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City University Distinguished Lecture Series

Speaker

Professor Hugh Collins

*Vinerian Professor of English Law, All Souls College, University of Oxford
Fellow of the British Academy*



Private Law and Fundamental Rights

on

Tuesday, 28 March 2017 at 4:30 pm

at

Connie Fan Multi-media Conference Room

4/F Cheng Yick-chi Building

City University of Hong Kong

Tat Chee Avenue, Kowloon

Abstract

Scholars of the fields of private law including contract, tort, and property law have not traditionally been concerned with the application of fundamental rights or human rights to disputes between private parties. Those fundamental rights contained in constitutions and international conventions have been traditionally regarded as applicable only to states but not private individuals and companies. In recent decades, however, in many jurisdictions courts have been permitting arguments based upon fundamental rights to influence the reasoning and outcomes of litigation between private parties. The lecture addresses the question of what kind of challenge is presented to private law by the insertion of fundamental rights into its rules and principles, and whether the challenge presents a threat to the coherence and integrity of private law or instead offers a liberating opportunity for change.

Biography

Professor Hugh Collins is the Vinerian Professor of English Law, All Souls College, University of Oxford, and is a Fellow of the British Academy. He studied law at Oxford (MA, BCL) and Harvard Law School (LLM), and became a Fellow of Brasenose College Oxford, from where he moved to be the Professor of English Law and the London School of Economics. His books include: *Marxism and Law* (1982); *The Law of Contract*, 4th edn (2003); *Justice in Dismissal* (1992); *Regulating Contracts* (1999); *Employment Law* 2nd edn (2010); *A European Civil Code: The Way Forward* (2008); *Networks as Connected Contracts* (by G. Teubner) Edited with an Introduction (2011); *Labour Law: Law in Context Series* (2012) with K.D. Ewing and A. McColgan; *European Contract Law and the Charter of Fundamental Rights* (Edited collection 2017).

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