

**MALCOLM BRUCE THORBURN**

Professor of Law  
Endowed Chair, Legal and Ethical Implications of Innovation

Faculty of Law, University of Toronto  
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## **1. ACADEMIC HISTORY**

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### **Employment**

**University of Toronto**, Toronto, Canada, 2013-

- Chair, Legal, Ethical and Cultural Implications of Technological Innovation, 2021-
- Associate Dean, Graduate Programs, 2020-2023
- Professor of Law, 2020-
- Associate of Trinity College, 2014-
- Associate Professor of Law (tenured), 2013-2020

**Queen's University**, Kingston, Canada, 2003-2013

- Canada Research Chair in Crime, Security and Constitutionalism, 2010-2013
- Associate Professor of Law (tenured), Faculty of Law, 2010-2013
- Member, Surveillance Studies Centre, 2010-2013
- Assistant Professor of Law, Faculty of Law, 2003-2010

**Columbia Law School**, New York, USA, 2001-2003

- Associate-in-Law (Teaching Fellow)

**Supreme Court of Canada**, Ottawa, Canada, 2000-2001

- Clerk to the Hon. Justice Louis LeBel

**Cleary Gottlieb Steen & Hamilton LLP**, New York, USA and Paris, France, 1999, 2000

- Summer Associate

### **Visiting Fellowships and Professorships**

**Max Planck Institute for the Study of Crime, Security and Law**, Freiburg, Germany, 2024

- Senior Research Fellow

**Sciences Po**, Faculty of Law, Paris, France, 2019, 2022, 2023

- Visiting Research Fellow

**University of Oxford**, Oxford, UK, 2011-2012

- Robert S. Campbell Visiting Fellow, Magdalen College
- Visiting Research Fellow, Centre for Criminology

**Ludwig-Maximilians-Universität**, Munich, Germany, 2011

- Visiting Research Fellow

**Centre de recherche sociologique sur le droit et les institutions pénales**  
(CESDIP), Paris, France, 2011

- Visiting Research Fellow

**Australian National University**, Canberra, Australia, 2008

- Visiting Fellow, John Fleming Centre for the Advancement of Legal Research

## Education

**Columbia Law School**, J.S.D., 2010

- Thesis: 'The Constitution of Criminal Law: Justifications, Powers, and Authority'
  - Supervisor: George Fletcher
  - Dissertation committee members: Jeremy Waldron & Kent Greenawalt
  - External examiner: Daniel Richman
- Social Sciences and Humanities Research Council of Canada Fellow (declined)

**Columbia Law School**, LL.M., 2003

- Social Sciences and Humanities Research Council of Canada Fellow
- Heffernan Fellow

**Faculty of Law, University of Toronto**, J.D., 2000

- W.P.M. Kennedy Silver Medal (for ranking second overall)
- Dean Cecil A. Wright Key (for extracurricular academic achievement)
- Langford Rowell Prize (for ranking first in first year)
- Law Society of Upper Canada Award for Academic Excellence
- McCarthy Tétrault Scholarship for Academic Excellence
- Patricia Myhal Scholarship in Legal Writing
- Bora Laskin Prize in Constitutional Law
- Michael John Eccles Prize in Criminal Law
- Norman Levy Prize in Jurisprudence

**University of Pennsylvania**, M.A., Philosophy, 1997

- Full Graduate Scholarship

**Trinity College, University of Toronto**, B.A. (Hons), Philosophy, 1993

- Canada Scholarship for Studies in Science and Technology (full tuition for four years)
- J. W. Billes University of Toronto Entrance Scholarship (full tuition for four years)
- University of Toronto National Book Award
- George Kennedy Scholarship in Philosophy
- John A. Jessup Memorial Prize in Philosophy
- William Francis Kingston Award for Academic Excellence

## **2. SCHOLARLY AND PROFESSIONAL WORK**

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### **Publications**

Books and Edited Collections:

Thorburn, M, ed (2020) Criminal Law Theory Special Issue, University of Toronto Law Journal 70:1-162

Dyzenhaus, D and Thorburn, M eds, (2016) The Philosophical Foundations of Constitutional Law, Oxford University Press

- Paperback edition (2019)

Newman, D, and Thorburn, M, eds, (2015) The Dignity of Law: The Legacy of Justice Louis LeBel, LexisNexis/Supreme Court Law Review 70: i-383

Aiken, S, Lyon, D, and Thorburn, M, eds, (2015) Crimmigration, Surveillance and 'Security Threats': A Multidisciplinary Dialogue, Queen's Law Journal 40: i-164

In progress:

Thorburn, M, Criminal Law and the Struggle for Authority: Crime, Punishment, and Prevention

Journal Articles and Essays:

Thorburn, M, (2020) 'Policing and Public Office' University of Toronto Law Journal 70: 248-266

Thorburn, M, (2019) 'Criminal Punishment and the Right to Rule' University of Toronto Law Journal 70:44-63

Thorburn, M, (2020) 'Introduction' University of Toronto Law Journal 70:1-3

Thorburn, M, (2019) 'Soldiers as Public Officials: Justifying the Legal Equality of Combatants' Ratio Juris 32:395-414

Thorburn, M, (2015) 'Judgment, Communication and Coercion: What's Wrong with Private Prisons?' Critical Analysis of Law 2: 234-243

Thorburn, M, (2015) 'Justice LeBel on Excuses and the Question of Standing,' Supreme Court Law Review 70: 357-383

Newman, D, and Thorburn, M, (2015) 'Introduction' in Supreme Court Law Review 70: 357-383

Aiken, S, Lyon, D, and Thorburn, M, (2015) 'Introduction,' Queen's Law Journal 39: i-xi

Thorburn, M (2013) 'Calling Antony Duff to Account,' Criminal Law and Philosophy, Online First: 1-15

Thorburn, M (2011) 'The Constitution of Criminal Law,' Criminal Law and Philosophy, 5: 259-276

Thorburn, M (2010) 'Reinventing the Night-watchman State?,' University of Toronto Law Journal 60: 425-443

Thorburn, M (2009) 'Accountability and Proportionality in Youth Criminal Justice,' Criminal Law Quarterly 55: 304-322

Thorburn, M (2008) 'Justifications, Powers, and Authority,' Yale Law Journal 117: 1070-1130

Thorburn, M and Manson, A (2007) 'The Recent Sentencing Debate: Convergence in Outcomes, Divergence in Reasoning,' New Criminal Law Review 10: 278-301

Thorburn, M (2005) 'The Impossible Dreams and Modest Reality of Restorative Justice,' Queen's Law Journal 30: 863-882

Trebilcock, M, Daniels, R and Thorburn, M (2000), 'Government by Voucher,' Boston University Law Review 80: 205-232

In Progress:

Thorburn, M, 'Trials, Punishments, and the Struggle for Authority'

Mendlow, G, and Thorburn, M, 'Policing' (commissioned entry for Stanford Encyclopedia of Philosophy)

Thorburn, M, 'Rethinking Prosecutorial Discretion'

Thorburn, M, 'Public Order Policing'

Book Chapters:

Thorburn, M, 'One Right to Rule them All' (2024) in Hirsch, P-A, and Moser, E. Rights in Criminal Law, Hart Publishing

Thorburn, M, 'The Rise of Utilitarianism in Criminal Justice' (2024) in Tusseau, G ed. Research Handbook on Law and Utilitarianism, Elgar

Thorburn, M, 'Sexual Assault Law in Canada' (2023) in Hörnle, T ed. Sexual Assault: Law Reform in Comparative Perspective, Oxford University Press

Thorburn, M, 'Public Institutions Without Public Offices: Beccaria's Use of Political Theory in the Reform of Criminal Justice' (2022) in Dubois-Pedain, A and Eldar, S, eds, Re-Reading Beccaria: On the Contemporary Significance of a Penal Classic, Hart Publishing

Thorburn, M, 'Roles and Offices at the Border: Is Privatizing Border Control Intrinsically Illegitimate?' (2022) in Bosworth, M and Zedner, L eds. Border Control, State Sovereignty, and Privatization, Oxford University Press

Thorburn, M, 'In Search of Criminal Law's Person' (2022) in Lernestedt, C and Matravers, M eds The Criminal Law's Person, Bloomsbury

Thorburn, M, 'Kant and the Criminal Law of War' (2021) in Herlin-Karnell, E and Rossi, E eds, From Constitutionalism to War: The Public Uses of Coercion and Force, Oxford University Press

Thorburn, M, 'Privatizing Criminal Punishment: What is at Stake?' (2021) in Dorfman, A and Harel, A, eds Cambridge Handbook on Privatization, Cambridge University Press

Thorburn, M, 'Human Trafficking: Supplying the Market for Human Exploitation,' (2018) in Herlin-Karnell, E, Haverkamp, R, and Lernestedt, C, eds, What is Wrong with Human Trafficking? Critical Perspectives on the Law, Hart Publishing

Thorburn, M, 'Punishment and Public Authority,' (2017) in Asp, P, DuBois-Pedain, A, and Ulväng, M, eds, Criminal Law and the Authority of the State, Bloomsbury

- This article was the object of a book review by Shachar Eldar in 12 Criminal Law and Philosophy (2018) 'Criminal Law, Parental Authority, and the State' and another book review by Ali Bozbayindir in 31 Criminal Law Forum 127-137 (2020)

Thorburn, M, 'Proportionality' (2016) in Dyzenhaus, D, and Thorburn, M, eds, The Philosophical Foundations of Constitutional Law, Oxford University Press

Dyzenhaus, D, and Thorburn, M, (2016) 'Introduction' in The Philosophical Foundations of Constitutional Law, Oxford University Press

Thorburn, M, (2015) 'Justice LeBel on Excuses and the Question of Standing,' in Newman, D, and Thorburn, M, eds, The Dignity of Law: The Legacy of Justice Louis LeBel, LexisNexis

- This is a reprint of the article of the same name in the Supreme Court Law Review

Newman, D, and Thorburn, M, (2015) 'Introduction' in Newman, D, and Thorburn, M, eds, The Dignity of Law: The Legacy of Justice Louis LeBel, LexisNexis

- This is a reprint of the article of the same name in the Supreme Court Law Review

Thorburn, M (2014) 'The Radical Orthodoxy of Hart's *Punishment and Responsibility*' in Dubber, M, ed, Foundational Texts in Modern Criminal Law, Oxford University Press

Thorburn, M (2012) 'Proportionate Sentencing and the Rule of Law,' in Zedner, L and Roberts, J, eds, Principles and Values in Criminal Law and Criminal Justice: Essays in Honour of Andrew Ashworth CBE QC FBA, Oxford University Press

Thorburn, M (2011) 'Criminal Law as Public Law,' in Duff, R A and Green, S, eds, Philosophical Foundations of Criminal Law, Oxford University Press

Thorburn, M (2011) 'Identification, Surveillance and Profiling: On the Uses and Abuses of Citizen Data,' in Dennis, I and Sullivan, G R, eds, Seeking Security: Pre-empting the Commission of Criminal Harms, Hart Publishing

Thorburn, M (2011) 'Constitutionalism and the Limits of the Criminal Law,' in Duff, R A, Farmer, L, Marshall, S, Renzo, M and Tadros, V, eds, The Structures of Criminal Law, Oxford University Press

Thorburn, M (2011) 'Two Conceptions of Equality Before the (Criminal) Law,' in Tanguay-Renaud, F, and Stribopoulos, J, eds, Rethinking Criminal Law Theory, Hart Publishing

In Progress:

Thorburn, M, 'Proportionality and Rights' in Kyritsis, D, ed, Total Freedom: Proportionality and its Discontents, Hart Publishing

Thorburn, M, and Burchard, C, 'Comparative Constitutional Criminal Law' in Ambos, K, Duff, A, Roberts, J, and Weigend, T, Core Concepts in Criminal Law and Justice, Cambridge University Press

Short Book Contributions:

Thorburn, M (2009) 'Decision Rules and Conduct Rules: A Liberal Criminal Law Cannot be Reduced to these two Types of Rules,' in Robinson, P, Garvey, S and Ferzan, K, eds, Criminal Law Conversations, Oxford University Press, pp. 22-24

Thorburn, M (2009) 'Why Only the State May Decide When Sanctions are Appropriate,' in Robinson, P, Garvey, S and Ferzan, K, eds, Criminal Law Conversations, Oxford University Press, pp. 140-142

**Invited Presentations**

'Trials, Punishments, and the Struggle for Authority'

- New York Criminal Law Workshop ("Markelloquium"), USA, 1 December 2023
- Max Planck Institute for the Study of Crime, Security, and Law, Freiburg, Germany, May 2024

'Policing and Governance'

- All Souls Criminology Lecture, University of Oxford, UK, 25 April, 2024

'Rethinking Prosecutorial Discretion'

- Cambridge Criminal Law and Criminology Centre, University of Cambridge, UK, May 2024

'Public Order Policing'

- Presentation to Oxford Criminal Law Centre, UK, May 2024
- Lecture to the Centre Bentham at Sciences Po Law School, Paris, France, 15 March, 2023
- Legal Theory Workshop, Western University Faculty of Law, 6 February 2024

'Public Order Emergencies and Police Governance'

- Public Order Emergency Commission, Ottawa, Canada, 1 December, 2022

'Policing and Justified Public Force'

- Workshop on Use of Force Theory: Lessons from Self-Defense and Just War for Policing, University of Virginia, USA, 9-10 September 2023.

'Constitutional Criminal Law'

- Faculty Workshop, Sciences Po Law School, 2 May 2022

'The Rise of Utilitarianism in Criminal Justice'

- Conference on Utilitarianism in Law, Centre Bentham, Sciences Po, Paris, 17 December 2021[Postponed for COVID]

‘Privatizing Border Security’

- Conference on Border Control, State Sovereignty, and Privatization, All Souls College Oxford, 28-29 June 2021

‘Sexual Assault Law in Canada’

- Conference on Sexual Assault and Rape – Prospects for Law Reform, Max Planck Institute, Berlin, Germany 4-6 November 2021

‘Proportionality and Human Rights’

- Workshop on Proportionality and Constitutional Rights Lesbos, Greece (24-25 August 2020) [Postponed three times for COVID]
- Université Laval, Quebec, Canada (8 May 2020) [Postponed for COVID]

‘The Office of Policing’

- Workshop on ‘The Political Turn in Criminal Law Theory’ Santiago, Chile (26-28 March 2020) [Postponed for COVID]
- University of Toronto Law Journal Workshop, Toronto, Canada (13-14 June 2019)

‘Punishment and Public Authority: Beccaria and the Enlightenment Tradition’

- Workshop on Beccaria and Criminal Law, University of Cambridge, UK (6-7 July 2019)

‘Criminal Punishment and the Right to Rule’

- UCLA-Oxford-Toronto Legal Philosophy Colloquium, Los Angeles, USA (27-28 June 2019)
- Legal Theory Workshop, Sciences Po, Paris, France (21 March 2019)
- Jurisprudence Workshop, King’s College London, UK (6 March 2019)
- Workshop on Criminal Law and Civil Peace, University of Toronto, Canada (17-18 May 2018)
- Workshop on Privatization: A Contested Concept, Tel Aviv University, Israel (10-11 June 2018)

‘Proportionality, Rights, and Interests’

- Keynote Lecture at Celebrations of the University’s 70<sup>th</sup> Anniversary, Universidad de los Andes, Bogotá, Colombia (24 September, 2018)
- Proportionality workshop, Institute of State and Law of the Academy of Sciences, Prague, Czech Republic (31 October-2 November 2018)

‘Soldiers as Public Officials: Justifying the Legal Equality of Combatants,’ Workshop on the public uses of coercion and force: from constitutionalism to war, University of Amsterdam, Netherlands (1-2 February 2018)

‘Constitutional Criminal Law,’ Workshop on Anglo-German Criminal Law Dialogue, Worcester College, University of Oxford (18-19 September 2017)



‘Criminal Law and the Promise of Self-Government,’ Public Lecture, Centre for Normative Orders, University of Frankfurt/Main, Germany (12 July 2017)

‘Constitutional Criminal Law: an Exploration,’ Workshop on Constitutional Criminal Law, Centre for Normative Orders, University of Frankfurt/Main, Germany (10 July 2017)

‘Criminal Law, the Laws of War, and Public Authority,’ Keynote Address, Workshop on Answering for International Crimes: Perspectives from Moral, Political and Legal Theory, PluriCourts – Centre for the Study of the Legitimate Roles of the Judiciary in the Global Order, University of Oslo, Norway (3-4 July 2017)

‘The Presumption of Innocence and the Presumption of Mercy,’ Commentator, Centre for Criminology, University of Toronto, Canada (7 April 2017)

‘The Privilege of Criminality,’ Commentator, Legal Theory Workshop, University of Toronto, Canada (21 October 2016)

‘The Constitution and Criminal Procedure,’

- Joint meeting of American and Canadian Law & Society Associations, Toronto, (7 June 2018)
- Workshop on Philosophical Foundations of Criminal Procedure, Osgoode Hall Law School, (4-6 November 2016)
- ICON-S Conference, Copenhagen, Denmark (5-7 July 2017)

‘The Wrong of Human Trafficking’

- Workshop on Human Trafficking, Faculty of Law, VU University Amsterdam, Netherlands (11-12 June 2016)
- Workshop on Human Trafficking, Faculty of Law, University of Tübingen, Germany (26-27 January 2017)

‘Criminal Law’s Person as Rights-Holder,’

- Workshop, University of York, UK (7-8 December 2015)
- Workshop, University of Cambridge, UK (7-9 April 2016)
- Workshop, University of Stockholm, Sweden (6-7 October 2016)

‘Standing in Criminal Law,’ Commentator, Conference on the Ambit of Criminalization, Osgoode Hall Law School, Toronto, Canada (1-3 April 2016)

‘What is War? What is a Crime? What’s the Difference?’

- Oxford University Centre for Ethics and Law of Armed Conflict Annual Workshop, Stockholm, Sweden (28-30 August 2015)

‘Police Powers and the Constitution’

- Workshop on The Role of the State in Criminal Justice, University of Uppsala, Sweden (24-25 July 2015)

‘Intellectual Disability and Criminal Guilt’

- Workshop on transnational criminal law, Humboldt University, Berlin, Germany (5-6 June 2015)

‘Proportionality in Constitutional Law Theory’

- New Voices in Legal Theory Workshop, Los Angeles, USA (27-28 March 2015)
- Mid-Career Legal Scholars Workshop, University of Toronto, Canada (23-24 October 2014)
- Workshop on the Philosophical Foundations of Constitutional Law, University of Toronto, Canada (10-11 May 2014)

‘What Abortion Law can Teach Criminal Law Theory’

- Workshop on Abortion Law in Transnational Context, University of Toronto, Canada (10 November 2014)

‘Does Law Matter?’

- Workshop on Alon Harel’s Why Law Matters, Rutgers University, Newark, USA (25 October 2014)

‘State Legitimacy and Excuses in the Criminal Law’

- Workshop on the Jurisprudence of Justice Louis LeBel, University of Toronto, Canada (17-18 October 2014)

‘New Foundations for Comparative Criminal Law’

- Workshop on Comparative Criminal Law, University of Zürich, Switzerland (13-14 December 2013)

‘Crimmigration in Early Modern England’

- Workshop on Crime, Immigration and Surveillance, Queen’s University, Kingston, Canada (7-8 November 2013)

‘Criminal Law and the State’

- Workshop on the Role of the State in Criminal Law, University of Cambridge, UK (7-9 July 2013)

‘The Radical Orthodoxy of H.L.A. Hart’s *Punishment and Responsibility*’

- NYU Criminal Law Theory Workshop, New York, USA (25 November 2013)
- Workshop on the Foundations of Modern Criminal Law, Faculty of Law, University of Toronto, Canada (19-21 April 2013)

‘Form and Function in Criminal Law’

- Workshop on Criminalizing and Criminalized States, Osgoode Hall Law School, Toronto, Canada (9-10 November 2012)

‘Preventive Justice’

- Invited Discussant, University of Minnesota Law School, Minneapolis, USA (21-22 September 2012)

‘Locating the Presumption of Innocence’

- Faculty Workshop, Université Laval, Québec, Canada (15 April, 2013)
- Faculty Workshop, University of Warwick, UK (12 January 2012)
- Conference on the Presumption of Innocence, University of Aberdeen, UK, (25 February 2012)
- Law Faculty Seminar, University of Uppsala, Sweden, (10 April 2012)
- ‘Tuesday Group’ Jurisprudence Seminar, University of Oxford, UK (15 May 2012)
- Criminal Law Discussion Group, University of Oxford, UK (16 May 2012)

‘The Ends of Harm’

- Commentator in Author-Meets-Critics Panel discussing Victor Tadros’s book The Ends of Harm, Jurisprudence Discussion Group, University of Oxford, UK (7 June 2012)

‘Proportionate Sentencing and the Rule of Law’

- All Souls Criminology Seminar, All Souls College, University of Oxford, UK, (27 October 2011)
- Political Philosophy Workshop, University of York, UK, (12 December 2011)

‘Identification and Surveillance: On the Uses and Abuses of Citizen Data’

- Conference on ‘Police, Sécurité et Citoyenneté,’ École Normale Supérieure, Paris, France (17 May 2011)
- Conference on ‘Seeking Security: Pre-empting the Commission of Criminal Harms’ at the Centre for Criminal Law, University College London, UK (2-3 September 2010)

‘Two Conceptions of Equality Before the (Criminal) Law’

- Canadian Perspectives in the Philosophy of Criminal Law Conference, Osgoode Hall Law School, Toronto, Canada (10-12 September 2010)

‘Criminal Law as Public Law’

- Faculty Workshop, Faculty of Law, University of Toronto, Canada (28 February 2011)
- Workshop on Fiduciary Aspects of Public Law, Faculty of Law, McGill University, Montreal, Canada (2 June 2010)
- Faculty Workshop, Cornell Law School, Ithaca, USA (13 November 2009)

- Faculty Workshop, Brooklyn Law School, USA (19 October 2009)
- Faculty Workshop, University of Syracuse College of Law, USA (13 October 2009)
- Conference on the Philosophical Foundations of Criminal Law, Rutgers School of Law, Newark, USA (25-26 September 2009)

‘Constitutionalism and the Limits of the Criminal Law’

- Conference on Criminalization, University of Stirling, UK (19-20 March 2010)
- Conference on Criminalization, University of Glasgow, UK (10-11 September 2009)

‘Reinventing the Night-watchman State?’

- Symposium in Honor of Michael Trebilcock, Faculty of Law, University of Toronto, Canada (1-2 October 2009)

‘Accountability and Proportionality in Youth Criminal Justice’

- National Judicial Institute of Canada Conference, Toronto, Canada (25-27 February 2009)

‘The Constitution of Criminal Law’

- Young Canadian Legal Scholars Conference, Queen’s University Faculty of Law, Kingston, Canada (23 January 2009)
- Conference on Criminal Law in Times of Emergency, Hebrew University of Jerusalem, Israel (21-22 May 2008)
- Oxford University Jurisprudence Discussion Group, Oxford, UK (1 May 2008)

‘Three Models of Criminal Law: Deterrence, Answerability and the Rule of Law’

- Faculty Workshop, Australian National University College of Law, Canberra, Australia (11 December 2008)

‘The Moral Responsibilities of Criminal Justice Officials’

- Invited commentator, Osgoode Hall Law School and York University Department of Philosophy, Toronto, Canada (24 October 2008)

‘The Reasonable’

- Discussant at Law and Philosophy Conference co-sponsored by the institutes for law and philosophy of Rutgers University, the University of San Diego and the University of Illinois, held in Manchester, USA (2-3 November 2007)

‘Justifications, Powers, and Authority’

- Special Workshop on the Foundations of Criminal Law at the XXIII World Congress of the International Association for Legal and Social Philosophy (IVR), Krakow, Poland (3-4 August 2007)

‘The Judicial Role in Criminal Sentencing’

- Young Canadian Legal Scholars Conference, McGill University Faculty of Law, Montreal, Canada (26 January 2007)

‘Police Powers and State Authorization’

- Canadian Section of the International Association for Legal and Social Philosophy (IVR), York University, Toronto, Canada (2 June 2006)
- Canadian Association of Law Teachers Annual Conference, Vancouver, Canada (22-23 June 2005)

‘The Gist of Justifications’

- Faculty Workshop, Faculty of Law, McGill University, Montreal, Canada (February 2003)
- Faculty Workshop, Faculty of Law, University of Toronto, Toronto, Canada (January 2003)
- Faculty Workshop, Faculty of Law, Queen’s University, Kingston, Canada (November 2002)
- Faculty Workshop, Fordham Law School, New York, USA (November 2002)

## **Grants and Awards**

Chair in the Legal, Ethical, and Cultural Implications of Technological Innovation, 2022-2027

SSHRC Institutional Grant (for “The Political Turn in Criminal Law Theory”) (C\$3,000)

SSHRC Institutional Grant (for “Punishment and the Right to Rule”) (C\$3,000)

Conference grants (for Constitutional Criminal Law workshop)

- Nathanson Centre for Transnational Legal Theory (C\$7,000)
- Centre for Normative Orders, University of Frankfurt/Main (€2,500)
- University of Toronto (C\$4,000)

Social Sciences and Humanities Research Council of Canada (SSHRC) Connections Grant, \$12,611, for workshop on the Jurisprudence of Justice Louis LeBel, 2014

Foundation for Legal Research Grant, C\$5,000, for project on the criminal law jurisprudence of Justice Louis LeBel, 2014

Honorary Member of Senior Common Room, Magdalen College, Oxford, 2013-2020

Connaught Research Grant, University of Toronto, C\$20,000, 2013

Canada Research Chair (Tier 2) in Constitutionalism, Crime and Security, Queen's University, C\$500,000 over first five-year term, 2010

Conference Grants (for Conference on Criminalization), 2010

- Law Foundation of Ontario C\$20,055
- Faculty of Law, Queen's University C\$3,500
- Nathanson Centre on Transnational Human Rights, Crime, and Security C\$2,000

Social Sciences and Humanities Research Council of Canada (SSHRC) Standard Research Grant for project entitled 'The Fiduciary Constitution of the Rule of Law' for C\$95,000 over three years (co-applicant with Evan Fox-Decent (McGill University) and Evan Criddle (University of Syracuse)), 2009

Borden Ladner Gervais LLP Research Fellowship of C\$12,000 for project entitled 'Police Powers and the Rule of Law: New Challenges in the Age of Privatization,' 2009

Visiting Fellowship, Fleming Centre for the Advancement of Legal Research, Australian National University, 2008 (A\$3,000)

Queen's University Advisory Research Committee Research Grant, 2005 (C\$2,000)

See also: Grants and Awards listed under "Education" above

## **TEACHING**

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### **J.D. Courses**

- Legal Theory Workshop Seminar (2019-present)
- Criminal Law (2003-present)
- Evidence (2012-present)
- Crime, Fault and Responsibility (Criminal Law Theory Seminar) (2005-2010)
- Jurisprudence (2004-2010)
- Tort Law (2003-2004)

### **LLM and SJD Courses**

- Alternative Approaches to Legal Scholarship (2020, 2021, 2022)
- SJD Seminar (2020, 2021, 2022)
- LLM Seminar (2020, 2021, 2022)

### **Professional LLM**

- Canadian Evidence Law (GPLLM) (2022, 2023)

- Canadian Criminal Law in a Global Context (GPLLM) (2017, 2019, 2020, 2021, 2022)
- Canadian Criminal Law (Osgoode Hall Professional LLM) (2018, 2019, 2020, 2021, 2022, 2023)

### **Graduate Supervision**

- Juan Pablo Aristegui Spikin, S.J.D. thesis on policing and public authority (2021-)
- Terry Skolnik, S.J.D. thesis on the indirect criminalization of homelessness, supervisor (2014-2018)
  - Now a tenure-track faculty member at the University of Ottawa
- Jennifer Quaid, Ph.D. thesis on corporate criminal responsibility co-supervised with Paul Miller (2009-2016)
  - Now a tenure-track faculty member at the University of Ottawa
- Nooral Ahmed, LL.M. thesis on the use of police informants (2011-2013)
- Jeremy Deman, LL.M. graduate research paper entitled 'Self-Representation at International Criminal Tribunals' (2009)
- Zhiyun Wu, LL.M. thesis entitled 'Examining Good Character as a Mitigating Factor in Sentencing' (2007-08)

### **Graduate Committee Membership**

- Michael Law-Smith, Ph.D. (philosophy) on overincarceration (committee member) (2022-)
- Shmulik Baron, S.J.D. thesis on consent (committee member) (2020-)
- Patrick Derby, Ph.D. thesis (sociology) entitled 'Governing Automobility in the Age of Information: Automated Surveillance and the Policing of Roads' (2010-2013)

### **Graduate Thesis Examination Committee Membership**

- Jeffrey Kennedy, Ph.D. thesis (law, Faculty of Law, McGill University) entitled 'Public Wrongs and Public Reason: Criminal Sentencing in a Deliberative Democracy' (2019)
- Ken Nickel, Ph.D. thesis (philosophy, University of Western Ontario) entitled 'Trusting to a Fault: Criminal Negligence and Faith Healing Deaths' (2015)
- Sagi Peari, J.S.D. thesis (law, Toronto) entitled 'The Choice-Based Perspective of Choice-of-Law' (2013)
- Hugo Choquette, LL.M. thesis (law, Queen's) entitled 'Translating the Constitution Act 1867' (2009)
- Rob Regan, LL.M. thesis (law, Queen's) entitled 'Sovereign Immunity and the Lost Ships of Canada's Historic Merchant Fleet' (2006)

### **J.D. Independent Study Project Supervision**

- Malcolm Savage, 'Proportionate Sentencing and the Justification of Criminal Law Coercion' (2010)
- Lauren Wihak, 'Responsibility and Wrongdoing in Criminal Law Theory' (2007)
- Jonathan Burton-Macleod, 'A Sociological Jurisprudence of Public Health' (2006)

### **Other Supervision**

- Coach, Queen's University Criminal Law (Gale) Moot Court Team, (2003-2004)
- Practice Judge for Queen's University Laskin, Wilson, Gale, Hicks Morley, Sopinka and Vis Moot Court Teams, (2003-2010)
- Practice Judge and Tryout Judge for U of T Laskin Moot Court Team, Isaac Diversity Moot teams (2015-2020).

## **ACADEMIC SERVICE**

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### **Journal Editing**

- Editorial Board Member, Law and Philosophy (2009-present)
- Editorial Board Member, Criminal Law and Philosophy (2010-present)
- Associate Editor, New Criminal Law Review (2008-present)
- Book Review Editor, University of Toronto Law Journal (2016-2019)
- Senior Editor (French), University of Toronto Faculty of Law Review (1999-2000)

### **Book Refereeing**

- Oxford University Press
- Cambridge University Press
- University of California Press
- Hart Publishing / Bloomsbury
- Routledge Publishing (Academic)
- McGill-Queen's University Press

### **Journal Refereeing**

- Legal Theory
- Law and Philosophy
- Modern Law Review
- Ratio Juris
- Jurisprudence
- Canadian Journal of Law and Jurisprudence
- Criminal Law and Philosophy
- Res Philosophica
- New Criminal Law Review



- [Journal of Historical Sociology](#)
- [University of Toronto Law Journal](#)
- [Osgoode Hall Law Journal](#)
- [McGill Law Journal](#)
- [Les Cahiers de Droit](#)
- [Queen's Law Journal](#)
- [Manitoba Law Journal](#)
- [University of Alberta Law Review](#)
- [University of British Columbia Law Review](#)
- [Canadian Bar Review](#)
- [Ottawa Law Review](#)

### **Other Refereeing**

- National Science Centre, Poland (multi-year research grant scheme) (2023)
- Royal Society of Edinburgh, Scotland (research grant scheme) (2023)
- Social Sciences and Humanities Research Council of Canada (SSHRC) Connections Grant Committee member (2017)
- Israel Science Foundation Grants Program referee
- Dutch National Science Foundation (NWO) Grants Program referee
- Social Sciences and Humanities Research Council of Canada (SSHRC) Standard Research Grants Program referee
- Referee for appointments, tenure, renewal and research chairs at Harvard University, University of Glasgow, Queen's University, University of Ottawa, University of Saskatchewan, and Osgoode Hall Law School

### **Conference Organizing**

- Organizer, Workshop on 'Criminal Law and Civil Order' (May 2018)
- Co-organizer (with Larissa Katz and Sophia Moreau), Analytic Legal Philosophy Conference (27-28 April 2018)
- Co-organizer (with Christoph Burchard), Workshops on Constitutional Criminal Law (July 2017, September 2018)
- Organizer, Workshop on 'Criminal Law and the Authority of the State' (October 2017)
- Co-organizer (with Dwight Newman), Workshop on the Legacy of Justice Louis LeBel (November 2014)
- Co-organizer (with David Dyzenhaus), Workshop on The Philosophical Foundations of Constitutional Law (May 2014)
- Co-organizer (with Sharry Aiken and David Lyon), Workshop on Surveillance, Criminal Law and Immigration (November 2013)
- Co-organizer (with Antony Duff), International Workshop on Criminalization, Queen's University (September 2010)

- Organizer, The Legal and Political Philosophy of Immanuel Kant: a Symposium Celebrating Arthur Ripstein's Force Freedom: Kant's Legal and Political Philosophy, Queen's University (October 2008)

## University Service

### University of Toronto

- Associate Dean, Graduate Studies (2020-2023)
- Faculty Awards Committee (2023-)
- Faculty Promotions Committee (2023-)
- Faculty Appointments Committee (2020-2023)
- Course Assignments Committee (2020-)
- Chair, Graduate Admissions Committee (2020-2023)
- Chair, Academic Appeals Committee (2014-2020)
- Council of Graduate Deans (2020-2023)
- University Scholarships Committee (2020-2023)
- Academic Standing Committee (2016-2020)
- Distinguished Visitors Committee (2017-)
- Clerkships Committee (2016-2020)
- Advisory Board Member, David Asper Centre for Constitutional Studies (2013-2017)
- Library and Technology Committee (2013-2017)
- Mooting and Advocacy Committee (2013-2020)
- Environmental Sustainability Working Group (2013-2017)

### Queen's University

- Chair, Faculty of Law Visitors Committee (2003-2011)
- Member, Principal's Advisory Committee on the Renewal of the Dean, Faculty of Law (2009-2010)
- Member, Faculty of Law Committee on Institutional Vision (2009-2010)
- Chair, Moot Court Review Committee (2004-2005)
- Senator, Queen's University Senate (2004-2007) (elected)
- Member, Senate Appointments Committee (2004-2007)

## Reading Groups

- Member, University of Toronto Legal Theory Reading Group (2013-)
- Member, Sovereignty Lab Reading Group (2017-2018)
- Member, Canada-US Criminal Law Theory Skype Reading Group (2014-2016)
- Co-organizer, University of Toronto Criminal Law Reading Group (2013-2014)
- Member, Tuesday Legal Theory Group, University of Oxford (2011-2012)
- Member, Saturday Club, Queen's University (2011-2013)
- Co-organizer, Queen's Faculty of Law Legal Theory Reading Group (2009-2011)
- Member, Queen's University Political Theory Reading Group (2003-2011)

**LANGUAGES**

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- English (native)
- French (fluent)
- German (beginner/intermediate written and spoken)