

March 18, 2019

Curriculum vitae

EDUCATION

- 2001 M.F.A. (fiction), Columbia University, New York
1982–83 Fellowship, Max Planck Institute for Criminal Law, Freiburg, Germany
1982 *Diplôme d'Études Approfondies* (LL.M.), University of Paris 2
1980–81 Fulbright Scholar, Universities of Rome and Messina, Italy
1980 J.D., Boalt Hall Law School, University of California, Berkeley
1970 A.B., Harvard College, Cambridge, Massachusetts

HONORS AND SERVICE

- 2013- Member, Editorial Council, *civilistica.com: revista electronica de direito civil*, Brazil
2013- Member, Scientific Advisory Board, Doctorate Program in Law,
Universidade Nova, Lisbon, Portugal
2011- Member, Scientific Council, *Quaderni Fiorentini per la storia del pensiero giuridico
moderno*. Milano: Giuffrè
2006- Life member, Council on Foreign Relations
2000- Associate member, International Academy of Comparative Law
1994- Member, American Law Institute

2012- Articles Reviewer, *Law and Philosophy: An International Journal for
Jurisprudence and Legal Philosophy*, New York: Springer;
Journal of Classical Sociology, Sage: London
2009- Legal Studies Reviewer, Egypt Bilateral Fulbright Commission
2007-09 Law and Policy Reviewer, Bellagio Residency Program,
Institute of International Education
2000 U.S.-Cuba Writers' Conference, Havana

2002 Advisory Council, Convention on Contracts for the International Sale of Goods
Reporter, Opinion on the Applicability of the Parol Evidence Rule (2004)
2002 Uniform Commercial Code, Proposed Revisions to Article 2 (2002)
Drafted initial version of revised § 2-508 (Cure)
1994 UNIDROIT Principles of International Commercial Contracts (1994)
Reporter, Arts. 2.1 (Manner of formation); 7.1.4 (Cure)

1999 Christian R. and Mary F. Lindback Foundation Award for a Lifetime of
Distinguished Teaching, Rutgers University, Camden campus
1994 Provost's Teaching Excellence Award, Rutgers University, Camden campus

- 1994 Outstanding Professor of the Year, Rutgers Law School
- 1980 Order of the Coif

EMPLOYMENT

- 1999- Rutgers Law School, Camden
Distinguished Professor
- 1991-99 Rutgers Law School, Camden
Associate Professor; Full Professor
- 1986-91 Univ. of Miami Law School, Coral Gables, Florida
Associate Professor
- 1983-86 Covington & Burling, Washington DC
Lawyer

VISITING PROFESSORSHIPS

- 2017 University of Pavia, Italy
- 2007, '10 Vietnam National University, Hanoi, Vietnam
- 2006 Universidade Nova, Lisbon, Portugal
- 2006, '08 Karl Franzens University, Graz, Austria
- 2004 Temple University LL.M. Program at Tsinghua University Law School,
Beijing, China
- 2004 Free University, Berlin, Germany
DAAD Professor for Anglo-American Law
- 2003 Ritsumeikan University Law School, Kyoto, Japan
- 2002-03 Tsinghua University Law School, Beijing, China
Fulbright Distinguished Lecturer
- 1996-97 Tokyo University and Waseda University, Tokyo, Japan
Fulbright Senior Scholar
- 1996 University of Texas Law School, Austin
- 1991-92 Universities of Paris I and 2, Paris, France
Chair in American Law
- 1991, '92 Autonomous University, Barcelona, Spain
- 1989 Free University, West Berlin, West Germany

PUBLICATIONS

Books

- 2009 *Gifts: A Study in Comparative Law*. New York: Oxford University Press

(paperback 2012)

REVIEWS:

- USA: Hans W. Baade, 2010, *American Journal of Comparative Law* 58: 471–474 (“a fascinating story, superbly told here by a true master of our craft”); Iris J. Goodwin, 2010, *Real Property, Trust and Estate Law Journal* 44: 823–836 (“a masterpiece of comparative law scholarship”)
- EU: Jaakko Husa, 2009, *Maastricht Journal of European and Comparative Law* 341–359 (“a noteworthy accomplishment from virtues of classical comparative law at its best”); Ewoud Hondius, 2010, *European Review of Private Law* 18: 419–420 (“a magnificent book”)
- Germany: Reinhard Zimmermann, 2009, *Neue Juristische Wochenschrift* (NJW) 3626, 3631 (naming it one of eight law books of the year); Gerhard Dannemann, 2012, *Rabels Zeitschrift für ausländisches und internationales Privatrecht* 76: 449–453 (“absorbing and thrilling”)
- Netherlands: Ewoud Hondius, 2009, *Nederlands Tijdschrift voor Burgerlijk Recht* 398–399 (“a fascinating book”)
- UK: Pierre Legrand, 2009, *Journal of Comparative Law* 4: 309–312 (“impressively insightful”); [Phillip Taylor](#), 2010, (“a riveting read”); Paula Giliker, 2010, *Common Law World Review* 39: 310–313 (“a fascinating comparative study”); David Carey Miller, 2011, *Edinburgh Law Review* 15: 146–148
- Australia: Danuta Mendelson, 2010, *Deakin Law Review* 15: 249–258 (“a very impressive work of great scholarship”)
- India: [Barnik Ghosh](#), 2010, *India Law Journal*, vol. 3, (“an indispensable resource for students of the gift, and of comparative law in general”)
- South Africa: Christian Schulze, 2010, *Comparative and International Law Journal of Southern Africa* (CILSA) 43: 379–383 (“a must-have for every comparativist”)
- Social Sciences: Robert Cunningham, 2010, *Anthropological Forum* 20: 171–173 (“probing and thought provoking”); Keith Hart, 2010, *European Journal of Sociology* 51: 559–564 (“[a] monumental study”); Jane Guyer, 2011, *American Ethnologist* 38: 607–608 (“beautifully crafted”); Yves Laberge, 2013, *Journal of Legal Anthropology* 1: 394–396 (“vivid, clear, and elegant”)
- Citation: *EMI Group Ltd v The Commissioners for Her Majesty’s Revenue & Customs*, Case C-C-581/08 at note 2 (15 April 2010) (Opinion of Advocate General Jääskinen)

2006

The Commercial Sales Transaction: An Introduction to Commercial Law
With D. Patterson. West casebook. 2nd ed. St. Paul: Thomson/West

Chapters and Book Entries

- 2018 Should Judges Tell Us What They Know? In *Collective Judging in Comparative Perspective: Counting Votes and Weighing Opinions*, ed. Wolfgang Ernst et al. Intersentia: Cambridge (forthcoming)
- 2014 Codification and the American Discussion About How Judges Decide Cases. In *Codifying Contract Law*, ed. Mary Keyes and Therese Wilson, 205–218. Farnham: Ashgate
- 2014 The *Fondement*. In *Les Intraduisibles en droit civil*, ed. Alexandra Popovici et al., 75–101. Montreal: Thémis
- 2011 *Một số nét cơ bản về thẩm quyền của tòa án hành chính hoa ky, phân tích so sánh với tòa hành chính các nước thuộc hệ thống dân luật* [Basic Aspects of the Jurisdiction of Administrative Courts in the United States, together with a Comparative Analysis of Administrative Courts in Civil Law Countries], trans. Katia Hoang. In *Van Hóa Pháp Luật [Legal Culture: The Basic Theoretical Issues and Specialized Applications]*, 638–656. Hanoi: Vietnam National University Press
- 2011 American Private Legislatures and the Process Debate. In *Towards a European Civil Code*, ed. Arthur S. Hartkamp and Christian von Bar, 71–90. 4th ed. Alphen aan den Rijn: Kluwer
- 2010 The RAF and the Vietnam War. In *Die RAF und die Justiz: Nachwirkungen des "Deutschen Herbstes,"* ed. Volker Drecktrah, 237–275. München: Meidenbauer
- 2008 Fictional Truth. In *Estudos comemorativos dos 10 anos da Faculdade de direito da Universidade Nova de Lisboa*, ed. Diogo Freitas do Amaral et al., 1: 137–150. Coimbra: Almedina
- 2004 The American Experience: Restatements, the UCC, Uniform Laws, and Transnational Coordination. In *Towards a European Civil Code* ed. Arthur S. Hartkamp and E. H. Hondius, 59–75. 3rd ed. Nijmegen: Ars Aequi Libri
- 2002 Shall We Dance? In *Codici: Una riflessione di fine millennio*, ed. Paolo Cappellini and Bernardo Sordi, 377–400. Milano: Giuffrè
[Reprinted](#) in English and Portuguese in *civilistica.com, revista electronica de direito civil* (2014)
- 1998 The Restatements and the Uniform Commercial Code. In *Towards a European Civil Code*, ed. Arthur S. Hartkamp and Christian von Bar, 55–70. 2nd ed. Nijmegen: Ars Aequi Libri
- 1996 Comparative Law. In *A Companion to the Philosophy of Law and Legal Theory*, ed. Dennis Patterson, 184–199. Cambridge: Blackwell
- 1994 [Note to ICC Case No. 5713 of 1989](#). In *Guide to Practical Applications of the United Nations Convention on Contracts for the International Sale of Goods*, ed. Albert Kritzer, 7–16. Deventer: Kluwer,
- 1988 [Conformity of Goods to the Contract](#) Under the United Nations Sales Convention and the Uniform Commercial Code. In *Einheitliches Kaufrecht und nationales Obligationenrecht*, ed. Peter Schlechtriem, 305–341. Baden-Baden: Nomos,

Festschrift Essays

- 2012 The Case for the Common Law. In *Rechtsgeschäft, Methodenlehre und darüber hinaus: Liber Amicorum für Detlef Leenen*, ed. Martin Häublein and Stephen Utz, 109–129. Berlin: De Gruyter
- 2007 Evening in Lisbon. In *Festschrift für Claus-Wilhelm Canaris zum 70. Geburtstag*, ed. Andreas Heldrich et al., 2: 1161–1180. München: Beck
- 2004 *Sensibilité et passion*. In *Ruptures, mouvements et continuité du droit: autour de Michelle Gobert* 45–59. Paris: Economica
- 2003 *Dans la vallée de la Vie*. In *Festschrift für Peter Schlechtriem*, ed. Ingeborg Schwenzer and Günter Hager, 69–78. Tübingen: Mohr Siebeck

Journal Articles

- 2014 Gift and Danger, *Journal of Classical Sociology* 14: 45–53
- 2010 “Mauss et moi . . .”. *Sur le droit des dons*, *Revue du MAUSS* 36: 409–417
- 2010 Gift, Law, and Political Reform, *Revue du MAUSS* 36: 401–08
- 2002 Imagine Europe, *Quaderni Fiorentini* 31: 801–818
- 1997 [Draft](#), *Columbia Law Review* 97: 1343–1362
- 1997 The Role of the Trial in American Law and American Life, *Yamanashigakuin L. Rev.* 37: 1–14
- 1995 [Life, Death, and Contract](#), *Northwestern Law Review* 90: 204–218
Reprinted in Japanese in *Waseda Law Review* 73: 1–32 (1998)
- 1995 Pillow Talk, *American University Journal of Gender and Law* 4: 77–103
- 1994 *Pacta Sunt Servanda: A Meditation*, *Virginia Journal of International Law* 34: 405–433.
Reprinted in Spanish in *Del “Ius mercatorum” al derecho mercantil: III Seminario de Historia del Derecho Privado*, ed. Carlos Petit, 360–381, Madrid: Marcial Pons (1997)
- 1994 [The One and the Many](#). *California Law Review* 82: 401–419
Reprinted in French in *Hegel passé, Hegel à venir*, ed. Claude Amey and Henri Maler, trans. Jean-Louis Kara, 179–195, Paris: L’Harmattan (1995)
- 1992 On Setting Forth the Law of Contract: A Foreword. *American Journal of Comparative Law* 40: 541–550
- 1992 The Spinozist. *Iowa Law Review* 77: 805–835
- 1990 Babel: A *She’ur*. *Cardozo Law Review* 11: 1585–1612
Reprinted in: *Postmodernism and Law*, ed. Dennis Patterson, 127–154, New York: NYU Press (1994); *Law and Language*, International library of essays in law and legal theory, Second series, ed. Thomas Morawetz, 27–54, Aldershot: Ashgate / Dartmouth (2000); [Clio@Themis: Revue électronique d’histoire du droit](#), trans. Françoise Michaut, no. 5 (2012)
- 1989 [Hegel: A User’s Manual](#). *Cardozo Law Review* 10: 1735–1831

- 1986 [A Defense of Legal Writing](#). *University of Pennsylvania Law Review* 134: 599–626.
Included in *The Oxford Dictionary of American Legal Quotations*, ed. Fred Shapiro, 291, Oxford: Oxford University Press (1993)

Encyclopedia and Dictionary Entries

- 2009 Max Radin. In *The Yale Biographical Dictionary of American Law*, ed. Roger Newman, 444–445. New Haven: Yale University Press
- 1999 Gift; Oliver Wendell Holmes, Jr.; and Baruch de Spinoza—three articles for *The Philosophy of Law: an Encyclopedia*, ed. Christopher Gray, 329–331, 377–378, 829–830. New York: Garland
- 1990 *Diritto soggettivo (nei paesi di common law)* [Subjective Right in Common Law Countries]. In *Digesto delle discipline privatistiche (Sezione civile)* 6: 433–439. 4th ed. Torino: UTET

Book Reviews

- 2018 Review of Wolfgang Ernst, *Rechtserkenntnis durch Richtermehrheiten: “group choice” in europäischen Justiztraditionen*. *Quaderni fiorentini* 47: 560-571.
- 2017 On Rereading *The King’s Two Bodies*. Review of Ernst Kantorowicz: *A Life*, by Robert E. Lerner. *American Journal of Comparative Law* 66: 458-473.
- 2003 Roman Lawyers and the Holocaust. Review of *Cartas Romanisticas (1923-50)*, by Max Radin, ed. Carlos Petit. *American Journal of Comparative Law* 51: 457–470
- 1997 Review of *Pasioness del jurista: Amor, memoria, melancolía, imaginación*, ed. Carlos Petit. *Quaderni fiorentini* 27: 428–438

Miscellaneous

- 2014 [Charles Reznikoff’s “Amelia”: A case study](#)
- 2013 [Richard Hyland on Vachel Lindsay’s “The Congo”](#)
- 2012 Merger could undo university’s global initiatives, *Courier-Post*, February 26
- 2011 Harkness Goes to Law School, *The Exonian*, January 13
- 2002 Diamond Dairy Kosher Luncheonette. In *City Secrets: New York City*, ed. R. Kahn, 241
- 1969–84 [Articles](#) in the *Harvard Crimson*

Translation

- 1986 Schlechtriem, Peter. *Uniform Sales Law: The UN-Convention on Contracts for the International Sale of Goods*. Wien: Manz (drafted the final text)

Interviews

- 2013 James Atlas, [The Extreme \(Existential\) Makeover](#),
The New York Times, March 22, 2013,
1997 Yoshihisa Nomi, Legal Education in Japan and the United States,
Hogaku-Kyoshitsu, no. 204 (translated into Japanese)

SELECTED UNPUBLISHED PRESENTATIONS

- 2011 University of Pavia Law Faculty, Pavia, Italy
2010 McGill University Law Faculty, Montreal, Quebec
2005 Doctoral Seminar, Universidade Nova, Lisbon, Portugal
2004 Institute of Comparative Law, University of Heidelberg, Germany
1999 Cerisy Symposium on Property, Cerisy-la-Salle, France
1998 Symposium Commemorating the 100th Anniversary of the Japanese Civil Code,
Universities of Tokyo and Kyoto, Japan
1998 Keynote Address, Law Faculty Day, Free University, Berlin, Germany
1997 University of Hokkaido Law Faculty, Sapporo, Japan
1996 Developments in Contract Formation, University of Tokyo, Japan
1994 The Internationalization of Commercial Law, Northwestern Law School, Chicago
1993 Law and the Postmodern Mind, Cardozo Law School, New York
1993 Colloquium on European Contract Law, Barcelona, Spain
1992 Law Between Logic and Politics, Collège international de philosophie, Paris
1992 Faculty of Law, University of Montpellier, Montpellier, France
1991 Society of Comparative Legislation, Paris, France
1991 Max Planck Institute for International and Foreign Private Law, Hamburg
1989 European Law Students' Association, West Berlin, West Germany
1989 Bruno Leuschner College of Economics, East Berlin, East Germany