comparative Law: A Strong Programme for Weak Thought* (Cambridge UP, 2022), pp. 233-35 [Goodman, Foucault, and Derrida]; S. Breyer, and M.A. Glendon.
12. G. Steiner, *Errata* (Yale UP, 1998), pp. 1-5.
13. Excerpts from A. Badiou, *Ethics* (P. Hallward transl., Verso 2001 [1993]), pp. 18-29.

14. Statute no 2004-228 of 15 March 2004 enframing, in application of the principle of laicity, the wearing of signs or attire demonstrating a religious belonging in public primary and secondary schools (France) [The Headscarf].
15. Two photographs dated 23 August 2016 taken in Villeneuve-Loubet, near Nice, France [The Burkini].
16. K. Brayson, "Of Bodies and Burkinis: Institutional Islamophobia, Islamic Dress, and the Colonial Condition", (2019) 46 J. L. & Society 55.
17. *Arrêt* (decision) of the *Conseil d'Etat*, 11 April 2018, France [The Handshake].
18. PL, summarizing PL, *Negative Comparative Law: A Strong Programme for Weak Thought* (Cambridge UP, 2022), pp. 238-45 [This and That].
19. PL, "The Guile and the Guise: Apropos of Comparative Law as We Know It", (2021) 16 Asian J Comp L 155.
20. J.L. Borges, "Averroës' Search", in *Collected Fictions* (A. Hurley transl., Penguin 1998 [1947]), pp. 235-41.
21. PL, "A Note on Incommensurability" (unpublished).
22. H.P. Glenn, *Legal Traditions of the World*, 5th ed. (Oxford UP, 2014): Back Cover & Page Facing Table of Contents.
23. Excerpts from "A Fresh Start for Comparative Legal Studies?", (2006) 1/1 J. Comp. L. 100.
24. J.Q. Whitman, "A Simple Story", [2004/4] *Rechtsgeschichte* 206 [a review of H.P. Glenn, *Legal Traditions of the World* (Oxford UP, 2000)].
25. PL, "What Is That, To Read Foreign Law?", (2019) 14/2 J. Comp. L. 294.
26. PL, "A Note on Invention".
27. M. Evans, *New Zealand Herald*, Auckland, 6 January 2011 [Invention, Applied: Female Dress].
28. PL, "King Lear" [Invention, Applied Again].
29. Excerpts from H.-G. Gadamer, M. Heidegger, and S. Beckett [Not ROT].
30. Excerpt from J. de Acosta.
31. Excerpts from K. Zweigert and H. Kötz, *Introduction to Comparative Law*, 3d ed. (T. Weir transl., Oxford UP 1998).

32. Excerpts from the Digest; the Accursian Gloss; J. Domat, *The Civil Law in Its Natural Order*, 2d ed., vol. 1 (L.S. Cushing ed., W. Strahan transl., Little, Brown 1850 [1689]), pp. 166-69; and the French civil code.
33. *Arrêt* (decision) of the *Conseil d'Etat*, 5 December 2007, *Ghazal* [France].
34. *Cheema v. Thompson*, 67 F.3d 883 (9th Cir. 1995) [United States].
35. *Multani v. Commission scolaire Marguerite-Bourgeoys*, [2006] 1 S.C.R. 256 [Canada].
36. PL, summarizing PL, "Jameses at Play: A Tractation on the Comparison of Laws", 65 Am. J. Comp. L. 1 [Special Issue] (2017), pp. 25-27 [Termination of Contract].
37. R. Wagner, *The Invention of Culture*, 2d ed. (U Chicago P, 1981), pp. 1-16.
38. PL, "Comparative Legal Studies and the Matter of Authenticity", (2006) 1/2 J. Comp. L. 365, pp. 374-93 [On Culture].
39. Excerpts from K. Zweigert and H. Kötz, *Introduction to Comparative Law*, 3d ed. (T. Weir transl., Oxford UP 1998).
40. Excerpts from R. Michaels *et al.*
41. More Excerpts from K. Zweigert and H. Kötz, *Introduction to Comparative Law*, 3d ed. (T. Weir transl., Oxford UP 1998).
42. Excerpts from U. Kischel (and G. Frankenberg's critique).
43. Excerpts from J. Gordley.
44. Excerpts from A. Watson and B. Markesinis.
45. PL, "Paradoxically, Derrida: For a Comparative Legal Studies", 27 Cardozo L. R. 631 (2005), pp. 645-54 [Descartes].
46. Excerpts from M. Heidegger.
47. Excerpts from M. Heidegger and H.-G. Gadamer.
48. S. Glanert, "Method?", in P.G. Monateri (ed), *Methods of Comparative Law* (Elgar, 2012), pp. 61-81.
49. PL, "A Note on Derrida".
50. Excerpts from J. Derrida.

51. PL, "Siting Foreign Law: How Derrida Can Help", 21 Duke J. Comp. & Int'l L. 595 (2011) [Tracing].
52. PL, Excerpts from *Negative Comparative Law: A Strong Programme for Weak Thought* (Cambridge UP, 2022), pp. 389-422 [Tracing, Applied].
53. J.Q. Whitman, "The Two Western Cultures of Privacy: Dignity Versus Liberty", 113 Yale L.J. 1151 (2004) [Culturalism].
54. J. Gordley, "When Is the Use of Foreign Law Possible? A Hard Case: The Protection of Privacy in Europe and the United States", 67 Louisiana L.R. 1073 (2007) [Positivism].
55. PL, "The Impossibility of 'Legal Transplants'", (1997) 4 Maastricht J. Euro. & Comp. L. 111.
56. PL, Excerpts from *Negative Comparative Law: A Strong Programme for Weak Thought* (Cambridge UP, 2022), pp. 389-422 [Decoloniality].
57. H. Spamann, "Empirical Comparative Law", 11 Annual R. L. & Social Science 131 (2015).
58. PL, "Econocentrism", (2009) 59 U. Toronto L.J. 215.
59. R. Hirschl, "From Comparative Constitutional Law to Comparative Constitutional Studies", 11 Int'l J. Constitutional L. 1 (2013).
60. PL, "Negative Comparative Law and Its Theses", (2021) 16/2 J. Comp. L. 641 [Endgame].