The fragility of rightness. Adjudication and the primacy of practice

van Domselaar, I.

Publication date
2014

Citation for published version (APA):
Acknowledgments

Writing a dissertation has been, if anything, a humbling experience, first of all because of the (philosophical) richness of the literature that I found pertinent to my inquiry. This often gave me the sensation that I would do better to continue reading rather than start writing myself. Luckily I gradually managed to overcome some of my reluctance.\footnote{Yet, I do think that a period of silence can be a fitting expression of one’s respect for the quality of the tradition in which one participates. Unfortunately, the ‘out-put’ criteria that are presently in force in academia do hardly allow one to be hesitant about contributing.}

The process was also humbling because of all the support I received. I am grateful to many institutions and people. First of all I owe thanks to the Department of Law of the University of Amsterdam, which offered me a professional context in which I felt and still feel at home. I am grateful for the funding and the temporary relief from teaching, which allowed me to spend one semester at the Philosophy Department of Harvard University and another semester at the Philosophy Department of Chicago University. These semesters have been most fruitful, not in the least because of the inspiring courses I could attend and the wonderful intellectual environment.

The courses that the Dutch Research School for Philosophy offered, its conferences and seminars have been valuable for me as a place where I could learn and where I could discuss my work. The same goes for the Netherlands Association for Philosophy of Law. Not only have I enjoyed being a board-member and as such have come to know (a bit) about the Dutch community of legal philosophy, also through its conferences I have been able to discuss my work.

Because of its international and multi-disciplinary character the Human Development and Capabilities Association literally opened new worlds for me. Its conferences were intellectually stimulating events where I could present my papers and learn from others.

Participation in the 2011 Tilburg Philosophical Summer School, ‘Tragedy and its Limits’, which was taught by Simon Critchley, was of great value to me. The depth of the literature offered and the inspiring exchanges with the participants gave me opportunity to really delve
into the ‘tragic tradition’ in philosophy.

More generally, I benefitted from countless suggestions offered by participants at all kinds of seminars and lectures, including the ones organized by the Paul Scholten Centre for Jurisprudence at the University of Amsterdam.

Students offer an invaluable and sometimes merciless ‘mirror’. I persistently experienced that in order to convey one’s message as a teacher one should try to be as clear and as transparent as possible. Teaching also forced me to always try to relate abstract theory to the concrete concerns that students may have. I hope that this preoccupation with transparency and conveying a sense of relevance has influenced this book. In any case, I am also grateful for the experience of teaching and to my students.

I want to thank my (ex-)colleagues at the Department of Law, colleagues with whom I directly worked, organized seminars and other events, with whom I discussed my work or just chatted in the hallways and shared certain concerns - for instance about the low rate of female professors at our department and the precarious position of women in (legal) philosophy in academia in general- and colleagues who played a valuable role in any other way. Although it is impossible to mention all, I want to thank: Marija Bartl, Janneke Bazelmans, Paul van den Berg, Geert Boogaard, Kees Cappon, Lidia Colia, Lidwien van Dartel, Egbert Dommering, Nienke Doornbos, Bert Dorhout, Taco Groenewegen, Martijn Hesselink, Joris van Hoboken, André Hoekema, Liesbeth Huppes-Cluysenaer, Klaske de Jong, Annelies Jonker, Matthieu Kerbosch, Arnout Klap, Joris Kocken, Marco Loos, Chantal Mak, Cees Maris, Joggli Meihuizen, David Moszkovicz, Antoinette Muntjewerff, Aernout Nieuwenhuis, Julia van Ooststroom, Ronald Pierik, Nico de Reus, Anniek de Ruijter, Arthur Salomons, Bas Schotel, Cassandra Steer, Jack-Jan Wirken, Agnes Schreiner, Rob Schwitters, Jonathan Soeharno, Maike Steen, Lyn Tjon Soei Len, Otto van Tubbergen, Trudy Veerman, Frederiek de Vlaming, Karla Vonk-Teune, Otto van Tubbergen, Ingo Venkze, Evert Verhulp, Inge van der Vlies, Maaike Voorhoeve, Tamar de Waal, Alexandra Welling, Marc de Wilde, Tim Wolff, Femke Wijdekop.

I am lucky to have the opportunity to work with Eddy Bauw, Britta Böhler, Rob van Otterlo, and Mies Westerveld, my colleagues at the ‘Centre for Legal Professions’. Working with them is a pleasure and I look forward to our continued collaboration. I owe particular thanks
to Britta Böhler who knows how to combine intellectual and practical rigor with being such a warm person.

Special thanks are due to Tineke van Bottenburg, Peter Kwantes, and Carla Weijers for their efforts to secure the conditions that helped me to finish this book.

Outside the department, I benefitted from contact with: Amalia Amaya, Britta van Beers, Natasja van den Berg, Bert van den Brink, Rutger Claassen, Huub Dijstelbloem, Juan Amaya-Castro, Lizet van Donkersgoed, Gerard Drosterij, Lyana-Francot Timmermans, Bastiaan Hoorneman, Michiel Hulshof, Peter Ingelse, Pieter Ippel, Heleen de Jonge van Ellemeet, Hendrik Kaptein, Bart van Klink, Elaine Mak, Barbara Oomen, Nanda Oudejans, Irena Rosenthal, Tommi Ralli, Beate Roessler, Arend Soeteman, Carel Smith, Sanne Taekema, Olaf Tans, Matthijs Vermaat, Karin Vintges, and Derk Venema.

I am grateful to all the members of the PhD Committee for their willingness to read and assess the thesis.

Also, I want to thank all those residing in the ‘Tolhuistuin’, a ‘breeding place’ for artists, cultural entrepreneurs, architects, and others, including scholars who sometimes want to escape academia. In particular I owe thanks to my ‘roommate’ Chris, and to Edwin Gardner for the design of the book cover.

Sanny Jurkovich and Aart Waterman have been of invaluable help. They both showed what a difference an excellent and passionate lawyer can make.

Although the weight and importance of their contributions do in no way correspond to a few words in print, I want to express my gratefulness to some people a bit more extensively.

This book would not have been written without the support of my teacher, former colleague and friend Joep van der Vliet. Long ago he subtly mentioned the option of writing a dissertation. There it all began. From him I learned a lot about philosophy and, as I can now say with hindsight, even more about life. I would be glad if this book could be seen as a worthy tribute to his career, a career that was almost fully dedicated to teaching and that has had an enormous and positive impact on the lives of many of his students.
As the title of the book clearly indicates, I am indebted to Martha Nussbaum and the world that she opened up for me. At some time I happened to find her books in a local bookshop. Not yet formally trained in philosophy, her work nonetheless grasped me because of its inviting, accessible and personal style. It made me (want to) study philosophy. Of course it was an honour to later on have the opportunity to work with her and to attend her instructive and inspiring courses on modern virtue-ethics and on the work of Bernard Williams. I benefited greatly from her pointed comments on this project.

I owe thanks to Ben Schueler. Before he left for Utrecht University, he has played a key-role in the start of my research. His ability to transmit a sense of trust, his keen critical eye and particularly his open-mindedness towards this project have been invaluable to me.

It is hard to find the right words for Dorien Pessers, my supervisor. Long before I started this project I already admired her for her authentic, deep and always thought-provocative voice, and for her ability to address the most urgent questions of our time by means of rigorous thought. Dorien continually showed a deep commitment to this project. She was unceasingly supportive, stern, critical and inspiring even when she herself was seriously ill. I was particularly touched by the way Dorien often showed herself a genuine professional friend. When bureaucratic and institutional turmoil occasionally arose, her loyalty was moving.

Frans Jacobs was an ideal (co-) supervisor. Not only because of the detailed comments he gave on each chapter of the book, but also because of his challenging but nonetheless constructive oppositions to the overall argument. Frans always provoked me to get my arguments clear(er) without wanting to ‘bother’ me with his own substantive viewpoints. He thus allowed me to benefit from his enormous philosophical knowledge and insight while at the same time giving me the freedom to pursue my own argument.

To me the meetings with Dorien en Frans together were -to say the least- a lively mixture between serious academic discussions, plain-spoken existential exchanges, and humorous, sharp-witted conversations. Afterwards these sessions often made me smile of contentment with this side of academic life.
In their own way my parents, Kees and Henny, have respected and supported my path. I owe them thanks for that and I will not easily forget their gestures in the last stages of writing.

Merle showed me dedicated support and I am most grateful to her.

Finally, I want to express my gratitude to some people who hardly know what keeps me so busy when I wear my glasses and why I always walk around with a bag (or two) full of books. With them I primarily laugh, talk, enjoy music and films, explore the world and our-selves and do other non-academic things. For being there for such a long time already I want to say thanks to Clara, Chris, Hettie, Hielke and Sonja. I am grateful to Erik -who actually knows exactly what academia is about- for showing me that writing need not be a solitary activity; to Christoffer, Ernst, Frank, Heleen, Huub, Jacob, Jeldau and Juan for all the nice and inspiring afternoons, evenings and trips, to Sandra for being my ‘sister’, to my ‘partners-in-crime’ Franca and Marian for their strength and sweetness, and to Bas for his sustained belief in me.

Needless to say that all mistakes and errors in this book (and in life) are undeniably my own.