

University of San Diego School of Law

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Comparative Law

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Documents

1. PL, “*Lawrence, Roper, and Graham*” [Bringing Foreignness into Play].
2. R. Posner, “No Thanks, We Already Have Our Own Laws”, *Legal Affairs* (July/August 2004), pp. 40-42 [Bringing Foreignness Into Play].
3. *Bodum USA, Inc. v. La Cafetière, Inc.*, (2010) 621 F.3d 624 [Bringing Foreignness Into Play].
4. Excerpt from J. Ellul [Laws and Worlds]
5. Excerpts from G.W. Leibniz, H.-G. Gadamer, and G. Tarde [Laws *inter se*].
6. PL, “Gadamer”, in D.S. Clark (ed.), *Encyclopedia of Law and Society*, vol. 2 (Sage 2007), pp. 617-18 [Laws *inter se*].
7. Excerpts from H.-G. Gadamer, M. Heidegger, and J. Derrida [Understanding and Laws].
8. PL, “Heidegger”, in D.S. Clark (ed.), *Encyclopedia of Law and Society*, vol. 2 (Sage 2007), pp. 700-01 [Understanding and Laws].
9. PL, “A Note on Derrida” (unpublished) [Understanding and Laws].
10. Excerpts from G. Deleuze and J. Derrida [Inscription and Laws].
11. Excerpts from A. Camus (*L’Etranger*) and F. Kafka (*Die Verwandlung*) in English translation [Language and Laws].
12. S. Glanert and PL, “Foreign Law in Translation: If Truth Be Told...”, in M. Freeman and F. Smith (eds), *Law and Language* (Oxford University Press 2013), pp. 513-32 [Language and Laws].
13. PL, summarizing PL, *Negative Comparative Law: A Strong Programme for Weak Thought* (Cambridge University Press 2022), pp. 233-35 [N. Goodman, M. Foucault, and J. Derrida]; S. Breyer, M.A. Glendon, D. Kadir, and M. Heidegger.

14. Excerpts from A. Badiou, *Ethics* (P. Hallward transl., Verso 2001 [1993]), pp. 18-29 [Not Badiou, but Steiner].
15. G. Steiner, *Errata* (Yale University Press 1998), pp. 1-5 [Not Badiou, but Steiner].
16. 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].
17. Two photographs dated 23 August 2016 taken in Villeneuve-Loubet, near Nice, France [The Burkini].
18. K. Brayson, "Of Bodies and Burkinis: Institutional Islamophobia, Islamic Dress, and the Colonial Condition", (2019) 46 *J. L. & Society* 55 [The Burkini].
19. *Arrêt* (decision) of the *Conseil d'Etat*, 11 April 2018, France [The Handshake].
20. PL, summarizing PL, *Negative Comparative Law: A Strong Programme for Weak Thought* (Cambridge University Press 2022), pp. 238-45 [This and That].
21. PL, "The Guile and the Guise: Apropos of Comparative Law as We Know It", (2021) 16 *Asian. J. Comp. L.* 155 [This and That].
22. J.L. Borges, "Averroës' Search", in *Collected Fictions* (A. Hurley transl., Penguin 1998 [1947]), pp. 235-41 [Borges and a Note on Incommensurability].
23. PL, "A Note on Incommensurability" (unpublished) [Borges and a Note on Incommensurability].
24. H.P. Glenn, *Legal Traditions of the World*, 5th ed. (Oxford University Press 2014): Back Cover & Page Facing Table of Contents [The Glenn Controversy].
25. Excerpts from "A Fresh Start for Comparative Legal Studies?", (2006) 1/1 *J. Comp. L.* 100 [The Glenn Controversy].
26. J.Q. Whitman, "A Simple Story", [2004/4] *Rechtsgeschichte* 206 (a review of H.P. Glenn, *Legal Traditions of the World* [Oxford University Press 2000]) [The Glenn Controversy].
27. PL, "What Is That, To Read Foreign Law?", (2019) 14/2 *J. Comp. L.* 294 [How to Read].
28. PL, "A Note on Invention" (unpublished).
29. M. Evans, *New Zealand Herald*, Auckland, 6 January 2011 [Invention, Applied – Female Dress].
30. PL, "King Lear" (and Derrida) [Invention, Applied Again – "King Lear"].

31. Excerpts from S. Beckett.
32. PL, A Note on Entitlement — and on Rots (unpublished).
33. Excerpt from J. de Acosta, H.-G. Gadamer, and M. Heidegger [The Double Bind – Comparativists].
34. Excerpts from K. Zweigert and H. Kötz, *Introduction to Comparative Law*, 3d ed. (T. Weir transl., Oxford University Press 1998) [The Double Bind – Comparativists].
35. 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 [The Double Bind – Comparativists].
36. *Arrêt* (decision) of the *Conseil d'Etat*, 5 December 2007, *Ghazal* (France) [The Double Bind – Law-Texts].
37. *Cheema v. Thompson*, 67 F.3d 883 (9th Cir. 1995) (United States) [The Double Bind – Law-Texts].
38. *Multani v. Commission scolaire Marguerite-Bourgeoys*, [2006] 1 S.C.R. 256 (Canada) [The Double Bind – Law-Texts].
39. PL, summarizing PL, “Jameses at Play: A Tractation on the Comparison of Laws”, (2017) 65 Am. J. Comp. L. 1 [Special Issue], pp. 25-27 [Termination of Contract (France)].
40. R. Wagner, *The Invention of Culture*, 2d ed. (University of Chicago Press 1981), pp. 1-16 [Culture, Then].
41. PL, “Comparative Legal Studies and the Matter of Authenticity”, (2006) 1/2 J. Comp. L. 365, pp. 374-93 [Culture, Then].
42. Excerpts from K. Zweigert and H. Kötz, *Introduction to Comparative Law*, 3d ed. (T. Weir transl., Oxford University Press 1998) [*Contra* Culture].
43. Excerpts from R. Michaels *et al.* [*Contra* Culture].
44. Excerpts from K. Zweigert and H. Kötz, *Introduction to Comparative Law*, 3d ed. (T. Weir transl., Oxford University Press 1998) [Orthodoxy’s History and Its Theory].
45. Excerpts from U. Kischel (and G. Frankenberg’s critique) [Orthodoxy’s History and Its Theory].
46. Excerpts from J. Gordley [Orthodoxy’s History and Its Theory].
47. Excerpts from A. Watson and B. Markesinis [Orthodoxy’s History and Its Theory].

48. PL, "Paradoxically, Derrida: For a Comparative Legal Studies", (2005) 27 *Cardozo L. R.* 631, pp. 645-54 [From Descartes to Heidegger (Through Davos)].
49. Excerpts from M. Heidegger [From Descartes to Heidegger (Through Davos)].
50. Excerpts from M. Heidegger and H.-G. Gadamer [From Descartes to Heidegger (Through Davos)].
51. S. Glanert, "Method?", in P.G. Monateri (ed), *Methods of Comparative Law* (Elgar 2012), pp. 61-81 [From Method to Tracing, With Derrida].
52. Excerpts from J. Derrida [From Method to Tracing, With Derrida].
53. PL, "Siting Foreign Law: How Derrida Can Help", (2011) 21 *Duke J. Comp. & Int'l L.* 595 [From Method to Tracing, With Derrida].
54. J.Q. Whitman, "The Two Western Cultures of Privacy: Dignity Versus Liberty", (2004) 113 *Yale L.J.* 1151 [Tracing, Applied and Contested].
55. J. Gordley, "When Is the Use of Foreign Law Possible? A Hard Case: The Protection of Privacy in Europe and the United States", (2007) 67 *Louisiana L.R.* 1073 [Tracing, Applied and Contested].
56. PL, *Negative Comparative Law: A Strong Programme for Weak Thought* (Cambridge University Press 2022), pp. 423-25 [My Equipment].
57. PL, "Negative Comparative Law and Its Theses", (2021) 16/2 *J. Comp. L.* 641 [Endgame].