

PRIVATE LAW RESEARCH GROUP PUBLIC SEMINAR

Is Contract Law Liberal?

Dr Nick Sage

Associate Professor, LSE Law School

Thursday 19 January 2023, 5.00pm to 6.30pm (SGT)

Lee Sheridan Conference Room, NUS Law (Bukit Timah Campus) & via Zoom

A dominant tradition in contract law scholarship maintains that the power to contract enhances personal autonomy and for that reason should be upheld by a liberal state. I challenge this view and suggest an alternative. I argue that an autonomy theory cannot explain why contracts are legally binding, and cannot account for the pervasive legal role of standardised transaction types (eg, sale, lease, employment, pledge). I propose that a liberal theory of contract should focus not on autonomy but on toleration: the desirability of accommodating diverse forms of contractual activity.



ABOUT THE SPEAKER

Nick Sage teaches private law at the London School of Economics. He is particularly interested in theoretical questions about how to understand and justify contract, tort, and property law, and related issues in moral and political philosophy. He has practised law as a litigator in the United States and as a judge's clerk at the Supreme Court of New Zealand.

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