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PUBLICATIONS

Books:

- * *Foundations of Institutional Reality*, Oxford University Press (2023)
- * *The Language of Law*, Oxford University Press (2014)
- * *editor, The Routledge Companion to Philosophy of Law*, Routledge Philosophy Companions, (2012) (Paperback ed. 2014)
- * *editor, with S. Soames, Philosophical Foundations of Language in the Law*, Oxford University Press (2011) (Paperback ed. 2013)
- * *Philosophy of Law*, The Princeton Foundations of Contemporary Philosophy Series, Princeton University Press (2011) (Paperback ed. 2014)
- * *Social Conventions: from language to law*, Princeton Monographs in Philosophy Series, Princeton University Press (2009). (Paperback ed. 2014)
- * *Law in the Age of Pluralism*, Oxford University Press (2007).
- * *Interpretation and Legal Theory: revised second edition*, Hart Publishing (2005).
- * *Positive Law & Objective Values*, Oxford University Press, (2001).
- * *editor, Law and Interpretation: Essays in Legal Philosophy*, Oxford University Press, (1995) (paperback ed. 1997).
- * *Interpretation and Legal Theory*, Oxford University Press, *The Clarendon Law Series*, (1992) (paperback ed. 1994). [out of print]

Translations (books):

- * *The Language of Law*

Korean edition: ManuIMPlus Inc. forthcoming.

- * *Philosophy of Law*,

Japanese Edition: Keiso Shobo Press, forthcoming

Chinese edition: Peking University Press (2014)

Farsi edition (unauthorized): Saeed Abedi and Majid Nekooi (translators), Tehran: Negah-e Moaser.

* *Social Conventions: from language to law*

Chinese edition: CUPL Press, China (2014)

Portuguese edition: forthcoming by Editoria Saraiva, Brazil (under contract)

* *Teoria Analytica del Derecho E Interpretacion Constitucional* (eds. S. Ortega & J. Fabra), ARA Editores, Peru (2011) (Collection of essays translated by the eds.)

* *Interpretation and Legal Theory, revised second ed,*

Chinese edition: (Cheng Zhao-Yang trans.), CUPL press, China (2012)

Farsi edition (unauthorized): Mohammad Hossein Jafari and Mahsa Sha'bani (translators) Tehran: Majd Publication.

* *Law & Interpretation: essays in legal philosophy*

Portuguese Edition: (L.C. Borges trans.) Martins Fontes, (2000), Sao Paulo.

Chinese Edition: Law Press, Beijing, China (2006).

* *Interpretation and Legal Theory (1st ed)*, Spanish Edition: (M. M. Hurtado trans.), *Interpretacion y Teoria del Derecho* Gedisa (2001), Barcelona.

Articles & Book Chapters:

* 'Grounding Art' - Work in Progress paper

* 'Authority, Legitimacy & Accountability' - Work in Progress paper

* 'Interpretation in law and elsewhere: Meaning, Object, and Truth', forthcoming in *Vienna Lectures on Legal Philosophy, Vol 3 Legal Reasoning*, (Bezemek, Potacs and Somek eds. Hart Publishing).

- * 'Presumptive Reasons and Stare Decisis', forthcoming in Endicott T., *et al* eds, *Philosophical Foundations of Precedent*, Oxford University Press.
- * 'Privacy in Social Media', *The Oxford Handbook of Digital Ethics*, C. Veliz ed., (Oxford University Press). (Online publication date Nov 2021)
- * 'Integrity in Law's Empire', lecture for the NYU conference on Dworkin's Later Work (9/2019) posted on SSRN & *Academia.edu*.
- * 'Constitutionalism, Liberalism & Democracy', in *Constitutionalism: Old Dilemmas, New Insights*, A. Linares-Cantillo ed., Oxford University Press, (2021), 35.
- * 'What Is Law and What Counts as Law: The Separation Thesis in Context' in *The Cambridge Companion to Legal Positivism*, T. Spaak and P. Mindus eds, Cambridge University Press, (2021) 465.
- * 'Soft Law, Authoritative Advice & Nonbinding Agreements', *39 Oxford Journal of Legal Studies* (2019), 507.
- * 'What's Left of General Jurisprudence? On Law's Ontology and Content', *10 Jurisprudence*, (2019), 151.
- * 'Law as Authoritative Fiction', *37 Law & Philosophy*, (2018), 473
Reprinted (edited version) in *Fictional Discourse and the Law*, Hans J. Lind ed., (Routledge, 2020), 252.
- * 'Two Rights of Free Speech', *31 Ratio Juris* (2018), 139.
- * 'Law, Fiction, and Reality', in *Law as Artifact*, Burazin, Himma, & Roversi, eds., (Oxford University Press, 2018), 44.
- * 'Norms, Reasons and the Law', in *Unpacking Normativity*, K. Himma *et al* eds, (Hart Publishing, 2018), 95.
- * 'Pragmatic Vagueness in Statutory Law', in *Vagueness and Law*, Keil & Poscher eds., (OUP, 2016), 161.
- * 'The Authority of International Courts', *International Court Authority* (, K. Adler *et al* eds.), (Oxford, 2018), 374.
- * 'Defeasibility and Pragmatic Indeterminacy in Law', in *Pragmatics and the Law, Philosophical Perspectives* (Capone & Poggi eds.) (Springer, 2016), 15.
- * 'Randomized Judicial Review', in *Democratizing Constitutional Law: Perspectives on the Future of Constitutionalism* (T. Bustamante & B. Goncalves eds.) (Springer, 2016), 13.

- * 'Conventions, Reasons and the Law', (in Spanish translation), L.R. Ludena & J.M. Vilajosana (eds), *Convencionalismo y Derecho* (Marcial Pons, 2016), 67.
- * 'What is the Right to Privacy', *43 Philosophy and Public Affairs* (2015), 3.
- * 'Philosophy of Law: A Reply to Critics', *Jerusalem Review of Legal Studies*, (OUP, July, 2014).
- * 'Meaning and Belief in Constitutional Interpretation', *82 Fordham Law Rev*, (2013), 577. (Symposium issue on New Originalism in Constitutional Interpretation.)
- * 'Farewell to Conceptual Analysis (in Jurisprudence)', *The Nature of Law: Contemporary Perspectives*, (Waluchow & Sciaraffa eds.), Oxford University Press (2013), 209.
- * 'Truth in Law', in *Law and Language, Current Legal Issues Vol 15*, (M. Freeman & F Smith eds.) (Oxford University Press), (2013), 45.
- * 'Conventions Revisited: A Reply to Critics', *2(2)Jurisprudence*, (2011), 493.
- * 'An Institutional Conception of Authority', *39(3) Philosophy & Public Affairs*, (2011), 274.
- * 'The Dilemma of Authority', *2 (1) Jurisprudence*, (2011), 121.

Reprinted in *44 Anales de la Catedra Francisco Suarez* (Granada, Spain) (M. Salguero trans.) (2010),149.
- * 'Can The Law Imply More than it Says? On Some Pragmatic Aspects of Strategic Speech', in Marmor & Soames (eds.), *The Philosophical Foundations of Language in Law*, (Oxford 2011), 83.

Reprinted in *La Judicatura* (Sonora, Mexico) (L. Navarette trans).
- (* 'The Conventional Foundations of Law', reprinted from *Social Conventions* chapter 7, in Berteau & Pavlakos (eds) *Law, Normativity and Conventions* (Hart Publishing UK), 143.)
- * 'The Pragmatics of Legal Language', *21 Ratio Juris* (2008), 423.
- * 'The Ideal of the Rule of Law', *Blackwell Companion to Philosophy of Law and Legal Theory* (D. Patterson ed., 2nd ed.) (2010), 666.
- * 'What Does the Law Say? Semantics and Pragmatics in Statutory Language', in "Interpretation and Legal Theory: A Debate" (D. Canale and G. Tuzet eds.), *Analisi e*

diritto 2007, 127.

- * 'Is Literal Meaning Conventional?', 27 *Topoi* (2008), 101.
- * 'Deep Conventions', 74 *Philosophy & Phenomenological Research* (2007), 586-610.
- * 'How Law is Like Chess', 12 *Legal Theory*, (2006), 347-371
- * 'The Case Against Moral Luck', with David Enoch, 26 *Law & Philosophy*, (2007), 405-43.
- * 'Are Constitutions Legitimate?', 20 *The Canadian Journal of Law and Jurisprudence*, (2007), 69-94.

Reprinted in *Pensar Vol 16*, (Brazil), (J.G. Giacomuzzi trans), (2011), 83.

- * 'Legal Positivism: Still Descriptive and Morally Neutral', 26 *Oxford Journal of Legal Studies*, (2006), 683-704.
- * 'The Immorality of Textualism', in *Theories of Statutory Interpretation*, Symposium Issue, 38 *Loyola L Rev*, (2005), 2063.
- * 'Should We Value Legislative Integrity?', in R Bauman & T Kahana (eds.), *The Least Examined Branch, The Role of Legislatures in the Constitutional State*, Cambridge University Press, (2006), pp. 125-138.
- * 'Authority, Equality, and Democracy', 18 *Ratio Juris* (2005), 315-345.
- * 'Should Like Cases Be Treated Alike?', 11 *Legal Theory* (2005), 37-48.
- * 'On The Right to Private Property and Entitlement to One's Income', 18 *The Canadian Journal of Law and Jurisprudence*, (Symposium issue, E. McCaffery ed.) (2005), 69.
- * 'The Rule of Law and its Limits', 23 *Law & Philosophy*, (2004), 1.
- * 'Entitlement to Land and The Right of Return: An Embarrassing Challenge for Liberal Zionism.', in Meyer, L., (ed), *Justice in Time: Responding to Historical Injustice*, Nomos (2004).
- * 'The Intrinsic Value of Economic Equality', in Meyer, Pogge, & Paulson, eds., *Rights, Culture and the Law: Essays after Joseph Raz*, Oxford University Press (2003), 127-141.
- * 'Exclusive Legal Positivism', Coleman & Shapiro eds., *The Oxford Handbook on Jurisprudence and Philosophy of Law*, Oxford University Press (2002), pp. 104-124.
- * 'Do We Have A Right To Common Goods?', XIV *The Canadian Journal of Law and*

Jurisprudence, (2001), 213-225.

* 'Equality and Minority Cultures', *Democratic Culture*, Vol. III, (2000).

* 'The Separation Thesis and The Limits of Interpretation', *The Canadian Journal of Law and Jurisprudence*, Vol. XII, (1999), pp. 135-150.

* 'Legal Conventionalism', *Legal Theory*, Vol. 4, (1998), 509-531.

Reprinted in J. Coleman (ed.), *Hart's Postscript: Essays to the Postscript to the Concept of Law*, (Oxford 2001), 193.

* 'An Essay on The Objectivity of Law', in B. Bix (ed.), *Analyzing Law: New Essays in Legal Theory*, Oxford University Press (1998), pp. 3-31.

* 'On The Limits Of Rights', *Law and Philosophy*, Vol. 16 (1997), pp. 1-18.

* 'On Convention', *Synthese*, Vol. 107, (1996), pp. 349-371.

* 'Authorities and Persons', *Legal Theory*, Vol. 1, (1995), pp. 337-459.

* 'Three Concepts of Objectivity', Marmor (ed.), *Law and Interpretation: Essays in Legal Philosophy*, Oxford University Press, (1995), pp. 177-201.

* 'Coherence, Holism, and Interpretation: The Epistemic Foundations of Dworkin's Legal Theory', *Law and Philosophy*, (1991), pp. 383-412.

* 'No Easy Cases?' Vol. III, *The Canadian Journal of Law and Jurisprudence*, (1990), pp. 61-79.

Reprinted in: D. Patterson (ed.), *Wittgenstein and Legal Theory*, Westview Press (1992), p. 189.

* 'Right-Based Justification of Punishment', *22 Israel Law Review*, (1987), pp. 97-106.

STANFORD ENCYCLOPEDIA OF PHILOSOPHY ENTRIES:

* 'Pure Theory of Law' (Revised 2015)

* 'The Nature of Law' (revised and expanded with A. Sarch, 2015)

Articles in Hebrew:

- * 'Judicial Review in Israel', *Mishpat Umimshal – Law and Government in Israel*, vol. 4, (1997), pp. 133-160.
- * 'On Legislative Authority and Unintentional Legislation: A Reply to Professor Waldron', *Tel Aviv University Law Rev.*, vol. 21, (1997), pp. 63-80.
- * 'On The Limits of Democracy: Israeli Politics in the aftermath of Rabin's Assassination', *The Yearbook on Israeli Law 1996-1997*, (Rozen-Zvi ed.), pp. 1-29.
- * 'Postscript to The Concept of Law', *Mishpatim: The Hebrew University Law Review*, vol. 27, (1996), pp. 91-117.
- * 'The Frozen Embryos of the Nachmani Couple: A Reply to Chaim Gans', *Tel Aviv University Law Rev.*, vol. 19 (1995), pp. 433-451.
- * 'Legislative Intent and the Authority of Law', *Tel Aviv University Law Rev.*, vol. 16 (1991), pp. 593-614.