

RE: CORRECTION: [ICCLJ] Review request - Manuscript on Reasonableness and Fairness in the Netherlands and Indonesia

4 messages

Eléonore Maitre-Ekern <eleonore.maitre-ekern@jus.uio.no>
To: "rahmah@fh.unair.ac.id" <rahmah@fh.unair.ac.id>

Tue, Sep 29, 2020 at 7:02 PM

Dear Professor,

Please see my message below. We would strongly value your comments on this manuscript. May I kindly ask whether you will be able to proceed with the review?

Best regards,

Eléonore

From: Eléonore Maitre-Ekern

Sent: Tuesday, August 25, 2020 1:34 PM

To: 'rahmah@fh.unair.ac.id' <rahmah@fh.unair.ac.id>

Subject: CORRECTION: [ICCLJ] Review request - Manuscript on Reasonableness and Fairness in the Netherlands and Indonesia

Dear Professor,

There has unfortunately been a mistake as I sent you the wrong manuscript to review. Indeed, instead of an article on Limited liability and Justice', you should have received one on 'Reasonableness and Fairness in the Netherlands and Indonesia'.

May I please ask that you disregard my previous message and instead consider reviewing the following manuscript. My deepest apologies for the inconvenience caused.

- Manuscript type: Article ↓
- Title: 'A Post-Colonial Anthroppo-Legal Comparative Study of Open Norms Reasonableness and Fairness in the Netherlands and Indonesia'

The abstract is available at the end of this message. The manuscript (pdf) and the review form (docx) can be found in attachment.

If you accept this invitation we would appreciate receiving your comments within 20 days. Please let us know if you need more time. Guidelines to help you completing your review are attached to this message. We would like to stress that we rely on the critical reviews of external experts to maintain the quality of the ICCLJ. Along with the author, we would greatly value your contribution to the peer-review process.

If you are not able to review this manuscript, we kindly ask you to let us know as soon as possible so that we can continue processing this submission. We would also appreciate any suggestions for alternative expert reviewers.

Please note that this peer-review request and the contents of the manuscript are highly confidential. You must not distribute the manuscript in part or whole to a third party, including other members of your research group, without explicit permission from the editorial office. You must also disclose if you have a conflict of interest with the content of the manuscript or the authors. We discourage reviewers from recommending citation of their own work when not clearly necessary to improve the quality of the manuscript under review. Please state in your comments to the editor if you recommend citation of your own work and the reason for this recommendation. Please also look at the reference list of the manuscript and check if there are inappropriate self-citations.

Thank you very much for your consideration and we look forward to hearing from you.

Kind regards,

Eléonore Maitre-Ekern

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Editorial assistant, International and Comparative Corporate Law Journal

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Manuscript title: A Post-Colonial Anthro-legal Comparative Study of Open Norms Reasonableness and Fairness in the Netherlands and Indonesia

Abstract:

The nature of the Dutch and Indonesian juridical figure 'reasonableness and fairness' can be questioned by its open and dynamic character. For that reason, the legislator has provided some instructions. To make reasonableness and fairness concrete, the judge must take into account the generally recognized principles of law, the living legal convictions and the social and personal interests involved in a specific case (legal monism). However, such evidence is not truly illustrative when legal beliefs are not widely shared, principles are not widely recognized, and interests are conflicting (legal pluralism). A legal comparison of the Dutch and Indonesian reasonableness and fairness is therefore interesting because it clarifies the cultural legal background against which corporate law is interpreted in both countries. In the Netherlands, against the background of a legally monist state, in Indonesia against the background of a legally pluralist state. To arrive at a corporate law comparison, this contribution will first deal with the similarities of both Dutch and Indonesian civil law when it comes to contractual limitations and the behavioral normative dimension that can be attributed to reasonableness and fairness in contract law and corporate law. This article will also separately discuss the prevailing legal theoretical perspectives and their practical elaboration in the Netherlands and Indonesia.

mas rahmah <rahmah@fh.unair.ac.id>
To: Eléonore Maitre-Ekern <eleonore.maitre-ekern@jus.uio.no>

Mon, Oct 12, 2020 at 6:04 AM

Dear Eleonore,

I apologize for very late response because currently I have to finish some works in university and faculty.

Here is the filled reviewer form needed.

Thank you.

Regards,

Dr. Mas Rahmah, S.H, M.H., LL.M
Associate Professor
Faculty of Law
Universitas Airlangga
Jl. Darmawangsa Dalam Selatan Surabaya 60286

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Peer-review form_Reviewer filled.docx

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Eléonore Maitre-Ekern <eleonore.maitre-ekern@jus.uio.no>
To: mas rahmah <rahmah@fh.unair.ac.id>

Mon, Oct 12, 2020 at 1:33 PM

Dear Professor,

Thank you very much for your review. May I kindly ask to add a few comments to your review to help the authors revise their manuscript accordingly?

Best regards,

Eléonore

[Quoted text hidden]

mas rahmah <rahmah@fh.unair.ac.id>
To: Eléonore Maitre-Ekern <eleonore.maitre-ekern@jus.uio.no>

Mon, Oct 12, 2020 at 2:46 PM

Ok. I will give the comments soon.

[Quoted text hidden]