

Pontifícia Universidade Católica do Paraná

Escola de Direito

Programa de Pós-Graduação em Direito

Introduction to Negative Comparative Law

Pierre Legrand

Documents

1. Excerpt from J. Ellul.
2. Excerpts from G.W. Leibniz and G. Tarde.
3. Excerpts from H.-G. Gadamer, M. Heidegger, and J. Derrida.
4. PL, “Gadamer”, in D.S. Clark (ed.), *Encyclopedia of Law and Society*, vol. 2 (Sage 2007), pp. 617-18.
5. PL, “Heidegger”, in D.S. Clark (ed.), *Encyclopedia of Law and Society*, vol. 2 (Sage 2007), pp. 700-01.
6. PL, “A Note on Derrida” [unpublished].
7. Excerpts from P. Legendre, J. Derrida, and S. Beckett.
8. Excerpts from Camus (*L’Etranger*) and Kafka (*Die Verwandlung*) in English translation.
9. 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.
10. PL, summarizing PL, *Negative Comparative Law: A Strong Programme for Weak Thought* (Cambridge University Press 2022), pp. 233-35 [Goodman, Foucault, and Derrida]; S. Breyer, and M.A. Glendon.
11. Excerpts from A. Badiou, *Ethics* (P. Hallward transl., Verso 2001 [1993]), pp. 18-29.
12. G. Steiner, *Errata* (Yale University Press 1998), pp. 1-5.
13. 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].

14. Two photographs dated 23 August 2016 taken in Villeneuve-Loubet, near Nice, France [The Burkini].
15. K. Brayson, "Of Bodies and Burkinis: Institutional Islamophobia, Islamic Dress, and the Colonial Condition", (2019) 46 *J. L. & Society* 55.
16. *Arrêt* (decision) of the *Conseil d'Etat*, 11 April 2018, France [The Handshake].
17. PL, summarizing PL, *Negative Comparative Law: A Strong Programme for Weak Thought* (Cambridge University Press 2022), pp. 238-45 [This and That].
18. PL, "The Guile and the Guise: Apropos of Comparative Law as We Know It", (2021) 16 *Asian. J. Comp. L.* 155.
19. J.L. Borges, "Averroës' Search", in *Collected Fictions* (A. Hurley transl., Penguin 1998 [1947]), pp. 235-41.
20. PL, "A Note on Incommensurability" [unpublished].
21. H.P. Glenn, *Legal Traditions of the World*, 5th ed. (Oxford University Press 2014): Back Cover & Page Facing Table of Contents.
22. Excerpts from "A Fresh Start for Comparative Legal Studies?", (2006) 1/1 *J. Comp. L.* 100.
23. 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)].
24. PL, "What Is That, To Read Foreign Law?", (2019) 14/2 *J. Comp. L.* 294.
25. PL, "A Note on Invention" [unpublished]
26. M. Evans, *New Zealand Herald*, Auckland, 6 January 2011 [Invention, Applied: Female Dress].
27. PL, "King Lear – and Derrida" [Invention, Applied Again].
28. Excerpts from H.-G. Gadamer, M. Heidegger, and S. Beckett [Rots].
29. A Note on Entitlement [unpublished].
30. Excerpt from J. de Acosta.
31. Excerpts from K. Zweigert and H. Kötz, *Introduction to Comparative Law*, 3d ed. (T. Weir transl., Oxford University Press 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-Bourgeois*, [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. (University of Chicago Press 1981), pp. 1-16 [On Culture].
38. PL, "Foreign Law, the Comparatist, and Culture: How It Is" in C. Cercel, A. Mercescu, and M. Sadowski (eds), *Law, Culture and Identity in Central and Eastern Europe* (Routledge 2023), pp. 15-42 [On Legal Culture].
39. Excerpts from K. Zweigert and H. Kötz, *Introduction to Comparative Law*, 3d ed. (T. Weir transl., Oxford University Press 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 University Press 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. Excerpts from J. Derrida.

50. PL, "Siting Foreign Law: How Derrida Can Help", 21 Duke J. Comp. & Int'l L. 595 (2011) [Tracing].
51. J.Q. Whitman, "The Two Western Cultures of Privacy: Dignity Versus Liberty", 113 Yale L.J. 1151 (2004) [Culturalism].
52. 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].
53. PL, summarizing PL, *Negative Comparative Law: A Strong Programme for Weak Thought* (Cambridge University Press 2022), pp. 423-25 [My Equipment].
54. PL, "Negative Comparative Law and Its Theses", (2021) 16/2 J. Comp. L. 641 [Endgame].