

# SINGAPORE SYMPOSIUM IN LEGAL THEORY

## The Very Modern Value of Wesley Newcomb Hohfeld - A Centennial Appraisal

BY Professor Kit Barker  
*The University of Queensland*

5 FEBRUARY 2018, MONDAY

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

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

### ABSTRACT

Wesley Newcomb Hohfeld died prematurely one hundred years ago of endocarditis, at the age of only 39. Whilst he is perhaps the best-known analytical philosopher to have written in the area of private law in western, common law legal systems in the twentieth century, it is sometimes suggested that his thinking about 'rights' has had little impact on the law. In this paper, I assess the man and his impact, noting a dramatic recent resurgence in interest in his work amongst both commentators and courts. I ask what it is about us – and about private law in the 21st Century – that has resulted in us reaching with such renewed enthusiasm for his thinking, so long after his death. In the process, I identify some important uses that his work can constructively be put in the modern day. Perhaps the most important of these is one that he did not anticipate. It lies, I suggest, in unpicking the complex network of relationships that now exists between private law and the modern administrative state.

### ABOUT THE SPEAKER



**Kit Barker** is a Professor and the current director of the Australian Centre of Private Law at the TC Beirne School of Law, the University of Queensland. He graduated from Oxford (with first class Honours) in 1988 and from the BCL programme (with distinction) in 1991, before working for 17 years at the University of Southampton. He moved to Australia in 2006. His intellectual interests lie in private law, particularly the law of torts, unjust enrichment law and in the law's philosophical foundations. His more recent work explores the interface between private law and public law and policy. He is regional editor for Australia of the *Restitution Law Review*; assistant editor of the *Torts Law Journal* and co-author of *Unjust Enrichment* (2nd edn, 2017); *The Law of Torts in Australia* (5th ed, 2011, OUP) and *Remedies: Commentary and Materials* (Thomson, 2015). He has also edited four essay collections: *Private Law: Key Encounters with Public Law* (CUP, 2013), *The Law of Misstatements* (Hart, 2015); *Private Law and Power* (Hart, 2017) and *Private Law in the Twenty-First Century* (Hart, 2017).

### Participation is By Invitation Only

Registration commences at 4.45pm and light refreshments will be served. For more information, please contact Ms Yvonne Lim at [lawylhh@nus.edu.sg](mailto:lawylhh@nus.edu.sg)