

**HAO JIANG**

Assistant Professor of Comparative Private Law  
Department of Legal Studies  
Bocconi University  
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**CURRENT ACADEMIC APPOINTMENTS**

**Università Bocconi Department of Legal Studies**

Milan, Italy

**Assistant Professor of Comparative Private law** September 2020-Present

Courses: Comparative Private Law

Chinese Business Law

Private and Business Law

Introduction to Private Law (Common Law)

Services: diversity delegate for the department of legal studies (January, 2021-Present)

member of the University Equal Opportunities Commission (March, 2021-October 2022)

**Yale Law School**

New Haven, CT, USA

**Senior Corresponding Fellow, Yale Center for the Study of Private law** February, 2025- present

**PREVIOUS APPOINTMENTS**

**Yale Law School**

**Visiting Fellow, Center for Private Law**

Spring, 2024, April, 2026 (forthcoming)

**European University Institute**

**Visiting Fellow, Department of Law**

May, 2025 (Sabbatical Visit)

**Berkeley Law School**

**Visiting Fellow, Berkeley Center for Private Law Theory**

Spring, 2025 (Sabbatical Visit)

**University of Hong Kong Faculty of Law**

**Visiting Fellow**

Spring, 2025 (Sabbatical Visit)

**Tulane University Law School**

New Orleans, United States

**Visiting Assistant Professor** (2017- 2018) (2019- 2020)

Course: Comparative Private Law

**City University of Hong Kong School of Law**

Hong Kong SAR, China

**Visiting Fellow** (August 2018- June 2019) (May,2024 Sabbatical Visit)

Courses: Chinese Law of Obligations

Chinese and Comparative Company Law

Legal Systems of Hong Kong and Mainland China

Theory and Practice of Comparative Law

Services: JD program committee, LLM program committee

**Max Planck Institute for Comparative and Private International Law**

Hamburg, Germany

**Post Doctoral Visiting Research Fellow** (June- September 2016, May 2017, March-April,2018, September 2021)

Recipient of Max Planck Society Scholarship.

**Università Trieste,**

Trieste, Italy

**Visiting Professor** (Spring, 2014/Spring, 2015)

Courses: Comparative Legal Systems

Comparative Contract Law

**Université Panthéon Assas (Paris II)**

Paris, France

**Visiting Associate Professor** (maître de conférences) (Spring,2014)

Courses : *Introduction to Comparative Law (Chinese Law)*

*Comparative contract law (Chinese contract law)*

*Comparative Legal Systems: Common Law*

**EDUCATION**

**TULANE UNIVERSITY LAW SCHOOL**, New Orleans, LA

***Doctor of Juridical Science (S.J.D.)***

May 2016

***Juris Doctor (J.D.)***

May 2012

***Master of Laws (LL.M.), International and Comparative Law***

May 2009

Dissertation: *Freedom of Contract under State Supervision* (advisor: James Gordley)

Lectured *Introduction to Chinese law* Eason Weinmann lecture series (Fall 2013/Spring2014)

**Tulane Law Review**, Guest Editor (2009)

Tuition Waiver Scholarship

**NANJING AUDIT UNIVERSITY LAW SCHOOL**, Nanjing, China

June 2008

***Bachelor of Laws (LL.B.), Minor: Accounting and Auditing***

Honors: Thesis received a Provincial Award and designated as the top degree thesis in the Law School, Scholarship Recipient (Academic Scholarships and Scholarships for Academic Publications).

## PUBLICATIONS

### ***Books:***

**Hao Jiang, Qiao Liu,** *A Restatement of Contract Law for the Greater China* (Edward Elgar, under contract)

**Hao Jiang, James Gordley,** eds. *In Defense of Contract law, a Clash of Theories* (Hart, under contract)

**Hao Jiang ed.** *Towards a Model Sales Law in the Greater Bay Area: A Comparative Study of Contract laws in mainland China, Hong Kong and Macau* (Edward Elgar 2024) (208 pages)

**Hao Jiang, Pietro Sirena** eds. *The Making of the Chinese Civil Code: Promises and Persistent Problems* (Cambridge University Press, 2023) (350 pages)

**James Gordley, Hao Jiang** *An Introduction to the Comparative Study of Private Law* 2<sup>nd</sup> Edition (Cambridge University Press, 2021) (672 pages) (The book had been translated into Chinese)

**Hao Jiang** *Justice as Economic Fairness, A Moral Theory of Contract Law* (monograph, in preparation)

### ***Working Papers:***

**Hao Jiang** Voluntary Commutative Justice: A Theory of Change of Circumstances (in draft)

**Hao Jiang** Mistake and Fairness in Greater Bay Area contract law: A Unified Theory (in draft)

**Hao Jiang** Contract as Exchange is *Equality in Exchange* (in draft)

### ***Articles:***

**Hao Jiang, James Gordley** Causa Concreta and Voluntariness: An old doctrine rediscovered **The Italian Law Journal** (forthcoming)

**Hao Jiang, James Gordley** Fairness in Chinese Contract Law: A Borrowed Mistake **European Review of Private Law** 2-2024 241-258

**James Gordley, Hao Jiang** THE LOST DOCTRINES OF CAUSA AND THE INCOHERENCE OF CONTEMPORARY CONTRACT LAW 98 **TULANE LAW REVIEW** 1023 (2024) 1023-1075

**James Gordley, Hao Jiang** The Maze of Contemporary Contract Theory and a Way Out 68 **The American Journal of Jurisprudence** (Oxford University Press) (Lead article) (2023) 1-33

**Hao Jiang, Antonia von Appen** The New Validity Rules in Chinese Civil Code and Chinese State-owned Enterprises' Freedom in Contracting : One Step too Far **The Chinese Journal of Comparative Law** (2022)1-19 (Oxford University Press)

**Hao Jiang** *The Three Myths of Tort Law in the Chinese Civil Code*, 7 **The Italian Law Journal** 713-730(2021)

**Hao Jiang, Peter Chan** *The Rule against Recovery of Pure Economic Loss in China: A Misconceived Doctrine* 96 **Tulane Law Review** 261 (2021) 261-292

**Hao Jiang** *The Making of a Civil Code in China: Promises and Perils of a New Civil Law* 95 **Tulane Law Review** 777 (2021) (Lead article) 777-820

**James Gordley, Hao Jiang** *Contract as Voluntary Commutative Justice* 2020 **Michigan State Law Review** 725, 725-801

Translated into Spanish as *El contrato como justice conmutativa voluntaria* (Part I) *Instituto de Estudios Sociales, Politica y Cultura* (2021) Vol.1 Issue 10, 168-195

*El contrato como justice conmutativa voluntaria* (Part II) *Instituto de Estudios Sociales, Politica y Cultura* (2021) Vol.2 Issue 11, 71-106

*El contrato como justice conmutativa voluntaria* (Part III) *Instituto de Estudios Sociales, Politica y Cultura* (2023) Vol.1 Issue 13, 229-274

**Hao Jiang** *Enforcing the Bargain v. Materiality Requirement: The Future of Disclosure-Only Settlements Post-Trulia* 38 **Pace Law Review** 569 (2018), 569-607(Cited by Delaware Court of Chancery in *Allen v. Harvey* C.A. No. 2022-0248-MTZ)

**Hao Jiang** 寻找正当价格理论 — 当国企遭遇契约自由 *The missing just price theory— when freedom of contract meets state ownership (in Chinese)* ,10 **Roman Law and Modern Civil Law** 1(2018) (罗马法与现代民法) (Lead article, invited submission) 1-27

**Hao Jiang** *Freedom to Mislead: Fictitious Freedom To Contract Around Fraud Under Delaware Law*, 13 **NYU Journal of Law and Business** 393 (2017), 393-424

**Hao Jiang** *Freedom of Contract under State Supervision* 8 **George Mason Journal of International Commercial Law** 202 (2016), 202-254

**Hao Jiang** *Enlarged State Power to Declare Nullity: the Hidden State Interest in the Chinese Contract Law* 7 **Journal of Civil Law Studies** 147 (2014).(Peer Reviewed) 147-193

#### **Book chapters:**

**Hao Jiang** *A Comparative Study of Contract Law for the Greater Bay Area : An Introduction Towards a Model Sales Law in the Greater Bay Area: A Comparative Study of Contract laws in mainland China, Hong Kong and Macau* (Hao Jiang ed, Edward Elgar 2024.)

**James Gordley Hao Jiang** *The Duty to Perform a Contract in Good Faith: Two Opposite Views and A Common Explanation* in *Towards a Model Sales Law in the Greater Bay Area: A Comparative Study of Contract laws in mainland China, Hong Kong and Macau* (Hao Jiang ed, Edward Elgar 2024.)

**Hao Jiang** *Mistake and Fairness: Diverse Doctrines and Room for Harmonization Towards a Model Sales Law in the Greater Bay Area: A Comparison of Contract laws in mainland China, Hong Kong and Macau* (Hao Jiang ed., Edward Elgar 2024.)

**Hao Jiang, Antonia von Appen** *The New Validity Rules in Chinese Civil Code and Chinese State-owned Enterprises' Freedom in Contracting : One Step too Far The Making of the Chinese Civil Code: Promises and Persistent Problems* (Hao Jiang & Pietro Sirena eds, Cambridge University Press 2023)

**Hao Jiang** *The Making of a Civil Code in China: Promises and Perils of a New Civil Law, The Making of the Chinese Civil Code: Promises and Persistent Problems* (Hao Jiang & Pietro Sirena eds, Cambridge University Press 2023)

**James Gordley, Hao Jiang** *Obvious Unfairness and Unconscionability: The (Indirect) American Connection to the Chinese Contract Law*, Mauro Bussani, Ivan Cardillo, Marta Infantino, Xue Jun (eds.), *The Chinese Civil Code in the Global Legal Order. Inner and Outer Perspectives*, Brill

**James Gordley, Hao Jiang** *Fair Exchange, Foundations of American Contract Law* (James Gordley, Oxford University Press 2023)

**James Gordley, Hao Jiang** *Voluntary Exchange, Foundations of American Contract Law* (James Gordley, Oxford University Press 2023)

**James Gordley, Hao Jiang** *Consideration and causa, Elgar Encyclopedia of Comparative Law 2<sup>nd</sup> edition* (Jan Smits, Jaakko Husa, Catherine Valcke (eds.), Edward Elgar publishing, 2023) (It has been translated into Chinese)

**Hao Jiang** *Chinese Tort Law: Tradition, Transplants, and Some Difficulties* (Book chapter) *Comparative Tort Law: Global Perspectives 2<sup>nd</sup> edition* (M. Bussani, A. Sebok eds, Edward Elgar Publishing, 2021) 397-426

**Hao Jiang** *Inapplicability of Freedom of Contract to Chinese State-owned Enterprises* (Book Chapter) *Comparative Law and ... / Le droit comparé et ...* (A. Albarian, O. Moréteau eds, Presses universitaires d'Aix-Marseille, 2016). 377-394

**Hao Jiang** *Chinese Tort Law between Tradition and Transplants* (Book chapter) *Comparative Tort Law: Global Perspectives* (M. Bussani, A. Sebok eds, Edward Elgar Publishing, 2015). 385-411

#### GRANTS

**BOCCONI DEPARTMENT JUNIOR RESEARCH GRANT (2024-2025), 10,000 EUROS**

#### PEER REVIEWER

**ASIA PACIFIC LAW REVIEW**

**ASIAN JOURNAL OF COMPARATIVE LAW (CAMBRIDGE UNIVERSITY PRESS)**

**JOURNAL OF ENVIRONMENTAL LAW (OXFORD UNIVERSITY PRESS)**

**CHINESE JOURNAL OF COMPARATIVE LAW (OXFORD UNIVERSITY PRESS)**

**THE ITALIAN LAW JOURNAL**

**JOURNAL OF CIVIL LAW STUDIES**

**LAW AND DEVELOPMENT REVIEW**

## PROFESSIONAL EXPERIENCE

<b>Shanggong &amp; Partners LLP</b> , Beijing, China 尚公律师事务所 Foreign Legal Counsel	5/2013- 4/2017
<b>Whitehead Law Firm</b> , Baton Rouge, LA <i>Of Counsel</i>	12/ 2011 – 4/2017
<b>The Supreme Court of the People’s Republic of China</b> , Beijing, China <i>Judicial Clerk to Justice Feng Qiang</i>	7-8/ 2011
<b>McCranie, Sistrunk, Anzelmo et al LLC.</b> , New Orleans, LA <i>Summer Associate</i>	5-7/ 2011
<b>Loyola University College of Law</b> <b>Immigration Law Clinic</b> New Orleans, LA <i>Volunteer Attorney</i>	12/ 2010 – 5/2011

## LANGUAGES

Chinese, English, German (Reading Knowledge), Italian (Intermediate).

## Memberships:

New York Bar since 2011

American Bar Association since 2011

European Law Institute since 2021

## PRESENTATIONS

- *Voluntary Commutative Justice- A Unified Theory of Change of Circumstances, Covid-19 and the Changing World of Laws*, City University of Hong Kong, June, 20<sup>th</sup>, 2025.
- *Participant, Characteristic Performance and Contracts*, Villa Vigoni, June 16-June 19, 2025
- COMMENTATOR, BERKELEY LAW SCHOOL PRIVATE LAW THEORY WORKSHOP, MAR 8<sup>TH</sup>, 2025
- THE LOST DOCTRINE OF CAUSA AND THE INCOHERENCE OF CONTEMPORARY CONTRACT LAW, BOCCONI FACULTY SEMINAR, OCT 23, 2024
- Fairness in Chinese Contract Law: A Borrowed Mistake , Chinese University of Hong Kong Faculty of Law, May 10<sup>th</sup>, 2024

- THE MISCONCEIVED DOCTRINE OF *CAUSA* AND THE INCOHERENCE OF CONTEMPORARY CONTRACT, BERKELEY LAW SCHOOL PRIVATE LAW THEORY WORKSHOP, FEB 5, 2024
- THE MISCONCEIVED DOCTRINE OF *CAUSA* AND THE INCOHERENCE OF CONTEMPORARY CONTRACT LAW , *Annual Meeting, American Society of Comparative Law, Miami, October 27<sup>th</sup>, 2023*
- THE MISCONCEIVED DOCTRINE OF *CAUSA* AND THE INCOHERENCE OF CONTEMPORARY CONTRACT LAW , PRIVATE LAW CONSORTIUM , CITY UNIVERSITY OF HONG KONG SCHOOL OF LAW, MAY 3<sup>RD</sup>, 2023.
- The Maze of Contemporary Contract Theory and a Way Out* Society of Legal Scholars Conference, King's College London, September 8<sup>th</sup>, 2022
- *The Maze of Contemporary Contract Theory and a Way Out* Bocconi Faculty Workshop, March 14<sup>th</sup>, 2022
- The Making of a Civil Code in China: Promises and Perils of a New Civil Law*, invited lecture (virtual), Institute of Comparative Law, University of Tehran, Iran , October 18<sup>th</sup>, 2021
- Contract as Voluntary Commutative Justice* (with James Gordley), Phd seminar at Università Trieste and Università Udine, Trieste, October 5<sup>th</sup>, 2021
- State-owned enterprises' freedom in contracting: a persistent difficulty*. Bocconi Law School, June 22<sup>nd</sup>, 2021
- Contract as Voluntary Commutative Justice* (with James Gordley), Melbourne Law School, December 4<sup>th</sup>, 2020
- Perspectives of Chinese Civil Code 2020*, Durham Law School, November 5<sup>th</sup>, 2020.
- *The Making of a Civil Code in China: Promises and Perils of a New Civil Law*, *Annual Meeting, American Society of Comparative Law, UCLA Law School, October 16<sup>th</sup>, 2020.*
- *Exercise of Judicial Discretion in China*, *Judicial exchange seminar (Chaired a panel of four Chinese judges)*, City University of Hong Kong Law School, March 21, 2019.
- Fairness and the Law of Contract* (with James Gordley) 14<sup>th</sup> International Conference on Contracts, Tulane Law School, March 8, 2019
- Unconscionability as Violation of Voluntary Commutative Justice* , *Hong Kong Commercial and Maritime Law Center Working Paper Series*, City University of Hong Kong School of Law, Oct. 25<sup>th</sup>, 2018
- Substantive Unfairness as Unconscionable*, 7<sup>th</sup> Max Planck PostDoc Conference on European Private Law, Max Planck Institute for Comparative and International Private Law, Hamburg, Germany, April 23, 2018
- *Substantive Unfairness as Unconscionable*, Tulane Law School Faculty Workshop, New Orleans, Feb. 26, 2018
- *Substantive Unfairness as Unconscionable*, 13<sup>th</sup> International Conference on Contracts, Barry Law School, Orlando, FL Feb. 23, 2018
- Enforcing the bargain v. the Materiality Requirement-----The Future of Disclosure-only Settlements Post-Trulia*, UCLA School of Law Fifth Annual Corporate and Securities Litigation Workshop, Los Angeles, October 20<sup>th</sup>, 2017
- Does Fairness Matter and Does Materiality Requirement Achieve Fairness?*  
-----*Business as Usual in Approving Disclosure Settlement Post-Trulia* Tulane Law School Faculty Workshop, New Orleans, June 21<sup>st</sup>, 2017
- Marine Environment and South China Sea Arbitration*, (Panel Moderator) Tulane Summit on Environmental Law and Policy, New Orleans, March 10<sup>th</sup>, 2017
- Freedom of Contract under State Supervision*, American Society of Comparative Law Younger Comparativists Committee fifth annual meeting at Tulane Law School, New Orleans, March 19, 2016
- Freedom of Contract under State Supervision*, 11<sup>th</sup> International Conference on Contracts, St. Mary's Law School, San Antonio, TX, February 26, 2016

- China Going Forward, (Panel Moderator)*, Tulane Summit on Environmental Law and Policy, February 20, 2016
- Freedom of Contract under State Supervision*, Faculty Workshop, Tulane Law School, November 2, 2015
- Law and Development in China (Seminar Sponsored by Italian Ministry of Foreign Affairs and International Academy of Comparative Law)*, University of Trieste Faculty of Law, April 28, 29, 2015
- Enlarged State Power to Declare Nullity: the Hidden State Interest in the Chinese Contract Law* New Haven School of Jurisprudence Global Conference by Yale Law School and Zhejiang University Law School, Hangzhou, China, October 31, 2014
- Inapplicability of Freedom of Contract to Chinese State-owned Enterprises* Annual Conference of Juris Diversitas, Aix-Marseille University, Aix-en-Provence, France July 18, 2014
- The Enlarged State Power to Declare Nullity On the Hidden State Interest under Article 52 (§1) of the Chinese Contract Law* American Society of Comparative Law Younger Comparativists Committee third annual meeting at Lewis & Clark Law School, Portland, Oregon April 5, 2014
- Property and Foreign Investment law in China*, Eason Weinmann Center of International and Comparative Law lecture series, Tulane Law School, January 27, 2014
- Contract Law, Introducing China*, Eason Weinmann Center of International and Comparative Law lecture series, Tulane Law School, November 6, 2013
- The Judicial System, Introducing China*, Eason Weinmann Center of International and Comparative Law lecture series, Tulane Law School, October 23, 2013
- Constitutional Structure, Introducing China*, Eason Weinmann Center of International and Comparative Law lecture series, Tulane Law School, October 14, 2013 (with Jörg Fedtke)
- China: A First Glance, Introducing China*, Eason Weinmann Center for Comparative Law lecture series, Tulane Law School, September 25, 2013(with Jörg Fedtke)
- The State Interest Harmed by Fraud and Duress under Chinese Contract Law* American Society of Comparative Law Younger Comparativists Committee Second Annual Meeting at Indiana University Robert H. McKinney Law School in Indianapolis, April 17, 2013.
- The State Interest Harmed by Fraud and Duress under Chinese Contract Law* Third Annual Workshop on International and Comparative Law at Washington University Law School in St. Louis, March 2, 2013.
- Autonomy of Contract v. Protection of State Interest: Annulable Contract under Chinese Law in Comparison with other Civil Law Jurisdictions*, Faculty Intellectual Life Workshop, Tulane University Law School, November 26, 2012.
- The Chinese Judicial System and Legal Transplants in China*, Eason Weinmann Center of International and Comparative Law, Tulane University Law School, November 8, 2011.