

Professor Stefan Vogenauer FBA
Curriculum Vitae and Publications

1 April 2022

Contact

Max Planck Institute for Legal History and Legal Theory
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Personal

Date of Birth 4 August 1968

Place of Birth Eutin, Germany

Nationality British & German dual nationality

Family Status Married, two sons (2001, 2003), one daughter (2007)

Languages

English, French, German, Italian (passive), Latin (A-level)

Research Interests

European and comparative legal history (particularly the history of European Union law and the history of legal transfers in the common law world); comparative law; German and European private law; legal method; transnational commercial law (international uniform law and alternative dispute resolution in transnational settings)

Employment

2015-	Max Planck Institute for Legal History and Legal Theory (formerly: for European Legal History), Frankfurt: Director (Department European and Comparative Legal History)
2004-2015	Oxford Institute of European and Comparative Law: Director
2003-2015	University of Oxford: Professor of Comparative Law and Fellow of Brasenose College
2002-2004	Bucerius Law School, Hamburg: Part-time Lecturer in Comparative Law
2002-2003	Max Planck Institute for Comparative and International Private Law, Hamburg: Senior Research Fellow
1997-2002	University of Regensburg: Junior Lecturer in Private Law and Research Assistant at the Chair for Private Law, Roman Law and Comparative Legal History (Professor Reinhard Zimmermann)
1995-1996	Trinity College, Oxford: Junior Dean, Revision classes in EU law and Jurisprudence
1992-1994	University of Kiel: Student Assistant at the Chair for Private Law, Company Law and European Legal History (Professor Hans Hattenhauer)
1987-1989	German Army: Reserve Officer

Education

1998-2000	Regional court, Regensburg (Germany): Trainee lawyer ('Referendar'); Second State Examination
1995-1998	Regensburg University: PhD student
1994-1995	University of Oxford: Magister Juris in European and Comparative Law
1992-1994	University of Kiel: Law (advanced studies); First State Examination
1991-1992	Université Paris 2 – Panthéon-Assas, Université Paris 5 – René Descartes, Institut de droit comparé de Paris: Six months French law programme
1989-1991	University of Kiel: Law (basic studies)
1978-1987	Johann-Heinrich-Voß-Gymnasium, Eutin: A-levels
1974-1978	Grundschule am Kleinen See, Eutin

Internships

December 1994	Court of Appeal, London (Mr Justice MacPherson of Cluny)
September 1992	Cour de cassation and Conseil d'État, Paris
March 1992	Hôtel de ville, Paris (Mayor's office)
1991-1992	Shearman & Sterling, Paris: Part-time <i>stagiaire</i>

Courses and Classes Taught at the University of Oxford (2003-15)

- 'European Private Law: Contract'
- 'Introduction to Comparative Law'
- 'International Commercial Arbitration'
- 'Problems in Contract and Tort (German and English Law Compared)'
- 'Roman Law of Contract'
- 'The Common Law for Civil Lawyers'
- 'Transnational Commercial Law'

Visiting Appointments

- University of Auckland, New Zealand (March 2018, November 2021)
- National Taiwan University, Taipei (October 2017)
- National Law University Delhi (Spring 2016)
- Université Paris 2 – Panthéon-Assas (Fall 2014, Fall 2015, Fall 2016, Fall 2017, Fall 2018, Fall 2019, Fall 2020, Fall 2021)
- New York University (Fall 2013, Fall 2016)
- University of Melbourne (May 2012, May 2013, May 2014, May 2015, April 2016, March 2017, October 2017, February 2018, November 2018, March 2019, November 2019, March 2020, November 2020, November 2021, March 2022)
- University of Texas at Austin (Spring 2008)
- Louisiana State University, Baton Rouge (Spring 2006)

Scholarships, Prizes, Honours

2021	Election as Corresponding Fellow of the British Academy
2017	Tsui Wan-Tsai Chair Professor of Law, National Taiwan University (NTU), Taipei
2016	Election as Ordinary Member of the Academy of Sciences and Literature, Mainz
2015	Election as Honorary Member of the Società Italiana degli Studiosi del Diritto Civile (SISDIC)
2013	Co-editor of one of the Law Books of the Year in Spain (The Common European Sales Law in Context): [2013] Cronista del Estado Social y Democrático de Derecho 64, 73-74
2012	Alexander von Humboldt Foundation: Humboldt Research Award ('Humboldt-Forschungspreis'), 'in recognition of his lifetime achievements in research and teaching'
2011-2014	Professor Extraordinary, University of Stellenbosch (South Africa)

2011	Co-editor of one of the Law Books of the Year in the Netherlands (Prohibition of Abuse of Law: A New General Principle of EU Law?): [2011] <i>Nederlands Tijdschrift voor Burgerlijk Recht</i> (NTBR) 595, 608-609
2009	Election to the International Academy of Comparative Law
2008	German Legal History Conference: Prize of the German Legal History Conference ('outstanding scholarly work in the field of legal history over the past decade')
2005	The Times: Mention as one of the UK's Academic 'High flyers' of the Year, the only one in the Social Sciences (The Times, 11 January 2005, T 2, p. 6)
2003	Election to the German Association of Private Law Teachers (<i>Zivilrechtslehrervereinigung</i>)
2002	Bavarian Academy of Sciences and Humanities: Max Weber Prize ('outstanding achievements in the humanities'); Max Planck Society: Otto Hahn Medal ('outstanding scholarly achievement')
2001	British-German Jurists' Association: Conference scholar
1995-1998	Cusanuswerk: PhD scholarship
1995	University of Oxford Law Faculty: Clifford Chance Prize ('best overall performance in the Magister Juris'); University of Oxford Law Faculty: Herbert Hart Prize ('best paper on Jurisprudence and Political Theory in the examination for the Degree of Bachelor of Civil Law or Magister Juris'); Trinity College, Oxford: College Prize
1994-1995	German Academic Exchange Service (DAAD): Graduate scholarship
1992-1995	Cusanuswerk: Undergraduate scholarship

Academic Service

- Cusanuswerk: Member of PhD scholarships admissions panel (2018–)
- Goethe University, Frankfurt: Forschungsrat (Advisory Board) (2018–21)
- Frankfurter Wissenschaftsrunde: Member (2017–)
- Max Planck Law: Chair (2016–)
- Max Planck Institute for European Legal History: Managing Director (2016-18)
- Max Planck Society for the Advancement of Science: member of the Humanities and Social Sciences Section and various Committees, including appointment committees for Directorships, Research Groups and the Lise Meitner Excellence Programme, the Task Force on the Reduction of Administrative Burdens and the Tenure Track Commission, Assessor for the Award of the Otto Hahn Medal, etc (2015–)

- University of London, Institute of Advanced Legal Studies: External Examiner for the LLM in Advanced Legislative Studies (2014-16)
- Cusanuswerk: Member of undergraduate scholarships admissions panel (2014-18)
- University of Oxford Socially Responsible Investment Review Committee (2014-15)
- University of Oxford Committee to Review Donations (2012-15)
- Maison Française d'Oxford: Member of Council (2011-15)
- Volkswagen Foundation: Member of Selection Committee for Oxford Visiting Fellowships in law and politics (2009-14)
- The Rhodes Trust: Member of Selection Committee for the German branch (2007-12)
- The Oxford Europaeum Group: Member (2007-15)
- Cusanuswerk: Liaison Officer ('Vertrauensdozent') for the Oxford University group of students (2007-15)
- 'Excellence initiative by the German Federal and State Governments to Promote Science and Research at German Universities': Research assessment panellist for the subject area 'Economics and Legal Studies' (2006-7)
- Istituto Italiano di Scienze Umane, Florence: 'Tutore relativamente al progetto di ricerca' for post-doctoral research (2005-7)
- Brasenose College, Oxford: member of Governing Body and various Committees, including Development, Estates and Finance, Nominations, Remuneration (2003-15); Master of the Flags (2009-15)
- Faculty of Law, University of Oxford: member of Law Board and various Committees, including Appointment of Guest Lecturers, Institute of European and Comparative Law Management, Personnel, Research, Undergraduate Exchanges, Undergraduate Studies Committee (2003-15)

Public Service and Policy Advice

- United Nations Commission on International Trade Law (UNCITRAL), Hague Conference on Private International Law (HCCH), International Institute for the Unification of Private Law (UNIDROIT): Member of the group of experts for the drafting of the tripartite *Legal Guide to Uniform Instruments in the Area of International Commercial Contracts, with a Focus on Sales* – <https://uncitral.un.org/sites/uncitral.un.org/files/media-documents/uncitral/en/tripartiteguide.pdf> (2017-20)
- Scottish Parliament Delegated Powers and Law Reform Committee: Evidence on Contract (Third Party Rights) (Scotland) Bill (2017)
- UK Ministry of Justice Analytical Services: Advice on factors influencing international litigants' decisions to bring commercial claims to the London based courts (2014)

- Law Society of England and Wales: Advice on Report into the global competitiveness of the England and Wales solicitor qualification (2014-15)
- European Parliament, Interparliamentary Meeting on an Optional Instrument for EU Sales Law: Expert evidence (November 2012)
- UK Ministry of Justice ad hoc Expert Committee to provide advice on the European Commission's proposal for a Common European Sales Law (2012)
- Law Commission of England and Wales and Scottish Law Commission: Advice on comparative law for *Issues Paper Unfair Terms in Consumer Contracts: a new approach? – Annex A* (2012)
- Lord Justice Rupert Jackson, Review of the costs of civil litigation on behalf of the Master of the Rolls: Expert advisor (2009-10)
- House of Lords Select Committee European Affairs, Report on the Draft Common Frame of Reference: Expert evidence (November 2008)
- European Parliament, Committee of Inquiry into the collapse of the Equitable Life Assurance Society: Expert evidence (November 2006)
- Statute Law Society: Member of Council (2004-15)

Peer Reviewing

Organisations:

- Arts and Humanities Research Council (AHRC)
- Deutsche Forschungsgemeinschaft (DFG)
- European Research Council (ERC)
- Foundation for Scientific Research Belgium (FWO)
- Institutum Iurisprudentiae, Academia Sinica, Taiwan
- Israel Science Foundation (ISF)
- Japan Society for the Promotion of Science (JSPS)
- Leverhulme Trust
- Max Planck Society (MPG)
- National Research Foundation (NRF), South Africa
- Netherlands Organisation for Scientific Research (NWO)
- Swiss National Science Foundation (SNF)

Publishers:

- Ashgate Publishing
- Cambridge University Press
- Edward Elgar Publishing
- Hart Publishing
- Intersentia
- Oxford University Press

Journals:

- American Journal of Legal History (AJLH)
- Australian International Law Journal
- European Review of Contract Law (ERCL)
- International and Comparative Law Quarterly Review (ICLQ)
- International Journal of Constitutional Law (ICON)
- International Journal of Law in Context
- Journal of Civil Law Studies
- Journal of International Dispute Settlement
- Law Quarterly Review (LQR)
- Lloyd's Maritime and Commercial Law Quarterly (LMCLQ)
- Maastricht Journal of European and Comparative Law (MJ)
- Modern Law Review (MLR)
- Oxford Journal of Legal Studies (OJLS)
- Oxford University Commonwealth Law Journal
- Stellenbosch Law Review
- Uniform Law Review (ULR)
- University of New South Wales Law Journal

Grant Applications and Fundraising

- Stockholm Centre for Commercial Law: Establishment of the 'Stockholm Centre Oxford Fellowship' for postdocs at the Oxford Institute of European and Comparative Law (2012-15: £ 195,000)
- Nuffield Foundation: Social Science Small Grant for research project 'The Use of Optional Instruments in European Contract Law: an Empirical Analysis' (2011: £ 15,000)
- Volkswagen Foundation: Visiting Fellowships for postdocs in law and political sciences, together with the Oxford Department for Politics and International Relations (2009-14: € 1,000,000)
- EU-Framework Programme 7 Marie Curie Fellowships: Academic Mentor for Dr Geneviève Helleringer (Paris) at the Oxford Institute of European and Comparative Law (2009-11)
- AHRC: Research grant for joint research project with the Berlin Humboldt University on 'The Common Frame of Reference on European Contract Law in the Context of English and German Law' under the co-funding agreement between the AHRC and the DFG (2009-12: overall value of the grant ca. £ 650,000 of which ca. £ 350,000 were allocated to Oxford)
- Gide Loyrette Nouel, London offices: Funding of French law moot at the Oxford Institute of European and Comparative Law (2010-15: £ 3,270-10,000 p.a.)

- Commission of the European Communities: training of national judges in European Competition Law by the Oxford Centre for Competition Law and Policy, a part of the Oxford Institute of European and Comparative Law (2007-10: ca. £ 4,000 p.a.)
- Association Sorbonne-Oxford pour le droit comparé: for French law activities of the Oxford Law Faculty (2007-13: £ 5,000-£ 16,500 p.a.)
- Clifford Chance, London office: annual contribution to the Oxford Institute of European and Comparative Law (2007-15: £ 15,000 increase p.a.)
- Dr Erich Schumann Foundation: permanent endowment of the Erich Brost University Lectureship in German and European Community Law (2005: £ 400,000)

Publications

(1) Monograph

- Die Auslegung von Gesetzen in England und auf dem Kontinent. Eine vergleichende Untersuchung der Rechtsprechung und ihrer historischen Grundlagen, 2 vols (Tübingen: Mohr Siebeck 2001), xlix + 1481 pp [Comparative and historical analysis of statutory interpretation in England, Germany, France and EU law]

Reviews in English: Hans W Baade, (2005) 69 *Rabels Zeitschrift für ausländisches und internationales Privatrecht (RabelsZ)* 156-158; John Bell, (2002) 22 *Legal Studies (LS)* 473-480; RC van Caenegem, (2003) 71 *Tijdschrift voor Rechtsgeschiedenis (TR)* 473-475; Ole Lando, (2004) 41 *Common Market Law Review (CMLRev)* 1161-1163; Horst K Lücke, (2005) 54 *International and Comparative Law Quarterly (ICLQ)* 1023-1032

Reviews in other languages: Agostino Carrino, (2001) 11 *Diritto e cultura* 218-219; H. Gröbnau, [2003] *Nederlands tijdschrift voor Rechtsfilosofie en Rechtstheorie (R&R)* 181-182; Ralf Hansen, www.jurawelt.com/literatur7253; Ewoud Hondius, (2002) 19 *Nederlands tijdschrift voor burgerlijk recht (NTBR)* 249-250; Katja Langenbacher, (2002) 124 *Juristische Blätter (JBl)* 542-544; Kent Lerch, (2003) 3 *Rechtsgeschichte (Rg)* 38-45; Klaus Luig, (2003) 12 *Zeitschrift für Europäisches Privatrecht (ZEuP)* 468-473; Ralf Poscher, (2003) 42 *Der Staat* 637-642; Filippo Ranieri, (2004) 56 *Revue internationale de droit comparé* 761-763; HCF Schoordijk, (2003) 40 *Tijdschrift voor Privaatrecht (TPR)* 613-645; Jan Schröder, (2002) 24 *Zeitschrift für Neuere Rechtsgeschichte (ZNR)* 373-374; Ulrike Seif, (2004) 121 *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Germanistische Abteilung (ZRG GA)* 568-570; Jan-R. Sieckmann, (2002) 88 *Archiv für Rechts- und Sozialphilosophie (ARSP)* 451-452

(2) Jointly Authored Books

- *Ius Commune Casebooks on the Common Law of Europe: Cases, Materials and Text on Contract Law*, 3rd, fully revised and edition, jointly authored with Hugh Beale, Bénédicte Fauvarque-Cosson and Jacobien Rutgers (Oxford: Hart Publishing 2019), lxx + 1448 pp.
- *Englisch als Vertragssprache – Fallstricke und Fehlerquellen*, jointly authored with Volker Triebel (Munich: CH Beck 2018), xvii + 216 pp [English as the Language of the Contract]

Reviews: Stephan Balthasar, [2018] *Betriebs-Berater (BB)* 2580; Gerhard Dannemann, (2020) 84 *Rabels Zeitschrift für ausländisches und internationales Privatrecht (RabelsZ)* 941-945; Siegfried H. Elsing, [2019] *Die Aktiengesellschaft (AG)* 682-683; Jens Fleischhauer, [2019] *Deutsche Notar-Zeitschrift (DNotZ)* 558-559; Daniel Greineder (2018) 36/3 *ASA-Bulletin* 807-808; Christian Kersting, [2018] *WPg – Die Zeitschrift für den informierten Wirtschaftsprüfer* 1190; Herbert Kronke, [2019] *Praxis des Internationalen Privat- und Verfahrensrechts (IPrax)* 372-373; Thomas Krümmel, (2019) 4 *Zeitschrift für Internationales Wirtschaftsrecht (IWRZ)* 46-47; Annika Kunstmann, [2018] *ADÜ Nord Infoblatt* issue 4, 14-15; Georg Maier-Reimer, [2018] *Neue Juristische Wochenschrift (NJW)* 2854; Marius Mann, [2018] *Deutsches Steuerrecht (DStR)* issue 46, XVII; Susanne Mühlhaus, [2019] *RENOpraxis – Zeitschrift für Rechtsanwalts- und Notariatsangestellte* 296-297; NN, [2019] *GmbH-Rundschau (GmbHR)* issue 23, R357; NN, [2019] *Die Steuerberatung M19*; NN, German-British Chamber of Industry & Commerce Online Book Reviews (https://grossbritannien.ahk.de/fileadmin/AHK_Grossbritannien/Documents/Service_s/Legal/Book_Reviews/BR_-_Triebel___Vogenaue_r_-_Englisch_als_Vertragssprache.pdf); Stephanie Rohlfig-Dijoux, (2019) 71 *Revue*

internationale de droit comparé (RIDC) 317-320; Andreas Stilcken, [2019] Wertpapier-Mitteilungen (WM) 612; Carina Wollenweber-Starke, Die Rezensenten, 14 August 2018 (<http://dierezensenten.blogspot.com/search?q=Triebel+Vertragsprache>)

- *Englisches Handels- und Wirtschaftsrecht*, 3rd edition, jointly authored with Volker Triebel, Martin Illmer, Georg Ringe and Katja Ziegler (Frankfurt/Main: Verlag Recht und Wirtschaft 2012), xxxiv + 580 pp [English Commercial and Business Law]

Reviews: Thomas Bachner, [2012] Wertpapier-Mitteilungen (WM) 2348; Walter Bayer/Jessica Schmidt, [2012] GmbH-Report R 119; Clemens Just, [2012] Zeitschrift für Wirtschaftsrecht (ZIP) 1052; Georg Kodek, Zivilrecht aktuell (zak) 2012/163, 80; NN, Börsen-Zeitung 25 July 2012, 16; Rolf H. Weber, [2012] Schweizerische Zeitschrift für Wirtschafts- und Finanzmarktrecht 177

- *Ius Commune Casebooks on the Common Law of Europe: Cases, Materials and Text on Contract Law*, 2nd, fully revised and edition, jointly authored with Hugh Beale, Bénédicte Fauvarque-Cosson and Jacobien Rutgers (Oxford: Hart Publishing 2010), lxxxiv + 1357 pp

Reviews: Rachel L Johnstone, (2011) 6 *Nordicum-Mediterraneum* (<http://nome.unak.is/>); Larry DiMatteo, (2011) 19 *European Review of Private Law (ERPL)* 669, 679-680

(3) Edited Collections

- *Studies in the Contract Laws of Asia, vol IV: Validity*, jointly edited with Mindy Chen-Wishart and Hiroo Sono (Oxford: Oxford University Press, forthcoming in 2022), xlvii + ca 559 pp
- *Schiedsgerichtsbarkeit und Rechtssprache: Festschrift für Volker Triebel zum 80. Geburtstag [Arbitration and Legal Language: Festschrift Volker Triebel]*, jointly edited with Daniel Greineder and Karl Pörnbacher (Munich: CH Beck, 2021), x + 389 pp
- *Focus: Oral History* (jointly with Sigfrido Ramirez-Pérez) in (2021) 29 *Rechtsgeschichte – Legal History (Rg)*, 154-196
- *Studies in the Contract Laws of Asia, vol III: Contents of Contracts and Unfair Terms*, jointly edited with Mindy Chen-Wishart (Oxford: Oxford University Press 2020), lx + 623 pp
- *Legal Biographies (Special Issue)*, jointly edited with Victoria Barnes and Catharine MacMillan, (2020) 41 *Journal of Legal History (JLH)* 115-211
- *Studies in the Contract Laws of Asia, vol II: Formation and Third Party Beneficiaries*, jointly edited with Mindy Chen-Wishart and Alex Loke (Oxford: Oxford University Press 2018), xlv + 587 pp

Review: Wilm Scharlemann, [2020] *Internationales Handelsrecht (IHR)* 34

- *The Future of Contract Law in Latin America: The Principles of Latin American Contract Law*, jointly edited with Rodrigo Momberg (Oxford: Hart Publishing 2017), xxxii + 320 pp

Reviews: Francisco de Elizalde, (2018) 14 *European Review of Contract Law (ERCL)* 203-208; Alberto L Zuppi, (2020) 13 *Journal of Civil Law Studies* 185-191

- General Principles of Law: European and Comparative Perspectives, jointly edited with Stephen Weatherill (Oxford: Hart Publishing 2017), ix + 418 pp
 Reviews: Tim Courthaut, *European Law Blog*, 27 September 2018, <https://europeanlawblog.eu/2018/09/27/pomfr-book-review-s-vogenauer-and-s-weatherill-eds-general-principles-of-law-european-and-comparative-perspectives-hart-2017-418-p/>; Joakim Nergelius, (2018) 55 *Common Market Law Review (CMLRev)* 960-962
- Commentary on the UNIDROIT Principles of International Commercial Contracts (2nd edn, Oxford: Oxford University Press 2015), cclxxxii + 1528 pp
 Reviews: Pierre Bouvier, *Bulletin Quotidien Europe*, no 11918/1202, 5 December 2017; Eckart Brödermann, [2016] *International Trade Law & Regulation* 130-133; Eric Clive, (2016) 20 *Edinburgh Law Review* 249-251; Christiana Fontoulakis, (2019) 21 *European Journal of Law Reform (EJLR)* 627-629; Johannes Landbrecht, (2015) 33 *ASA Bulletin* 721-722
- English and European Perspectives on Contract and Commercial Law: Essays in Honour of Hugh Beale, jointly edited with Louise Gullifer (Oxford: Hart Publishing 2014), xli + 498 pp (paperback edition 2017)
 Reviews: Jean-Silvestre Bergé, [2016] *Revue trimestrielle de droit européen* 3/vi; Alberto De Franceschi, [2015] *Journal of European Consumer and Market Law (EuCML)* 68; Ewoud Hondius, (2015) 32 *Nederlands Tijdschrift voor Burgerlijk Recht (NTBR)* 94-96; Michael Stürner, [2015] *Gemeinschaftsprivatrecht (GPR)* 110-111; Laura Macgregor, (2015) 19 *Edinburgh Law Review* 440-442
- The Common European Sales Law in Context: Interactions with English and German Law, jointly edited with Gerhard Dannemann (Oxford: Oxford University Press 2013), lxxvii + 789 pp
 Reviews: 100 *Libros de Derecho* 2013, [2013] *Cronista del Estado Social y Democrático de Derecho* 64, 73-74; Eric Clive, *European Private Law News* 22/11/2013; Alberto De Franceschi, [2014] *Journal of European Consumer and Market Law* 55-56; id, [2014] *Rassegna di diritto civile* 1387-1389; Ferenc Szilágyi, (2014) 10 *Iustum Aequum Salutare* 196-206
- Prohibition of Abuse of Law: A New General Principle of EU Law?, jointly edited with Rita de la Feria (Oxford: Hart Publishing 2011), xv + 636 pp
 Reviews: Talia Einhorn, (2014) 78 *Rabels Zeitschrift für ausländisches und internationales Privatrecht (RabelsZ)* 443-449; Ewoud Hondius, (2011) 28 *Nederlands Tijdschrift voor Burgerlijk Recht (NTBR)* 526-527; Anniekatrien Lenaerts, (2012) 49 *Common Market Law Review (CMLRev)* 421-424; Christiana Panayi, [2012] *British Tax Review (BTR)* 682-683; Constanze Semmelmann, (2012) 37 *European Law Review (ELRev)* 101-103; Christian Stempel, (2013) 22 *Zeitschrift für Europäisches Privatrecht (ZEuP)* 438-440
- The Costs and Funding of Civil Litigation: A Comparative Perspective, jointly edited with Christopher Hodges and Magdalena Tulibacka (Oxford: Hart Publishing 2010), xviii + 568 pp
 Reviews: Alessandra De Luca, [2012] *Annuario di diritto comparato e di studi legislative* 499-506; Ewoud Hondius, (2011) 28 *Nederlands Tijdschrift voor Burgerlijk Recht (NTBR)* 140-141; Lothar Jünemann, [2012] *notar* 307-308; Matthias Kilian, (2012) 125 *Zeitschrift für Zivilprozess (ZZP)* 519-523
- Regards comparatistes sur l'avant projet de réforme du droit des obligations et de la prescription, jointly edited with John Cartwright and Simon Whittaker (Paris: Société de législation comparée 2010 – Collection Droit privé comparé et européen, vol 9), 730 pp
 Review: Claude Witz, (2011) 138 *Journal du Droit International – Clunet* 1395-1397

- Content and Meaning of National Law in the Context of Transnational Law, jointly edited with Henk Snijders (Munich: Sellier 2009), xii + 222 pp
Review: Marie Koričanská, [2013] *Právník* 1052-1053
- Commentary on the UNIDROIT Principles of International Commercial Contracts, jointly edited with Jan Kleinheisterkamp (Oxford: Oxford University Press 2009), ccxxx + 1319 pp
Reviews in English: Michael J. Bonell, [2009] *Uniform Law Review (ULR)* 414-417; Ewoud Hondius, (2009) 17 *European Review of Private Law (ERPL)* 745-746; Nicole Kornet, (2012) 19 *Maastricht Journal of European and Comparative Law (MJ)* 93-96; David Milman, [2010] *International Company and Commercial Law Review* 176
Reviews in other languages: Stephen V Berti, (2012) 131 *Zeitschrift für Schweizerisches Recht/Revue de droit suisse (ZSR/RDS)* 117-119; Ewoud Hondius, (2009) 26 *Nederlands Tijdschrift voor Burgerlijk Recht (NTBR)* 275-276; Lars Gorton, [2010] *Erhvervsjuridisk Tidsskrift (ET – Journal of Business Law)* 65-70; Martin Illmer, [2012] *Zeitschrift für Schiedsverfahren/German Arbitration Journal (SchiedsVZ)* 215-216; Nils Jansen, [2009] *Juristenzeitung* 1008-1009; Olaf Meyer, (2010) 19 *Zeitschrift für Europäisches Privatrecht (ZEuP)* 223-224; Wilm Scharlemann, [2010] *Internationales Handelsrecht (IHR)* 88
- Reforming the French Law of Obligations: Comparative Observations on the Avant-projet de réforme du droit des obligations et de la prescription (the ‘Avant-projet Catala’), jointly edited with John Cartwright and Simon Whittaker (Oxford: Hart Publishing 2009), xx + 930 pp
Reviews: John Bell, (2012) 71 *Cambridge Law Journal (CLJ)* 226-228; Eric Descheemaeker, (2010) 73 *Modern Law Review (MLR)* 1086-1089; Phillip Hellwege, (2012) 76 *Rabels Zeitschrift für ausländisches und internationales Privatrecht (RabelsZ)* 443-449
- The Harmonisation of European Contract Law: Implications for European Private Laws, Business and Legal Practice, jointly edited with Stephen Weatherill (Oxford: Hart Publishing 2006), xxv + 259 pp
Reviews: Lesley Jane Smith, (2007) 3 *European Review of Contract Law (ERCL)* 223-228; Matthias Lehmann, (2009) 18 *Zeitschrift für Europäisches Privatrecht (ZEuP)* 220-223; Julius Stuyck, (2007) 44 *Common Market Law Review (CMLRev)* 528-531; Christina D Tvarno, (2007) 13 *European Law Journal (ELJ)* 570-571

(4) Series Editorships

- Comparative Studies in Continental and Anglo-American Legal History, Duncker & Humblot, Berlin 2018– (series editor, jointly with Richard Helmholz, Mathias Reimann and Reinhard Zimmermann)
- Oxford Legal History, Oxford University Press, Oxford 2016– (member of editorial board)
- Studien zur Europäischen Rechtsgeschichte, Vittorio Klostermann, Frankfurt/Main 2015– (series editor, jointly with Marietta Auer and Thomas Duve)
- Global Perspectives on Legal History, Max Planck Institute for European Legal History Open Access Publication, Frankfurt 2015– (series editor, jointly with Thomas Duve)
- Modelli teorici e metodologici nella storia del diritto privato, Jovene editore, Naples 2010– (member of the Consiglio scientifico)

- Studies of the Oxford Institute of European and Comparative Law, Hart Publishing, Oxford 2006-15 (general series editor, jointly with Mark Freedland, Stephen Weatherill and Derrick Wyatt)
- European Legal Studies / Schriften zur Europäischen Rechtswissenschaft / Etudes juridiques européennes, Sellier European Law Publishers, Munich 2005-15 (series editor, jointly with Christian von Bar, Martijn Hesselink, Ewoud Hondius and Brigitta Lurger)

(5) Journal Editorships

- Latin American Legal Studies, Santiago de Chile, 2017– (member of scientific committee)
- Journal of National Law University, Delhi, Delhi Press, Delhi 2017– (member of editorial board)
- Chinese Journal of Comparative Law, Oxford University Press, Oxford, 2017– (member of editorial board)
- National Law School Business Law Review (NLSBLR), Eastern Book Company, Bangalore, 2016– (member of advisory board)
- American Journal of Legal History (AJLH), Oxford University Press, Oxford, 2016–2020 (editor)
- Rechtsgeschichte/Legal History (Rg), Vittorio Klostermann, Frankfurt/Main, 2015– (editor)
- Uniform Law Review/Revue de droit uniforme (ULR), Oxford University Press, Oxford, 2013– (editor)
- Giustizia Civile, Giuffrè Editore, Milan, 2013– (member of scientific committee)
- Contratto e impresa/Europa, CEDAM, Milan, 2013– (corresponding editor)
- Rassegna di diritto civile, Edizioni Scientifiche Italiane, Napoli, 2013– (member of advisory board)
- Journal of Civil Law Studies (JCLS), Center of Civil Law Studies of the Louisiana State University, 2011– (member of advisory board)
- Maastricht Journal of European and Comparative Law (MJ), Intersentia Publishers, Cambridge et al, 2007– (member of advisory board)
- Zeitschrift für Europäisches Privatrecht (ZEuP), Verlag CH Beck, Munich, 2006– (corresponding editor)
- German Law Publishers, 2006– (member of academic board)

(6) Journal Articles and Contributions to Collections

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- ‘Rechtsbegriffe in englischsprachigen Verträgen bei Geltung österreichischen Rechts’, (2021) 143 Juristische Blätter (JBl) 553-568
 [‘Legal concepts in English-language contracts governed by Austrian law’]
 Slightly revised version: ‘Divergenz zwischen Vertragsstatut und Vertragssprache bei Geltung österreichischen Rechts: eine Fallstudie aus der internationalen Schiedsgerichtsbarkeit’ in D Greineder, K Pörnbacher and S Vogenauer (eds), Schiedsgerichtsbarkeit und Rechtssprache: Festschrift für Volker Triebel zum 80. Geburtstag (Munich: CH Beck, 2021) 347-373 [‘Divergences between the applicable law and the language of the contract in contracts governed by Austrian law: a case study from international commercial arbitration’]
- ‘Der Gottesfrieden von Le Puy (ca. 976 AD)’, forthcoming in T Keiser, P Oestmann and T Pierson (eds), Wege zur Rechtsgeschichte: Die rechtshistorische Exegese – Quelleninterpretation in Hausarbeiten und Klausuren (Cologne/Weimar/Vienna: UTB 2021) 337-363
 [‘The Peace of God of Le Puy (ca 976 AD)’]
- ‘Using oral methods for European legal history: methods, sources, projects’ (jointly with Sigfrido Ramirez-Pérez) in (2021) 29 Rechtsgeschichte – Legal History (Rg) 154-156
- ‘*Hardship clauses* und verwandte Klauseln in internationalen Handelskäufen –
 Teil I: Rechtsvergleichende Überlegungen und Einheitsrecht’ (2021) 6 Zeitschrift für internationales Wirtschaftsrecht (IWRZ) 3-9;
 Teil II: Regelungsbedarf bei der Vertragsgestaltung und einschlägige Klauselarten, *ibid*, 57-62;
 Teil III: *Force majeure*-, *Material Adverse Change*- und weitere Anpassungsklauseln, *ibid*, 112-118;
 Teil IV: Vertragliche Gestaltungsmöglichkeiten, *ibid*, 147-153;
 Teil V: Grenzen der Gestaltungsfreiheit, *ibid*, 209-215
 [‘Hardship clauses and related clauses in international commercial sales –
 Part I: Comparative observations and uniform Law,
 Part II: The need for proactive contract drafting and types of relevant clauses;
 Part III: Force majeure, material adverse change and further adjustment clauses;
 Part IV: Drafting techniques
 Part V: Limits of contractual freedom’]
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- ‘Introduction’ (jointly with Mindy Chen-Wishart), in *ibid*, 1-23
- ‘Englisch als Vertragssprache: Fallstricke und Fehlerquellen’ (jointly with Volker Triebel), [2020] Anwaltsblatt (AnwBl) 472-476
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- ‘On Legal Biography’ (jointly with Victoria Barnes and Catharine MacMillan), (2020) 41 Journal of Legal History (JLH) 115-121
- ‘Supervening Events in Contract Law: two Cases on the Interaction of National Contract Laws, International Uniform Law and “Soft Law” Instruments’ (jointly with Ewan McKendrick), in C Benicke and S Huber (eds), National, International, Transnational: Harmonischer Dreiklang im Recht – Festschrift für Herbert Kronke (Bielefeld: Gieseking 2020) 1121-1138

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- ‘The UNIDROIT Principles of International Commercial Contracts at Twenty: Experiences to Date, the 2010 Edition, and Future Prospects’, [2014] *Uniform Law Review* 481-518
- ‘“General Principles” of Contract Law in Transnational Instruments’, in L Gullifer and S Vogenauer (eds), *English and European Perspectives on Contract and Commercial Law: Essays in Honour of Hugh Beale* (Oxford: Hart Publishing 2014) 291-318 (paperback edition 2017)
- ‘Introduction: The European Contract Law Initiative and the “CFR in Context” Project’ (jointly with Gerhard Dannemann), in G Dannemann and S Vogenauer (eds), *The Common European Sales Law in Context: Interactions with English and German Law* (Oxford: Oxford University Press 2013) 1-20
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 [‘Interpretation of contracts as a question of law or fact: the case law of the German Imperial Court between objective and subjective approaches to interpretation’]
- ‘Rechtsgeschichte und Rechtsvergleichung um 1900: Die Geschichte einer anderen „Emanzipation durch Auseinanderdenken“’, (2012) 76 Rabels Zeitschrift für ausländisches und internationales Privatrecht (RabelsZ) 1122-1154
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- ‘Der Begriff des Handels- und Wirtschaftsrechts’, in V Triebel, S Vogenauer et al, Englisches Handels- und Wirtschaftsrecht (3rd edn, Frankfurt/Main: Verlag Recht und Wirtschaft 2012), 1-7
 [‘The concept of commercial law and business law’]
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- ‘Vorsprung durch Technik: Die „deutschsprachigen Zivilrechtslehrer des 20. Jahrhunderts“ in rechtsvergleichender Perspektive’, in S Grundmann and N Riesenhuber (eds), *Deutschsprachige Zivilrechtslehrer des 20. Jahrhunderts in Berichten ihrer Schüler*, vol II (Berlin: de Gruyter 2010) 473-507 [Twentieth century German legal scholarship in a comparative perspective]
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- ‘The Spectre of a European Contract Law’, in *ibid*, 1-4
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- ‘Zur Geschichte des Präjudizienrechts in England’, (2006) 28 *Zeitschrift für Neuere Rechtsgeschichte* (ZNR) 48-78 [History of the doctrine of precedent in English law]
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- 'Paths to the Chair – The French Experience: The *concours* and the *leçon de vingt-quatre heures*', (2004) 12 *Zeitschrift für Europäisches Privatrecht (ZEuP)* 218-223
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- 'Die zivilrechtliche Haftung von Inlineskatern im Straßenverkehr', [2002] *Versicherungsrecht* 1345-1352 and 1478-1489 [Civil liability of roller-bladers]
- 'Die rechtliche Einordnung von Inline-Skates im Straßenverkehr – ein Rechtsvergleich', [2002] *Neue Zeitschrift für Verkehrsrecht* 537-545 [Comparative analysis of the legal status of roller-bladers in road traffic law]
- 'Schutz der Privatheit vor Presseveröffentlichungen', (2002) 10 *Zeitschrift für Europäisches Privatrecht (ZEuP)* 341-364 (jointly with Ulrich Amelung) [Privacy in English law before and after *Douglas v Hello! Ltd* [2001] 2 All ER 289]
- 'Zur Begründung des Mehrparteiengerichtsstands aus Art. 6 Nr. 1 LuGÜ in England und Schottland', [2001] *Praxis des Internationalen Privat- und Verfahrensrechts (IPrax)* 253-257 [Casenote on *Canada Trust v Stolzenberg* [2000] 4 All E.R. 481]
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- 'Richtlinienkonforme Auslegung nationalen Rechts in England', (1997) 6 *Zeitschrift für Europäisches Privatrecht (ZEuP)* 158-171 [Analysis of English case law on the doctrine of indirect effect]
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(7) Contributions to Commentaries

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- Article 6:110: Stipulation in Favour of a Third Party, *ibid*, 866-898
- Introduction, in: S Vogenauer (ed), *Commentary on the UNIDROIT Principles of International Commercial Contracts* (2nd edn, Oxford: Oxford University Press 2015) 1-30
1st edn (2009), 1-20
- Introduction to Chapter I of the PICC, *ibid*, 150-153
- General Provisions I: Arts 1.1-1.3 – Fundamental principles, *ibid*, 154-165
- General Provisions III: Arts 1.6-1.12 – Application of the PICC, *ibid*, 180-251
1st edn (2009), 140-201 (only on Arts 1.6-1.9 PICC)
- Formation IV: Arts 2.1.17-2.1.18 – Integrity of Writing, *ibid*, 371-379

- Arts 4.1-4.8 PICC: Interpretation, *ibid*, 568-616
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- Arts 5.1.1-5.1.9 PICC: Content, *ibid*, 617-653
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- Appendix I – Synopsis of Instruments: UNIDROIT Principles of International Commercial Contracts 2004, International Uniform Law Conventions, and Principles of European Contract Law, *ibid*, 1267-1388
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- Appendix II – Bibliography, *ibid*, 1389-1444
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- §§ 328-333 BGB: Vertrag zugunsten Dritter, in M Schmoeckel, J Rückert and R Zimmermann (eds), *Historisch-kritischer Kommentar zum BGB*, vol II (Tübingen: Mohr Siebeck 2007) 1936-2036 [History of contracts for the benefit of third parties]
- §§ 305-310 BGB: Gestaltung rechtsgeschäftlicher Schuldverhältnisse durch Allgemeine Geschäftsbedingungen (Teil III): Auslegung und Umgehungsverbot, *ibid*, 1476-1508 [History of the interpretation of standard terms and anti-avoidance provisions]
- §§ 133, 157 BGB: Auslegung, in M Schmoeckel, J Rückert and R Zimmermann (eds), *Historisch-kritischer Kommentar zum BGB*, vol I (Tübingen: Mohr Siebeck 2003) 562-653 [History of the interpretation of contracts]

(8) Entries to Encyclopaediae

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- ‘Precedent, Rule of’, *ibid*, 1304-1306
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(9) Book Reviews

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- John Baker, *The Oxford History of the Laws of England, Volume VI: 1483–1558* (Oxford 2003) and Richard H Helmholz, *The Oxford History of the Laws of England, Volume I: The Canon Law and Ecclesiastical Jurisdiction from 597 to the 1640s* (Oxford 2004), (2010) 32 *Zeitschrift für Neuere Rechtsgeschichte (ZNR)* 112-114
- Ulrike Seif, *Recht und Justizhoheit. Historische Grundlagen des gesetzlichen Richters in Deutschland, England und Frankreich* (Berlin 2003), [2006] *Juristenzeitung (JZ)* 84-85
- Filippo Ranieri, *Europäisches Obligationenrecht. Ein Handbuch mit Texten und Materialien* (Wien/New York 2003), (2006) 128 *Juristische Blätter (JBl)* 271-272
- Jan Schröder, „Gesetz“ und „Naturgesetz“ in der frühen Neuzeit (Stuttgart 2004), (2005) 14 *Zeitschrift für Europäisches Privatrecht (ZEuP)* 198
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(10) Conference Reports

- '34. Deutscher Rechtshistorikertag, Würzburg, 8. bis 12. September 2002', (2003) 12 *Zeitschrift für Europäisches Privatrecht (ZEuP)* 198 ff.
- '33. Deutscher Rechtshistorikertag, Jena, 10. bis 14. September 2000', (2002) 11 *Zeitschrift für Europäisches Privatrecht (ZEuP)* 179 ff.
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(11) Policy Papers

- The Drafting of the Common European Sales Law: an Assessment and Suggestions for Improvement (Briefing Note for the European Parliament Committee on Legal Affairs, DG Internal Policies - Policy Department C: Citizens' Rights and Constitutional Affairs 2012), 23 pp (www.europarl.europa.eu/document/activities/cont/201210/20121016ATT53741/20121016ATT53741EN.pdf)
- Memorandum on the Draft Common Frame of Reference, in: House of Lords European Union Committee, European Contract Law: the Draft Common Frame of Reference – Report with Evidence, The Stationary Office: London, 2009 (HL Paper 95), Appendix: Minutes of Evidence Taken Before the Select Committee (Sub-committee E), Wednesday, 26 November 2008, 1-4
- Oral evidence provided to the Select Committee, *ibid.*, 5-17

(12) Miscellanea

- 'Editorial', (2020) 58 American Journal of Legal History (AJLH) 1-2 (jointly with Felice Batlan)
- 'Antrittsrede am 9. November 2019', in: Akademie der Wissenschaften und der Literatur Mainz – Jahrbuch 2018, Stuttgart: Franz Steiner Verlag 2019, 38-41
- '*Principios Latinoamericanos de Derecho de los contratos* – Principles of Latin American Contract Law', in: Rodrigo Momberg and Stefan Vogenauer (eds), *The Future of Contract Law in Latin America: The Principles of Latin American Contract Law*, Oxford: Hart Publishing 2017, 285-312 (jointly with Rodrigo Momberg) [Translation of the draft 'Principles of Latin American Contract Law']
- 'Editorial – Introducing the Future of Legal History: On Re-launching the *American Journal of Legal History*', (2016) 56 American Journal of Legal History (AJLH) 1-5 (jointly with Alfred L Brophy)
- 'Bernard Rudden: Legal polymath who published extensively on Soviet Law' (Obituary), *The Times*, 8 June 2015, 49
- 'Editorial: The Image(s) of the "Consumer" in EU Law', [2014] *Journal of European Consumer and Market Law* 61-62
- 'Foreword', in: Geneviève Helleringer and Kai Purnhagen (eds), *Towards a European Legal Culture*, Oxford/Munich: Hart/CH Beck 2014, v-vii

Presentations

(1) Invited Lectures

‘English as Contract Language – Legal Aspects of a Dying Animal’,
Hong Kong, ‘Cross-Border Legal Issues Dialogue’ Seminar Series of the Centre for
Comparative and Transnational Law, Chinese University of Hong Kong,
4 November 2021 (online)

‘Creating a Legal Order in a Colonial Setting: the Dutch Colonies in Guyana’,
Helsinki, Eurostorie Research Seminars, Centre of Excellence in Law, Identity and the
European Narratives, University of Helsinki,
3 September 2021

‘Interpretation of Contracts and Control of Unfair Terms in Asia’,
Oxford, Faculty of Law, University of Oxford,
5 March 2021 (online)

‘Interpretation of Contracts and Control of Unfair Terms in Asia’,
Singapore, EW Barker Centre for Law & Business, National University of Singapore,
27 January 2021 (online)

‘Auslegung und Inhaltskontrolle von Verträgen in Asien: Vorstellung eines
Forschungsprojekts’,
Hamburg, Max Planck Institute for Comparative and International Private Law,
8 December 2020 (online)

‘Brexit als erklärbare Entscheidung: eine britische Perspektive’,
Frankfurt, Wirtschaftspolitische Gesellschaft von 1947, 24 June 2019

‘Luxemburg – Laeken – London: Krise und Recht in der Geschichte der Europäischen
Union’,
Max-Planck-Gesellschaft zur Förderung der Wissenschaften, Themenkonzert,
Hamburg, The Max Planck Society for the Advancement of Science, 16 May 2019

‘Rechtsrezeption aus Karrieregründen – zu den englischen Übersetzungen Savignys’,
Wiener Rechtsgeschichtliche Gesellschaft,
Vienna, Institut für Rechts- und Verfassungsgeschichte, University of Vienna,
12 March 2019

‘Pourquoi traduire Savigny en anglais? Une approche des transferts de droit centrée sur
les acteurs’,
Paris, Institut d’Histoire du droit, Université Paris 2 – Panthéon-Assas, 13 February 2019

‘Le rôle du juge dans les codifications modernes’,
Paris, Institut d’Histoire du droit, Université Paris 2 – Panthéon-Assas, 13 February 2019

‘Une histoire orale de la Cour européenne de Justice’,
Paris, Institut d’Histoire du droit, Université Paris 2 – Panthéon-Assas, 12 February 2019

‘Legal Transplants: focusing on the Agents’,
Paris, Institut de droit comparé de Paris, 18 January 2019

‘Antrittsrede als Wissenschaftliches Mitglied’,
Mainz, Academy of Sciences and Literature, 5 November 2018

‘English Language Contracts Governed by a Foreign Law’,
The Henry Morris Lecture in International & Comparative Law,
Chicago, Chicago-Kent College of Law, Illinois Institute of Technology,
11 September 2018

‘Translating Savigny: Legal Transplant as Career Advancement’,
Selden Society Annual Lecture 2018,
London, Selden Society, 2 July 2018

‘English Language Contracts Governed by a Foreign Law’,
Seminario de Derecho Comparado,
Santiago, Facultad de Derecho de la Pontificia Universidad Católica de Chile,
9 April 2018

‘La importancia de la investigación y la academia en el ejercicio de la profesión’,
Coloquio en honor al Arturo Alessandri Rodríguez,
Santiago, Alessandri Legal, 5 April 2018

‘UNIDROIT Principles as a Model for Law Reform in Taiwan?’,
Taipei, National Taiwan University, 6 October 2017

‘Written Constitutions: Experiments and Challenges – Germany’,
London, The Honourable Society of the Middle Temple, 4 May 2017

‘Is there competition between legal systems?’,
XX Seminario “Juan Miquel” le Derecho Comparado,
San Cristóbal de La Laguna, Universidad de La Laguna, 17 April 2017

‘BREXIT and Private Law in England and Europe’,
Atelier de droit comparé,
Paris, Institut de droit comparé de Paris, 16 December 2016

‘Legal Transfer in the Common Law World’,
Delhi Science Circle Lecture,
New Delhi, German Embassy, 9 December 2016

‘The EU Insolvency Regulation’,
New Delhi, National Law University Delhi, 14 May 2016

‘Privity of Contract and the Rights of Third Parties’,
Scuola di Specializzazione per le Professioni Legali – Dottorato in Diritto e Tutela,
Rome, Università degli Studi di Roma ‘Tor Vergata’, 29 April 2016

‘Regulatory Competition in Europe Through Choice of Contract Law and Choice of
Forum in Europe: Theory and Evidence’,
Corso di dottorato in Economics, Law and Institutions, School of Economics,
Rome, Università degli Studi di Roma ‘Tor Vergata’, 28 April 2016

‘German-English Contract Language’,
Corso di Linguaggio giuridico tedesco e Corso di Linguaggio giuridico inglese,
Rome, Università degli Studi di Roma ‘Tor Vergata’, 28 April 2016

- ‘Is there Competition Between Legal Systems? The Case of Contract Law’,
Atelier de droit comparé,
Paris, Institut de droit comparé de Paris, 4 December 2015
- ‘English Language Contracts Governed by German Law: Selected Legal Issues’,
Hamburg, Max Planck Institute for Comparative and International Private Law,
26 November 2015
- ‘General Principles of Contract law in Transnational Legal Instruments’,
Atelier de droit comparé,
Paris, Institut de droit comparé de Paris, 5 December 2014
- “‘General Principles’ of Contract Law in Transnational Instruments’,
Hamburg, Max Planck Institute for Comparative and International Private Law,
28 July 2014
- ‘Integration by Way of Legal Commentaries: Challenges of Writing a Commentary on a
Transnational Set of Rules’,
Jena, Jean Monnet Centre of Excellence ‘European Economic Integration – Rules and
Institutions’, 26 May 2014
- ‘Integration Through Private International Law: Parties’ Preferences in the Context of
Choice of Law and Choice of Forum’,
Jena, German-American Lawyers’ Association and Jean Monnet Centre of Excellence
‘European Economic Integration – Rules and Institutions, 26 May 2014
- ‘Choice of Forum or Choice of Law: Which Matters More to Parties to International
Contracts?’,
New York, Brooklyn Law School, 16 September 2013
- ‘Eine Europäische Methodenlehre?’ [A European Legal Method?],
Bonn, Zentrum für Europäisches Wirtschaftsrecht – Rechtsfragen der Europäischen
Integration, 15 October 2012
- ‘Die Beschränkung der Revisibilität der Auslegung von Willenserklärungen: Eine
historische Spurensuche’ [‘Restrictions on appeals against decisions interpreting
contracts: a historical explanation’],
Hamburg, Max Planck Institute for Comparative and International Private Law,
2 August 2012
- ‘The Theory and Practice of Using Comparative Law in the Harmonisation of Private
Law: the Case of Release of Contractual Rights’,
Stellenbosch University, 19 April 2012, and
University of Cape Town Law School, 17 April 2012
- ‘Contemporary Discussions in Comparative Law’,
Stockholm, Stockholm Centre for Commercial Law, 1 September 2011
- ‘Verbot des Missbrauchs Europäischen Unionsrechts’ [The prohibition of abuse of law
in European Union law’],
Hamburg, Max Planck Institute for Comparative and International Private Law,
28 July 2011

‘Geschichte des Unionsrechts als Europäische Rechtsgeschichte’ [‘History of European Union law as European legal history’],
Frankfurt/Main, Max Planck Institute for European Legal History, 2 June 2011

‘Regulatory Competition in Contract Law’,
Lecture series ‘Law as a Product’,
Munich, Centre for Advanced Studies, 11 May 2011

‘The Theory and Practice of Using Comparative Law in the Harmonisation of Private Law: the Case of Release of Contractual Rights’,
Irish Society of Comparative Law, Annual Autumn Lecture,
Trinity College Dublin, 11 November 2010

‘European Contract Law: Commercial Need and Views Across Europe’,
London, Clifford Chance LLP, 8 November 2010

‘Juristische Zeitgeschichte und Rechtsvergleichung am Beispiel der “Deutschsprachigen Zivilrechtslehrer des 20. Jahrhunderts”’ [‘Contemporary legal history and comparative law: the case of the “Twentieth century German speaking teachers of private law”’],
Frankfurt/Main, International Max Planck Research School for Comparative Legal History, Lecture series ‘Stand und Perspektiven der juristischen Zeitgeschichte’,
30 June 2010

‘Draft Common Frame of Reference and UNIDROIT Principles’,
Durham University, Institute of Commercial and Corporate Law, 4 May 2010

‘European Private Law between the UNIDROIT Principles of International Commercial Contracts and the Common Frame of Reference: Co-existence, Competition, or Overkill of Soft Law?’,
Universidad di La Laguna (Spain), 12 April 2010

‘Towards a European Legal Method: the Role of Comparative Law’,
Universidad di La Laguna (Spain), 11 April 2010

‘Bad Law: A Comparative Perspective’,
London, ‘Making Better Law’ Seminar Series of the Hansard Society, 26 March 2009

‘Statutory Interpretation in a Comparative Perspective’,
Genova, Facoltà di Giurisprudenza, 19 March 2008

‘Contracts for the Benefit of Third Parties’,
Genova, Facoltà di Giurisprudenza, 19 March 2008

‘A European Legal Method’,
Genova, Facoltà di Giurisprudenza (Fresco Lecture 2008), 18 March 2008

‘The Role of Comparative Law in Preparing a Commentary on an International Instrument’,
Amsterdam, Centre for the Study of a European Contract Law, 19 November 2007

‘The Common Frame of Reference – What’s Next?’,
Münster, Centrum für Europäisches Privatrecht, 22 June 2007

‘Richterrecht: Neuere Entwicklungen in den angelsächsischen und in den kontinentaleuropäischen Rechten’ [‘Judge-made law: recent developments in Anglo-American and Continental laws’],
Berlin, Juristische Gesellschaft zu Berlin, 13 June 2007

‘Should Britain Adopt a Written Constitution?’ (Round table),
Oxford, Trinity College, 11 June 2007

‘Le role du juge dans la mise en œuvre du droit privé: Approche historique à l’interprétation de la loi’ and
‘Le role du juge dans la mise en œuvre du droit privé: Approche comparative à l’interprétation de la loi’,
Fribourg (CH), 1 and 2 May 2006

‘Interpretation of Contracts in a Comparative Perspective’,
Ithaca/NY, Cornell Law School, 27 January 2006

‘The Europeanisation of Contract Law’,
Baton Rouge/LA, Louisiana State University, 20 January 2006

‘A European Legal Method?’,
Cambridge/Mass., European Law Research Center of Harvard Law School, 16 January 2006

‘Towards a European Legal Method’,
Cambridge, Centre for European Legal Studies, 9 February 2005

‘A Retreat from *Pepper v Hart*?’,
London, Statute Law Society, 7 June 2004

(2) Conference Papers

‘Interpretation of Contracts and Control of Unfair Terms in Asia’,
Conference Series on Contract Law in Common Law Countries: a Study in Divergence,
Delhi/London, Jindal Global Law School/University of London, 7 September 2021
(online)

‘Policing of Unfair Terms in the History of Asian Contract Laws’,
Asian Legal History Conference,
Hong Kong/Hue, The Chinese University of Hong Kong/Hue University,
24 July 2021 (online)

‘Influences of English Law on Asian Contract Laws: Contractual Interpretation’,
Conference ‘English Law and Colonial Connections: Histories, Parallels, and Influences’,
Newcastle/Lodz, Northumbria University/University of Lodz, 27 January 2021 (online)

‘The “Tripartite” Legal Guide to Uniform Legal Instruments in the Area of International Commercial Contracts’,
Conference ‘CISG@40: The Role of UNICITRAL Instruments in the Progressive Development of Cross-Border Legal Regimes and Trade’,
Delhi, National Law University Delhi – Centre for Transnational Commercial Law,
6 January 2021 (online)

‘Choice of contract law and choice of forum: new developments with regard to regulatory competition’,
Conference ‘The contribution of HCCH, UNCITRAL and UNIDROIT to the harmonisation of the law of international sales’,
Rome, UNIDROIT, 22 September 2020

“‘Hardship Clauses” in internationalen Kaufverträgen aus rechtlicher Sicht’,
5. Internationaler Wirtschaftsrechtstag,
Berlin, DeutscheAnwaltAkademie, 14 November 2019

‘Englisch als Vertragssprache’ (together with Volker Triebel),
5. Internationaler Wirtschaftsrechtstag,
Berlin, DeutscheAnwaltAkademie, 14 November 2019

‘Frankfurt und sein Commercial Court’,
Conference ‘Exportprodukt Recht für den Finanzplatz Frankfurt’,
Frankfurt, Wirtschaftsrat Deutschland und Netzwerk Finanzplatz, Frankfurt,
12 November 2019

‘What should we learn from the English Commercial Court and from the projects in Singapore and Continental Europe?’,
Law made in Germany, 7th Symposium,
Frankfurt, Deutscher Anwaltverein, IHK Frankfurt und RAK, 6 November 2019

‘Legal studies in the Max Planck Society: a brief history’,
Max Planck Law Inaugural Conference
Berlin, Harnack House, 21 October 2019

‘Doctrinal Legal History’,
Colloquium ‘Methods in Legal History’,
Frankfurt, Max Planck Institute for European Legal History, 15 October 2019

‘Abraham Hayward: lawyer, literary man and lounge lizard’,
Legal Biography Workshop,
Frankfurt, Max Planck Institute for European Legal History, 2 July 2019

‘Entwurf eines allgemeinen deutschen Gesetzes über Schuldverhältnisse von 1866 (Dresdner Entwurf)’,
Symposium (in honour of Hans-Jürgen Becker) ‘Deutscher Bund und nationale Rechtseinheit’,
Regensburg, Universität Regensburg, 21 March 2019

‘English Language Contract Governed by Foreign Law’,
Seminar (in honour of Hugh Beale) ‘Making Sense of Commercial and Contract Law’
Warwick, University of Warwick Law School, 19 June 2018

‘Englisch als Vertragssprache: Fallstricke und Fehlerquellen’,
Deutscher Anwaltstag 2018,
Mannheim, 8 June 2018

‘Coherence and Virtue – Commentary on Amalia Amaya’,
Symposium ‘What gives meaning to statutory rules and constitutional provisions?’,
Cambridge, Faculty of Law, University of Cambridge, 12 May 2018

‘The Use of Soft Law in Arbitration: The UNIDROIT Principles of International Commercial Contracts’,
 Colloquium ‘Perspectivas en Arbitraje Internacional’,
 Santiago, Centro de Arbitraje y Mediación - CAM Santiago de Chile, 5 April 2018

‘Bridging the Gap Between the Civil and Common Law in International Contracts: Uniform Rules on Contractual Interpretation’,
 Colloquium ‘Nuevas Perspectivas en Derecho Contractual’,
 Valparaíso, Facultad de Derecho de la Pontificia Universidad Católica de Valparaíso, 3 April 2018

‘Brexit: Winners and Losers in the Higher Education Sector’,
 Symposium ‘Brexit means Brexit?’,
 Mainz, Academy of Sciences and Literature, 7 December 2017

‘Legal Transfer in the Common Law World – Overview of a Research Field’,
 Conference ‘Legal History of the Common Law World’,
 Tel Aviv, David Berg Foundation Institute for Law and History at the Buchmann Faculty of Law, Tel Aviv University, 27 November 2017

‘The role of legal history in the interpretation of EU law: Status quo and future possibilities’,
 Conference ‘The Treaties of Rome as *travaux préparatoires*’,
 Frankfurt, Max Planck Institute for European Legal History, 23 June 2017

‘Voice – Intervention – Connection: the Scholar’s Role in Editing Journals, Blogs, and Paper Series’ (Roundtable)
 LASSNet Conference,
 New Delhi, 12 December 2016

‘Towards a Legal Biography of FA Mann’,
 Workshop ‘FA Mann’,
 Cambridge, St. John’s College, University of Cambridge, 16 November 2016

‘Brexit and its Prospective Impact on US-European Relations’,
 DAJV Annual Conference,
 Cambridge Massachusetts, Harvard University, 13 October 2016

‘Der internationale Wettbewerb von Gerichten: Rechtswahl und Gerichtsstandsvereinbarungen in Theorie und Praxis’ [‘International Competition of Courts: Choice of Law and Choice of Forum Agreements in Theory and Practice’],
 Lecture Series ‘Berliner Seminare “Recht im Kontext” 2015/16: Gerichte und ihre Äquivalente’,
 Berlin, Wissenschaftskolleg, 5 July 2016

‘Uniform Rules on the Interpretation of Contracts to Bridge the Gap Between the Civil and the Common Law’,
 Conference ‘Uniform Rules for European Contract Law? A Critical Assessment’,
 Segovia, IE University, 24 June 2016

‘Peer Reviewing, Ranking and Bibliometrics: A View From the English-speaking World’
 Conference ‘Publishing Legal History’,
 Berlin, Harnack House of the Max Planck Society, 27 May 2016

‘The UNIDROIT Principles on Contract Interpretation’,
Seminar ‘Could the UNIDROIT Principles Solve the Battle between Common Law Jurisdictions and Other Jurisdictions in International Arbitration? If So, How?’,
Stockholm, Stockholm Centre for Commercial Law, 23 February 2016

‘The Max Planck Institute for European Legal History and its Research Field “Legal Transfer in the Common Law World”’,
Kick-off Workshop ‘Legal Transfer in the Common Law World’,
London, Birkbeck College, 18 February 2016

‘Judge-made Law, Judicial Legitimacy and General Principles of Law in Europe: a Brief History’,
Conference ‘General Principles of Law: European and Comparative Perspectives’,
Oxford, Institute of European and Comparative Law, 26 September 2015

‘History of European Law 1950-1993: Reception by the Member States’,
Conference ‘Towards a New History of European Law’,
Bruges, Collège d’Europe, 12 June 2015

‘The Role of the Judge after the Reform of French Contract Law’,
Seminar ‘The Balance Between Contracts and Codification’,
Oxford, Christ Church College, 27 April 2015

‘Violence économique – clauses abusives – révision pour imprévision – execution en nature – remèdes unilatéraux: l’expérience allemande’,
Colloquium ‘Le projet de réforme du droit des contrats: premières reactions de la pratique des affaires’,
Paris, Chambre de commerce et d’industrie de Paris, 8 April 2015

‘Focusing on the “Legal” in the “New History of EU Law”’
Workshop of the Copenhagen Project on the History of EU Law,
Copenhagen University, 18 January 2015

‘Challenges for European and Comparative Legal History’,
Colloquium ‘Legal History – Future Challenges’,
Frankfurt/Main, Max Planck Institute for European Legal History, 2 December 2013

‘A Commentary on the UNIDROIT Principles of International Commercial Contracts’,
Workshop ‘Literature on the Convention for the International Sale of Goods’
New York, NYU Center for Transnational Litigation, Arbitration and Commercial Law,
24 September 2013

‘International Commercial Arbitration and Global Governance’,
Conference ‘Transformations of the State’,
Oxford, Social Sciences Division, 11 May 2012

‘European Legal Method: Learning from Intellectual Property?’,
Conference ‘European Methods and Interactions in the Field of Intellectual Property Law’,
Oxford, Jesus College, 7 January 2012

‘Schlüsselstellen in englischen Savigny-Übersetzungen’ [‘Key passages in English translations of Savigny’s works’],
Conference ‘Savigny International?’,
Frankfurt/Main, Max Planck Institute for European Legal History, 25 October 2011

‘Regulatory Competition Through Choice of Contract Law and Choice of Forum in Europe: Theory and Empirical Evidence’,
Conference ‘Regulatory Competition in Contract Law and Dispute Resolution’,
Munich, 14 October 2011

‘EU Law and Private Law: a Difficult Relationship’,
Conference ‘The Involvement of EU Law in Private Law Relationships’,
Oxford, St Anne’s College, 28 September 2011

‘The Common Frame of Reference of European Contract Law’,
Annual Conference of the British German Jurists Association,
London, 25 September 2011

‘Conceptualizing Postnational Rulemaking: Comments from the Perspective of Legal History and Transnational Commercial Law’,
Conference ‘Workshop on Postnational Rulemaking’,
Amsterdam, The Royal Netherlands Academy of Arts and Sciences (KNAW),
15 September 2011

‘Selbstregulierung im Recht der Verträge: England im späten 19. und frühen 20. Jahrhundert’ [‘Self-regulation in the law of contract: England in late 19th and early 20th century’],
Conference ‘Regulierte Selbstregulierung in der westlichen Welt des späten 19. und frühen 20. Jahrhunderts’ [‘Regulated self-regulation in the Western world of the late 19th and early 20th century’],
Frankfurt/Main, Max Planck Institute for European Legal History, 16 June 2011

‘Transnational Law with and Without States’ (Panel Chair),
Conference ‘Transformations of the State’,
Oxford, Department of Politics and International Relations, 21 May 2011

‘Juristische Zeitgeschichte und Rechtsvergleichung am Beispiel der “Deutschsprachigen Zivilrechtslehrer des 20. Jahrhunderts”’ [‘Contemporary legal history and comparative law: the case of the “Twentieth century German speaking teachers of private law”’],
Conference ‘Rechtshistorisches Wochenende’ [‘Legal history weekend’],
Sehlendorf, 13 May 2011

‘Unification of General Contract Law: the Case of the UNIDROIT Principles of International Commercial Contracts’,
Conference: ‘1st African Conference on International Commercial Law’,
Douala (Cameroon), 14 January 2011

‘The Future of International Commercial Contract Law: Coexistence Between CISG, PICC and CFR?’,
Conference ‘International Commercial Transactions: UN Sales Convention (CISG) and UNIDROIT Principles of International Commercial Contracts (PICC)’,
Trier, Academy of European Law, 11 June 2010

‘CFR and UNIDROIT Principles of International Commercial Contracts: Coexistence, Competition, or Overkill of Soft Law?’,
Conference ‘A Common Frame of Reference for European Contract Law’,
Stockholm, Swedish Presidency of the EU, 23 October 2009

‘Legal Education in the Global Marketplace’,
Conference ‘Globalization of the Legal Profession’,
Oxford, Magdalen College, 11 September 2009

‘The Role of Comparative Law in the Preparation of International Uniform Law’,
Conference ‘Transnational Commercial Law’,
Oxford, St John’s College, 23 July 2009

‘Costs and Funding of Civil Litigation: to Harmonize or not to Harmonize?’
Conference ‘Litigation Costs and Funding’,
Oxford, Centre for Socio-Legal Studies, 7 July 2009

‘The UNIDROIT Principles of International Commercial Contracts – Major Themes’,
Conference ‘The UNIDROIT Principles of International Commercial Contracts and
Nordic Contract Law Reform’,
Stockholm, Stockholm Centre for Commercial Law, 27 May 2009

‘Interpretation of Contracts (Chapter 4 of the UNIDROIT Principles)’,
Conference ‘The UNIDROIT Principles of International Commercial Contracts’,
London, London Court of International Arbitration, 26 February 2009

‘Interpretation of Contracts (Chapter 4 of the UNIDROIT Principles)’,
Conference ‘The UNIDROIT Principles of International Commercial Contracts’,
Paris, International Court of Arbitration, 25 February 2009

‘Skating on Thin Ice: what Happened to ‘Strict’ Interpretation of Criminal and Tax
Legislation?’,
Statute Law Society Conference,
Belfast, 11 October 2008

‘Prohibition of Abuse of Law: an Emerging Principle of EU Law’,
Conference ‘Prohibition of Abuse of Law: a New General Principle of EU Law?’,
Oxford, Centre for Business Taxation, 4 October 2008

‘Form of Judgments: Conclusions’,
Conference ‘A Matter of Style? The Form of Judgments in the United Kingdom and
Abroad: a Symposium in Honour of Lord Bingham’,
Oxford, St Anne’s College, 21 June 2008

‘Towards a European Contract Law: Recent and Future Developments’,
CDAMS Seminar,
Kobe University, 12 December 2007

‘Development of Sources of European Law and Methodology of Comparative Law’,
Conference ‘Legal Terminology in the Era of Globalization – Comparative Studies on
Legal Transplant in Europe and East Asia’,
Tokyo, Waseda University Institute of Comparative Law, 8 December 2007

‘Some Wider Lessons from the Privacy Debate’,
Conference ‘UK-German Judicial Exchange’,
London, House of Lords, 28 September 2007

‘Interpretation of Contracts: Concluding Comparative Observations’
Conference ‘7th Oxford-Norton Rose Colloquium’,
Oxford, St Hugh’s College, 22 September 2006

‘Staatsverständnis und Methodenlehre. Die Gesetzesauslegung *in dubio contra fiscum*’
Conference ‘36. Deutscher Rechtshistorikertag’ [‘36th Conference of German Legal
Historians’],
Halle, Juristische Fakultät, 12 September 2006

‘European Integration and the Law: Harmonisation of Private Law’
Conference ‘European Integration and the Law: 25 years of Maastricht University’s
Faculty of Law’,
Maastricht, Faculty of Law, 8 June 2006

‘Prospects of a Common European Legal Method’,
Conference ‘Annual Ius Commune Congress of the Ius Commune Research School’,
Edinburgh Law School, 2 December 2005

‘L’avant-projet d’un Code européen des contrats et le droit comparé’,
Conference ‘Le droit européen des contrats. Projet préparé à l’initiative du professeur
Gandolfi’,
Paris, Académie des sciences morales et politiques, Institut de France, 28 October 2005

‘The Problem of Legal Authority in Jhering’s Theory of Law’,
Oxford Legal Philosophy Colloquium 2005,
Oxford, Balliol College, 8 March 2005

‘... to take up the ground hitherto unoccupied in periodical literature’ – Die ersten
juristischen Fachzeitschriften Englands im 19. Jahrhundert’ [‘The first English law
journals in 19th century England’],
Conference ‘Juristische Zeitschriften in Europa’ [‘Law journals in Europe’],
Frankfurt/Main, Max Planck Institute for European Legal History, 1 October 2004

‘The means of judicial development of the law in France and England’,
Conference ‘The French Civil Code: its Relevance to the Common Law World and
Beyond’,
London, British Institute of International and Comparative Law, 21 June 2004

(3) Media

David Cameron’s Plans for a ‘British Bill of Rights’,
BBC 4 World at One, 26 June 2006

EU-Lehren aus der Corona-Krise,
Deutschlandfunk, Magazin ‘Aus Kultur- und Sozialwissenschaften’, 20 August 2020
(<https://www.deutschlandfunk.de/aus-kultur-und-sozialwissenschaften.1147.de.html?cal:month=8&drbm:date=2020-08-20>)