



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 5 | December 2020

Dear readers,

I hope this newsletter finds you healthy and well.

The past couple of months were not easy: social distancing and online exchange have had their toll on the vitality of many researchers. However, the very same time has also taught us: ‘online meetings’ have their benefits and will maintain a role, if more limited, in ‘normal times’ as well.

At the Amsterdam Centre of Transformative Private Law (ACT), we have benefited from many wonderful online exchanges in the past months, and many are coming up (see below). Given that the meetings remain online, we would

like to encourage our readers to **join us at some of the upcoming seminars**, for it can be a delightful way to start an exchange.

We have also had some outrightly positive news here at ACT. In the past months three **wonderful PhD theses** have been defended by Laura Burgers, Anna van Duin and Candida Leone. We are also very happy to have been joined by **inspiring new colleagues**, Jelle van Dijk, Klaas Eller, Kinanya Pijl, and Rodrigo Vallejo, whose arrivals have made our intellectual exchanges even more rewarding.

Last but certainly not least, ACT members have established a new **Transformative Private Law Blog**. This blog aims to provide a space for the discussion about the role of private law in transforming economy toward greater social and environmental justice. I very much hope that you will join this exchange! To subscribe and contribute do read the article below.

Enjoy reading!

Sincerely,
Marija Bartl

News

Milestone Achievements



Public defense PhD thesis Laura Burgers

On Wednesday the 11th of November, [Laura Burgers](#) successfully defended her thesis entitled, '[Justitia, the People's Power and Mother Earth: Democratic legitimacy of judicial law-making in European private law cases on climate change](#)'.

Public defense Phd thesis Anna van Duin

On Friday the 23rd of October at 14:00, [Anna van Duin](#) defended her PhD thesis (cum laude) entitled '[Justice for Both: Effective Judicial Protection under Article 47 of the EU Charter of Fundamental Rights and the Unfair Contract Terms Directive](#)'.



Public defense PhD thesis Candida Leone

On Friday the 12th of June at 11:00 [Candida Leone](#) defends her thesis '[The missing stone in the Cathedral: on unfair terms in employment contracts and coexisting rationalities in European contract law](#)'.

Welcome to our new ACT colleagues

[Jelle van Dijk](#) is a Dutch legal scholar who will join the University of Amsterdam as a PhD candidate and teacher in the courses Financial Law and Insolvency law. He previously obtained both his LLB (cum laude) and LLM (cum laude; law & finance) at the University of Amsterdam. [read more](#)



[Klaas Hendrik Eller](#) is an Assistant Professor of European Private Law at the Amsterdam Center for Transformative Private Law (ACT). He obtained his PhD from the University of Cologne (“The Constitution of Global Production”, summa cum laude, Faculty Prize) and holds law degrees from Cologne and the Université de Paris 1 (Panthéon-Sorbonne). [read more](#)

[Kinanya Pijl](#) is a Dutch legal scholar working on the role of law in sustainable finance. For her doctoral research project, Kinanya has conducted extensive empirical research in the banking sectors in the Netherlands, Germany and the United Kingdom to develop a deeper understanding of how commercial banks integrate concern for society and planet in their corporate lending business. [read more](#)





[Rodrigo Vallejo](#) joined the University of Amsterdam as an Assistant Professor in Private Law as part of the Centre for Transformative Private Law (ACT) and the Sustainable Global Economic Law project (SGEL) in October 2020. His work focuses on the interactions between economic law, socio-political theory, and regulatory policies in transnational governance. [read more](#)

On-line

NEW! Transformative Private Law Blog

The idea of the [Transformative Private Law Blog](#) arose in the wake of launching the Amsterdam Centre for Transformative Private Law. The exciting objective of gaining and communicating a better understanding of what makes private law transformative, and how this transformative potential may best be studied and understood, could most optimally be achieved through an online medium that provides a fast-track alternative to publishing short-form pieces about transformative private law.

We identify seven core themes of Transformative Private Law: *Sustainability, Digitalization, Social Justice, Finance, Labour, Property, and Theory*. In selecting these themes we recognize and aim to reflect that private law already plays a transformative role, yet also offers further transformative potential. Uncovering these dynamics, the Transformative Private Law Blog aims to open up discussions about these key themes in the field of private law and its transformation.

[Go to the Blog →](#)

Media interviews on climate change litigation in the media

by Laura Burgers

Upon defending her [PhD thesis](#) on climate change litigation, [Laura Burgers](#) shows presence in the media, including NRC Handelsblad, De Volkskrant and Al Jazeera and more.

[read more →](#)

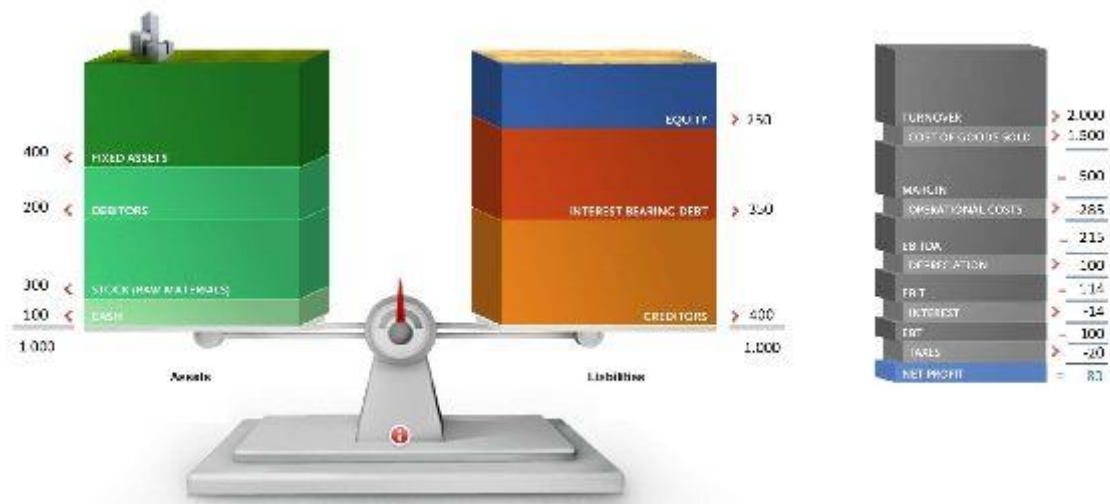
Featured Researcher

Prof. dr Rolef de Weijs

This issue features Professor Rolef de Weijs as he answers questions about his edited book *Limits to Finance* (Grenzen aan Financieringsvrijheid). In this book de Weijs bridges the gap between law and finance. 'We basically start with questions of finance often using the **Financial Mindmap**, explain the dynamics and critically reflect on the choices made in different legal systems and how they compare to each other'.



[Read the interview →](#)



Events

Dec.

14

[ACT Lecture Series: From Soft to Hard Law in Dutch Responsible Business Conduct measures: A conversation with the Dutch Government](#)

Digital event, 15:30 - 17:00

Diewwke Vos & Simone de Boer, Dutch Ministry of Foreign Affairs (BZ)

Jan.

11

[ACT Lecture Series: Prof. Alon Harel \(Hebrew University of Jerusalem\)](#)

Digital event, 15:30 - 17:00

Prof. Alon Harel presents 'A Standing Conception of Law'.

Jan.

21-

22

[Talking law in the EU: clear language, rule of law and legitimacy in the European legal space](#)

The conference Talking law in the EU is an interdisciplinary event organised as a collaboration between the Faculty of Law (Anna van Duin, Iris van Domselaar, Candida Leone) and the Faculty of Humanities (Corina Andone) and will bring together experts from a variety of corners to discuss the role, practices

and challenges of clear language in the EU legal space.

Feb.

4

[ACT Book Symposium: 'Justifying contract in Europe: political philosophies of European contract law' \(CUP 2021\), by Prof. Martijn Hesselink](#)

Digital event, 14:00 - 17:30

Feb.

5

[Joint Online Seminar: The Netherlands: a forum conveniens for collective redress?](#)

Organised by Maastricht University, Tilburg University and University of Amsterdam (UvA), with the collaboration of the Open University, in the context of the Netherlands Sector Plan on the transformative effects of globalisation in the law.

Mar.

8

[ACT Lecture Series: Maria paz de la Cuesta de los Mozos \(EUI\)](#)

digital event, 15:30 - 17:00

SMEs in the Global Value Chain: a new European fair trade.

Recent Research Output

[Bartl, M.](#), 2020, The Law of Political Economy: Transformation in the Function of Law. Kjaer, P.F. (ed). Cambridge: Cambridge University Press, p. 228-253.

[Burgers, L.E.](#) ; [van Duin, J.](#) ; Mak, C. / Judges in Utopia The Transformative Role of the Judiciary in European Private Law. In: European Review of Private Law. 2020 ; Vol. 28, No. 4. pp. 865-884.

[Burgers, L.E.](#)/ Conference: Private Rights for Nature, Period: 3 Jun 2020 → 5 June 2020, Organiser.

Domurath, I. ; [Mak, C.](#) / Private Law and Housing Justice in Europe. In: The Modern Law Review. 2020.

[Eller, K.H.](#) / Comparative Genealogies of “Contract and Society”. In: German law journal: review of developments in German, European and international jurisprudence. 2020 ; Vol. 21, No. 7. pp. 1393-1410.

[Loos, M.B.M.](#) / Transparantievereiste versus contraproferentem-regeling : De worsteling van de Hoge Raad met algemene voorwaarden in consumentenovereenkomsten. In: Tijdschrift voor Consumentenrecht & Handelspraktijken. 2020 ; Vol. 2020, No. 1. pp. 6-11.

[Loos, M.B.M.](#) ; Pavillon, C.M.D.S. / Civielrechtelijke sancties op de schending van informatieplichten : Handvatten voor de ambtshalve toetsingspraktijk aan de Richtlijn consumentenrechten. In: Nederlands Juristenblad. 2020 ; Vol. 2020, No. 29. pp. 2124-2135.

[Mak, C.](#) / Civil Courts as Constitutional Courts: Polity-building through private law in Europe. In: European Review of Private Law. 2020 ; Vol. 28, No. 4. pp. 953-972.

[van Domselaar, I.](#) / All Judges on the Couch? On Iris Murdoch and Legal Decision-Making, 2020, Virtue, Emotion and Imagination in Law and Legal Reasoning. Amaya, A. & del Mar, M. (eds.). Oxford: Hart, p. 77-98.

[van Domselaar, I.](#), Mak, E. & Mackor, A. R., 2020,/ Rechterlijke onafhankelijkheid in het samenspel van constitutionele beginselen, In Netherlands Journal of Legal Philosophy. p. 133-142.

[van Domselaar, I.](#), 2020,/ The Perceptive Judge, The Faces of Virtue in Law. Amaya, A. & Michelon, C. (eds.). London: Routledge, p. 71-87



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