UNIVERSITY OF AMSTERDAM



Amsterdam Centre for Transformative Private Law (ACT)

Exploring the Role of Private Law in the Making of Society and the Processes of Private Law-Making in a Diverse World | Newsletter | Issue 10 | May 2023

Dear readers,

As the main term period ends and activities slow down before the summer break – that magic space of sometimes overoptimistic research ambitions – we look back to a joyous year at ACT.

Over the past few months, core researchers have been working on giving shape to our new research cluster Integraal Privaatrecht, which will investigate changing roles of actors, relations and remedies from the dynamic and multi-layered perspective of Dutch private law.

The first cycle in our restyled seminar series, with “Ecologies of private law” as its annual theme, will close up with exciting lectures by Margaret Davies and

Yotam Kaplan after an inspiring year of live and online discussions.

ACT researchers have been successful in a number of grant applications big and small, all without neglecting our usual core tasks in research and education. To add extra jollyness, no less than three babies have come to expand the families of some young colleagues!

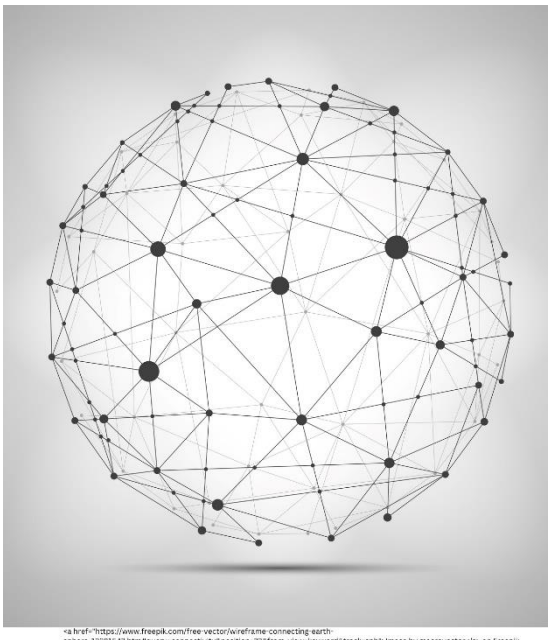
Many more highlights cannot possibly fit in this snapshot – hence a warm invite to scroll down to the rest of the newsletter!

Warm regards,

Candida Leone,
Deputy Director ACT

News

Integraal Privaatrecht and Launch Event



A new research programme focusing on Dutch private law ("Integraal Privaatrecht") is established within ACT. On 28 September 2023, the research programme will be officially presented. Integraal privaatrecht will be structured along three lines of inquiry: actors, relationships and remedies in contemporary private law. Find out more in the featured researcher interview below!

N-EXT Law in Full Swing!

There are several noteworthy events organized by the N-EXTLAW to look forward to this month and next semester:

- **June 20th Workshop**:In collaboration with the Florence office of Europe Direct, this event will bring together practitioners of urban commons, representatives of Italian municipalities, social cooperatives, civil society organisations and academics from all over Italy to discuss the legal facilitations necessary to make commons easier and more attractive to adopt.
- **June 22nd-23rd Workshop**: An event to discuss Marija Bartl's (Principal Investigator of the N-EXTLAW Project) forthcoming book project, in the context of the workshop "After Extractivism: Towards a New Imaginary of Collective Prosperity in the EU". Taking place at the EUI in Florence, this event will bring together colleagues and affiliated academics to discuss the book manuscript and the concept of extractivism more broadly.
- **October 5th & 6th**: Conference, "Transforming Ownership in the times of Overlapping Crisis", University of Amsterdam (*see events*).

ACT Researchers Klaas Eller and Candida Leone Part of Successful Seed Grand Cooperations

This semester, two interdisciplinary seed grant proposals co-submitted by ACT researchers have been honoured through the University of Amsterdam's inter-faculty "Sustainable prosperity" call. Klaas Eller will be (co-)"Investigating the regulation of environmental sustainability in global supply chains through big data and modelling". Candida Leone is one of the successful applicants in the project "Energy labels for ecologically sustainable digital services: a technological, behavioural, and legal perspective."

Read more here →

New Visiting Researchers



This year we welcomed two new visiting fellows from other institutions to conduct research at the ACT:

- Tommaso Fia (European University Institute)
- Vincenzo Pitteli (Sapienza Università di Roma)

Read more about their research topics while at the UvA →

Anna van Duin and Elke Olthuis Secure Funding from the Faculty Methods and Interdisciplinary Research Fund

Anna van Duin and Elke Olthuis secured funding from the Faculty Methods and Interdisciplinary Research Fund for their empirical research project “Access to digital justice and digital due process: a citizen-centered approach”.

Highlights

ACT at 27th Ius Commune Conference



Several ACT members presented at the Ius Commune Conference in May, including a keynote speech by Marija Bartl as well as presentations by Irene Groenland, Michael Bakker, Candida Leone, Yannick van den Berg, and Mirthe Jiwa.

Find out more here →

ELO Special Issue, The Transformative Law of Political Economy in Europe

In April 2023 the European Law Open published the journal,"Transformative Law of Political Economy in Europe", co-edited by ACT member Klaas Eller along with Ana Beckers (Maastricht) and Poul Kjaer (Copenhagen).

Read the journal entry here →

Ecologies of Private Law Lecture Series: Semester 2

We are approaching the end of our spring semester lineup and the lecturers have been an undivided success. You are still in time to register for the two remaining lectures by **Margaret Davies** on "Human and Nonhuman Normativity – What is to be Done?" and **Yotam Kaplan** on "Climate Change as Unjust Enrichment".

Register here →



Featured Researcher

Bregje Dijksterhuis



Bregje Dijksterhuis recently joined the ACT and the Private Law department. Dijsterhuis specializes in family law and talks to us about her research themes as well as details regarding the newly anticipated plan “Integraal Privaatrecht”.

Read the full interview here →

Media and Talks

Keynote Speech by Marija Bartl at the Common Core of European Private Law



On May 24th, Marija Bartl gave a lecture at the Common Core of European Private Law conference in Groningen on “Shared imaginaries of prosperity and law”. Key question: is Europe at a Weimar moment and can EU policy on production and consumption help it open up paths to a sustainable future?

Read more here →

Good Faith: 30 Years of Codification and Case Law Interpretation



On April 26th, Diana Dankers-Hagenaars was a keynote speaker at the University of Montreal's conference "La bonne foi: 30 ans de codification et d'interpretation jurisprudentielle" with a presentation on "The criteria of reason and equity in Dutch law".

Find out more here →

The Absence of the Other in Contemporary Bank Accountability

On April 13th, Kinanya Pijl gave a lecture at the conference on "Sustainability and Corporate Accountability" at the University of Oslo to present her paper titled, "The Absence of the Other in Contemporary Bank Accountability".

Read it here →

Rethinking Remedies for Harmful Online Content

On April 4th, ACT member Anna van Duin and Naomi Appelman presented their article, "Rethinking remedies for harmful online content" at the Socio-Legal Studies Association (SLSA) Conference at Ulster University in Northern Ireland.

Read more about the conference here →

Academic Freedom and the Perils of the Employment Contract in Managerial Universities – Time for Action

In a new Transformative Private Law blog post, Candida Leone writes about recent developments in Dutch academia surrounding Labour law and academic freedom.

Read it here →

A theory of European Private Law Adjudication

On April 3rd, Chantal Mak presented her paper titled, "A theory of European Private Law Adjudication" at the Singapore Symposium in Legal Theory.

Find out more here →

Of Cultural Entrepreneurship, Corporate Constructions and Public Subsidies: Marleen van Uchelen on Toneelgroep Maastricht in NRC

Can a publicly supported entity provide a loan to a commercial company it set up to take larger production in its hands? Find more context on a theatre group "seeking the boundaries of cultural entrepreneurship", as well as van Uchelen's legal take in NRC (Dutch).

Read it here →

Collective Ownership and Representation in a Sustainable City: Investigating the Potential of the Community Land Trust and the Zoöp Model

ACT members Kinanya Pijl & Laura Burgers published their paper titled, "Collective Ownership and Representation in a Sustainable City: Investigating

the Potential of the Community Land Trust and the Zoöp Model" in the Erasmus Law Review.

Read it here →

Geographies of Justice and the Use of AI in Dispute Resolution

Anna van Duin contributed to two discussion panels at the 2023 JAR-Association Congress conference on May 25th, one on "Enhancing Access to Justice Through a Person-Centered Approach: From 'Taking Charge" to "Taking Care"" and the other on "Geographies of Justice and the Use of AI in Dispute Resolution".

Read more here →

Data After Life

Chantal Mak contributed a blog post titled "Data After Life" to the special edition of the Verfassungsblog, which collects pieces based on a symposium organized by researcher Dr. Catalina Goanta, titled "Radical Reforms: Bringing Fairness to Social Media Contracts".

Read the blog post here →

Upcoming Events

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Ecologies of Private Law lecture series with Margaret Davies (Flinders University) titled, Human and Nonhuman Normativity – What is to be Done?

June 12th, A3.01, 15.30-17.00

After studying law and English literature at Adelaide University in the 1980s, Margaret completed a doctorate in

critical legal theory at Sussex University. Margaret was a foundation staff member of the Law School at Flinders University and has been a visiting scholar at Birkbeck College, Umea University, UBC, and Victoria University of Wellington, and has held a Leverhulme Visiting Professorship at the University of Kent.

3

Ecologies of Private Law lecture series with Yotam Kaplan (Bar-Ilan University) titled, Climate Change as Unjust Enrichment

July 3rd, A3.01, 15.30-17.00

Yotam Kaplan (Bar-Ilan University) will wrap up our Ecologies of Private Law lecture series on July 3rd in REC A3.01 and online via zoom.

3

Summer Department Drinks

July 3rd, location TBA, 17.30

More information to come shortly.

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Integraal Privaatrecht + Research Retreat

July 4th, A3.01, 9.00-14.00

ACT will host a brainstorming session for Integraal Privaatrecht combined with a smaller research retreat.

Integraal Privaatrecht Launch Event

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September 28th, A3.01, afternoon

A new research programme on national private law ("Integraal Privaatrecht") is launched within ACT. On 28 September 2023, the research programme will be presented and the research lines are fleshed out. The research programme will be structured along the lines of actors, relationships and remedies in contemporary national private law.

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5 & 6

Conference: Transforming Ownership in the times of Overlapping Crisis

October 5th & 6th 2023

The goal of this event is to bring together academics, policy makers and practitioners of transformative practices from across Europe, to discuss some of the most pressing issues regarding the legal frameworks underpinning private property and corporate ownership structures. This conference will serve as platform to connect people working across different but related fields, with the planned output including a whitepaper (drawn from the contributions of speakers and panellists) which will be offered to the European Commission.

Stay up-to-date!

For more exciting events and details on how to register, keep an eye on our events page! You can also find updates on LinkedIn and Twitter.

Recent Research Output

> Bartl, M., & Vermeulen, E. E. / Decentering the 'Private' in the World Power System. Journal of Law and Political Economy, 2023

> Burgers, L. E. / Rechten voor de Waddenzee hebben wel degelijk een positieve impact. De Volkskrant, 2023
> Burgers, L. E. & Pijl, K. / Collective Ownership and Representation in a Sustainable City: Investigating the Potential of the Community Land Trust and the Zoöp Model. Erasmus law review, (3) 2022
> Dankers-Hagenaars, D. L. M. T. / Art. 6:229 (De voortbouwende overeenkomst). In Groene Serie Verbintenissenrecht: Artikelsgewijs commentaar op titel 1, 2, 4 en 5. - Titel 5, afdeling 2: Het tot stand komen van overeenkomsten. (Groene Serie). Kluwer.
> Dankers-Hagenaars, D. L. M. T. / Rb. Overijssel 17 augustus 2022, C/08/269800 / HA ZA 21-336, ECLI:NL:RBOVE:2022:3647; Rechtspraak Aansprakelijkheids- en Verzekeringsrecht 2023/2 nr. 20; Regreszaak. Letselschade minderjarig kind na verkeersongeval
> de Kluiver, H. J./ Over belangen en zorgplichten in het ondernemingsrecht en uitdagende afwegingen in en duurzaamheidsperspectief: Kroniek van het Ondernemingsrecht 2023. Nederlands Juristenblad, 2023(15), 1198
> de Kluiver, H. J./ Onderneming en duurzaamheid: Over ondernemen, mensenrechten, milieu en klimaat in Europees perspectief. Weekblad voor Privaatrecht, Notariaat en Registratie, 2023(7407), 299 .
> Episcopo, F. / Varieties of effectiveness and their impact on private law adjudication. Zeitschrift für europäisches Privatrecht, 2023
> Leone, C. & van Duin, J.M.L/ Incasso in consumentenzaken blijft problematisch ondanks nieuwe wet. NJB, 2023(5).
> Stijns, S., & De Rey, S. E. /). Het nieuwe verbintenissenrecht in Boek 5 BW – Deel II. Rechtskundig Weekblad, 86(25), 963-994.
> van Uchelen Schipper, M. J./ Rechtbank Den Haag 25 oktober 2022 in JOR 2023/38 (ontslag stichtingsbestuurders)
> van Uchelen Schipper, M. J./ Gerechtshof Amsterdam (Ondernemingskamer) 16 november 2022 in RO 2023/2 (Reinier Haga Groep)
> van Uchelen Schipper, M. J./ SDU-commentaar: art. 2:129a, 2:164a/274a (one tier board), art. 142b BW (quotum man-vrouw- verhouding) en 2:166/276 BW (streefcijferregeling), Verordening EESV en Uitvoeringswet Verordening EESV, 202
> van Duin, A./ Harmful Content and Access to Justice on Online Platforms: An Empirical Study on the Experiences and Needs of Victims. Amsterdam Centre for Transformative private law Working Paper No. 2023-03

> Venkatesh, V., Esnard, T., Bogoeski, V., & Ferrando, T. /). Migrant Farmworkers: Resisting and Organizing before, during and after Covid-19. Journal of Agrarian Change, 2023

