

UGO A. MATTEI

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PERSONAL

Born: April 22, 1961 in Turin, Italy.

Married to Elisabetta Grande, two daughters, one son.

Languages: Italian, English, French, reading and understanding skills in Latin and Spanish.

EDUCATION

1980, London School of Economics, Modern English Law Program.

Certificate awarded “with distinction and merit.”

1982, Faculté Internationale de Droit Comparé, Strasbourg, France.

Diplome de deuxième cycle.

1983, Facoltà di Giurisprudenza, Università di Torino.

Laurea in Giurisprudenza.

1989, Boalt Hall School of Law, University of California at Berkeley, L.L.M.

2019, Université’ Catholique Louvain, Phd Honoris Causa (for outstanding scholarly contribution in the field of the commons)

HONORS AND AWARDS

1983, Degree Dottore in Giurisprudenza awarded Summa Cum Laude; ranked first in a class of over 1500 students. Thesis on Comparative Environmental Law awarded "Dignità di Stampa" (literally "Worthy of Publication," an honor given to the best thesis by the Faculty of Law at the University of Torino. Thesis Supervisor Professor: Antonio Gambaro).

1984, "Duilio Miccoli Fellowship" by the Institute of Comparative Law "A.Sraffa,"
Università Bocconi, Milano. "Consiglio Nazionale delle Ricerche" Fellowship,
Roma.

1985, "L.Einaudi" Fellowship, Roma.

1986, "L. Einaudi" Fellowship re-granted.

1987, "Fulbright" Fellowship.

1988, "Consiglio Nazionale delle Ricerche" Fellowship, Roma.

1989, "Consiglio Nazionale delle Recerche" Fellowship, Roma.

1992, Dining Privileges at Trinity College, Cambridge.

1993, "Fulbright Senior Fellowship."

1994, Associate Member, International Academy of Comparative Law.

1994, Order of The Coif.

1996, Member Advisory Board, The New Palgrave A Dictionary of Economics and
the Law.

1997, Member of the Scientific Advisory Board for the Law, Mc Grew- Hill, Spain.

1998, Member of the Advisory Board "Institute of European Law", Université de
Fribourg, Switzerland.

2000, Titular Member, International Academy of Comparative Law./Academie
Internationale de Droit Compare' (70 members worldwide, 7 in the U.S.)

2001, Member of the Advisory Board: Center for Law Economics and Finances,
Copenhagen Business School, Denmark.

2003, Winner of the Luigi Tartufari Award, Accademia Nazionale dei Lincei, Roma
for the book *La Proprietà*.

2004-2007, Research Leave at the Centro Linceo Interdisciplinare B. Segre, Rome
(first jurist ever in the history of this important recognition).

2008, Honorary Member, The Rumanian Society of Comparative Law

2009, Honorary Professor, University San Marcos, Lima, Perù

2012, Winner of the Benedetto Croce Award for the book *Beni Comuni. Un Manifesto*.

2013, Winner of the Jacopo da Lentini Award for Career Achievement, Taormina, Sicily.

2013, Member of the European Law Institute.

2015, Institute for New Economic Thinking, New York, Research Grant

2016 Winner of the Benjamin Franklin Gold Medal Award for the Book *Ecology of Law*

2018 Elinor Ostrom Senior Award for his contribution to the study and practice of the commons

EMPLOYMENT:

Regular Appointments

1985-1986: Lecturer in Civil Law, Facoltà di Giurisprudenza, University of Trento, Italy.

1987-1990: Assistant Professor of Comparative Law, Facoltà di Giurisprudenza, University of Trento, Italy.

1990-1994: Professor of Comparative Law, University of Trento, Italy.

1994-1997: Professor of Civil Law, University of Trento, Italy.

1997-present: Professor of Civil Law, University of Torino, Italy. (successor to Professor Rodolfo Sacco)

1994-2021: Alfred and Hanna Fromm Professor of International and Comparative Law, University of California, Hastings College of the Law. (successor to Professor Rudolf B. Schlesinger).

2001-2005: Professor of Comparative Law, European University Institute, Florence (resigned before induction).

2006-present: Academic Coordinator, The International University College of Turin.

2016-present: Fellow, Collegio Carlo Alberto, Turin

2021-present Ray L. Sullivan Professor of Law, University of California, Hastings
College of Law

Visiting Appointments

1984-1985: Visiting Scholar, Civil Liability Associate, Yale Law School.
1990 and 1992 (summer): Visiting Scholar University of Cambridge, England,
Vacation Visitor (Wolfson College).
1992-1996: Invited Professor, Faculte' Internationale Droit Compare', Strasbourg.
1993 (Fall): Visiting Professor, University of California, Hastings College of Law.
1993 (Spring) Visiting Professor, University of California, Berkeley, International and
Area Studies Program.
1995 and 1996 (January) Visiting Professor, University of Montpellier, France.
1995 (February) Visiting Fellow, Norwegian Academy of Science, Oslo.
1998 (Spring) Visiting Professor, University of Siena, School of Economics.
1999 (Spring) Visiting Professor, University of Trento, School of Law.
2003 (Fall) Visiting Professor, University of Bologna, School of Economics
2004 (Spring) Short Term Visiting Professor, University of Macau, P.R.C.
2007-2010 (Spring) Short Term Visiting Professor, University of Camerino, Scuola
Specializzazione Diritto Civile.

PROFESSIONAL ACTIVITIES:

Editorial Activities

1985-1987 : Member Board of Editors, *Responsabilita' Civile e Previdenza*. (Italian
review on tort law)
1990-1995 : Member Board of Editors, *Quadrimestre*, Rivista Di Diritto Privato.
(Italian review on general private law)

1995-present : Member Board of Directors, *Rivista Critica Diritto Privato*. (Italian review on general private law)

1990-1995: Co-editor: “The Cardozo Lectures in Law” , Trento, Italy.

1991-present : Member Board of Editors, *The International Review of Law and Economics*.

1993-present: General Editor , *The Common Core of European Private Law Project*.
The results of this project are published by Cambridge University Press, Carolina Academic Press, Intersentia

1995-1997: Co-editor “Non Solo Occidente. Studies on Legal Pluralism”, L’Harmattan Publisher.

1995-2000: Co Editor in Chief “The Cardozo Electronic Law Bulletin”
www.gelso.unitn.it/card-adm .

1997-2006: Editor, *The American Journal of Comparative Law*.

1999-present: Member Scientific Board, *Mercato, Concorrenza Regole*, Il Muino, Bologna.

2000-present: Editor in Chief, *Global Jurist* (www.bepress.com/gj)

2001-present: Member Advisory Board “Comparative Law Abstracts” (Polinsky, Gilson and Parisi Editors)

2002-2005: Series Editor, “Private Law in European Context Member”, Kluwer Academic Publisher

2003-2005: Series Editor. *Diritto Contro Frontiere*, Napoli, Edizioni Scientifiche Italiane,

2005-2009: Member Executive Editorial Board, *The American Journal of Comparative Law*.

2007-2013, Member Scientific Board, *Centro Piemontese di Studi Africani*, Turin, Italy.

2008-present Member Editorial Board, *Rivista Critica Derecho Civil*, Lima, Peru’.

2016-2018 General Reporter, International Academy of Comparative Law, Fukuoka, Japan, on “The commons”.

Other professional activities

1991: Admitted to Italian Bar

1991-2006: Founding Member of the Comparative Law and Economics Forum.
www.hertig.ethz.ch/clef.htm

1994-2011: Member Board of Directors, American Society of Comparative Law.
www.comparativelaw.org

1990-1994: Faculty Delegate for the European Erasmus Exchange Program, University of Trento, Italy.

1990-1994: Program Coordinator, Doctorate in Comparative Law, University of Trento, Italy.

1996-1999: Member of the Technical Committee for the Cooperation with the Law School of the University of Asmara, Eritrea.

1998 (April) Member of the U.N. international task force for the assistance of the Constitutional Convention in Garowe, Somalia in preparation of the Constitution of the State of Puntland, North-East Somalia.

1998-2005: Program Coordinator, Doctorate in Civil Law, University of Turin.

2001-2004 Member of the Executive Committee American Society of Comparative Law.

2003-2015: regular contributor to “Il Manifesto” newspaper. Published about 100 pieces.

2015-2020; contributor to Il Fatto Quotidiano newspaper.

2006-2016: Member of the faculty board of the Doctoral program: “The Universalization of Legal Systems”, Istituto Italiano di Scienze Umane (SUM), Florence. www.sumitalia.it

2006-2009: Member of the Board of Directors of the Comparative Law Economics and Institutions (CLEI) at Collegio Carlo Alberto, www.cleicentre.org.

2007-2008, Vice President of the Commission to Reform the Third Book of the Italian Civil Code (section on Public Property), Ministry of Justice, Rome.

2009-2011, Member of the “Commission on the New Role of the Mixed Economy” at the largest Italian Trade Union, the Italian General Confederation of Labor (CGIL), Rome, Italy.

2009: Chairman of the Independent Policy Report. *At The End of The End of History. Global Legal Standards: Part of the Solution or Part of The Problem*, Prepared by the International University College, Turin; The Central European University, Budapest and the Centre pour Hautes Etudes sur la Justice, Paris, for the Italian Presidency to the G8. Published as a special issue of Global Jurist. <http://www.bepress.com/gj/vol9/iss3/>

2009-2011. Member of the drafting committee (five jurists) of the Italian Water Referendum. Argued admissibility in front of Constitutional Court (decision 24-2011).

2009-2012 Member of the Board of Directors of Il Manifesto (Daly newspaper),

2011. Lawyer for Regione Puglia in the Constitutional Court Case to defend the referendum result and extend it from water to commons (decision 199-2012).

2011. Appointed Board Member of ARIN (Azienda Risorse Idriche Napoletane) SPA, the stock corporation running the Naples Aqueduct.

2011-2014 drafter of the bylaws of Fondazione Teatro Valle Bene Comune (running the occupied Teatro Valle in Rome)

2012. Vice President of ARIN. As of July President of ARIN.

2013-15 Founding member of the “Costituente per i Beni Comuni”

2013 Member of the Council of Europe International Group that has prepared the guide “Fighting Poverty and Inequality”

2012-2014. Transformed the ARIN SPA in ABC (Acqua Bene Comune) Naples first Commons Institution for the running of the Water System in Italy. Founding President of ABC.

2014-2015 Vice Major and Assessor to the Commons of the City of Chieri (Italy). Population 37.000.

2018-2020 President, Comitato Difesa dei beni pubblici e comuni Stefano Rodotà'.

2019-present, President, Generazioni Future Societa' Cooperativa Mutuo Soccorso Intergenerazionale www.generazionifuture.org

FIELD RESEARCH IN COMPARATIVE LAW:

1986: People's Republic of Congo, Research on Land Law funded by the Minister of Public Instruction. Université M. Nguabi Brazzaville.

1988: Israel, Research on the Codification process funded by Consiglio Nazionale delle Ricerche. Hebrew University, Jerusalem and Tel Aviv University.

1989: Republic of Somalia, Research on Land Law and panelist at the economy and development section of the International Conference of Somali Studies.

1990: Japan, Research on Patterns of Law funded by Consiglio Nazionale delle Ricerche. Tokyo University.

1993: Ethiopia, Eritrea, Sudan: Research on Law in Transition. Funded by Italian Ministry of Scientific Research.

1996: Eritrea: Legal studies in a developing country. Funded by University of Trento, Italy.

1997: Russian Federation: Property law for market development. Funded by Open Society Foundation.

2005: Mali: Global Impact on Local Institutions. Funded by Italian Ministry of Scientific Research.

TEACHING EXPERIENCE:

General courses.

Property, Contracts, Torts, Comparative Law, Anglo-American Law, Introduction to African Law, Introduction to Post-Socialist Law at University of Trento, Italy.

Comparative Law,(Comparative Civil Procedure) Law and Economics, Comparative Law and Economics, Legal Transplants at Hastings College of Law.

European Law Politics and Institutions at Berkeley.

Introduction to Law and Economics at Montpellier and Central European University, Budapest.

Introduction to Anglo-American Law, Property and Trust at Strasbourg.

Anglo-American Law and Property at Torino.

Invited lectures, Faculty Workshops, and other presentations:

Presentations have been delivered at a number of Universities including:

Columbia Law School; New York University Law School; University of California Berkeley School of Law; University of Chicago; University of Illinois at Urbana School of Law; University of Virginia School of Law; Yale Law School; Harvard Law School; University of Paris 1 (Pantheon Sorbonne); University of Regensburg (Germany); University of Oslo (Norway); University of Budapest (Hungary); University of Uppsala (Sweden); State University of Moskow (Russia); Universities of Rome, Naples, Salerno, Genova, Palermo, Milan, Siena, Como, Brescia, Lecce, Catholic University, Milan, (Italy); University of Leuven La Neuve (Belgium); Tilburg University (Holland); Hebrew University of Jerusalem (Israel). Catholic School of Law, Jeremie, (Haiti).; Stanford, Ca.; Universitas de Los Andes, Bogotá, Colombia; University of Hong Kong, Catholic University of Lima, (Perù); S. Marcos

University (Perù), University of Chile, Santiago, Universidad Torquato di Tella, Buenos Aires, Argentina, University of Bamako, Mali. Universidad Autonoma de Mexico, Mexico City; Shumaker College (UK) University College London (U.K.), University of Goteborg (Sweden), University of Uppsala, (Sweden).

PUBLICATIONS

BOOKS

1. TUTELA INIBITORIA E TUTELA RISARCITORIA: CONTRIBUTO ALLA TEORIA DEI DIRITTI SUI BENI, Milano, Giuffrè 1987, 420 pages. (A comparison of property rules and liability rules to protect property rights in Italy and the U.S.A.)
2. STARE DECISIS: IL VALORE DEL PRECEDENTE GIUDIZIARIO NEGLI STATI UNITI D'AMERICA, Milano, Giuffrè 1988, 360 pages. (A discussion on the force of precedents in American Law with particular focus on the role of legal scholarship and of published materials in the working of the system.)
3. COMMON LAW: IL DIRITTO ANGLOAMERICANO, Torino, UTET, 1992, pages 450. (A general view of Anglo-American law seen from the perspective of a civil lawyer. The book is included in the Treatise on Comparative Law Edited by Professor Rodolfo Sacco and is widely adopted as a teaching tool in Italy).
4. LA PROPRIETÀ IMMOBILIARE, Torino, Giappichelli, 1993, (2nd Ed. 1995) pages 350. The Italian Law of Immovable Property in a Comparative Law and Economics perspective.
5. CONSUMATORE, AMBIENTE, CONCORRENZA. ANALISI ECONOMICA DEL DIRITTO (Ed. with Francesco Pulitini, Giuffrè' Milan, 1994)
6. IL MODELLO DI COMMON LAW (Giappichelli 1996) 200 pages, in SISTEMI GIURIDICI COMPARATI, Procida Mirabelli di Lauro (Ed). A short comparative discussion of the common law tradition. (2nd Ed. 2004, 3rd Ed. 2010, 4th Ed. 2014, 5th Ed. 2018) (with Emanuele Ariano).

7. COMPARATIVE LAW AND ECONOMICS, Ann Arbor, The University of Michigan Press, 1997 (translated in Chinese). The first attempt to develop a new research paradigm from the merger of comparative law and Law&Economics
8. INTRODUZIONE BREVE AL DIRITTO COMPARATO, (With P.G. Monateri), Padova, CEDAM 1997. (A short Introduction to Comparative Law).
9. IL MERCATO DELLE REGOLE: ANALISI ECONOMICA DEL DIRITTO CIVILE (With R.Cooter, P.G. Monateri, R. Pardolesi and T. Ulen) Bologna, Il Mulino, 1999. Second edition in two volumes 2006. (A Civil Law adaptation of the classic Cooter & Ulen, now a standard teaching tool in many Italian universities).
10. BASIC PRINCIPLES OF PROPERTY LAW: A COMPARATIVE LEGAL AND ECONOMIC INTRODUCTION. (Westport-London, Greenwood Press, 2000) (translated in Russian, Ukranian, Uzbek).
11. LA PROPRIETÀ, in TRATTATO DI DIRITTO CIVILE DIRETTO DA RODOLFO SACCO, Utet, Torino, 2001. Second ed., 2015. (A 500 page introduction to Italian property law, broadly adopted in academic teaching).
12. INTRODUCTION TO ITALIAN LAW (Kluwer Law International 2002) (editor with Jeffrey Lena).
13. THE EUROPEAN CODIFICATION PROCESS: CUT AND PASTE (Kluwer Law International 2003).
14. THE COMMON CORE OF EUROPEAN PRIVATE LAW (Kluwer Law International 2003) (with Mauro Bussani).
15. COMMERCIAL TRUSTS IN EUROPEAN PRIVATE LAW (With Michele Graziadei & Lionel Smith) , Cambridge, Cambridge University Press, 2005.
16. REGOLE SICURE. ANALISI ECONOMICO-GUIRIDICA COMPARATA PER IL NOTARIATO, Guiffre, Milano, 2006 (with Carlo Marchetti & Francesco Pene Vidari) (A comparative legal and economic introduction to areas of law of interest to this distinguished brand of the legal profession.)

17. INVERTIRE LA ROTTA. IDEE PER UNA RIFORMA DELLA PROPRIETÀ PUBBLICA, Il Mulino, Bologna, 2007, edited with Edoardo Reviglio and Stefano Rodotà'. (The first systematic critique of privatization in Italy. Its title became a political motto of a vision alternative to neo-liberalism)
18. OPENING UP EUROPEAN LAW (Carolina Academic Press 2007) (with Mauro Bussani).
19. PLUNDER: WHEN THE RULE OF LAW IS ILLEGAL, Blackwell-Wiley, 2008 (With Laura Nader). Translated in Italian, Spanish, Portuguese, Chinese, Romanian.
20. ECONOMIA POLITICA DEL DIRITTO CIVILE, Torino, G. Giappichelli Editore, 2009 with Alberto Gallarati. (A short teaching manual on the political economy of law)
21. SCHELSINGER'S COMPARATIVE LAW 7TH EDITION, The Foundation Press, 2009, (Lead author with Teemu Ruskola and Antonio Gidi).
22. LA LEGGE DEL PIÙ FORTE, Manifestolibri, 2010 (A collection of critical essays appeared on the national newspaper Il Manifesto)
23. I BENI PUBBLICI. DAL GOVERNO DEMOCRATICO DELL'ECONOMIA ALLA RIFORMA DEL CODICE CIVILE (edited with Edoardo Reviglio and Stefano Rodotà) Scienze e Lettere, Accademia Nazionale dei Lincei, 2010. (This book contains first hand materials produced by the Rodotà Commission, including the first technical legal discussions of the commons)
24. L'ACQUA E I BENI COMUNI, raccontati alle ragazze e ai ragazzi (Roma, Manifestolibri 2011). A short children's book on the ecology of water
25. BENI COMUNI. UN MANIFESTO, Roma, Bari, Laterza 2011 (Nine editions. Translated in Spanish, Swedish, forthcoming French. (This Italian bestseller is the recognized book in the field. It has generated a very large scholarly and political literature and is inspirational of many social movements)
26. CAMBRIDGE COMPANION TO COMPARATIVE LAW (Cambridge Univ. Press 2012) (with Mauro Bussani).

27. TEATRO VALLE OCCUPATO: LA RIVOLTA CULTURALE PER I BENI COMUNI (DeriveApprodi 2012).
28. CONTRO RIFORME, Einaudi, Turin, 2013 (a radical legal and political critique of neoliberalism from an élite Italian publisher)
29. PROTECTING FUTURE GENERATIONS THROUGH COMMONS (Council of Europe 2014) Trends in Social Cohesion 26) editor, with Saki Bailey & Gilda Farrell, also published in French.
30. SENZA PROPRIETÀ NON C'É LIBERTÀ. FALSO!, (Laterza, Bari, 2014) (a critique of the ideological foundations of private property).
31. L' ACQUA E IL SUO DIRITTO (with Alessandra Quarta), Roma, Ediesse, 2014 (a short introduction to the most pressing political and technical issues of water management).
32. IL BENICOMUNISMO E I SUOI NEMICI (Einaudi 2015). (A political and institutional discussion of the politics of the commons, of its radical claims and a reply to the critics, on the right and on the left of my Manifesto)
33. THE ECOLOGY OF LAW: TOWARD A LEGAL SYSTEM IN TUNE WITH NATURE AND COMMUNITY (Berett-Kohler 2015) (With best-selling ecologist and author Fritjof Capra, this book is an ambitious rethinking of the extractive legal foundations of capitalism and moves steps toward a legal system with the commons as a fundamental building block). Translated in Dutch, Portuguese, Italian, Russian, Turkish, Korean.
34. I DIRITTI REALI: LA PROPRIETÀ (2d edition UTET 2015).
35. RESEARCH HANDBOOK ON POLITICAL ECONOMY AND LAW (Edward Elgar Publishing 2015) (with John D. Haskell).
36. ROUTLEDGE HANDBOOK OF FOOD AS A COMMONS (Routledge, 1st Ed. 2018) (with Jose Luis Vivero-Pol, Tomaso Ferrando & Oliver De Schutte eds.).
37. THE TURNING POINT IN PRIVATE LAW: ECOLOGY, TECHNOLOGY AND THE COMMONS (Edward Elgar 2018) (with Alessandra Quarta). Translated in Italian

38. BENI COMUNI. PICCOLA GUIDA DI RESISTENZA E PROPOSTA, (MAROTTA & CAFIERO, Napoli 2020).
39. PAPA FRANCESCO, LA DITTATURA DELL' ECONOMIA (Editor, Edizioni Gruppo Abele 2020)
40. IL DIRITTO DI ESSERE CONTRO. DISSENSO E RESISTENZA NELLA SOCIETA' DEL CONTROLLO (Piemme, Milano 2022)

Articles and Book Chapters in English:

1. "Socialist and Non-Socialist approaches to Land Law, Continuity and Change in Somalia and other African States", *Review of Socialist Law* (1990) 17-55.
2. "Efficiency in Legal Transplants: An Essay in Comparative law and Economics", *14 International Review of Law and Economics*, 1994, 3.
3. "Dissimilar Form - Similar Substance? An Economic Framework for Western Property Law", in *European Legal Tradition and Israel*, A.M. Rabello (ed.) 1994.
4. "Efficiency as Equity: Insights from Comparative Law and Economics", in *18 Hastings International and Comparative Law Review*, 157 (1994).
5. "Why the Wind Changed: Intellectual Leadership in Western Law", *The American Journal of Comparative Law*, 195, (1994).
6. With Michele Graziadei, "Judicial Responsibility in Italy: A New Statute", *38 American Journal of Comparative Law* (1990) 103-127.
7. With Francesco Pulletti, "A Competitive Model of Legal Rules", in (Breton-Whinthrope-Galeotti-Salmon eds.), *THE COMPETITIVE STATE: VILLA COLOMBELLA PAPERS ON COMPETITIVE POLITICS*, Kluwer Academic Publishing, (1991).
8. With Roberto Pardolesi, "Law and Economics in Civil Law Countries: A Comparative Law Approach", *11 International Review of Law and Economics*, 265-275 (1991).

9. With Antonio Gambaro and Albina Candian, "The Law of Property in Italy," I, A.PZZORUSSO (ed.) Italian Studies in Law, (1992).
10. Forward: The Faces of Academia, 41 Am. J. Comp. L. 351 (1993) (with P.G. Monateri).
11. With James Gordley, "Protecting Possession ", The American Journal of Comparative Law, 1995.
12. With Mauro Bussani, "Making The Other Path Efficient. Economic Analysis and Tort Law in Less Developed Countries in E. Buscaglia-R.Cooter (Eds.) LAW AND ECONOMICS OF DEVELOPMENT, JAI press (1997).
13. "The New Ethiopian Constitution. First Thoughts on Ethnic Federalism and the Reception of Western Law" in E.Grande (Ed.) TRANSPLANTS INNOVATION AND LEGAL TRADITION IN THE HORN OF AFRICA, ' 'Harmattan" (1995).
14. Codifying Property Law in the Process of Transition: Some Suggestions from Comparative Law and Economics, 19 Hasting Int'l & Comp. L. Rev. 117 (1995) (with Gianmaria Ajani).
15. "The Comparative Law and Economics of Penalty Clauses in Contract", The American J. of Comparative Law, 1995 (Festschrift for Rudolf B.Schlesinger).
16. With Gianmaria Ajani, "Reforming Property Law in the Process of Transition. Some Suggestions from Comparative Law and Economics", 18 Hastings Int. and Comp. Law Rev. (1996).
17. Three Patterns of Law. Taxonomy and Change in The World's Legal Systems. Am.J. Comp. Law 5 (1997)
18. Economic Analysis and European Legal Scholarship, in Simoni-Cameron (Eds) Dealing With Integration, Iustus Ferlag, Uppsala, 1996.
19. With Mauro Bussani: The Common Core Approach to European Private Law, 3 Columbia Journal of European Law, 1 (1997).
20. with Henry Hansmann: The Functions of Trust Law. A Comparative Legal and Economic Analysis, 73 New York University Law Rev, 434 (1998)

21. Trust Law in The United States: A Basic Study of Its Special Contribution, U.S. National Report at the International Academy of Comparative Law Congress, Bristol 1998 (With Henry Hansmann) (Special Issue of American J. Comparative Law, 46 Am. J. Comp. L. Supp. 133).
22. The Issue of European Civil Codification and Legal Scholarship. Biases, Strategies and Developments 21 Hastings Int. And Comp. Law Rev., 883 (1998) and in Towards a New European Ius Commune (1999 Gambaro & Rabello eds)
23. Legal Pluralism, Legal Change and Economic Development, in L.FAVALI,E.GRANDE,M.GUADAGNI (EDS) NEW LAW FOR NEW STATES. POLITICA DEL DIRITTO IN ERITREA , Harmattan, (1998)
24. An Opportunity not to be Missed. The Future of Comparative Law in The United States, 46 American Journal Comp. Law ,709 (1998).
25. Efficiency and Equal Protection in the New European Contract Law. Mandatory, Enforcement and Default Rules, 39 Virginia J. Int. Law, 537 (1999)
26. The Legal Profession as an Organization. Understanding Changes in Civil Law and Common Law, in R. CRAMTON-J. BARCELO' (EDS), LAWYERS PRACTICE AND IDEALS: A COMPARATIVE VIEW, 157 (1999).
27. Patterns of African Constitutions in the Making, in V. Piergigli & I.Taddia (Eds.) International Conference on African Constitutions, G.Giappichelli, Turin, 2000. and in Likosky Ed, Transnational Legal Processes, Sweet & Maxwell
28. The Comparative Jurisprudence of Schlesinger and Sacco. A Study in Legal Influence, in A. Riles (Ed.) Rethinking the Masters of Comparative Law, Hart Publishing, Portland-Oxford (2001).
29. The Art And Science of Critical Scholarship. Postmodernism and International Style in the Legal Arcitecture of Europe (with Anna di Robilant), 75 Tulane Law Review 1053 (2001).
30. Legal Systems in Distress. HIV Contaminated Blood, Path Dependency and Legal Change, in Global Jurist Advances (2001).

31. United States Jurisdiction over Conflicts Arising Outside of the United States: Some Hegemonic Implications (with Jeffrey Lena) in *Hastings Int. and Comp. Law Rev* 2001 and in *Global Jurist Topics* 2001 (reprinted 1(2) *Global Jurist Topics* Art. 5 (2001)).
32. Basic Issues of Private Law Codification in Europe: Trust, 1(1) *Global Jurist Frontiers* Art. 5 (2001).
33. Some Realism About Comparativism: Comparative Law Teaching in the Hegemonic Jurisdiction, 50 *Am. J. Comp. L. Supp.* 87 (2002).
34. Comparative Law and Economics: Borrowing and Resistance, in *Global Jurist Frontiers* 2001 and A. Hatzis (Ed), *Civil law and Economics* (Edward Elgar Publisher 2002).
35. Teaching Comparative Law in the Hegemonic Jurisdiction. U.S. National Report at the International Academy of Comparative Law Congress, Brisbane, in *American J. Comp. Law*, Special Issue (2002).
36. Foreign Inspired Courts as Agencies of Peace in Troubled Societies. A Plea For Realism and Creativity, *Global Jurist Topics*. Paper presented at the United Nations Conference “Rebuilding Legality. The Case of Somalia” held in Rome (December 11-12, 2001).
37. Should Europe Codify Trust?, in *Themes in Comparative Law. In Honour of Bernard Rudden*, (Peter Birks and Arianna Pretto (Eds) , Oxford U.P. 2002, 235.
38. *Hard Minimal Code Now! A Critique of Softness and a Plea for Responsibility in the European Debate over Codification*, S. Grundmann & J. Stuyk (Eds.) An Academic Green Paper on European Contract Law, Kluwer International 2002, 215 and *Global Jurist Frontiers*, www.bepress.com.
39. *A Theory of Imperial Law. A Study on U.S. Hegemony and the Latin Resistance*, 10 *Indiana J. Global Legal Studies* 383 (2003) (reprinted at 3(2) *Global Jurist Frontiers* Art. 1) www.bepress.com.

40. *Social Justice in European Contract Law: A Manifesto*, 10 Eur. L.J. 653 (2004) (with Gert Brueggemeier, Mauro Bussani, Hugh Collins et al.).
41. *Basics First Please! A Critique of Some Recent Priorities Shown by the Commission's Action Plan*, in Hondius & Al. (Eds), *Towards a European Civil Code*, 2004.
42. *The Peruvian Civil Code, Property and Plunder: Time for a Latin American Alliance to Resist the Neo-Liberal Order*, GLOBAL JURIST TOPICS ART. 3 (2005) www.bepress.com.
43. *The Rise and Fall of Law and Economics. An Essay for Judge Guido Calabresi*, 64 MARYLAND LAW REV. 220 (2005).
44. A "Social Dimension" in European Private Law? *The Call for Setting a Progressive Agenda*, 41 NEW ENGLAND L.R. 1-63 (2007) (with Fernanda Nicola) (reprinted at 7(1) GLOBAL JURIST FRONTIERS ART. 2 (2007)).
45. *Access to Justice: A Renewed Global Issue?*, in Kathrina Boele-Woelki & Sjeff Van Erp, (Eds.) *General Reports of the XVII th Congress of the International Academy of Comparative Law*, Eleven International Publishing-Bruylant, 383-408, (2007).
46. *Comparative Law and Critical Legal Studies*, in M. Reimann & R.Zimmermann Eds. *The Oxford Handbook of Comparative Law*, Oxford U.P. 815-837 (2006).
47. *Property Rights: A Comparative Law and Economics Perspective in the Global Era*, in D. Porrini & G.Ramello (Eds.), *Property Rights Dynamics. A Law and Economics perspective*, 40-54 Routledge, (2007) (with Andrea Pradi).
48. *Emergency-based Predatory Capitalism: The Rule of Law, Alternative Dispute Resolution and Development*, in Mariella Pandolfi and Didier Fassin (Eds.), *Contemporary States of Emergency*, New York, Zone Book, 2010.
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