

SINGAPORE SYMPOSIUM IN LEGAL THEORY

“Independence and Accountability in the Charity Sector”

BY Professor Matthew Harding
The University of Melbourne

08 APRIL 2019, MONDAY

5.00PM – 7.00PM (TEA RECEPTION STARTS AT 4.45PM)

NUS LAW (BUKIT TIMAH CAMPUS)

EU TONG SEN BUILDING, LEVEL 1, LEE SHERIDAN CONFERENCE ROOM

ABSTRACT

Independence and accountability in the charity sector are frequently discussed, but such discussions often assume much that demands further exploration. In this paper, I seek to highlight some of what is often assumed. I provide some arguments for why we might want the charity sector to be independent of the state, arguments grounded in core liberal values of diversity and voluntarism. I then explore three types of charity accountability to the state, which I call ‘constitutive accountability’, ‘stakeholder accountability’ and ‘governance accountability’, respectively. I argue that in many ways charity accountability is consistent with, and in some cases may even promote, diversity and voluntarism in the charity sector. However, I also sound a warning: charity accountability can diminish and undermine sector diversity and voluntarism. Where it does, and it cannot be defended in a way that justifies the cost to liberal values associated with it, then it should be wound back or eliminated accordingly.

ABOUT THE SPEAKER



Matthew Harding is Professor of Law and Deputy Dean at the Melbourne Law School, the University of Melbourne.

Matthew’s research interests lie in moral and political philosophy, the theory and doctrines of equity, property law, judicial practice and precedent, and the law of charities and other not-for-profits. He is the author of *Charity Law and the Liberal State* (Cambridge University Press, 2014) and has edited or co-edited several collections, including *Fiduciaries and Trust: Ethics, Politics, Economics and Law* (Cambridge University Press 2019, with Professor Paul Miller), *The Research Handbook on Not-for-Profit Law* (Edward Elgar, 2018), *Not-for-Profit Law: Theoretical and Comparative Perspectives* (Cambridge University Press, 2014, with Professors Ann O’Connell and Miranda Stewart), and *Exploring Private Law* (Cambridge University Press, 2010, with Professor Elise Bant), Matthew is an editor of the *Journal of Equity*, a member of the Advisory Board of *Oxford Studies in Private Law*, and the Chair of the Charity Law Association of Australia and New Zealand. He has been a visiting scholar at the University of Toronto, Queen’s University Belfast, the University of Otago, the University of the Western Cape and Florida State University, and in January 2020 will be Kwa Geok Choo Distinguished Visitor at the National University of Singapore.

Participation is by Invitation Only

Registration commences at 4.45pm and light refreshments will be served.

For more information, please contact Mr Chris Chan at chrischan@nus.edu.sg