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ILLEGALITY AND PUBLIC POLICY

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FOR OLIVIA

PREFACE

Well over thirty years have passed since, as a student, I first developed a fascination for the law relating to illegality in contract. Despite becoming absorbed by other topics during the intervening years, my conviction that illegality is a subject both significant and intriguing has continued unabated. Furthermore, a series of relatively recent cases, notably the decision of the House of Lords in *Tinsley v. Milligan*, has highlighted the fact that the underlying issues in this general area remain as intractable as ever. I was therefore very glad of the opportunity, provided by the Contract Law Library, to attempt an analytical exposition of illegality in the contractual context.

The book could not have been written without financial assistance provided by the Arts and Humanities Research Board, and the Leverhulme Trustees. The former awarded me a grant under their research leave scheme, and the latter a research fellowship. As a result I was able to devote the year 2000–2001 exclusively to the project. In addition, I am pleased to express my thanks to the Law Commission, and Her Majesty's Stationery Office, for permission to use material originally included in a report which I wrote while acting as a consultant to the Commission. I am also grateful to Mr Zachary Bredemear for valuable help given during a period he spent in 1995 as my research assistant.

I owe a special debt of gratitude to Professor Michael Furmston. Not only was his own work instrumental in stimulating my interest in the subject, he also guided my early researches and has continued to be an invaluable source of encouragement and advice. Indispensable help and support of a different kind was provided by my family. Last, but not least, I am indebted to Sweet & Maxwell Ltd; both for the invitation to write this book, and for their patience and friendly professionalism at all the stages of its preparation. I hope that the end-product is not unworthy of all the help which I have received. The responsibility for any errors or omissions is mine alone.

R. A. Buckley

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January 29, 2002

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