



Centre for Legal Theory
Faculty of Law

CLT Seminar

“Interpersonal Justice, Emancipated: A Contractualist Critique of Kantian Right and Corrective Justice”

BY Assistant Professor Tan Zhong Xing, NUS Law

VIA ZOOM

THURSDAY, 17 FEBRUARY 2022, 5.30 PM TO 7.30 PM (SGT)

SUMMARY

My claim is that the predominant conception of the 'interpersonal', especially as set out by the field-defining work of Kantian and corrective justice theorists, is in various ways deficient or at least incomplete. As I argue, such theorists go too far in narrowing the scope of interpersonal justice. The 'Kantian right' notion of equal and reciprocal non-interference, which informs and often exhausts these theorists' understanding of the 'relational', unnecessarily and unhelpfully excludes a range of interpersonal justice considerations grounded *inter alia* on interests, conduct, and relationships, that enter our deliberation as bases for determining acceptable and justifiable principles for the general regulation of interpersonal interactions; considerations that are genuinely non-instrumentalist and yet more fine-grained and informative in determining what we owe each other in private law. I situate my contractualist critique of Kantian right and corrective justice across five dimensions: empowerment and the institution of private rights of action; adjudicative approaches; the identification of entitlements; the construction of remedies; and the division of labour between public and private law. On all these counts, I argue that contractualism provides a superior alternative to Kantiana.

ABOUT THE SPEAKER



Tan Zhong Xing is an Assistant Professor at the National University of Singapore, with research and teaching interests in contract law, private law and legal theory, and commercial and corporate law more generally. His work is published in leading law journals in the common law world, including the *Modern Law Review*, *Legal Studies*, and the *Canadian Journal of Law and Jurisprudence*.

REGISTRATION

Participation is by invitation only.

Visit <https://bit.ly/3g4vGij> or scan the QR Code to register your interest.

For more information, please write to clt@nus.edu.sg.

