

Reimann, Matthias and Zimmermann, Reinhard (eds). *The Oxford Handbook of Comparative Law*. Oxford, Oxford University Press, 2006. xxi + 1430 pp. £120.00. Casebound. ISBN 0-19-929606-5.

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This book evidences pathologies not unfamiliar to the field of comparative legal studies: a compulsion for lists and an obsession with size. Two thirds of the text offer a chronophobic version of the *International Encyclopedia of Comparative Law* around predictable geographical and doctrinal lines. But what heuristic value hagiographical surveys ('the brilliant French tradition in comparative law', 67) or partisan ones (Germany *ohne* G Frankenberg, B Großfeld, C Joerges and G Teubner)? What use reports devoting fully 32 pages to France (where comparative research is well-nigh inexistent and can still be plagued by virulent ethnocentrism) and 25 per cent *less* to the whole of 'East Asia'? *What point categorical thinking so obsolete?* What benefit a map of the world's laws when 11 of the 15 mappers teach in Germany or the US with over 70 per cent of these US academics operating around the Great Lakes? The other third of the book addresses theory. It suggests an attempt to move out of the comfort zone — despite the French reporter's plaint that interdisciplinarity is 'too demanding' (65). For the senior censor, though, the ultimate goal was to strengthen the power structure within the field. Those who do not think like him could not be recognised as agents of articulation. Salient contributions were thus entrusted to friends and to friends of friends — a chromophobia indulged by the publishers. What was needed was violence of thought. What is proposed is hegemonic, apartheid-like violence that is unable to engender *thought*. Variations on the theme of discipleship include a defence of functionalism, or of comparative studies at the level of the lowest common denominator, and a 37-page chapter on comparisons as studies in similarities or differences which, astonishingly, excludes meaningful treatment of philosophical, anthropological, sociological and linguistic texts. The fact that the reference to J Derrida in the essay on language (690) reveals such a thorough misapprehension of the philosopher's principal claim — Derrida famously argued that difference is 'irreducible' (*Limited Inc.*, Paris, 1990 at 253), *not* that it depends on similarity — also points to the limits of the learning on display. Yet, the section on theory features three, perhaps four, examples of redemptive work. Throughout the book, the reader is asked to indulge casual editing. Why are the chapters on the Middle East and Africa located under 'theory' rather than 'geography'? Why is the contribution on sources and methods under 'subject areas'? How does an expedient fiction on the so-called 'Europeanisation of private law' fit within the book at all? And then there is the omission of one John W Cairns's date of birth. This almanac-like project was profoundly inspired by a totalising methodology which, through the obstinate silencing it practised, asserted itself in totalitarian fashion. Because the text is located well on this side of any beyond, it lacks shock value. The comparative legal studies striving to exceed itself, to achieve a *Verfremdungseffekt*, is largely to be found *elsewhere*. Meanwhile, the editors claim that the main 'shortcomin[g]' of their enterprise is that it is 'not truly comprehensive' (vii).

* Of the Editorial Board.