

JAN M. SMITS

Personal details

Year of Birth: 1967

Nationality: Netherlands

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Academic appointments

Maastricht University, Faculty of Law

- Full professor of European Private Law, 1999-2007; from 2010
- Founding Director, Maastricht European Private Law Institute, from 2010

University of Helsinki, Faculty of Law

- Research professor of Comparative Legal Studies, 2008-2013

Tilburg University, Faculty of Law

- Top Professor of European Private Law and Comparative Law, 2008-2010
- Director of Tilburg Institute of Comparative and Transnational Law, 2008-2010

Maastricht University, Faculty of Law

- Associate professor of private law, 1996-1999

Tilburg University, Faculty of Law

- Assistant professor of private law and commercial law, 1995-1996

University of Stellenbosch, Faculty of Law

- Lecturer, 1995

Leiden University, Faculty of Law

- PhD-researcher, 1991-1995

Non-academic employment

Amsterdam Court of Appeal

- Deputy judge, from 2004

Dutch Association of Company Lawyers (NGB)

- Lecturer Contract Law I, 1996-2007

Visiting professorships and appointments

University of Ghent

- TPR Visiting Chair, 2013-2014

The Hague Institute on the Internationalisation of Law

- UM-HiiL Chair on the Internationalisation of Law, 2010-2012

Pennsylvania State University / Dickinson School of Law

- Visiting professor, fall semester 2008

University of Helsinki

- Guest-lecturer PhD course on recent topics in comparative law, January-March 2007

Louisiana State University, Paul M. Hebert Law Center

- Visiting professor (Distinguished global visitors program), spring semester 2006

University of Leuven

- Visiting professor, 2001-2002

Université de Liège, Faculté de Droit

- Chargé de cours visiteur, 1998-2004

Université de Bénin, Faculté de Droit

- Professeur visiteur, 2000

Tulane University School of Law

- Visiting scholar, December 1999

Education

Krauthammer International

- Course Academic leadership, 2005

Leiden University

- Doctorate, 1995

Leiden University

- Doctoral degree in Law (Bachelor/Master), 1991

Université de Poitiers, Faculté de Droit et des Sciences Sociales

- Courses in *Droit privé compare, Droit communautaire public* and *Relations internationales* 1990

Leiden University

- Propaedeutic exam in law, 1987

Languages

- Dutch: fluent
- English: fluent
- French: very good
- German: very good

Awards and honours

- *Royal Netherlands Academy of Arts and Sciences (KNAW)*: elected member, 2010
- *International Academy of Commercial and Consumer Law*: elected member, 2010
- *International Academy of Comparative Law/Académie Internationale de Droit Comparé*: elected associate member 2009, elected titular member 2014
- *Tilburg University*: appointment to chair as 'top professor', Tilburg University's most distinguished faculty position, 2008
- *Social Science Research Network*: ranked in top 100 of top law authors worldwide, from 2007 (ranking 5th of Europe-based authors across all fields of law).
- *Maastricht University*: elected 'best researcher' of Maastricht University's Faculty of Law by university newspaper *Observant* (poll among colleagues), 2007
- *Maastricht University*: honorary promotor Prof. dr Reinhard Zimmermann, 13 January 2006
- Reporter ('preadviseur') *International Academy of Comparative Law* (15th Congress, Bristol 1998; 18th Congress Washington D.C. 2010); *4th European Jurists' Forum* (Vienna 3-5 May 2007); *Nederlandse Juristenvereniging (NJV)* 2006; *Nederlandse Vereniging voor Rechtsvergelijking* 2003; *Nederlandse Vereniging voor Wijsbegeerte des Rechts* 1998
- First of class (high school graduation with highest grades), ongedeeld VWO, *Rembrandt Scholengemeenschap* Leiden, 1986

- Honorary member *Romanian Association of Law and European Affairs (ARDAE)*, from 2014; Member advisory board *Center of Civil Law Studies*, Louisiana State University, from 2010; Member external committee *CEJEM research institute*, University of Lleida, from 2010; Fellow *South African Research Chair in Property Law*, from 2009; Member international advisory board *Alan Watson Foundation*, from 2008

Research grants

- European Parliament, Committee on Legal and Parliamentary Affairs, briefing note *The New Proposal for harmonised rules for the online sales of tangible goods: conformity, lack of conformity and remedies*, 2016, € 2500
- (with F. Leeuw and others), *Maastricht University Board*, Joint Minor Human & Legal Decisionmaking (Neuroscience), 2014, € 20.000
- *PostNL*, grant to colour-print the illustrations in an article published in *ProMemorie*, 2014, € 1000
- *Royal Netherlands Academy of Arts and Sciences (KNAW)*: organisation conference *Law as a Natural Science*, 2014, € 7000
- *Universiteitsfonds Limburg (SWOL)*: organisation conference *The Citizen in European Private Law*, 2013, € 2000
- *China Scholarship Council*: PhD-researcher, 2013-2016, € 48.000
- *Royal Netherlands Academy of Arts and Sciences (KNAW)*: organisation seminars on *Who Does What?*, 2013-2014, € 10.000
- *China Scholarship Council*: one PhD-researcher, 2012-2015, € 48.000
- *Hague Institute for the Internationalisation of Law*: one PhD-researcher, 2011-2014, € 120.000
- *China European School of Law*: project *Contract Law in China and Europe*, 2011-2013, € 17.000
- *Royal Netherlands Academy of Arts and Sciences (KNAW)*: organisation conference *Does Law Matter?*, 2011, € 15.000
- *Hague Institute for the Internationalisation of Law*: two PhD-researchers, 2011-2015, € 240.000

- *Hague Institute for the Internationalisation of Law*: HiiL Chair, 2010-2012, € 350.000
- *University of Helsinki*: The Architecture of Regulatory Competition, 2010-2013, € 148.000
- *NUFFIC*: PhD position Mr. Bekim Nuhija, 2008-2012, € 78.000
- *Trans Europe Experts (TEE)*, Survey on the Implementation of Optional Instruments in Europe, 2011, Dutch reporter
- *European Commission FP 6*: CoPECL Joint Network of Excellence on European Private Law (member of Economic Impact Group and member of Trento Common Core evaluating group), 2007-2010
- *Hague Institute for the Internationalisation of Law*: National resistance against the Europeanisation of private law (with M.W. Hesselink), 2006, € 260.000
- *Netherlands Organisation for Scientific Research (NWO)*: project on the place of legal science among other disciplines, 2006, € 25.000
- *Netherlands Organisation for Scientific Research (NWO)*: project 'Empirical perspectives on the need for a European private law', 2003, € 10.000
- *Maastricht University executive board*: grant 'breedtestrategie' research programme European private law, fl. 150.000
- *Netherlands Organisation for Scientific Research (NWO)*: translation into English of *Europees privaatrecht in wording*, 2000, fl. 45.500
- *Netherlands Organisation for Scientific Research (NWO)*: visitor grant *Juristisches Seminar* of the Universität Göttingen, 1994, fl. 1500
- *Law reform consultancies*: MATRA/Polish Ministry of Justice on Contract law and personality rights, Warsaw, November 2005; Ministry of Justice Czech Republic on New civil legislation, Prague, 22-23 June 2000; Revision Title XII New Civil Code of Eritrea (Extinction of obligations, suretyship, third party rights), December 1997; UNDP-project Strengthening the Judicial and Legal System in Moldova, 1997-1999

Academic leadership and management

Maastricht University

- Head of the Department of Private Law, from 2014
- Maastricht European Private Law Institute (MEPLI): founder and academic director, from 2010
- Chair (2000-2005) and member (from 2010) of the Faculty of Law Scientific Committee
- Member of the permanent committee for the appointment of senior staff, Faculty of Law, 2010-2014; member permanent committee for the appointment of full professors, 2006-2008
- Member Edmond Hustinx-prijs voor de wetenschap, 2012
- Vice-Dean Research, Faculty of Law, 2005-2007
- Founding director Honours Programme in Law, 2004-2007
- Member Jury SNS Bank Limburg-prize for best dissertation defended at UM
- Founding Director Master in Ius Commune and Human Rights Research, 2004-2006
- Coordinator UNDP-project Strengthening the Judicial and Legal System in Moldova (with the Center for International Legal Cooperation), 1997-1999
- Member of various Faculty and University committees, from 1997

University of Helsinki

- Research director Center of Excellence in the Foundations of European Law and Polity, Market research group, 2008-2013

Royal Netherlands Academy of Arts and Sciences (KNAW)

- Chair of the jury De La Court-prijs (2016)
- Chair of the jury Fonds Staatsman Thorbecke (2015-2017)
- Member of the Domeinjury Gedrags-, Maatschappij- en Rechtswetenschappen (GMRW) (2014-2017)
- Member of the advisory committee to select new members, law section (2011-2014)
- Member of the jury for the Merian Prize (2013), Akademiepenning (2014)

Netherlands Organisation for Scientific Research (NWO)

- Member NWO-VENI Innovational research grant committee 2014
- Member NWO-VICI Innovational research grant committee 2011
- Member NWO-VENI Innovational research grant committee 2009, ad hoc member 2008
- Member NWO-VIDI Innovational research grant committee 2004 and 2005
- Member *NWO Referentencollege*, 2004-2006

Foreign research funding agencies

- Academy of Finland, member review panel Law, 2013
- Fonds zur Förderung der wissenschaftlichen Forschung (FWF-Austrian Science Fund), member review panel infrastructure Social sciences and humanities, 2008
- Regular reviewer for South African National Research Foundation (NRF), Fonds voor Wetenschappelijk Onderzoek Vlaanderen (FWO); Czech Research Foundation; NIAS; TWAS; KNAW; Fulbright Center; various universities

Nederlands-Vlaamse Accreditatieorganisatie (NVAO)

- Voorzitter panel Toets nieuwe opleiding Vlaanderen, mei 2014

Universiteit van Antwerpen

- Voorzitter onderzoeksevaluatie Faculteit der rechten, mei 2015

Tilburg University, Faculty of Law

- Founding director Tilburg Institute of Comparative and Transnational Law (TICOM), 2008-2010
- Member Research Assessment Committee ('JOB'), 2009-2010
- Member Research group on the Methodology of law and legal science, 2008-2010

Ius Commune Research School

- Coordinating programme director research programmes 'Foundations of Private Law' and 'Contract Law', 1999-2008; programme director Maastricht group, from 2012
- Chair of the jury for the Ius Commune Prize, 2001-2004

United Nations Commission on International Trade Law (UNCITRAL) Digest of Case Law on the United Nations Convention on the International Sale of Goods (CLOUT)

- Dutch national correspondent, from 2007

Association of Universities in the Netherlands (VSNU)

- Chairman Committee Performance-indicators for legal research, 2006-2007

Other

- Member selection committee professor of European private law, Tilburg University (2014)
- Member selection committee professor of private law, Open University (2015)

Research group leadership

- *Initiative*: establishment and leadership of research group on European contract law 1999-2007 as part of Ius Commune Research School; establishment and leadership of research institute TICOM (Tilburg University: 2008-2010) and MEPLI (Maastricht University: from 2010), currently consisting of 24 researchers (of which 11 in my group).
- *Research culture*: strong emphasis on academic debate, atmosphere, creativity and international publishing, sharing successes and disappointments
- *Grants*: all present seven PhD-researchers supervised by me within MEPLI externally funded.
- *Interdisciplinarity*: emphasis on the need to relate law to empirics, economy, psychology and humanities; concern with methodological issues
- *Visibility*: outreach of group through social media (website, blog, Facebook) and activities directed towards professional community and students
- *Assessment*: the quality of the research groups led or co-led by me have consistently received the highest possible score (5/5) in Dutch and international research assessments: Ius Commune peer review 2008-2012 ('Commissie Wissink'); Ius Commune peer review 2005-2007, confirmed by VSNU assessment 2006-2008 ('Commissie Koers'); Ius Commune midterm review 2003-2004; VSNU assessment 1995-2000 ('Commissie Ten Kate', shared first position out of 120 programmes in the Netherlands)

Editorial boards and involvement in journals and book series

- Korrespondierender Herausgeber *Zeitschrift für Europäisches Privatrecht (ZEuP)*, from 2014
- Co-chair (from 2006) and member (from 2000) editorial board *Maastricht Journal of European and Comparative Law*
- Chair editorial board *Ius Commune Europaeum book series*, from 2005
- Guest editor of special issues of *European Business Law Review* 2013 (with Gary Low), *European Journal of Law and Economics* 2012, *Maastricht Journal of European and Comparative Law* 2013 (with Elise Muir) and 2012 (with Gary Low)
- Member Scientific Council *Comparative Law Review* (Nicolaus Copernicus University, Torun), from 2013
- Member advisory board *LitNet Akademies* (Regte), from 2012
- Member editorial board *Acta Juridica Hungarica*, from 2012
- Member advisory board *Recht en Methode in onderzoek en onderwijs*, from 2011
- Co-editor *Biblioteca Estudios de Derecho Civil* (Editorial Motivensa, Lima), from 2010
- Lid adviesraad *Tijdschrift voor Privaatrecht*, from 2009
- Member advisory board *SSRN Journal European Private Law*, from 2009
- Co-editor *Electronic Journal of Comparative Law* (2009-2013)
- Honorary editor *Chonnam National University Law Review*, from 2008
- Member editorial board *Journal of Civil Law Studies*, from 2008
- Member editorial board *Studies in the History of Private Law*, from 2007
- Member advisory board *Netherlands Journal of Legal Philosophy and Legal Theory*, from 2005
- Member editorial board *Studies in European Private Law book series*, from 2006
- Founding member editorial board *Maastricht Working Papers in Law* (2004-2008), TICOM working papers (2008-2010), MEPLI Working papers (2011-)
- Member management committee *Ius Commune Casebooks for the Common Law of Europe*, from 2001
- Co-editor *Ius Commune Lectures on European Private Law*, from 2000
- Collaborator *Vermogensrechtelijke Analyses* (2004-2006)

- Collaborator *Nederlands Tijdschrift voor Burgerlijk Recht*, 1998-2013
- Collaborator *Weekblad voor Privaatrecht, Notariaat en Registratie*, 2000-2015
- Co-editor *Ars Aequi* book series, Private law, 1999-2007
- Co-editor *BW-Krant Jaarboek* 1992-1995
- Co-editor *Ius Civile*, 1993-1997
- Regular reviewer for various journals (*Common Market Law Review*, *European Journal of Law and Economics*, *ICLQ*, *Review of Law and Economics*, *Review of Central and East European Law*, *Opinio Iuris in Comparatione*, *China-EU Law Journal*, etc.) and publishers (Edward Elgar, OUP, Intersentia, Ashgate, etc.)

Convening of conferences

- Co-organisatie KNAW-bijeenkomst Nederland uit de EU: wat kost ons dat?, 9 maart 2017
- Co-organisation Annual Maastricht Private Law Lecture by Prof. Reinhard Zimmermann, 27 January 2017
- Organisation MEPLI Roundtable *What is Private Law For? On Choice, Empowerment and Protection*, Maastricht 16 December 2016
- Organisation workshop *Ius Commune at 20: the State of European Integration*, 20th Ius Commune conference, Leuven 25-26 November 2015
- Co-organisation MEPLI-HiiL conference *Consumers without Borders*, Maastricht 25 September 2015
- Organisatie workshop *Kwaliteit van juridisch onderzoek*, Eerste juridisch jaarcongres onderzoek, Universiteit van Tilburg 29 januari 2015
- Organisation MEPLI Roundtable *200 Years Savigny and Thibaut: the Codification Debate Revisited*, Maastricht 10 October 2014
- Co-organisation seminar *Setting the contract aside: comparative perspectives*, Shanghai 22 August 2014
- Organisatie KNAW-Minisympodium *Wie doet wat in de EU?*, Amsterdam 30 januari 2014
- Co-organisation Workshop *Empirical perspectives on the law of contracts*, 18th Ius Commune conference, Maastricht 28-29 November 2013
- Co-organisation conference *The Citizen in European Private Law*, Maastricht 18 October 2013
- Organisation conference *Who Does What? On the Optimal Allocation of Competences for the European Union*, KNAW, Bonnefantenmuseum Maastricht 19 April 2013
- Co-organisation HiiL-Chair/Marble seminar *Ameliorating law: a legal outlook in the globalized era*, The Hague 25 May 2012
- Co-organisation Conference *Contract Law in China and Europe*, Tsinghua University Beijing, 16-17 February 2012
- Co-organisation MEPLI Roundtable on *A Common European Sales Law*, Brussels 9 December 2011
- Co-organisation Conference *Does Law Matter? On Law and Economic Growth*, KNAW Amsterdam, 21 October 2011
- Co-organisation Seminars at the *Center of Excellence on the Foundations of European Law and Policy*, University of Helsinki, 2008-present
- Co-organisation 'TICOM Talks' (2008-2010) and 'MEPLI Talks', from 2010
- Co-organisation HiiL-Chair/Marble seminar *A Legal Revolution? Finding Solutions for a Global World*, Maastricht 20 May 2011
- Co-organisation Roundtable *Systematisation in European Private Law*, Tilburg University, 12 May 2010
- Co-organisation conference *Harmonisation and Diversity in European Contract Law: Perspectives*

from Law, Economics and Psychology, Tilburg University 5 March 2010

- Co-organisation Roundtable *European Private Law and its Ingredients: Does the Draft Common Frame of Reference represent Private Law in the Right Way?*, Tilburg University 4 November 2009
- Co-organisation *Summer School on Foundations of European Law*, University of Helsinki 25-27 August 2009
- Co-organisation conference *European Integration and Law*, Maastricht 8 June 2006
- Organisation workshop on Foundations and Contract Law, *Xth Ius Commune conference*, Edinburgh 1-2 December 2005
- Co-organisation workshop Contract Law, *IXth Ius Commune conference*, Leuven 26 November 2004
- Organisation conference *Empirical Perspectives on European Private Law*, Maastricht 4 June 2004 (also see N. Kornet, ZEuP 2005, pp. 677-679)
- Co-organisation workshop Contract Law, *VIIIth Ius Commune conference*, Maastricht 28 November 2003
- Organisation Workshop Foundations, *VIIth Ius Commune conference*, Amsterdam, 28-29 November 2002
- Co-organisation *5th Benelux-Scandinavian Symposium on Legal Theory*, devoted to European Legal Integration and Analytical Theory, Maastricht 28-29 October 2002
- Co-organisation conference *Ius Commune: Suid-Afrikaanse en Europese Perspectiewe*, University of Stellenbosch 13-15 February 2002
- Organisation seminar on the *Directive on sale of consumer goods*, Maastricht 2 November 2001
- Co-organisation celebratory conference *Towards a European Ius Commune in Legal Education and Research*, Maastricht 25-26 October 2001 (also see review in *Frankfurter Allgemeine*, 14 November 2001, p. 50)
- Organisation *Summer course on European Private Law*, GAIUS programme, Maastricht 9-13 July 2001
- Director Ius Commune PhD training programme *Methods Towards a European Private Law*, Maastricht 4 July 2001
- Co-organisation workshop Contract Law, *Vth Ius Commune Conference*, University of Leuven, 23 November 2000
- Organisation Conference *The Contribution of Mixed Legal Systems to European Private Law*, Maastricht, 18 May 2000
- Co-organisation Workshop Contract Law, *IVth Ius Commune conference*, November 1999
- Co-organisation Seminar *Systematisation and (European) Private Law*, Maastricht 22 October 1999
- Co-organisation Conference *Trusts in Mixed Legal Systems*, Utrecht 18 June 1999

Supervision of Doctoral Theses

- Mark Kawakami (Maastricht University, May 2017)
- Julieta Marota (Maastricht University, 23 February 2017)
- Catalina Goanta (Maastricht University, 4 October 2016)
- Hester van der Kaaij (Maastricht University, 25 May 2016)
- William Bull (Maastricht University, 12 May 2016)
- Orsolya Tokaji-Nagy (Maastricht University, 20 January 2016)
- Esther van Schagen (Tilburg University, 14 October 2013)
- Bekim Nuhija (Maastricht University, 11 June 2013)
- Gary Low (Maastricht University, 2 December 2011)

- Geerte Hesen (Maastricht University, 15 May 2009)
- Robert Hardy (Maastricht University, 16 April 2009)
- Nicole Kornet (Maastricht University, 28 September 2006)

- **Membership of assessment- and PhD-committees**

Andrej Matic (May 2017), Peter Chan (Maastricht, 10 June 2016), Antonia Waltermann (Maastricht, 28 April 2016), Samantha Renssen (Maastricht, 18 November 2015), Agustín Parise (Maastricht, 10 November 2015), Wenqing Liao (Maastricht, 23 September 2015), Zihan Niu (Tilburg, 4 September 2015), Lotte Meurkens (Maastricht, 19 December 2014), Olga Beinarovica (University of Latvia, Riga 7 November 2014), Su-Anne van der Merwe (Stellenbosch, 22 October 2014), Emanuel van Dongen (Maastricht 18 June 2013), Eveline Ramaekers (Maastricht 4 April 2013), Aurélien Vandeburie (FUNDP Namur 18 February 2013), Guido Comparato (Amsterdam 23 October 2012), Flavie Vermander (Leuven 13 July 2011), Jan Willem Oosterhuis (VU Amsterdam 6 April 2011), Junwei Fu (Tilburg 20 December 2010), Bart de Vos (Leiden 14 October 2010), Aimate Jorge (University of Cape Town, 1 November 2009), Menno van der Veen (Delft, 20 May 2009), Nathalie van Leuven (Kortrijk, 2 December 2008), Bastiaan van Zelst (Amsterdam, 20 June 2008), Martine Dierickx (Tilburg, 23 May 2008), Andri Wibisana (Maastricht, 25 April 2008), Chantal Mak (Amsterdam, 26 September 2007), Olha Cherednychenko (Utrecht, 18 April 2007), Laura Onofri (Maastricht, 21 June 2006), Rogier van Bijnen (Tilburg, 24 June 2005), Martha Meinema (Maastricht, 14 November 2003), Esther Engelhard (Maastricht, 3 October 2003), Martien van Dam (Maastricht, 14 December 2001), Lars van Vliet (Maastricht, 14 January 2000), Michael Milo (Maastricht, 16 May 1997)

Courses taught

- *Maastricht University*
 - Comparative Contract Law (1st year Bachelor), from 2013
 - European Integration (Master), from 2012
 - Foundations of Ius Commune (PhD class), from 2002
 - Neurosciences and Law (Minor Human and Legal Decision-Making), (co-taught with Dr David Roef and Prof. Jaap Hage), from 2015
 - Law and Popular Culture (3rd year), 2015
 - Neurolaw (3rd year), 2013
 - Law and Hip Hop Music (3rd year), 2012
 - The Law of the Future: The Law Market (3rd year), 2012
 - The Law of the Future: National Law and Global Society (3rd year), 2011
 - European Contract Law (3rd year), 2000-2007, 2011
 - Honours Programme in Law (2nd year), 2005-2007
 - Dutch Private Law (2nd year), 1996-2000
 - Dutch Law of Obligations (4th year), 1996-1999
 - Law for Economists (2nd year), 1996-1999
 - Dutch Tort Law (1st year), 1997-1999
 - Dutch Contract Law (1st year), 1996-1998
- *Tilburg University*
 - A Common Law of Europe (Liberal Arts programme, 3rd year), 2010
 - The Common Law of Europe (MPhil research master), (co-taught with Monica Claes), 2009, 2010
 - European Private Law (bachelor Law, 2nd year), 2008-2010

- Methodology of Legal Research (MPhil research master), 2008
- European Business Law (4th year), 1996
- Dutch Property Law (1st year), 1996
- *Leiden University*
 - Practicum Private Law (3rd year), 1994, 1995
 - Privatissimum 'The reliance principle' (4th year), 1992
 - Privatissimum 'Open-ended norms and legal development' (4th year), 1994
 - Foundations of Private Law (4th year), 1993
 - Private Law (2nd year), 1992
 - Introduction to Private Law (1st year), 1991-1994
- *As visiting professor*
 - University of Helsinki: European Private Law (co-taught with Ulla Liukkunen), spring semester 2011 and 2012
 - FHR School of Law, Paramaribo: Post Graduate Program in International and Comparative Law: Civil Law, Common Law and Legal Harmonisation, July 2011
 - Dickinson School of Law, Pennsylvania State University: European Union Law (co-taught with Louis Del Duca), fall semester 2008
 - Faculty of Law, University of Helsinki, PhD class: Debated Topics in Comparative Law, spring semester 2007
 - Paul M. Hebert Law Center, Louisiana State University, Baton Rouge: European Integration and Private Law, spring semester 2006
 - Faculty of Law, University of Leuven: Comparative Law of Contracts and Torts, spring semester 2002
 - Faculté de Droit, Université de Liège: Introduction to Dutch law, 1998-2004
 - Faculté de Droit de l'Université de Bénin, Lomé (Togo): Droit de la responsabilité civile pour dommages causés à l'environnement, October 2000
 - Faculty of Law, University of Stellenbosch: Comparative Contract Law, 1995

List of publications

A. Books

1. Peer reviewed monographs and edited volumes

30. **Advanced Introduction to Private Law**, Cheltenham [Edward Elgar] 2017, 130 pp.
29. [ed., with Caroline Cauffman], **The Citizen in European Private Law: Norm-setting, Enforcement and Choice**, Cambridge 2016 [Intersentia; Ius Commune series no. 146], 196 pp. [reviewed by E.H. Hondius, NTBR 33 (2016), p. 367]
28. [ed., with Bram Akkermans, Jaap Hage & Nicole Kornet], **Who Does What? On the allocation of regulatory competences in European Private Law**, Cambridge-Antwerp [Intersentia] 2015, 314 pp. [reviewed by E.H. Hondius, NTBR 32 (2015), p. 331-332]
27. **Contract Law: A Comparative Introduction**, Cheltenham 2014 [Edward Elgar], 267 pp. [reviewed by E.H. Hondius, NTBR 32 (2015), p. 135-136; T.F.E. Tjong Tjin Tai, WPNR 7083 (2015), p. 962-966]
26. [ed., with J.M. Milo & J.H.A. Lokin], **Tradition, Codification and Unification**, Cambridge-Antwerp 2014 [Intersentia; Ius Commune series no. 128], 255 pp.
25. **The Mind and Method of the Legal Academic**, Cheltenham 2012 [Edward Elgar], 180 pp.; paperback

- edition 2013 [reviewed by P. Taylor on YouTube, November 2012; M. Majoor, ERPL 2013, pp. 397-404; SEW 61 (2013), pp. 200-201; B. Keele, AALL Spectrum blog 20 March 2013; R. Zandvliet, Leiden Law Blog 22 January 2013; T. Tuominen, MJ 20 (2013), pp. 327-331; S. Hedley, Irish Jurist XLX (2014), pp. 225-227]
[Chinese translation by Wei Leijie published in 2017]
24. [ed., with Pia Letto-Vanamo], **Coherence and Fragmentation in European Private Law**, München 2012 [Sellier], 172 pp. [reviewed by E.H. Hondius, NTBR 2013, pp. 203-204; Journal of Consumer Policy 2013, p. 114]
 23. [ed., with Michael Faure], **Does Law Matter? On Law and Economic Growth**, Cambridge-Antwerp 2011 [Intersentia; Ius Commune series no. 100], 416 pp. [reviewed by E.H. Hondius, NTBR 29 (2012), pp. 65-66; M. Kaduma-Nzugi, RDIC 2013, 255]
 22. **Omstreden rechtswetenschap; over aard, methode en organisatie van de juridische discipline**, Den Haag 2009 [Boom Juridische uitgevers], 236 pp. [reviewed by E.H. Hondius, WPNR 6833 (2010), pp. 167-168, NTBR 27 (2010), pp. 97-98; A. Soeteman, R & R 39 (2010), pp. 86-88; P. van Grinsven, HURidisch 18 (april 2010), p. 12; M. Janco, Justičná Revue 62 (2010), pp. 703-705; Jan Brinkhof, De Europese uitdaging, 2010, p. 30: 'een prachtig en stimulerend boek', E.H. Hondius, NTBR 2010, p. 427: 'alom bejubeld'; J.B.M. Vranken, in: Universalis (liber amicorum Fijnaut), 2011, pp. 287-300]; ; **tweede druk**, Den Haag 2015, 237 pp.
 21. [ed., with Daniel Haas and Geerte Heslen], **Specific Performance in Contract Law: National and Other Perspectives**, Antwerp-Oxford-Portland 2008 [Intersentia; Ius Commune series no. 71], 343 pp. [reviewed by C. Cauffman, TPR 45 (2008), pp. 297-298; G.T. de Jong, Contracteren 2008/03]
 20. [ed.], **Elgar Encyclopedia of Comparative Law**, Cheltenham 2006 [Edward Elgar], 821 pp., paperback edition 2008; **Second edition**, Cheltenham [Edward Elgar] 2012, 1000 pp., paperback edition 2014 [reviewed by E.H. Hondius, NTBR 2006, p. 288; L. Catá Backer, Journal of Comparative Law 1 (2006), pp. 243-250; S. Hannabuss, Reference Reviews 21 (2007), pp. 16-17; J.E. Stephens, Choice Reviews 2007; Tey Tsun Hang, Asian Journal of Comparative Law 2 (2007), Issue 1 Art. 9, pp. 1-3; L. Hickey, American Reference Books Annual 2008, no. 501; Journal of the Commonwealth Lawyers' Association 2008, p. 50; Rivista Trimestrale di Diritto Pubblico 2008, p. 279; S. Ramage, The Criminal Lawyer 200 (January-February 2011), pp. 6-7; Phillip Taylor on YouTube, November 2012; D. Colbert-Lewis, Reference Reviews 27 (2013), pp. 25-26]
 19. **Europese integratie in het vermogensrecht: een pleidooi voor keuzevrijheid**, preadvies NJV 2006, in: Handelingen Nederlandse Juristen-Vereniging, jrg. 136, 2006-1, pp. 57-104 [reviewed by C.E. Drion, NJB 2006, pp. 1203-1206; B.J. Drijber, NJB 2006, pp. 1418-1422; E. Hughes, Criminal Law Forum 17 (2006), pp. 361-365]
 18. [ed., met Sophie Stijns], **Inhoud en werking van de overeenkomst naar Belgisch en Nederlands recht**, Antwerpen-Groningen 2005 [Intersentia; Ius Commune series no. 50], 449 pp. [reviewed by F.W. Grosheide, Contracteren 2005, pp. 77-78; E.H. Hondius, NTBR 2005, pp. 448-449]
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Invited lectures and presentations

2017

- *Bij het scheiden van de markt... Over een privaatrecht zonder de EU*, lezing KNAW-bijeenkomst Nederland uit de EU: wat kost ons dat?, Maastricht 9 maart 2017
- *Nederlands recht in vergelijkend perspectief*, gastcollege Universiteit Leuven 7 maart 2017
- *Laudatio*, Uitreiking De La Court Prijs 2017, OBA Amsterdam 13 februari 2017
- *On Law and Technology*, lecture Innovating Legal Studies and Practice 2017 Winter School, Collegio Ghislieri and University of Pavia, 8 February 2017
- *Introduction*, 1st Maastricht Private Law Lecture by Prof. Reinhard Zimmermann, 27 January 2017

2016

- *Introduction*, Round Table conference What is Private Law For?, Maastricht 16 december 2016
- *The Mind and Method of the Legal Academic*, lecture PhD conference University of Lapland, Rovaniemi, 17-18 November 2016
- *Indispensable Companions: Law and the Comparative Method*, lecture National PhD conference on legal science, University of Tromsø, 25-26 October 2016
- *Introduction*, Alternative Approches to Legal Convergence, MEPLI/UM HiiL-Chair Round Table, Maastricht 5 October 2016
- *Introduction*, Optional Instruments of the European Union, MEPLI/UM HiiL Chair Round Table, Maastricht 13 May 2016
- *Valorisatie en rechtswetenschap: een paradox*, lezing symposium Valorisatie: bedreiging of stimulans voor wetenschappelijke kwaliteit, Erasmus Universiteit Rotterdam 11 maart 2016
- *Nederlands recht in vergelijkend perspectief*, gastcollege Universiteit Leuven 29 februari 2016
- *Conformity and remedies in distance sales of tangible goods*, lecture Workshop on New rules for contracts in the digital environment, Juri Committee European Parliament, Brussels 17 February 2016
- *The European Codification Movement and the Information Society*, lecture conference The Making of the Civil Codes, University of Torino, 15-16 February 2016
- *Do Small Jurisdictions have a more Complex Law?*, lecture conference Small States in Europe, Queen Mary University of London, 13 January 2016
- *Conclusions*, conference The Reform of the Regulatory State: Resilience in Times of Crisis (35th anniversary conference Faculty of Law), Maastricht University 12 January 2016

2015

- *Introduction*, The State of European Integration, 20th Ius Commune conference, University of

Leuven 27 November 2015

- *European contract law*, guest lecture Course Methodology of Comparative law, Utrecht University 7 October 2015
- *Verschillen tussen Belgische en Nederlandse rechtsordes en invloed op de juridische terminologie*, lezing Interinstitutionele contactdag Nederlandse vertaaldiensten bij de Europese instellingen, Luxemburg 5 oktober 2015
- *Introduction*, MEPLI-HiIL-conference Consumers without borders, Maastricht 25 September 2015
- *Revision of Armenian Tort law*, lecture Council of Europe-EU meeting on the Draft Civil Code of the Republic of Armenia, Maastricht 25 August 2015
- *The Future of Codification in France and in Europe*, Francois Gény talk, Université de Lorraine, Nancy 6 April 2015
- *Nederland recht in vergelijkend perspectief*, gastcollege, Universiteit Leuven 23 maart 2015
- *Methodology and the 'Global Legal Paradigm'*, lecture seminar Dangerous methods and the global legal paradigm, Ecole de Droit Sciences-Po, Paris 6 March 2015
- *Legal Pluralism and Choice of Law: Towards an Alternative Understanding*, lecture conference Legal plurality: cui bono?, University of Tartu 30 January 2015
- *Kwaliteit van juridisch onderzoek*, lezing Eerste Juridisch Jaarcongres Onderzoek, Universiteit van Tilburg, 29 januari 2015

2014

- *Introduction and Chair*, workshop Comparative Legal History, 19th Ius Commune conference, University of Edinburgh, 27-28 November 2014
- *Nationale wetgeving en andere normstelsels*, lezing Seminar Wetgeving in een veranderende wereld, Ministerie van Veiligheid en Justitie, Den Haag 24 november 2014
- *Innovating private law: on law and technology*, lecture Collegio Ghislieri, University of Pavia, 21 November 2014
- Comments on *cohabitation agreements in Latvian law*, University of Latvia, Riga 7 November 2014
- Two lectures on European private law, Koc University, Istanbul 24-25 October 2014
- *Corporate codes and promissory language*, lecture HiIL-MEPLI Round Table Enforcing Corporate Social Responsibility, Maastricht 17 October 2014
- *Towards an alternative way of presenting legal materials*, lecture conference 200 Years Savigny and Thibaut: the Codification Debate Revisited, Maastricht University, 10 October 2014
- *International legal education: the Maastricht experience*, lecture conference The Transnationalisation of Legal Education, University of Luxembourg, 26-27 September 2014
- *Avoidance for legal incapacity*, lecture conference Setting the Contract Aside: Comparative Perspectives, East China University of Political Science and Law, Shanghai 22 August 2014
- *Complexity of Law and Size of Jurisdictions: an Experiment*, Keynote lecture Juris Diversitas annual conference Comparative Law and..., Aix-en-Provence 17-19 July 2014
- *Bestaat de rechtswetenschappelijke methode?*, lezing KNAW-serie Recht in geding, Amsterdam 7 juli 2014
- *What are the methods of legal scholarship?*, lecture University of Antwerp, 12 June 2014
- *Reform of private law: on civil codes and the rule of law*, lecture conference Reformele privind consolidarea statutui de drept in tarile europene, Lucian Blaga University of Sibiu, 5 June 2014
- *Panel commentator* PhD Course on European Law, XXVI FIDE Congress, Copenhagen, 28 May 2014
- *De toekomst van het privaatrecht*, oratie TPR-wisselleerstoel, Universiteit Gent, 15 mei 2014
- *European Contract law*, guest lecture Ghent University, 7 May 2014
- *Private law and the State*, University of Helsinki Unitube lecture Foundations of legal reasoning, 29 April 2014

- *The Future of Private Law*, University of Helsinki Law Spring Lecture, 28 April 2014
- *Nederland recht in vergelijkend perspectief*, gastcollege Universiteit Leuven, 10 maart 2014
- *Inleiding en voorzitter*, KNAW-minisymposium Wie doet wat? Naar een optimale verdeling van bevoegdheden in de EU, Amsterdam, 30 januari 2014
- *Is there a future for legal doctrine?*, guest lecture Universität Würzburg, 27 January 2014

2013

- *Panel chair and commentator*, Conference Nudging in Europe: What can EU Law learn from Behavioural Sciences?, Université de Liège, 12-13 December 2013
- *Introduction and chair*, Workshop Empirical perspectives on the law of contracts, 18th lus Commune conference, Maastricht 28-29 November 2013
- *Law as a package: on the limits of choice*, lecture conference Territorial laws in a global era, University of Helsinki, 22-23 November 2013
- *Legal Academics and their Methods*, lecture Utrecht University, 14 November 2013
- *Quién hace qué? Sobre la distribución e competencias óptima entre la Unión Europea y los Estados Miembros*, lecture Universitat de Lleida, 24 October 2013
- *Harmonisatie van privaatrecht in de Europese Unie en de rol van rechtsvergelijking hierbij*, gastcollege Universiteit Gent, 15 oktober 2013
- *The European Legal Academic*, keynote lecture The Society of Legal Scholars Annual Conference Tis' Forty Years Since, Edinburgh 3-6 September 2013
- *Who Does What? On the optimal distribution of competences among the European Union and the member states*, keynote lecture SLS PhD Conference Tis' Forty Years Since: Britain & Ireland in Europe, Europe in Britain & Ireland: The changing landscape of theory and practice, Edinburgh 2-3 September 2013
- *The Teaching-Research Nexus in Law*, lecture China-EU School of Law conference Legal Education: 21st Century Developments and Perspectives, Beijing 14-15 June 2013
- *The Empirical-Normative Method in Legal Scholarship*, lecture ACCA Conference Comparative Law in Contexts, ULB Brussels 26 April 2013
- *Introduction*, conference Who Does What? On the Optimal Allocation of Competences for the European Union, KNAW, Bonnefontenmuseum Maastricht 19 April 2013
- *What do legal academics do? On the aims and methods of legal scholarship*, Carl Jacob Arnholm Memorial Lecture, University of Oslo, 11 March 2013
- *Plurality of Sources or Pluralism in Law?*, lecture University of Lund, 14 February 2013
- *Nederlands recht in vergelijkend perspectief*, lezing Universiteit Leuven, 13 februari 2013
- *De rol en methode van rechtsvergelijking in juridisch onderzoek*, lezing Instituut voor Arbeidsrecht Universiteit Leuven, 24 januari 2013
- *Goals of European private law and better regulation*, lecture MEPLI Roundtable Smart Regulation of European Private Law, Maastricht University, 18 January 2013
- *Private Autonomy and Legal Pluralism*, lecture conference A Plurality of Pluralisms: Understanding Legal Pluralism, University of Lapland, Rovaniemi 14 January 2013

2012

- *How to find principles of European (private) law?*, lecture conference General Principles of EU Law and European Private Law, Swedish Network for European Legal Studies, Stockholm 8-9 November 2012
- *Chair*, EU Law in the private sphere: helping hand or officious intermeddler?, MEPLI/MCEL Roundtable, Maastricht University, 26 October 2012
- *Challenges in European Private Law*, lecture Opening academic year, Maastricht Centre of European Law, 6 September 2012
- *Introduction and chair*, MEPLI Round Table Competition in International Sales Law, Maastricht University, 14 June 2012
- *Self-Sufficiency of European (Regulatory) Private Law*, lecture Workshop 'A Self-Sufficient

European Private Law – A Viable Concept?, European University Institute Florence, 4-5 May 2012

- *The Common European Sales Law and Party Choice: When Will Parties Choose the Proposed CESL?*, lecture Conference European Contract Law: A Law-and-Economics Perspective, University of Chicago Law School, 27-28 April 2012
- *The Common European Sales Law Beyond Party Choice*, lecture ZEuP-Tagung Europäisches Vertragsrecht auf dem Verordnungsweg, Universität Würzburg, 3-4 April 2012
- *Comparing Chinese and European contract law: aspects of methodology*, lecture conference Contract Law in China and Europe, Tsinghua University Beijing, 16-17 February 2012
- *What do nationalists maximise?, A public choice perspective on the (non-)Europeanisation of private law*, lecture Conference Private Law and Nationalism, Amsterdam 3 February 2012
- [with W. Bull], *European harmonisation of intellectual property law: a view from general private law*, lecture Conference European Methods and Interactions in the Field of Intellectual Property Law, University of Oxford (Jesus College), 7-8 January 2012

2011

- *European legal culture: English common law vs. continental dogmatism or something new?*, lecture Conference Towards a European legal culture, University of Oxford (Trinity College), 16 December 2011
- *Introduction and chair*, MEPLI Round Table The proposed common European sales law: have the right choices been made?, Brussels campus Maastricht University, 9 December 2011
- *What Future for European Private Law?*, guest lecture course Private law and the internal market, University of Amsterdam, 23 November 2011
- *Towards an Interactive and Multi-Level System of Private Law for Europe*, lecture conference European Legal Method(s) in a Multi-Layered Legal Order and JurForsk PhD programme, Copenhagen Business School, 17-18 November 2011
- *Problems with Uniform Laws*, lecture conference Global Challenges of International Sales Law, University of Florida, Gainesville 11-12 November 2011
- *Which Private Law for Europe?*, lecture Università degli studi di Trento, 25 October 2011
- *Introduction and chair*, Conference Does Law Matter?, KNAW Amsterdam, 21 October 2011
- *How to write and publish? A perspective from law and humanities*, lecture Seminar Publishing a World-class Paper, Maastricht University Library, 20 October 2011
- *Chair*, Session on Justice and the Market, annual conference Centre of Excellence in Foundations of European Law and Polity Research on 'Justice', University of Helsinki, 15-16 September 2011
- *Het recht en de wereld: een causerie over de toekomst van de juridische opleiding*, lezing Tijdschrift voor Privaatrecht Dag in het Groen, Ooidonk 3 september 2011
- *Civil law and Common law*, 7 lectures Post Graduate Program in International and Comparative Law, FHR School of Law, Paramaribo, 18-26 July 2011
- *The Future of Codification*, lecture conference Civil Traditions, Codifications and Unification, Utrecht University 30 June 2011
- *Beyond the State Monopoly: Making Law Work in Times of Globalisation*, lecture 4th HiiL Law of the Future Conference, The Hague 23-24 June 2011
- *A Comment to Jaakko Husa*, M-EPLI Round Table The Use of the Functional Method in European and Comparative Property Law, Maastricht 17 June 2011
- *Introduction and chair*, 6th Benelux-Scandinavian Symposium on Legal Theory, University of Lapland, Rovaniemi 8-10 June 2011
- *Introduction and chair*, seminar What Role for Property in European Integration?, University of Helsinki, 7 June 2011
- *How to prepare students for global citizenship?*, lecture Center for Transnational Legal Studies, London, 20 April 2011
- *International Legal Education: Why and How?*, lecture International Association of Law Schools

Conference on Teaching, Legal Education and Strategic Planning, University of Buenos Aires, 13-15 April 2011

- *The State and Private Law: Towards a Pluralism of Authorities*, lecture conference Pluralism and European Private Law, University of Exeter, 25 March 2011
- *Rethinking Private Law: Finding Alternatives for National Institutions*, lecture conference Transnational Law – Rethinking Law and Legal Thinking, Robert Schuman Centre for Advanced Studies, European University Institute Florence, 10-11 March 2011

2010

- *Codification of Private Law: a Functional Approach*, lecture Codification seminar, University of Helsinki, 13 December 2010
- *Private Law 2.0: on the Role of Private Actors in a Post-National Society*, inaugural lecture Maastricht-HiiL Chair on the Internationalisation of Law, 30 November 2010
- *On the role of principles in European private law*, lecture Colloque doctoral ProDoc Les principes en droit européen, Université de Fribourg, 19-20 November 2010
- *Over de ongekende legitimiteit van een optionele code*, lezing Symposium Groenboek Europees contractenrecht: naar een optioneel instrument?, Amsterdam, 10 november 2010
- *The Psychology of the European and Comparative Judge*, lecture Conference Judicial Decision Making in Civil Law: Determinants, Dynamics and Delusions, Erasmus University Rotterdam, 9 November 2010
- *Harmonisation of Private Law in Europe*, lecture School of Law Sungkyunkwan University, Seoul, 28 October 2010
- *Harmonisation of Law: on Mixed Jurisdictions and the Importance of Comparative Inspiration*, lecture Gwangju International Conference celebrating the 30th anniversary of the CISG, Chonnam National University Law School, Gwangju, 26-27 October 2010
- *Contract Law in the European Union*, lecture Chosun University Law School, Gwangju, 25 October 2010
- *Codification in Europe and China: What Makes Contract Law Special?*, lecture conference Towards a Chinese Civil Code: Historical and Comparative Perspectives, City University of Hong Kong, 22-23 October 2010
- *Codification of Private Law in China and Europe*, lecture Law Institute Chinese Academy of Social Sciences, Beijing 19 October 2010
- *Methodologie van rechtswetenschap*, lezing vakgroepdag Publiekrecht, Universiteit Maastricht, 1 september 2010
- *Private Law in a Post-National Society*, lecture conference Rethinking Legal Thinking, University of Helsinki, 26-28 August 2010
- *Complexity of Transnational Sources: comments on the General Report*, 18th Congress of the International Academy of Comparative Law, Washington D.C. 31 July 2010
- *The Right to Change Your Mind? Rethinking the Usefulness of Rights of Withdrawal in Consumer Contract Law*, lecture 15th meeting of the International Academy of Commercial and Consumer Law, Toronto 22-24 July 2010
- *Is a Codification of European Private Law Conceivable?*, lecture Kolloquium Die Instrumentalisierung des Privatrechts durch die Europäische Union, ZERP, Universität Bremen, 9 July 2010
- *Harmonising the EU Consumer Protection Directives*, lecture 'Capitals of Europe Summer abroad programme' of Penn State Law School, Brussels, 28 June 2010
- *Towards a European Ius Commune*, lecture annual Eurojuris-Jurismus conference, Maastricht, 25 June 2010
- *Over doel en methode van de rechtswetenschap*, lezing Vrije Universiteit Amsterdam, 22 juni 2010
- *Omstreden rechtswetenschap: over juridisch onderzoek aan universiteit en HBO*, lezing Congres

Juridisch onderzoek in het HBO, Saxion Hogeschool, Deventer 15 juni 2010

- *Introduction*, Inaugural meeting of the ETHYRN young researchers network, University of Edinburgh, 8-9 June 2010
- *Enhanced Consumer Protection: a Matter for Europe?*, lecture Finnish Association of Consumer Law, Helsinki 19 May 2010
- *Legal Tourism: Contract, Marriage and Citizenship beyond the State*, lecture Oxford Institute of European and Comparative Law, Oxford University, 29 April 2010
- *Is Law a Parasite? Explaining Differences among Legal Traditions*, lecture expert seminar Evolutionary Approaches to Comparative Law: Integrating Theoretical Perspectives, Ghent University, 23-24 April 2010
- *Over omstreden rechtswetenschap*, lezing Universiteit Delft, 19 april 2010
- *Legal Tourism: Can Law be a Product?*, lecture Jagiellonian University, Krakow 26 March 2010
- *Is Law a Product?*, lecture VIII Nordic Graduate School on 'Law and Theory', Lammi, 18-19 March 2010
- *On the Purpose and Method of Legal Scholarship*, lecture Seminar Legal science: what is it good for?, University of Helsinki, 17 March 2010
- *Civil Codes and Constitutions Beyond the State: Law as Product*, inaugural lecture Tilburg University, 5 February 2010 [on which *Univers (Tilburg University weekly)* 47, no. 18 (11 February 2010), p. 3]
- *The Use of the Comparative Method in European Private Law*, lecture Academy Colloquium Methodology of comparative legal research in theory and practice: an approach from the inside out, KNAW Amsterdam, 20-21 January 2010

2009

- *Harmonisation of Private Law in Europe: Attractive or Not?*, lecture University of Trnva, 14 December 2009
- *European Private Law: Brave New World or a Feast of Diversity?*, lecture conference Euroscepticism and Multiculturalism, Utrecht University, 7 December 2009
- *The Unbearable Fragmentation of Private Law*, lecture Seminar Harmonisation, Competition and Fragmentation: An Integrated Perspective on European Private Law, University of Helsinki, 3 December 2009
- *European Private Law: What is going on?*, lecture University of Eastern Finland, Joensuu, 1 December 2009
- *Multiple sources of transnational law: problem or solution?*, lecture University of Eastern Finland, Joensuu, 30 November 2009
- *Positive obligations and private law*, comment Workshop Positive Obligations in the Case Law of the European Court of Human Rights, XIVth Ius Commune conference, Maastricht University, 26 November 2009
- *Omstreden rechtswetenschap*, Presentatie van het boek *Omstreden rechtswetenschap*, Universiteit van Tilburg, 25 november 2009
- *Four lectures on European Private Law*, Koc University, Istanbul, 9-10 November 2009
- *Contractenrecht als meergelaagde rechtsorde: uitdagingen voor de komende tien jaar*, lezing congres Tien jaar Contracteren, Universiteit Utrecht, 6 november 2009
- *The DCFR: How to (re)present European private law?*, lecture TICOM-seminar European Private Law and Its Ingredients, Tilburg University, 4 November 2009
- *Panel*, Conference Methodology of Legal Research, Tilburg University, 30-31 October 2009
- *Rethinking the Architecture of European Private Law*, lecture Max Planck Institut für ausländisches und internationales Privatrecht, Hamburg, 20 October 2009
- *The Common Frame of Reference for European Private Law*, audiovisual lecture Dickinson School of Law, Pennsylvania State University, 12 October 2009
- *Plurality of Sources in European Private Law, or: How to Live With Legal Diversity?*, lecture

Conference The Foundations of European Private Law, European University Institute Florence, 28-30 September 2009

- *The multidimensionality of European constitutions*, comment Conference The Many Constitutions of Europe, University of Helsinki, 12-14 May 2009
- *The Draft Common Frame of Reference: the Right Way Forward?*, lecture Conference Perspectives on European Private Law, Facultad de Derecho, University of Santiago de Compostela, 7-8 May 2009
- *Comparative Property Law; Harmonisation of European Private Law*, lectures South-African Research Chair in Property Law (SARCPL), University of Stellenbosch, 30 March and 3 April 2009
- *A Transnational Approach to Law: the Last Frontier?*, lecture VII Nordic Graduate School on 'Law and Comparison', Lammi, 19-20 March 2009
- *Legal Education in a Transnational World: Challenges for the Future*, lecture Conference Past, Present and Future of Legal Education: Celebrating 30 Years of Legal Education in the University of Lapland, Rovaniemi, 16 March 2009
- *The Common Frame of Reference and the Draft Consumer Rights Directive*, audiovisual lecture Dickinson School of Law, Pennsylvania State University, 3 March 2009
- *Consumentenrecht: steeds meer een Europese zaak?*, lezing Symposium Ontwerp EG-richtlijn consumentenrechten, Universiteit van Amsterdam, 28 Januari 2009
- *Human Dignity and Uniform Law: An Unhappy Relationship*, lecture Seminar Fundamental Rights and Private Law: A Means of Harmonisation?, University of Helsinki, 12 January 2009

2008

- *Democracy and Private Law: a Functional Approach*, lecture Conference Globalisation and Private Law: The Way Forward, University of Stellenbosch, 18-20 December 2008
- *Union citizenship and free movement*, comment Conference Rights and/or Security Rethinking the Political Constitution of Europe, University of Helsinki, 11-12 December 2008
- *Unjust enrichment in the draft Czech Civil Code and the European Model*, lecture XI. Forum on the Draft Civil Code, Charles University, Prague, 22 November 2008
- *The European harmonization process: lessons for the global level?*, lecture Dickinson School of Law, Pennsylvania State University, State College, 29 October 2008
- *Legal Engineering and Competition between Legal Systems*, lecture Conference 25th Anniversary of the Swiss Institute of Comparative Law (ISDC), Lausanne, 29 August 2008
- Research Group on the Economic Assessment of Contract Law Rules (Joint Network on European Private Law), round table Venice International University, Venice, 23 June 2008
- *Methodology of Comparative Law: The Way Forward*, workshop Comparative law, Conference Towards a European Legal Methodology, Tilburg University, 10 June 2008
- *The Draft CFR, Methodological Nationalism and the Road Towards a Truly European Private Law*, lecture Conference Fifty Years of European Contract Law – The Private Law Society and the Common Frame of Reference, SECOLA, Barcelona, 6-7 June 2008
- *Rechtswetenschap als een normatieve discipline*, lezing Netherlands Institute for Human Rights (SIM), Universiteit Utrecht, 8 april 2008
- *After the Common Frame of Reference – What Future for European Private Law?*, lecture conference European University Institute, Firenze, 29 February-1 March 2008
- *Legal Europe – Coherence and/or Fragmentation*, round table Kick-off seminar Centre of Excellence Foundations of European Law and Polity, University of Helsinki, 1 February 2008

2007

- Research Group on the Economic Assessment of Contract Law Rules (Joint Network on European Private Law), round table University Pompeu Fabra, Barcelona, 17 December 2007
- *Private law beyond the Nation State: Private Parties in the Age of Globalisation*, lecture Conference Law in a Globalised World, Stellenbosch Institute for Advanced Study (STIAS),

University of Stellenbosch, 6-8 December 2007

- *General Clauses in European Contract Law*, lecture European University Institute Florence, 26 November 2007
- *Legal Science as an Argumentative Discipline*, lecture Conference on Methods of Human Rights Research, Maastricht University, 23-24 November 2007
- *A European Law on Unjust Enrichment?*, lecture Conference European Private Law Beyond the CFR, Universitat de Lleida, 25-26 October 2007
- *Three Aspects of Dutch Law*, paper Conference Learning from Each Other, International Association of Law Schools, Kenneth Wang School of Law, Soochow University, Suzhou, 18-19 October 2007
- *Contract Law in the Netherlands and in China*, lecture Jiao Tong University, Shanghai, 17 October 2007
- *Applying Evolutionary Theory: the Case of European Private Law*, lecture Conference Law, The State, And Evolutionary Theory, University of Bremen and The German Law Journal Annual Conference, 5 October 2007
- *How to Teach Law in a Trans-national Way?*, McGill Round Table on Legal Education 2007, McGill University, Montréal, 27-28 September 2007
- *The Practical Importance of Harmonization of Commercial Contract Law*, lecture at the fortieth annual session of UNCITRAL (conference Modern Law for Global Commerce), Vienna, 9-12 July 2007
- *Mixed Legal Systems: Lessons to Learn*, lecture at the Second World Congress of the World Society of Mixed Jurisdiction Jurists, University of Edinburgh, 27-29 June 2007
- *Chinese and European Contract Law: Looking Beyond the Black Letter*, lecture seminar Contract Law in China and Europe, Maastricht, 18 June 2007
- *Wat is goed rechtswetenschappelijk onderzoek?*, lezing Universiteit van Tilburg, 21 mei 2007
- *Are the national contract laws in Europe converging?*, lecture 4th European Jurists' Forum, Vienna, 3-5 May 2007
- *Less is More; or: What is a Common Law for Europe?*, lecture University of Helsinki, 21 March 2007
- *Law Making in the European Union: Promoting an Optional Contract Code*, lecture conference Law Making in a Global World, Louisiana Law Review Symposium, LSU Baton Rouge, 26-27 January 2007
- *Foundations of European Private Law and Comparative Law*, course for PhD-researchers, University of Helsinki, 15-17 January and 20-21 March 2007

2006

- *Conference The Bottom-Up Approach to Comparative Law*, University of Leuven, 21 December 2006, moderator of discussion
- *Neues Bürgerlijk Wetboek und deutsche Schuldrechtsmodernisierung*, lecture conference Schuldrechtsmodernisierung und europäisches Vertragsrecht, Bayerische Julius-Maximilians-Universität Würzburg, 27-28 October 2006
- *Fundamental rights and contract law*, lecture Conference Fundamental Rights and Private Law in the European Union, Universität Bremen, 15-16 September 2006
- *Mixed Legal Cultures and their Cultural and Societal Basis*, lecture Conference on Private Law and the Many Cultures of Europe, University of Helsinki, 27-29 August 2006
- *Economische baten en kosten van eenvormig bedrijfsrecht*, lezing Congres Eenvormig bedrijfsrecht: realiteit of utopie?, Erasmus Universiteit Rotterdam, 23 juni 2006
- *European private law: a plea for a spontaneous order*, lecture Conference European Integration and Law, Maastricht University, 8 June 2006
- *Grondrechten en vermogensrecht*, lezing Rechtbank Maastricht, 13 April 2006
- *Commercieel contractenrecht: pleidooi voor een optionele code*, lezing congres ter ere van Willem

Grosheide, Universiteit Utrecht, 5 April 2006

- *Nordic legal thinking: looking from outside*, lecture conference Nordic Law and Legal Thinking in Comparative Perspective, Vaasa, 2-3 March 2006
- *Common Frame of Reference and Optional Code: really the best way forward in European Contract Law?*, lecture University of Helsinki, 1 March 2006
- *The future of European contract law: the siren call of the 'best' rule*, staff seminar lecture, Paul M. Hebert Law Center LSU, Baton Rouge, 7 February 2006
- *The future of European contract law*, lecture Tulane University Law School, 6 February 2006

2005

- *Common Frame of Reference and Optional Code: how to find the best rules for European contract law?*, lecture Friedrich-Wilhelm Universität Bonn, 21 November 2005
- *Belangenafweging in het privaatrecht*, lezing Studiedag Belangenafweging door de rechter, Universiteit Leiden, 28 oktober 2005
- *Private Law and Fundamental Rights: A Sceptical View*, lecture Conference Constitutionalization of Private Law, Leiden University, 3 June 2005
- *Unjust Enrichment and Formation of Contract*, lecture Conference Unjust Enrichment (Schrage symposium), Amsterdam, 17-19 March 2005

2004

- *Het Europese actieplan: nieuwe initiatieven op het terrein van het Europees privaatrecht*, lezing Nederlands Genootschap van Bedrijfsjuristen, VNO-NCW Den Haag, 23 September 2004
- *The Need for a Uniform Contract Law in Europe: a Sketch of the Problem*, lecture conference Empirical Perspectives on European Private Law, Maastricht University, 4 June 2004
- *The Principles of European Contract Law and the Harmonisation of Private Law within Europe*, Conference Principles of European Contract Law Part Three, lecture Universitat de Lleida, 7-8 May 2004
- *Scots Law Resurgent?: Scots Law in Europe and the Wider World*, lecture Conference Scots Law and Scotland's Identity, University of Aberdeen, 28 February 2004
- *De doorwerking van grondrechten in het vermogensrecht*, lezing Universiteit Maastricht, 28 januari 2004

2003

- *Constitutionalisering van het vermogensrecht*, lezing Nederlandse Vereniging voor Rechtsvergelijking, Amsterdam 16 december 2003
- *Commentaar bij J.B.M. Vranken, Springen met lemen voeten*, Erasmus Universiteit Rotterdam, 12 december 2003
- *The contribution of Scotland as a mixed jurisdiction to the development of European private law*, lecture conference 'Scotland and the Netherlands: Workshops on Private law and the *Ius Commune*', Edinburgh, 19-20 June 2003
- *Introduction & Chair workshop Europeanisation of Law*, Conference Epistemology and Methodology of Comparative Law, KU/VU Brussels & European Academy of Legal Theory, Brussels, 24-26 October 2002
- *Darwin en het recht: het belang van de evolutieleer voor het (privaat)recht*, lezing Universiteit Maastricht, 13 maart 2003
- *The Future of Contract Law in Europe: Coherence or Chaos?*, lecture Rechtswissenschaftliche Fakultät Westfälische Wilhelms-Universität Münster (Centrum für Europäisches Privatrecht), 23 January 2003

2002

- *Directive 99/44 on consumer sale: implementation in selected member-states*, lecture Seminar EU Consumer Law: Vehicle or Obstacle for a European Civil Code?, EIPA Antenna Luxembourg/European Commission, 1 October 2002
- *Round Table*, conference European Contract Law, Academy of European Law (ERA), Trier 14-15

March 2002

- *Omzetting van de Richtlijn in het buitenland*, lezing Congres Nieuw kooprecht, Universiteit Leuven, 5 maart 2002
- *Tegen Europese beginselen van privaatrecht*, lezing Amsterdams Juridisch Genootschap, Amsterdam, 5 februari 2002

2001

- *A Multi-Layered Contract Law for Europe*, lecture Conference on Communication from the Commission on European Contract Law, SECOLA/KU Leuven, 1 December 2001
- *The Future of European Contract Law: on Diversity and the Temptation of Elegance*, lecture conference Towards a European Ius Commune in Legal Education and Research, Maastricht University, 25-26 October 2001
- *Kopstuk-college contractuele remedies*, Universiteit Utrecht, 11 oktober 2001
- *The Development of European Private Law*, lecture University of Stellenbosch, 25 September 2001
- *European Contract Law*, guest lecture in LLM course Comparative Law of Obligations, University of Stellenbosch, 19 September 2001
- *On Legal Transplants, Remedies and European Private Law*, lecture GAIUS programme, Maastricht, 13 July 2001
- *Towards a European Private Law by Survival of the Fittest Rule?*, lecture University of Aberdeen, 1 May 2001
- *Fairness in Business Transactions*, lecture Universiteit Göteborg, 21 March 2001
- *European private law: a research programme*, lecture at University of Stellenbosch, 7 March 2001 and at UNISA, Pretoria, 6 March 2001
- *The Maastricht approach*, lecture University of Torino, 29 January 2001

2000

- *De waarde van de Principles of European Contract Law voor het Belgisch en Nederlands recht*, lezing Vth Ius Commune Congres, Leuven, 23 november 2000
- *A European Ius Commune on the Liability of the Good Samaritan: of Moral Monsters and Legal Principles*, Institut für internationales Privatrecht und Rechtsvergleichung, lecture Universität Osnabrück, 16 November 2000
- *Europees privaatrecht en een Europees BW*, lezing Erasmus Universiteit Rotterdam, 7 november 2000
- *The Inner Relationship between Unjust Enrichment, Negotiorum Gestio and Implied Contract*, lecture Bregstein Congress The Law of Unjust Enrichment and Contract in the Context of European Private Law, Amsterdam, 19-20 October 2000
- *Civil Law, Common Law and the Duty to Rescue*, lecture Universität Regensburg, 15 December 2000
- *How to Predict the Differences in Uniformity in a Future European Private law?*, lecture Hart Workshop Comparative Law in the 21st Century, London, 4-6 July 2000
- *The Community Law Impact on Civil Law*, lectures European Institute of Public Administration, Lodz, 28-29 June 2000
- *Rechterlijk overgangsrecht: op zoek naar consistentie*, lezing BW-dagen, Universiteit Leiden, 22 juni 2000
- *How to Predict the Differences in Uniformity between Different Areas of a Future European Private Law? An Evolutionary Approach*, lecture Workshop The Economics of Harmonisation of Law, University of Corte (Corsica), 25-27 May 2000
- *The Good Samaritan in European Private Law*, inaugural lecture Maastricht University, 19 May 2000
- *Remedies bij teleurstellende overeenkomsten: naar een nieuwe regeling van onvoorziene omstandigheden, dwaling, gedeeltelijke ontbinding en beperkende werking van de redelijkheid en*

billijkheid?, lezing Juri Sacrum, Leiden 16 februari 2000

1998

- *Een Europees privaatrecht als gemengd rechtsstelsel: mogelijkheden en grenzen*, lezing Dispuut voor Rechtsvergelijking en IPR, Amsterdam, 21 december 1998
- *De Bataafse Staatsregeling en het Burgerlijk recht*, lezing Congres Tweehonderd jaar Bataafse Staatsregeling 1798, Utrecht-Nijmegen, 10-11 december 1998
- *How to Mix Legal Systems in a Fruitful Way?*, lecture seminar Towards a European Private Law by Competition of Legal Rules, Maastricht University, 19 November 1998
- *Recente ontwikkelingen in het privaatrecht*, lezing alumnidag Universiteit Maastricht, 17 oktober 1998
- *De blijvende betekenis van Eggens voor de moderne privaatrechtsbeoefening*, lezing bij de presentatie van de Eggens-bundel, Agnietenkapel Amsterdam, 13 oktober 1998
- *Towards a Framework for Legal Rules in European Private Law*, lecture 4th Benelux-Scandinavian Symposium on Legal Theory, University of Turku, August 1998
- *Import and Export of Legal Models: the Dutch Experience*, 15th Congress of the International Academy of Comparative Law, Bristol, July 1998
- *Wrongful birth*, lezing Utrechtsch Juridisch Dispuut Antonius Matthaeus, Utrecht, 21 januari 1998
- *Fiduciaire eigendomsoverdracht in het Nederlandse recht en het Sogelease-arrest*, lezing Universiteit Leuven, 14 januari 1998

1997

- *Naar een Europees privaatrecht door vrij verkeer van rechtsregels*, lezing tweede Ius Commune-congres, Universiteit Leuven, 14 november 1997
- *Privaatrecht en postmodernisme*, lezing congres Werkgroep Rechtsgeschiedenis van de 19de en 20ste eeuw, Universiteit Utrecht, 20 juni 1997
- *Waarom Rechtstheorie?*, lezing PhD-researchers network on legal theory, Amsterdam, 28 mei 1997

1996

- *Twee colleges*, cursus Methodologie van het privaatrecht, Universiteit van Amsterdam, 27 maart en 3 april 1996

Professional memberships

- Elected Titular Member *International Academy of Comparative Law/Académie Internationale de Droit Comparé*, from 2014 (elected associate member from 2009)
- Elected Member, *European Law Institute*, from 2011
- Elected Member, *Royal Netherlands Academy of Arts and Sciences (KNAW)*, from 2010
- Elected Member, *International Academy of Commercial and Consumer Law*, from 2010
- Member *World Society of Mixed Jurisdictions Jurists*, from 2004
- Member *Society for Evolutionary Analysis of Law*, from 2004
- Member *Society for European Contract Law (SECOLA)*, from 2002
- Member *Trento Common Core Group*, from 2001
- Member *Ius Commune Research School*, from 1996
- Member *Nederlandse Vereniging voor Rechtsvergelijking*, from 1996
- Member *Nederlandse Vereniging voor Burgerlijk Recht*, from 1993
- Member *Nederlandse Vereniging voor Wijsbegeerte van het Recht*, from 1992
- Member *Nederlandse Juristen-Vereniging*, from 1991
- Member *Societas Philips van Leyden B.P.*, 1988-1995
- Member *Societas Iuridica Grotius*, 1987-1991

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