

Working papers

- *Private Law, Regulation and Justice*, paper presented at the Final Workshop European Regulatory Private Law, 'A European Advantage in Transnational Lawyering?' held on 26 & 27 May 2016 at the European University Institute, Florence (Italy).
- *Private law and the constitutionalisation of values*, paper presented at the workshop 'Constitutional values and the role of the European Court of Justice' held on 11 December 2015 at King's College, London (UK).
- *Contract theory and EU contract law*, [forthcoming in: Elgar Handbook on EU consumer & contract law (Christian W Twigg-Flesner, ed.)]
- *Unjust conduct in the internal market. On the role of European private law in the division of moral responsibility between the EU, its Member States and their citizens*, Vrije Universiteit Amsterdam, Conference 'Towards a Grammar of Justice in EU law', 7 November 2014 / European University Institute, Florence (Italy), guest seminar, 26 January 2015.
- *Unconscionability, unfair exploitation and the nature of contract theory. Comments on Melvin Eisenberg's 'Foundational Principles of Contract Law*, paper prepared for the 'Foundational Principles of Contract Law Roundtable', organised on 11 and 12 January 2013, at the UC Berkeley School of Law.

Books

- (editor, together with A.A.H. van Hoek, M.B.M. Loos & A.F. Salomons) *Het Groenboek Europees Contractenrecht: naar een optioneel instrument?*, CSECL reeks 2 (Den Haag: Boom Juridische uitgevers 2011), 186 p.
- (editor together with A.S. Hartkamp, E.H. Hondius, C. Mak & C.E. du Perron) *Towards a European civil code. - 4th rev. and exp. ed.* (Alphen aan den Rijn: Kluwer Law International 2011), 1125 p.
- (editor, together with M.B.M. Loos) *Het voorstel voor een Europese richtlijn consumentenrechten: een Nederlands perspectief*, CSECL reeks 1 (Den Haag: Boom Juridische Uitgevers 2009), 263 p.
- (editor, together with J. Cartwright) *Precontractual Liability in European Private Law; The Common Core of European Private Law* (Cambridge: CUP 2008), 509 p.
- *CFR & Social Justice* (Munich: Sellier 2008), 87 p.
- *Studii de Drept Privat Comparat* (Bucharest: Themis Cart 2008) (translation F. Ciutacu), 184 p.

- (editor, together with J.W. Rutgers, O. Bueno Díaz, M. Scotton, M. Veldman) *Principles of European Law: Commercial Agency, Franchise and Distribution Contracts* (Oxford: Oxford University Press 2006), 371 p.
- (editor, together with J.W. Rutgers) *ECJ Cases on European Contract Law* (Nijmegen: Ars Aequi 2006), 184 p.
- (editor) *The Politics of a European Civil Code* (Private Law in European Context Series, volume 7) (The Hague: Kluwer Law International 2006), 195 p.
- (editor, together with A.S. Hartkamp, E.H. Hondius, C.A. Joustra, C.E. du Perron, M. Veldman) *Towards a European Civil Code*, 3rd ed. (The Hague, London & Boston: Kluwer Law International 2004 / Nijmegen: Ars Aequi Libri 2004)
- *Contractenrecht in perspectief* (The Hague: Boom Juridische Uitgevers 2004), 223 p.
- (editor, together with C.E. du Perron en A.F. Salomons) *Privaatrecht tussen autonomie en solidariteit* (The Hague: Boom Juridische Uitgevers 2003), 368 p.
- *The New European Private Law; Essays on the Future of Private Law in Europe* (The Hague, London & Boston: Kluwer Law International 2002), 283 p.
- *The New European Legal Culture* (Deventer: Kluwer Law International 2001), 103 p.
 - Italian translation: *La nuova cultura giuridica Europea* (Napoli: Edizioni Scientifiche Italiane 2005), 138 p.
 - Romanian translation: 'Noua cultură legală europeană' in: Martijn W. Hesselink, *Studii de Drept Privat Comparat* (Bucharest: Themis Cart 2008), 5-70
 - Chinese translation by L. Wei: *Xinde ouzhou falü wenhua* (《新的欧洲法律文化》), Beijing: Zhongguo falü chubanshe (中国法制出版社 (中国 : 北京)) [China Legal Publishing House 2010], 232 p.
- (tezamen met A. Salomons & E. du Perron) *Uitgesproken teksten* (Amsterdam University Press 2002), 57 p.
- (tezamen met G.J.P. de Vries) *Principles of European Contract Law, Preadviezen uitgebracht voor de vereniging voor Burgerlijk Recht* (Deventer: Kluwer 2001)
- *De redelijkheid en billijkheid in het Europese privaatrecht* (Deventer: Kluwer 1999), proefschrift, 495 p.
- (editor, together with A.S. Hartkamp, E.H. Hondius, C.A. Joustra) *Towards a European civil code*, 2nd ed. (The Hague, London & Boston: Kluwer Law International 1998 / Nijmegen: Ars Aequi Libri 1998)
- (editor, together with A.S. Hartkamp, E.H. Hondius, C.E. du Perron, J.B.M. Vranken) *Towards a European Civil Code*, 1st ed., (Nijmegen: Ars Aequi Libri/Dordrecht: Martinus Nijhoff publishers 1994)

Articles

- The Justice Dimensions of the Relationship between Fundamental Rights and Private Law, *European Review of Private Law* 2016 24(3/4), 425-455
- Could a fair price rule (or its absence) be unjust? On the relationship between contract law, justice and democracy, *European Review of Contract Law* 2015 11(3), 1-12
- Democratic contract law, *European Review of Contract Law* 2015 11(2), 81-126
- Civil Law, in: M.T. Gibbons (ed.), *The Encyclopedia of Political Thought, 1st edition*, (Oxford: John Wiley & Sons 2014), 522-524
- Unfair prices in the Common European Sales Law, in: S. Vogenauer & L. Gullifer (eds.), *English and European perspectives on contract and commercial law: essays in honour of Hugh Beale*, (Oxford: Hart publishing 2014), 225-236
- Post-private law?, in: K. Purnhagen & P. Rott (eds.), *Varieties of European economic law and regulation: liber amicorum for Hans Micklitz [Studies in European economic law and regulation]*, (Cham: Springer 2014), 31-41
- Private Law Principles, Pluralism and Perfectionism, in: U. Bernitz, X. Groussot & F. Schulyok (eds.), General Principles of EU Law and European Private Law (European Monographs, 84), (Alphen aan den Rijn: Wolters Kluwer 2013), 21-43
- How many systems of private law are there in Europe? On plural legal sources, multiple identities and the unity of law, in: L. Niglia (ed.), *Pluralism and European Private Law* (Oxford: Hart Publishing 2013) , 199-247
- The General Principles of Civil Law: Their Nature, Roles and Legitimacy, in: D. Leczykiewicz & S. Weatheril (eds.), *The Involvement of EU law in private law relationships* (Oxford: Hart Publishing 2013), 131-180
- The Case for a common European sales law in an age of rising nationalism, *European Review of Contract Law* 2012(3), 342-366
- How to opt into the Common European Sales Law? Brief comments on the Commission's proposal for a regulation, *European Review of Private Law* 2012(1), 195-212
 - o = How to opt into the Common European Sales Law? Brief comments on the Commission's proposal for a regulation, in: I. Claeys & R. Feltkamp (eds.), *The draft Common European Sales Law: towards an alternative sales law? A Belgian perspective*, (Cambridge/Antwerp/Portland: Intersentia 2013), 1-16

- Unfair terms in contracts between businesses, in: J. Stuyck & R. Schulze (eds.), *Towards a European Contract Law* (München: Sellier European law publishers 2011), 131-148
- If you don't like our principles we have others. On core values and underlying principles in European private law: a critical discussion of the new 'Principles' section in the draft CFR, in: R. Brownsword, H. Micklitz, L. Niglia & S. Weatherill (eds.), *The Foundations of European Private Law* (Oxford: Hart Publishing 2011), 59-72
- An optional instrument on EU contract law: can it increase legal certainty and foster cross-border trade?, in: M.W. Hesselink, A.A.H. van Hoek, M.B.M. Loos & A.F. Salomons *Het Groenboek Europees Contractenrecht: naar een optioneel instrument?* (Den Haag: Boom Juridische uitgevers 2011), 9-23
- A Toolbox for European Judges, *European Law Journal* 17(4) 2011, 441-469
- Consumers need more than protection, *European Voice* 9 June 2011, p. 12
- Five political ideas of European Contract law, *European Review of Contract Law* 7(2) 2011, 295-313.
- The concept of good faith, in: A.S. Hartkamp, M.W. Hesselink, E.H. Hondius, C. Mak & C.E. du Perron (eds.), *Towards a European civil code. - 4th rev. and exp. ed* (Alphen aan den Rijn: Kluwer Law International 2011), 619-649
- (together with C.E. du Perron, E.H. Hondius, C. Mak & A.S. Hartkamp) 'Preface to the Fourth Edition', in: A.S. Hartkamp, M.W. Hesselink, E.H. Hondius, C. Mak & C.E. du Perron (eds.), *Towards a European civil code. - 4th rev. and exp. ed*, (Alphen aan den Rijn: Kluwer Law International 2011), xlv-xlvii
- The new European legal culture: ten years on, in: M.W. Hesselink & L. Wei (transl.), *Xinde ouzhou falü wenhua* (《新的欧洲法律文化》), Zhongguo falü chubanshe (中国法制出版社 (中国 : 北京)) [Beijing: China Legal Publishing House 2010]. Chinese translation of *The New European Legal Culture* (translated by dr. L. Wei), 1-16
 - o = The new European legal culture: ten years on, in: G. Hellererger & K. Purnhagen, *Towards a European Legal Culture* (Baden-Baden: Nomos/C.H. Beck/Hart Publishing 2014), 17-24
- 'Towards a sharp distinction between B2B and B2C? On consumer, commercial and general contract law after the consumer rights directive', 1 *European Review of Private Law* 2010(18), 57-102
- 'A Spontaneous Order for Europe? Why Hayek's Libertarianism is Not the Right Way Forward for European Private Law', in: H.W. Micklitz & F. Cafaggi (eds.), *European Private Law After The Common Frame Of Reference* (Cheltenham: Edward Elgar Publishing 2010), 123-146

- ‘The Consumer Rights Directive and the CFR: two worlds apart?’, 5 *European Review of Contract Law* 3 (2009), 290-303
 - o = ‘The Consumer Rights Directive and the CFR: two worlds apart?’, *Juridiska Föreningens Tidskrift (JFT)* 3-4/2009, 298-309
- ‘The Common Frame of Reference as a source of European private law’, 83 *Tulane Law Review* 4 (2009), 919-971
- ‘A European Legal Method? On European Private Law and Scientific Method’, 15 *European Law Journal* 1 (2009), 20-45, also published online 30 December 2008, <http://www3.interscience.wiley.com/journal/121590089/abstract>
- (together with J. Cartwright) ‘Comparative observations’, in: J. Cartwright & M. Hesselink (eds.), *Precontractual Liability in European Private Law* (The Common Core of European Private Law , 9) (Cambridge: CUP 2008), cases 1-13
- (together with J. Cartwright) ‘Introduction’, in: J. Cartwright & M. Hesselink (eds.), *Precontractual Liability in Europe an Private Law; The Common Core of European Private Law* (Cambridge: CUP 2008), 1-17
- (together with J. Cartwright) ‘Conclusions’, in: J. Cartwright & M. Hesselink (eds.), *Precontractual Liability in European Private Law* (The Common Core of European Private Law, 9) (Cambridge: CUP 2008), 449-488
- ‘Common Frame of Reference & Social Justice’, 4 *European Review of Contract Law* 3 (2008), 248-269
 - o = ‘Common Frame of Reference and Social Justice’, reprint in: R. Satyanarayana (ed.), *Social Justice: Emerging dimensions* (Amicus Books, Punjagutta, Hyderabad, India: The Icfai University Press 2010), 1-25
- ‘European Contract Law: A Matter of Consumer Protection, Citizenship, or Justice?’, 15 *European Review of Private Law* (2007), 323-348
 - o = ‘European Contract Law: A Matter of Consumer Protection, Citizenship, or Justice?’, in: Mads Andenas et al. (eds.), *Liber amicorum Guido Alpa; Private law beyond the national systems* (London: British Institute of International and Comparative Law 2007), 500-525
 - o Romanian translation: ‘Dreptul european al contractelor: o chestiune de protecție a consumatorului, cetățenie sau justiție?’, in: Martijn W. Hesselink, *Studii de Drept Privat Comparat* (Bucharest: Themis Cart 2008), 149-180
 - o Polish translation: ‘Europejskie prawo umów: kwestia ochrony konsumenta, obywatelstwa czy sprawiedliwości?’, *Nowa Europa. Przeglad natolinski (New Europe. Natolin Review)* 2(7) 2008, 220-258.
- ‘SMEs in European Contract Law’, in: Katharina Boele-Woelki, Willem Grosheide (eds.), *The Future of European Contract Law* (Alphen a/d Rijn: Kluwer Law International 2007), 349-372

- 'The Ideal of Codification and the Dynamics of Europeanisation: The Dutch Experience' 12 *European Law Journal* 3(2006), 279-305
 - o = 'The Ideal of Codification and the Dynamics of Europeanisation: The Dutch Experience', in: Stefan Vogenauer & Stephen Weatherill (eds.), *The Harmonisation of European Contract Law Implications for European Private Laws, Business and Legal Practice* (Oxford & Portland, Oregon: Hart Publishing 2006), 39-70
 - o Romanian translation: 'Idealul codificării și dinamica europenizării: experiența olandeză', in: Martijn W. Hesselink, *Studii de Drept Privat Comparat* (Bucharest: Themis Cart 2008), 109-148
- 'Case note', [2004] ECR 1-3403 (01-04-2004), (*Freiburger Kommunalbauten v Hofstetter*), 3 *European Review of Contract Law* 3 (2006), 366-375
- 'A Technical 'CFR' or a Political Code? – An Introduction', in: M.W. Hesselink (ed.), *The Politics of a European Civil Code* (Private Law in European context series, volume 7), Den Haag: Kluwer Law International, 2006, 3-8
- 'The Politics of a European Civil Code', in: M.W. Hesselink (ed.), *The Politics of a European Civil Code* (Private Law in European context series, volume 7), Den Haag: Kluwer Law International, 2006, 143-170
- Dutch Report (case studies), in: Sefton-Green, R. (ed.), *Mistake, Fraud and Duties to Inform in European Contract Law; Cambridge Studies in International and Comparative Law; The Common Core of European Private Law* (Cambridge: CUP 2005)
- 'Capacity and Capability in European Contract Law', 13 *European Review of Private Law* 4(2005), 491-507
- 'Non-Mandatory Rules in European Contract Law', 1 *European Review of Contract Law* (2005), 43-84
 - o = 'Non-Mandatory Rules in European Contract Law', in: A.F. Salomons & G.J.P. de Vries (eds.), *Pro forma? Essays on the Role of Formal Rules and Formal Requirements in Private Law* (The Hague: Boom Juridische uitgevers 2006), 139-174
 - o = 'Non-Mandatory Rules in European Contract Law', in: Jan Smits & Sophie Stijns, *Inhoud en Werking van de Overeenkomst naar Belgisch en Nederlands recht* (Antwerpen & Groningen: Intersentia 2005), 101-134
- 'Who has a stake in European contract law?', 1 *ERCL* 3(2005), 295-296
- (together with the other members of the Study Group on Social Justice in European Private Law) 'Social Justice in European Contract Law: a Manifesto', 10 *ELJ* 6 (2004), 653-674
 - o = 'Social Justice in European Contract Law: a Manifesto', in: M.W. Hesselink, *The Politics of a European Civil Code*, Den Haag: Kluwer Law International, 2006, 171-195.
- 'The Concept of Good Faith', in Hartkamp et al. (eds.), *Towards a European Civil Code* (The Hague, Boston & London: Kluwer Law International 2004), 471-498

- 'The European Commission's Action Plan: Towards a More Coherent European Contract Law', 12 *European Review of Private Law* 4(2004), 397-419
- 'The Politics of a European Civil Code', 10 *European Law Journal* 6(2004), 675-697
 - o Italian translation: 'La dimentione politica di un codice civile europeo', 24 *Rivista Critica de Diritto Privato* 3 (2006), 379-414
 - o Polish translation: 'Polityczne aspekty europejskiego kodeksu cywilnego', *Kwartalnik Prawa Prywatnego* 2006, z. 2, 301-340
 - o Romanian translation: 'Politiciile Codului Civil European' Martijn W. Hesselink, *Studii de Drept Privat Comparat* (Bucharest: Themis Cart 2008), 71-108
- 'Fair Prices in the Common Market; On Commutative and Distributive Justice in European Contract Law', in: Guido Alpa & Remo Danovi (eds.), *Diritto privato europeo; Fonti ed effetti; Materiali del Seminario dell'8-9 novembre 2002*, (Milan: Giuffrè 2004), 245-254
- 'The Horizontal Effect of Social Rights in European Contract Law', *Europa e diritto privato* 1(2003), 1-18
 - o = 'The horizontal effect of social rights in European contract law', in: M.W. Hesselink, C.E. Du Perron & A.F. Salomons (eds.), *Privaatrecht tussen Autonomie en Solidariteit* (The Hague: Boom Juridische Uitgevers 2003), 119-132
- 'The Structure of the New European Private Law', in: Ewoud Hondius and Carla Joustra (eds.), *Netherlands Reports to the Sixteenth International Congress of Comparative Law* (Antwerp, Oxford & New York: Intersentia 2002), 7-23
 - o = 'The Structure of the New European Private Law', in: Olivier Moréteau & Jacques Van der Linden (eds.), *La structure des systèmes juridiques / XVI Congrès de l'Académie internationale de droit comparé Brisbane 2002* (Brussels: Bruylant 2003), 351-373
 - o = 'The Structure of the New European Private Law', 6 *Electronic Journal of Comparative Law* 4 (2002), <<http://www.ejcl.org/64/art64-2.html>>
- 'The Politics of European Contract Law: Who Has An Interest In What Kind Of Contract Law For Europe?', in: Stefan Grundmann & Jules Stuyck, *An Academic Green Paper on European Contract Law* (The Hague, London & New York: Kluwer Law International 2002), 181-191
 - o = 'The Politics of European Contract Law: Who has an Interest in What Kind of Contract Law for Europe?', *Global Jurist Frontiers*, Vol. 2, No. 1, Article 3 (2002)
- 'Special Issue on Critical Legal Theory and European Private Law - Editorial', 10 *ERPL* 2002, 3-5
- 'Pre-contractual Good Faith', in: H. Beale, H. Kötz, A. Hartkamp & D. Tallon (eds.), *Casebooks on the Common Law of Europe. Cases, Materials and Text on*

Contract Law (Oxford and Portland, Oregon: Hart Publishing 2002), Chapter 2, Section 2, 237-293

- Dutch Report (case studies), in: Gordley, J. (ed.), *The Enforceability of Promises in European Contract Law; Cambridge Studies in International and Comparative Law; The Common Core of European Private Law* (Cambridge: CUP 2001)
- 'The Principles Of European Contract Law: Some Choices Made By The Lando Commission', in: Martijn W. Hesselink & Gerard de Vries, *Principles of European Contract Law, Preadviezen uitgebracht voor de vereniging voor Burgerlijk Recht* (Deventer: Kluwer 2001), 5-95
 - o = 'The Principles Of European Contract Law: Some Choices Made By The Lando Commission', *Global Jurist Frontiers*, Vol. 1, No. 1, 2001, Article 4
- 'The German Law of Obligations' [review], 3 *The Edinburgh Law Review* (1999), 412
- 'Good faith', in: A.S. Hartkamp et al. (eds.), *Towards a European civil code*, 2nd ed. (The Hague, London & Boston: Kluwer Law International 1998), 285-310

Reports

- (together with M.B.M. Loos) *Unfair contract terms in B2C contracts, ad hoc* briefing paper for the European Parliament's Committee on Legal Affairs, May 2012, PE 462.452, 23 p.
- *An optional instrument on EU contract law: could it increase legal certainty and foster cross-border trade?, ad hoc* briefing paper for the European Parliament's Committee on Legal Affairs, October 2010, PE 425.642, 18 p.
- (together with C. Mak & J.W. Rutgers) *Constitutional Aspects of European Private Law: Freedoms, Rights and Social Justice in the Draft Common Frame of Reference*, report for the CoPECL project, 133 p.
<http://ssrn.com/abstract=1413089>.
- (together with C. Mak & T.Q. de Booys) *A Comparison between the Provisions of the Draft Common Frame of Reference and the European Commission's Proposal for a Consumer Rights Directive. How the CFR Can Improve the Consumer Rights Directive*, short study for the European Parliament, November 2009, PE 419.608, 62 p.
- (together with T.Q. de Booys) European Union contract law, in: *State of Play and Prospects for Legal Questions and Parliamentary Law*, report for the European Parliament, 28 April 2009, JURI_3_1, 45 p.
- *The Consumer Rights Directive and the CFR: two worlds apart?*, briefing note for the European Parliament, February 2009, PE 410.674, 13 p.
- *The Values underlying the Draft Common Frame of Reference: what Role for Fairness and 'Social Justice'?*, short study for the European Parliament, September 2008, PE 408.312, 71 p.

- (together with J.W. Rutgers & T.Q. de Booys) *The Legal Basis for an Optional Instrument on European Contract Law*, short study for the European Parliament on the different options for a future instrument on a Common Frame of Reference (CFR) in EU contract law, in particular the legal form and the legal basis for any future optional instrument, February 2008, PE 393.280, 48 p.
- *SMEs in European contract law*, background note for the European Parliament on the position of small and medium-sized enterprises (SMEs) in a future Common Frame of Reference (CFR) and in the review of the consumer law acquis, June 2007, PE 378.300, 28 p.

Articles in Dutch, Italian and French

- Verbindende kracht van overeenkomsten, contractsvrijheid en autonomie (annotatie bij J.B.M. Vranken, 'Over partijautonomie, contractsvrijheid en de grondslag van gebondenheid in het verbintenisrecht', in: J.M. Barendrecht, M.A.B. Chao-Duivis en H.A.W. Vermeulen (red.), *BeginseLEN van contractenrecht. Opstellen aangeboden aan mr. B.W.M. Nieskens-Isphording*, Tjeenk Willink: Zwolle 2000, p. 145-155), in: G. van Dijck, R. van Gestel, I. Giesen & F. Hammerste (red.), *Cirkels. Een terugblik op een vooruitziende blik*, Deventer: Kluwer 2013, pp. 69-74.
- 'Participatiecontract', *De Volkskrant* 21 februari 2013, p. 31.
- Naar een gemeenschappelijk Europees kooprecht of in de nationale loopgraven?, *Nederlands Juristenblad* 86(37) 2011, p. 2515.
- (tezamen met A.A.H. van Hoek, M.B.M. Loos & A.F. Salomons) Voorwoord, in: M.W. Hesselink, A.A.H. van Hoek, M.B.M. Loos & A.F. Salomons *Het Groenboek Europees Contractenrecht: naar een optioneel instrument?* (Den Haag: Boom Juridische uitgevers 2011), 5-6.
- Kroniek van het Europees privaatrecht, *Nederlands Juristenblad* 86(15) 2011, pp. 1006-1014.
- Facultatief wetboek of gereedschapskist?, *Nederlands Juristenblad* 86(1) 2011, 21-23.
- Annotatie bij Hof van Justitie van de Europese Unie (Eerste kamer) (03-06-2010), (Oneerlijke bedingen, minimumharmonisatie en iustum pretium), zaak C-484/08, *Ars Aequi* (september 2010), 621-627.
- Inleiding, in: M. W. Hesselink & M.B.M. Loos (red.), *Het voorstEL voor een Europese richtlijn consumentenrechten. Een Nederlands perspectief* (Den Haag: Boom Juridische uitgevers 2009), (tezamen met Marco Loos), 7-13
- Naar een scherper onderscheid tussen B2B en B2C? Over consumenten-, handels- en algemeen overeenkomstenrecht na invoering van de voorgestelde EG-richtlijn consumentenrechten, in: M. W. Hesselink & M.B.M. Loos (red.), *Het voorstEL voor een Europese richtlijn consumentenrechten. Een Nederlands perspectief* (Den Haag: Boom Juridische uitgevers 2009), 55-102
- 'Voor een onrechtvaardige-prijsleer. Naschrift bij "Kritiek op Martijn Hesselinks boek *Contractenrecht in Perspectief*"', *Ars Aequi* 57(10)2008, 761

- 'Naar een (Europees) Wetboek van Consumentenrecht?', *Nederlands Juristenblad* (14) 6 april 2007, 850-857
- 'De Tilburgse inquisitie', *Nederlands Juristenblad* 2007, 2086-2087
- 'Een Europees Burgerlijk Wetboek is juist goed idee', *NRC Handelsblad*, 10 oktober 2007
- 'Een Europees Burgerlijk Wetboek door de voordeur', *Nederlands Juristenblad* 2007, 2484-2485
- 'Europese verkiezingen moeten over Europees Burgerlijk Wetboek gaan', *Nederlands Juristenblad* (23) 4 juni 2004, 1169-1170.
- 'Naar een coherenter Europees contractenrecht? Het actieplan van de Europese Commissie', *Nederlands Juristenblad* 78 (40), 2003, 2086- 2094
- 'Il codice civile olandese del 1992 - un esempio per un codice civile Europeo?', in: Guido Alpa and Emilio Nicola Buccico (eds.), *La riforma dei codici in Europa e il progetto di codice civile europeo. Materiali dei seminari 2001* (Milan: Giuffrè 2002), 71-82
- "Wat is recht etc.?" Antwoorden op vragen van Tilburgers over rechtsregels, rechtspraak en rechtsvorming', *Nederlands Juristenblad* 75 (42), 2000, 2032-2040
- 'De redelijkheid en billijkheid in het Europese privaatrecht', *AA* 1999, 687
- 'De aansprakelijkheid van de falsus procurator in het Italiaanse recht', in: 'Aansprakelijkheid van de falsus procurator in het Europese privaatrecht' (F.W. Grosheide ed.), in: *Tussen de polen van bescherming en vrijheid; Aspecten van aansprakelijkheid* (Bundel 40 jaar Molengraaff Instituut), (Antwerpen & Groningen: Intersentia 1998), 141
- (together with Ton Hartlief) 'L'indemnisation d'accidents de la circulation aux Pays-Bas', *Editions du Juris-Classeur, Resp. civ. et assur.*, Hors série, Avril 1996, 56-57
- 'De schadevergoedingsplicht bij afgebroken onderhandelingen in het licht van het Europese privaatrecht', *Weekblad voor Privaatrecht, Notariaat en Registratie* 6248, 1996 (879-883) & 6249 (906-910)
- (tezamen met Hugo van Kooten) 'De rechtspositie naar artikel 7:2 BW (nieuw) van de consument die bij mondelinge overeenkomst een woning heeft gekocht', in: J.M. van Buren-Dee, E.H. Hondius, P.A. Kottenhagen-Edzes (red.) *Consument zonder grenzen: opstellen aangeboden aan mr. M. van Delft-Baas ter gelegenheid van haar afscheid van het Molengraaff Instituut voor Privaatrecht*, Deventer: Kluwer 1996, 69-82
- 'De goede trouw bij de uitvoering van de overeenkomst in het Franse recht, de UNIDROIT Principles en de Principles of European Contract Law', in: F.W. Grosheide, K. Boele-Woelki (eds.) *Europees Privaatrecht 1995* (Lelystad: Vermande 1995), 47-95
- 'Vragen bij de toepassing van artikel 6:230 BW', *Weekblad voor Privaatrecht, Notariaat en Registratie* (1995) 6191 (541-545) & 6192 (563-567)

- 'Het wijzigingsvoorstel; Een vergelijking tussen art. 3.13 UNIDROIT Principles, art. 1432 Codice civile italiano en art. 6:230 Burgerlijk Wetboek', in: M.E. Franke, J.P. Jordans, L. Reurich, J.M. Smits, W.L. Valk & M.H. Wissink (red.) *Europees contractenrecht. [BW-Krant Jaarboek 1995]* (Arnhem: Gouda Quint 1995), 39-56
- 'De opmars van de goede trouw in het Franse contractenrecht', *Weekblad voor Privaatrecht, Notariaat en Registratie* (1994) 6154, 694-698
- 'Stelsel scherpe normen geeft schijnrechtszekerheid. Over falsificatie van rechtsregels door de burgerlijke rechter', *Weekblad voor Privaatrecht, Notariaat en Registratie* (1993) 6109, 725-732
- (together with B. Oosting & E. du Perron) 'Verandering van omstandigheden en de uitleg van overeenkomsten, naar aanleiding van "Rebus sic stantibus" door prof. mr. P. Abas', 39 *AA* 9(1990), 563-570