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Editor's Foreword

If we want to see further than others, it is by standing upon the shoulders of giants

ISAAC NEWTON

July 17, 2014. Flight MH17 of Malaysian airlines – a fixed flying route between Amsterdam and Kuala Lumpur – crashes above the East-Ukrainian village of Hrabove. Many of the passengers that perish in the air disaster that day are Dutch. Among them is Willem Witteveen: a senator for the Dutch Upper Chamber and professor of Legal Theory and Rhetoric at Tilburg Law School.

That day struck Tilburg Law School hard. We did not just lose a brilliant professor: we also lost a great personality.

In this special issue, Tilburg Law Review shows that professor Willem Witteveen has been a source of inspiration to many. As an academic, professor Witteveen published in a wide range of topics, including law & rhetoric, and law & philosophy. Also, Willem Witteveen had an academic curiosity for law making. As member of the First Chamber, he reviewed bills of law for their constitutionality; in this capacity, he has taken an active role in various legislative processes in the Netherlands.

His interest for law making went beyond law making by the legislator, though. Together with professor Matthias Storme (KU Leuven) Willem Witteveen has held lectures for research master students from Tilburg Law School and Leuven University on law making by the judiciary.

For this special issue in dedication of Willem Witteveen, Tilburg Law Review approached alumni that have attended Witteveen's lectures for the course 'Judicial Lawmaking' in 2014. These students were more than willing to rewrite their exam papers into articles – papers that had left a deep impression on Willem Witteveen. Matthias Storme will introduce these articles.

Although Judicial Law Making is the starting point of this special issue, Tilburg Law Review has also welcomed other contributions in dedication of Willem Witteveen. For instance, Sanne Taekema & Bart van Klink use one of his favourite metaphors – the house – to highlight the most important themes of his work in their In Memoriam. Meike Bokhorst delivers a valuable contribution by building upon Willem Witteveen's posthumously published magnum opus 'De Wet als Kunstwerk' [The law as a work of art] on the degeneration

of the constitutional state. Bokhorst discusses alternative regulating strategies and their consequences for the legitimacy of regulation.

Furthermore, Bert van Roermund gives a critical and philosophical analysis of Willem Witteveen's magnum opus, departing from the ambiguity inherent to 'kunstwerk' as it hovers between law as a work of art and law as an artefact.

Finally, the issue concludes with an article that is truly in his spirit. Willem Witteveen has approached many legal themes from a philosophical stance, and he did so in a brilliant manner. In this issue Hans Gribnau adopts the same approach. In his contribution, insights from political and legal philosophy are used to illuminate the notion of reciprocity underlying the political and legal order, and are applied to tax law. As such, Gribnau applies the ideas of some of Witteveen's favourite philosophers and of Witteveen himself to taxation, thereby showing the relevance of these ideas to a field not explored extensively by philosophers. A thought-provoking and original contribution that offers an alternative perspective on tax law and definitely worth reading.

As new editor in chief, I am very proud and happy that Tilburg Law Review has dedicated an entire issue to Willem Witteveen. His academic and intellectual legacy should be kept alive and I truly hope this issue will reach scholars from both within and outside the Netherlands.

Many thanks to all the contributing authors, peer reviewers, copy editors of Tilburg Law Review, my previous board members Ave-Geidi Jallai and Anouk Sterks, and last but definitely not least: my current board members Karine e Silva and Safari Kasiyanto, without whose help this issue would not have existed.

Eva van Vugt