

Ius Commune Conference 2024

Workshop: Contract Law

Friday, 29 November (9.00 – 12.00)

Room

Participants

Theme: Contract Law And Us

The theme, 'Contract Law and US', emphasizes that contract law is an integral part of how we interact with each other, conduct business, and shape society. It signifies that contract law affects not only individuals but also communities, industries, and entire social systems. In this spirit, this contract law workshop will explore contracts beyond being instruments of individual autonomy and economic exchange, and as facilitators and building blocks of broader social infrastructures. This perspective allows us to critically examine contract law's adverse societal effects as well as its potential to effect positive social change.

Chair: Jaap Baaij (Utrecht University)

09.00 – 09.10 **Jaap Baaij** (Associate Professor of Contract Law, Utrecht University)
Introduction Contract Law and Us

Part 1: Corporate Power and Contractual Governance

09.10 – 09.30 **Marianna Di Stefano** (PhD Student, Ca' Foscari University of Venice; Visiting Fellow, Amsterdam Law School)
The Subcontracting Agreements in "Food Hub": Determining Contractual Terms and Conditions Related to Eco-Façade

09.30 – 09.50 **Aude Romain** (Associate, Simont Braun; Scientific Collaborator, Institute for the Law of Obligations, KU Leuven)
From Global Value Chains to Global Values Chains: The Consequences for SMEs of EGS Clauses (Case Study on the Belgian Milk Sector)

09.50 – 10.10 **C.W. (Willem) Rebel** (PhD-candidate at the Molengraaff Institute for Private Law, Utrecht University)
Contractualizing Corporate Governance: A Normative and Empirical Analysis of Vertical Stockholder Agreements in Dutch Law

10.10 – 10.30 **Q&A session**

10.30 – 10.50 **Coffee break**

Part 2: Societal Legitimacy and Open Norms

10.50 – 11.10 **Camille van Peteghem** (Doctoral researcher and teaching assistant, Centre for Legal Methodology, KU Leuven)
Between Fact and Identity: the Political Economy of Contractual Conflicts in a Culturally Diverse Democracy

11.10 – 11.30 **Jan-Baptist Lemaire** (PhD-candidate, Centre for Methodology of Law, KU Leuven)
Reasonableness Norms in the New Belgian Civil Code: Judicial Restraint or Objective Judgment?

11.30 - 11.45 **Q&A session**

11.45 – 12.00 **Jaap Baaij** (Utrecht University)
Closing remarks

Biographical Information

Jaap Baaij is Associate Professor of Contract Law at Utrecht Law School. Jaap holds dual doctoral degrees from Yale Law School (JSD, contract law & arbitration) and Amsterdam Law School (PhD, European contract law, cum laude). At the Montaigne Center for the Rule of Law and Justice, his research explores the critical role of contracts and contract law in driving or hampering positive societal change, such as in enhancing sustainability in global trade through commercial contracts and empowering consumers through contract design in the energy transition. Jaap has held research positions at Columbia Law School, the National University of Singapore, and Queen Mary University of London, and was a guest lecturer at Georgetown, Yale, and Princeton.

Marianna Di Stefano is a PhD Student at the Ca' Foscari University of Venice, Italy, under the supervision of Prof. Gianluca Sicchiero and Prof. Oreste Pallotta. Marianna's research primarily focuses on identifying the 'gatekeeper' ad a newly created subject in European Union law, aiming to outline its legal nature. The focus of Marianna's work is on the legitimacy of the European Commission as an EU institution to assign public interest functions to private law entities and under what limitations. Their research is supervised in the Netherlands by Prof. dr. C. Mak and Dr. C. Leone.

Aude Romain is an associate in the Dispute Resolution team of the Belgian law firm Simont Braun. She is also a scientific collaborator at the Instituut voor Verbintenissenrecht, KU Leuven. Previously, she obtained a research master's in law from KU Leuven in July 2024 and an LL.B. from the Université Libre de Bruxelles (ULB) in 2022. She also spent a semester at the University of Michigan Law School in the U.S. as an exchange student from August to December 2024.

Willem Rebel is a PhD-candidate at the Molengraaff Institute for Private Law, his research is part of the Utrecht Centre for Accountability and Liability Law (UCALL). Under the supervision of E.C.H.J. Lokin and G.J.C. Rensen, he conducts research into contractual relation between corporations and individual shareholders aimed at shaping corporate governance in listed and non-listed corporations. Besides research, he is part of the core-team of the Institutions for Open Societies platform 'Markets & Corporations in Open Societies. Willem has attained a master's degree (cum laude) in company law at the Utrecht University and is particularly interested in theory of contract, theory of legal personhood, justifications for mandatory law in private law and corporate governance.

Camille Van Peteghem is a doctoral researcher and teaching assistant at the Centre for Legal Methodology at the KU Leuven Law Faculty, where she held an FWO (Research Foundation - Flanders) fellowship. Her doctoral research focuses on cultural conflicts in contractual relations, employing an interdisciplinary and critical approach to examine how contract law operates in culturally diverse democracies. Camille holds a Master of Laws from KU Leuven (summa cum laude, 2018) and an LL.M. from Yale Law School (2022). She has also been a visiting researcher at Yale Law School and University College London.

Jan-Baptist Lemaire studied law and philosophy at KU Leuven, HU Berlin (exchange) and Yale Law School (LL.M. '22). In 2017, he started as a researcher and teaching assistant at KU Leuven (supervisor: Bernard Tilleman), with an additional position at Utrecht University (as buitenpromovendus under Ton Hol), where Jan-Baptist is currently finishing his Ph.D. research, titled: "Judicial review of legal discretion. Reasonableness between intensity and objectivity".