

SINGAPORE SYMPOSIUM IN LEGAL THEORY

TRANSFORMATIONS OF THE RULE OF LAW: LEGAL, LIBERAL, NEO-

BY Professor Martin Krygier

Gordon Samuels Professor of Law and Social Theory at the University of New South Wales

2 FEBRUARY 2015, MONDAY

4.00PM – 6.00PM (TEA RECEPTION STARTS AT 3.30PM)

LEE SHERIDAN CONFERENCE ROOM, LEVEL 1, EU TONG SEN BUILDING
FACULTY OF LAW, NUS (BUKIT TIMAH CAMPUS)

ABSTRACT

My interest in this paper is to draw upon a rather old disposition of thought that I share, one that values the tempering of power, and to see how some past and present invocations of the rule of law sit with it. I begin with the character of contemporary discussions of the rule of law, introduce the disposition that informs my own, discuss why people of such a disposition might often have turned to law, and sketch a particular strand of liberal thinking which accords with it. At each point, I try to draw out implications of this disposition that are commonly ignored or denied, even by – often especially by – those who share it. I then turn to neo-liberal invocations of the rule of law, seek to unveil some of *their* animating dispositions and suggest that they include values and prescriptions not generated by and not always consistent with the disposition I commend. My conclusion, briefly stated, is that if many of the ubiquitous invocations of the rule of law – among them neo-liberal invocations – are disappointing or even distasteful, that might not be the fault of the rule of law but of the opportunistic uses to which the term is now put.

ABOUT THE SPEAKER



Martin Krygier is Gordon Samuels Professor of Law and Social Theory at the University of New South Wales, co-director of its Network for Interdisciplinary Studies of Law, and Adjunct Professor at the RegNet, A.N.U. He is a fellow of the Australian Academy of Social Sciences. His most recent book is *Philip Selznick. Ideals in the World*. In 2005, he published *Civil Passions*, a selection of his essays on matters of public debate. He delivered the 1997 Boyer lectures, *Between Fear and Hope. Hybrid Thoughts on Public Values*. He has edited and contributed to *Spreading Democracy and the Rule of Law?; Rethinking the Rule of Law after Communism; Community and Legality: the Intellectual Legacy of Philip Selznick, The Rule of Law after Communism, Marxism and Communism. Posthumous Reflections on Politics, Society, and Law; Bureaucracy: The Career of a Concept*. Apart from academic writings he contributes to journals of ideas and public debate.

Participation is By Invitation Only

Registration commences at 3.30pm and light refreshments will be served. For more information, please contact Ms Yvonne Lim at lawylhh@nus.edu.sg