

My Equipment

While I have no intention of honing comparative law to a fine utilitarian edge (nor to indulge gadgeteering), I hold that the comparatist is *homo faber* to the extent at least that he must choose his contrivances (through which he devises himself as comparatist-at-law) to fit in the tool-box he will have acquired from a fine online travel shop. For my part, whenever I embark on fieldwork I carry a kit featuring a dozen implements or so.

My devices include a large, state-of-the-art, multi-tasker differentiator (the high-end model easily recharges through my laptop so I can always have it at hand in a fully operational condition). When I activate the deconstructive programme, my differentiator proceeds to a critique of the foreign law under scrutiny. As I trigger the culturalist key, it re-signifies law-texts in terms of law-as-culture. If I launch the comparative application, my differentiator promptly singularizes foreignness. I also have a textograph (effectively achieving as regards texts the decomposition that a spectrograph attains for light). I invested in the ultra-sensitive, fine-point appliance featuring an innovatory detector, which optimizes discernment of textual haunting between the lines – of enciphering – and is therefore best for elucidating the mnemonic and material textual tracery.

An indisciplinator, I have long come to realize, is necessary for the conduct of any meaningful cultural interpretation. While all brands boast an easy-to-handle dial greatly simplifying disciplinary motions or passages (either to one or more than one other discipline apart from law), I recommend the purchase of an integrated compass in order to facilitate orientation on unfamiliar disciplinary terrain, which can present awkward epistemological topography, vicissitudes ranging from tenebrous abysses to steep escarpments. In addition, I deem it important to take along a translator of the foreignizing type. Even if it is definitely more difficult to handle than the usual sort, it tends to generate just results by producing the most other-directed translations. I always bring with me a heavy-duty charitabler (indeed, my research experience suggests exigent mobilization of charitable interpretation). And, of course, I make certain that I have a negator, too. I prefer the ultra-forthright version although it inevitably comes at a cost. The value combination, admittedly not so easy to deploy, allows the comparatist variously to say no to purity (of law or legal theory); no to translatability (of foreignness); no to understanding (of foreignness); no to method (in research); no to objectivity (in interpretation); no to truth (in interpretation); no to exactitude or correctness (in interpretation); no to the idea of one right meaning (in interpretation); no to representation (in interpretation); no to equivalence or commonality (across laws); no to ‘transplants’ (of laws); no to the assumption of a better law; no to universality; and no to what would be globalization, unification, or uniformization (of laws).

I remain open to the acquisition of new gear. A few years ago, I bought an inventor. It works like a spell checker and searches my report on foreign law to detect all textual manifestations

of allegedly impersonal, impartial, neutral, objective, or true formulations that would shroud my input in the fashioning of the foreign law-text and in the fabrication of my account of it. I indulged the most expensive configuration (the “Take EpRep” — which, according to the glossy brochure, stands for “Take Epistemic Responsibility”). Not only does this design identify the concealments, but it substitutes first-person singulars throughout the writing. I have a few more elementary instruments such as a Swiss-army knife, which allows me to cut through the epistemic nonsense without further ado. Also, I always keep a whistle on me – the closest I come to the deployment of what could potentially be regarded as an apotropaic contraption. I knew a distinguished Cambridge comparatist-at-law who used the strident sound to gain his students’ attention. For myself, I find it helpful to blow the whistle on diverse epistemic howlers. (Sporadically, perhaps because of the loud noise, I have been able to procure a readership and secure its interest or even its adhesion.) To be sure, I have a passport and, notwithstanding that I lay claim to being a resolutely heliotropic comparatist, I do not forget my umbrella – unlike Nietzsche, perhaps.¹

¹ F. Nietzsche, “Nachgelassene Fragmente” in *Digitale Kritische Gesamtausgabe* (G. Colli et al. eds, 2009 [1881]) <[http://www.nietzschesource.org/#eKGWB/NF-1881,12\[62\]](http://www.nietzschesource.org/#eKGWB/NF-1881,12[62])> §12. In English, Nietzsche’s entry in his notebook reads “I have forgotten my umbrella”. cf J. Derrida, *Eperons* (Flammarion 1978) 103–13.