



Academia Internacional de Derecho de Sucesiones



Curriculum Vitae del Prof. Dr. Dr. h.c. mult. Reinhard Zimmermann

Académico Pleno

Categoría: emeritus Director, Max Planck Institute for Comparative and International Private Law

Dirección: ++49-40-41 90 04 01

Correo electrónico: r.zimmermann@mpipriv.de

Página web personal: <https://www.mpipriv.de/r-zimmermann.html>

Dialnet/Orcid/Google Scholar: <https://orcid.org/0000-0003-0348-7929>

Trayectoria:

- First State Examination (Law Degree) Hamburg (1976)
- Graduated Dr. iur., Hamburg (1978)
- Attorneys/Advocates Admission Examination (*Große Staatsprüfung*) (1979)
- W.P. Schreiner Professor of Roman and Comparative Law, University of Cape Town, and Head of Department (1981-1988)
- Chair of Private Law, Roman Law and Comparative Legal History at the University of Regensburg (Bavaria) (1988-2018)
- Director at the Max Planck Institute for Comparative and International Private Law (2002-2022)
- Affiliate Professor at Bucerius Law School, Hamburg (2008-to date)
- Honorary doctorates by the Universities of Chicago, Aberdeen, Maastricht, Lund, Cape Town, Edinburgh, Lleida, Stellenbosch, McGill and Lublin
- Guest Professor at the Universities of Chicago (Max Rheinstein Visiting Professor), New Orleans, Edinburgh, Stellenbosch, Berkeley, Yale, Cornell, Auckland, Santiago de Chile, Cambridge (A.L. Goodhart Professor and Fellow at St. John's College), and Oxford (Visiting Fellow, All Souls College)

Líneas de investigación:

Law of obligations and law of succession in historical and comparative perspective; relationship between the English common law and continental civil law; mixed legal systems (in particular Scotland and South Africa); harmonization of European private law



Resultados específicos en Derecho sucesorio

Publicaciones sucesorias:

Books

- „Quos Titius voluerit“ – Höchstpersönliche Willensentscheidung des Erblassers oder „power of appointment“?, vol. 7 of the „Schriften der Juristischen Studiengesellschaft Regensburg“, C.H. Beck, 1991, 62 pp.
- Exploring the Law of Succession: Studies National, Historical and Comparative, Edinburgh University Press, 2007, 253 pp. (edited jointly with Kenneth G.C. Reid and Marius J. de Waal)
- Comparative Succession Law, vol. 1: Testamentary Formalities, Oxford University Press, 2011, 521 pp. (edited jointly with Kenneth G.C. Reid and Marius J. de Waal)
- Der Einfluss religiöser Vorstellungen auf die Entwicklung des Erbrechts, Mohr Siebeck, 2012, 199 pp.
- Freedom of Testation / Testierfreiheit, Mohr Siebeck, 2012, 210 pp.
- Comparative Succession Law, vol. 2: Intestate Succession, Oxford University Press, 2015, 560 pp. (edited jointly with Kenneth G.C. Reid and Marius J. de Waal)
- Does the Law of Succession Reflect Cultural Differences?, Maastricht Law Series vol. 1, Eleven International Publishing, 2018, 27 pp.
- Comparative Succession Law, vol. 3: Mandatory Family Protection, Oxford University Press, 2020, 832 pp. (edited jointly with Kenneth G.C. Reid and Marius J. de Waal)
- Zwingender Angehörigenschutz im Erbrecht, Mohr Siebeck, 2022, 140 pp. (jointly with Franz Bauer, Martin Bialluch, Andreas Humm, Lisa-Kristin Klapdor, Ben Köhler, Jan Peter Schmidt, Philipp Scholz, and Denise Wiedemann)

Articles

- „Coniunctio verbis tantum“: Accrual, the methods of joinder in a will and the rule against partial intestacy in Roman-Dutch and Roman Law, (1984) 101 Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Romanistische Abteilung 234-274.
- „Cy-près“, in: Iuris Professio, Festgabe für Max Kaser, 1986, pp. 395-415.
- Erbfolge und Schadensersatz bei Anwaltsverschulden, (1996) 4 Zeitschrift für Europäisches Privatrecht 672-687.
- Heres Fiduciarius? Rise and Fall of the Testamentary Executor, in: Richard Helmholz, Reinhard Zimmermann (eds.), Itinera Fiducia: Trust and Treuhand in Historical Perspective, 1998, pp. 267-304.



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- Die Erbfolge gegen das Testament im Römischen Recht: Formelles und materielles Noterbrecht im Spannungsfeld von Testierfreiheit und familiärer Solidarität, in: Anne Röthel (Hg.), Reformfragen des Pflichtteilsrechts, Symposium vom 30.11.-2.12.2006 in Salzau, Carl Heymanns Verlag, 2007, S. 97-117.
- The meaning and application of the *bloedige hand* rule in the Roman-Dutch and modern South African law of succession, in: Essays in Honour of CG van der Merwe, Lexis Nexis, 2011, pp. 169-192 (jointly with Marius de Waal).
- Testamentsformen: „Willkür“ oder Ausdruck einer Rechtskultur?, (2012) 76 Rabels Zeitschrift für ausländisches und internationales Privatrecht 471-508.
- Unworthiness to Inherit, Public Policy, Forfeiture: The Scottish Story, (2013) 87 Tulane Law Review 741-785 (jointly with John MacLeod).
- “Unworthiness” in the Roman Law of Succession, in: Andrew Burrows, David Johnston und Reinhard Zimmermann (eds.), Judge and Jurist: Essays in Memory of Lord Rodger of Earlsferry, Oxford University Press, 2013, pp. 325-344.
- „Sind wir aber Kinder, so sind wir auch Erben, nämlich Gottes Erben und Miterben Christi“: Zur Bedeutung der Rede von Erbe und Erbschaft in der Bibel, in: Zivilrecht und Steuerrecht, Erwerb von Todes wegen und Schenkung: Festschrift für Jens Peter Meincke, C.H. Beck, 2015, pp. 435-450.
- Das Verwandtenerbrecht in historisch-vergleichender Perspektive, (2015) 79 Rabels Zeitschrift für ausländisches und internationales Privatrecht 768-821.
- Das Ehegattenerbrecht in historisch-vergleichender Perspektive, (2016) 80 Rabels Zeitschrift für ausländisches und internationales Privatrecht 39-92.
- Kulturelle Prägung des Erbrechts?, [2016] Juristenzeitung 321-332.
- Presumptions of Survivorship or Simultaneous Death in Cases of “Common Calamity” – Scots Law Against the Background of European Legal Developments, in: Nothing So Practical As a Good Theory – Festschrift for George L. Gretton, Avizandum, Edinburgh 2017, pp. 338-364 (jointly with Jakob Gleim).
- Pflichtteil und Noterbenrecht in historisch-vergleichender Perspektive, (2020) 84 Rabels Zeitschrift für ausländisches und internationales Privatrecht 465-547.
- Zwingender Angehörigenschutz im Erbrecht – Entwicklungslinien jenseits der west-europäischen Kodifikationen, (2021) 85 Rabels Zeitschrift für ausländisches und internationales Privatrecht 1-75.
- Reflections on „nemo pro parte testatus pro parte intestatus decedere potest“, in: Bram Akkermans, Anna Berlee (eds.), Essays in Honour of Prof. Mr. Dr. J.H.M. (Sjef) van Erp on the Occasion of his Retirement, Eleven International Publishing, 2021, pp. 413-422.
- „So jemand die Seinen, sonderlich seine Hausgenossen, nicht versorget, ...“ – Zum Schutz der Angehörigen bei Enterbung, (2022) 222 Archiv für die civilistische Praxis 3-55.



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- Das englische Erbrecht als Ausprägung europäischer Rechtskultur – Eine Entwicklungsgeschichte, (2023) 31 Zeitschrift für Europäisches Privatrecht 290-325.
- Unterhalt statt Pflichtteil – eine Erwiderung auf Gerhard Otte, (2023) 6 Zeitschrift für die gesamte erbrechtliche Praxis 428-431 (jointly with Franz Bauer, Martin Bialluch, Andreas Humm, Lisa-Kristin Klapdor, Ben Köhler, Jan Peter Schmidt, Philipp Scholz and Denise Wiedemann).
- Erbrechtssysteme im Vergleich, in: Christian Deckenbrock, Clemens Höpfner, Matthias Kilian, David Markworth, Ulrich Sittard (eds.), Arbeit – Wirtschaft – Recht, Festschrift für Martin Henssler zum 70. Geburtstag, C.H. Beck, 2023, pp. 1803-1824.

Otras publicaciones (selección):

- The Law of Obligations: Roman Foundations of the Civilian Tradition, Juta & Co., Cape Town, 1990, 1241 pp.
- Good Faith in European Contract Law, Cambridge University Press, 2000, 720 pp. (edited jointly with Simon Whittaker)
- A History of Private Law in Scotland, vol. I. Introduction and Property, vol. II. Obligations, Oxford University Press, 2000, 552 and 748 pp. (edited jointly with Kenneth Reid)
- Roman Law, Contemporary Law, European Law: The Civilian Tradition Today, Oxford University Press, 2001, 197 pp.
- Comparative Foundations of a European Law of Set-Off and Prescription, Cambridge University Press, 2002, 194 pp.
- Unjustified Enrichment: Key Issues in Comparative Perspective, Cambridge University Press, 2002, 749 pp. (edited jointly with David Johnston)
- Historisch-kritischer Kommentar zum BGB, vol. I: Allgemeiner Teil, §§ 1-240, Mohr Siebeck, 2003, 1119 pp. (edited jointly with Mathias Schmoeckel and Joachim Rückert)
- Jurists Uprooted: German-speaking Emigré Lawyers in Twentieth-century Britain, Oxford University Press, 2004, 850 pp. (edited jointly with Jack Beatson)
- The Oxford Handbook of Comparative Law, Oxford University Press, 2006, 1456 pp. (edited jointly with Mathias Reimann)
- Historisch-kritischer Kommentar zum BGB, vol. II, part 1: Schuldrecht: Allgemeiner Teil, §§ 241-304, Mohr Siebeck, 2007, 1412 pp. (edited jointly with Mathias Schmoeckel and Joachim Rückert)
- Historisch-kritischer Kommentar zum BGB, vol. II, part 2: Schuldrecht: Allgemeiner Teil, §§ 305-432, Mohr Siebeck, 2007, 1364 pp. (edited jointly with Mathias Schmoeckel and Joachim Rückert)



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- Handwörterbuch des Europäischen Privatrechts, Mohr Siebeck, 2009, 2 vols., 1991 pp. (edited jointly with Jürgen Basedow and Klaus J. Hopt)
- Historisch-kritischer Kommentar zum BGB, vol. III, part 1: Schuldrecht: Besonderer Teil, §§ 433-656, Mohr Siebeck, 2013, 1522 pp. (edited jointly with Mathias Schmoeckel and Joachim Rückert)
- Historisch-kritischer Kommentar zum BGB, vol. III, part 2: Schuldrecht: Besonderer Teil, §§ 657-853, Mohr Siebeck, 2013, 1512 pp. (edited jointly with Mathias Schmoeckel and Joachim Rückert)
- Historisch-kritischer Kommentar zum BGB, vol. IV: Familienrecht, §§ 1297-1921, Mohr Siebeck, 2018, 1622 pp. (edited jointly with Mathias Schmoeckel and Joachim Rückert)
- Commentaries on European Contract Laws, Oxford University Press, 2018, 2384 pp. (edited jointly with Nils Jansen)
- Juristische Kommentare: Ein internationaler Vergleich, Mohr Siebeck, 2020, 520 pp. (edited jointly with David Kästle-Lamparter and Nils Jansen)

Otros méritos (opcional):

- President of the Society of South African Teachers of Law (1986)
- Deputy Dean and Dean, Faculty of Law, University of Cape Town (1983-1987)
- Vice President and President of the Society of South African Teachers of Law (1984-1986)
- Awarded the Leibniz Prize of the German Research Association (*Deutsche Forschungsgemeinschaft*) in 1996
- President of the German National Academic Foundation (*Studienstiftung des deutschen Volkes*) (2011-2023)
- Chairman of the Association of Professors in Private Law (*Zivilrechtslehrervereinigung*) (2011-2015)
- Chairman of the Association of Comparative Law (*Gesellschaft für Rechtsvergleichung*) (2014-2022)
- Speaker of the Senate, European Law Institute, Vienna (since 2017)
- Awarded the “Premio Antonio Feltrinelli in Legal Science” by the Accademia Nazionale dei Lincei, Rome in 2023
- Corresponding Fellow of the British Academy and of the Royal Society of Edinburgh as well as Ordinary or Corresponding Member of the Bavarian Academy of Arts and Sciences, the Academy of Sciences and Humanities in Lower Saxony at Göttingen, the Royal Netherlands Academy of Arts and Sciences, the Accademia delle Scienze di Torino, the Austrian Academy of Arts and Sciences and the Academia Europaea.