

CURRICULUM VITAE

James Barry Wright

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A. EDUCATION

Ph.D.	Osgoode Hall Law School, York University	1990
LL.M.	The London School of Economics and Political Science, University of London	1984
LL.B.	Osgoode Hall Law School, York University	1983
B.A.	(History, with Distinction) Trinity College, University of Toronto	1980

B. EMPLOYMENT/ACADEMIC APPOINTMENTS

2023-	Professor Emeritus, Carleton University
1999-2022	Professor, Department of Law and Legal Studies, Carleton University Cross-appointed to Department of History, 2010, Institute of Criminology and Criminal Justice, 2006. Director of Kroeger College and Associate Dean, Faculty of Public Affairs, Carleton University, 2013-18 (see section G below)
1991-99	Associate Professor, Department of Law, Carleton University
1986-91	Assistant Professor (with tenure 1990-91), Department of Law, Carleton University
1984-85	Lecturer, Law and Humanities, Middlesex Polytechnic, London UK

C. ACADEMIC VISITORSHIPS AND PROFESSIONAL HONOURS

2005-6, 2008, 2010, 2012, 2018, 2023 Visiting Academic, School of Law, University of Queensland

1998 Excellence Award in Graduate Teaching, Carleton University Graduate Students' Association

1993-94 Visiting Fellow, Institute of Advanced Legal Studies, University of London

1993 Riddell Award, Ontario Historical Association (for the best article about Ontario history in 1992)

1988 Carleton University Scholarly Achievement Award

1985-86 Laidlaw Doctoral Fellowship for Advanced Studies in Law (also awarded 1986-87 and declined by recipient)

D. <u>PUBLICATIONS</u>	Summary:	Books:	1
		Edited Books:	7
		Book Chapters:	26
		Articles:	10
		Other:	8

1. Refereed Scholarly Publications:

a) **Articles:**

“Macaulay’s India Penal Code and Codification in the Nineteenth Century British Empire” (2012) 2:1 *Journal of Commonwealth Criminal Law*, 25-50

“Criminal Law Codification and Imperial Projects: The Self-governing Jurisdiction Codes of the 1890’s” (2008) 12 *Legal History*, 19-49.

“Self-Governing Codifications of English Criminal Law and Empire: The Queensland and Canadian Examples” (2007) 26 *University of Queensland Law Journal*, 39-65.

“Migration, Radicalism and State Security: Legislative Initiatives in the Canadas and the United States c.1794-1804” (2002) 16 *Studies in American Political Development*, 48-60.

"Quiescent Leviathan? Citizenship and National Security Measures in Late Modernity" (1998) 25 *Journal of Law and Society*, 213-236

"Sedition in Upper Canada: Contested Legality" (1992) 29 *Labour/LeTravail*, 7-57 (O.H.A. Riddell Award for best article)

"Criminal Proceedings and the Transformative Potential of Law: Taking Historical Experiences Seriously" (1991) 3 *Journal of Human Justice*, 7-26.

"The Ideological Dimensions of Law in Upper Canada: The Treason Proceedings of 1838" (1989) 10 *Criminal Justice History: An International Annual*, 131-178.

"Ned Slinker and England's Order" (1986) 24 *Osgoode Hall Law Journal*, 699-714

"Towards New Canadian Legal History" (1984) 22 *Osgoode Hall Law Journal*, 349-374.

b) Edited Books:

Canadian State Trials Volume Five: World War, Cold War, and Challenges to Sovereignty, 1939-1990 (co-edited with Susan Binnie and Eric Tucker) Toronto: University of Toronto Press, 2022 (530 pages)

Canadian State Trials Volume Four: Security, Dissent and the Limits of Toleration in War and Peace, 1914-1939 (co-edited with Eric Tucker and Susan Binnie) Toronto: University of Toronto Press, 2015 (517 pages)

Codification, Macaulay and the Indian Penal Code: The Legacies and Modern Challenges of Criminal Law Reform (co-edited with Wing-Cheong Chan and Stanley Yeo) Ashgate UK, 2011 (379 pages)

Canadian State Trials Volume Three: Political Trials and Security Measures 1840-1914 (co-edited with Susan Binnie) Toronto: University of Toronto Press, 2009 (648 pages)

Canadian State Trials Volume Two: Rebellion and Invasion in the Canadas, 1837-39 (co-edited with F.M. Greenwood) Toronto: University of Toronto Press, 2002 (499 pages)

Canadian State Trials Volume One: Law, Politics and Security Measures, 1608-1837 (co-edited with F.M. Greenwood) Toronto: University of Toronto Press, 1996 (742 pages)

Canadian Perspectives on Law and Society: Issues in Legal History (co-edited with W.W. Pue) Ottawa: Carleton University Press, 1988 (353 pages)

c) Chapters in Edited Books:

"Introduction: World War, Cold War, and Challenges to Sovereignty" (with Susan Binnie and Eric Tucker) *Canadian State Trials Volume 5* (2022), 3-43

“Epilogue: The Canadian State Trials Series in Retrospect” *Canadian State Trials Volume 5* (2022), 462-503

“State Trials in Post-revolution British North America” in M. Davis, E. Macleod, and G. Pentland eds., *Political Trials in an Age of Revolution: Britain and the North Atlantic, 1793-1848*, London: Palgrave Macmillan, 2019, 357-383

“Introduction: War Measures and the Repression of Radicalism” (with Eric Tucker and Susan Binnie) *Canadian State Trials Volume 4*, 3-41

“Macaulay’s India Law Reforms and Labour in the British Empire” in Shaunnagh Dorsett and John McLaren eds., *Legal Histories of the British Empire: Laws, Engagements and Legacies* London: Routledge, 2014, 218-33

“Renovate or Rebuild?: Treatises, Digests, and Criminal Law Codification” in A. Fernandez and M. Dubber eds., *Law Books in Action: Essays on the Anglo-American Legal Treatise* Oxford: Hart, 2012, 181-201

“Revitalising Macaulay’s Indian Penal Code” (co-authored with Stanley Yeo) in Chan, Wright, and Yeo eds., *Codification* (2011), 3-17

“Macaulay’s Indian Penal Code: Historical Context and Originating Principles” in Chan, Wright, and Yeo eds., *Codification* (2011), 19-55

“Introduction: From State Trials to National Security Measures” (with Susan Binnie) *Canadian State Trials Volume 3* (2009), 3-32

“Summary and Incompetent Justice: An Overview of Legal Responses to the 1885 Crisis” (with Bob Beal) *Canadian State Trials Volume 3* (2009), 353-410

“Codification, Public Order, and the Security Provisions of the Canadian Criminal Code, 1892” (with Desmond H. Brown) *Canadian State Trials Volume 3*, (2009), 516-63

“Libel and the Colonial Administration of Justice in Upper Canada and New South Wales c.1825-30” in H. Foster, B. Berger and A. Buck eds., *The Grand Experiment: Law and Legal Culture in British Settler Societies* Vancouver, University of British Columbia Press, 2008, 157

“Imaginary Sedition: Law and the Emerging Public Sphere in Upper Canada c.1798-1828” in Logan Atkinson and Diana Majury eds., *Law, Mystery, and the Humanities: Collected Essays* Toronto, University of Toronto Press, 2008, 167-213

“Introduction: Rebellion, Invasion and the Crisis of the Colonial State” (co-authored with F.M. Greenwood) in *Canadian State Trials Volume 2* (2002), 3-37

"The Toronto Treason Trials, March-May 1838" (co-authored with P. Romney) in *Canadian State Trials Volume 2* (2002), 62-99

"The Kingston and London Courts Martial, 1838-9" in *Canadian State Trials Volume 2* (2002), 130-59

"The Legal Regulation of Politics: Governance, National Security and the Rule of Law in the Modern State" in M. MacNeil, N. Sargent and P. Swan eds., *Law, Regulation and Governance* Toronto: Oxford University Press Canada, 2002, 78-96

"Harshness and Forbearance: The Politics of Pardons and the Upper Canadian Rebellion" in C. Strange ed., *Mercy and the Modifications of Punishment* Vancouver: University of British Columbia Press, 1996, 77-103

"The Gourlay Affair: Seditious Libel and the Sedition Act in Upper Canada, 1818-19" in *Canadian State Trials Volume 1* (1996), 487-504

"State Trials, the Rule of Law and Executive Powers in Early Canada" (co-authored with F.M. Greenwood) in *Canadian State Trials Volume 1* (1996), 3-51

"State Trials and Security Proceedings in the Upper Canada During the War of 1812" (coauthored with Paul Romney) in *Canadian State Trials Volume 1* (1996), 379-405

"Parliamentary Privilege and the Repression of Dissent in the Canadas" (co-authored with F.M. Greenwood) in *Canadian State Trials Volume 1* (1996), 409-49

"An Introduction to Canadian Law in History" in *Canadian Perspectives on Law and Society* (1988), 7-19

"Issues in Criminal Law and Authority: Civil Liberties and Morality" in *Canadian Perspectives on Law and Society* (1988), 245-48.

2. Other (non-refereed) Scholarly Publications:

a) Books:

Looking at Law: Canada's Legal System 7th. ed. (co-authored with Vincent Kazmierski, Betina Kuzmarov and Rebecca Bromwich) Toronto: LexisNexis, 2019 (221 pages).

b) Book Reviews:

William Twining, *The Great Juristic Bazaar: Jurists' Texts and Lawyers' Stories* (2002) in (2004) 42 *Osgoode Hall Law Journal*, 533-7

G.B. Baker and J. Phillips eds., *Essays in the History of Canadian Law Vol. VIII* (1999) in (2001) 39 *Osgoode Hall Law Journal*, 249-59

David Kairys, ed., *The Politics of Law: A Progressivist Critique* 3rd ed., (1998) in (1999) 29 *Canadian Review of American Studies*, 149-52

F.M. Sniderman, J.F. Fletcher, P.H. Russell, P.E. Tetlock, *The Clash of Rights: Liberty, Equality and Legitimacy in Pluralist Democracy* (1996) in (1998) 35 *Canadian Review of Sociology and Anthropology*, 426-28

J.S. Cockburn and T.A. Green eds., *Twelve Good Men and True: The Criminal Trial Jury in England, 1200-1800* (1988) in (1995) 10 *Canadian Journal of Law and Society*, 266-71

K. Cope, *Criteria of Certainty: Truth and Judgement in the English Enlightenment* (1990) in (1995) 10 *Canadian Journal of Law and Society*, 272-77

C. Wilton ed., *Essays in the History of Canadian Law Vol. IV: Beyond the Law, Lawyers and Business in Canada 1830-1930* (1990) in (1992) 21 *Canadian Business Law Journal*, 146-56.

P.C. Stenning, *Appearing For the Crown: A Legal and Historical Review of Prosecutorial Authority in Canada* (1986); and the Law Reform Commission of Canada, *Private Prosecutions* (1986) in (1988) 67 Canadian Bar Review, 152-156.

E. OTHER SCHOLARLY ACTIVITY

1. Editorial Responsibilities

2000-22 Editorial Board, Carleton Library Series, McGill/Queen's University Press (Acting Chair, 2004, Chair 2010-13)

1992-96 Editorial Board, Carleton University Press, Library Series

2. Conferences and Presentations

a) Conference Organization:

Co-convenor (with Stanley Yeo and Wing-Cheong Chan), International Symposium on "A Model Indian Penal Code Adhering to the Philosophy of Macaulay" 9-11 June 2010, Faculty of

Law, National University of Singapore (16 papers presented by scholars from India, Malaysia, Singapore, United Kingdom, Australia, and Canada)

Local Arrangements Committee, American Society for Legal History Annual Conference, Ottawa, 13-15 November, 2008

Co-convenor (with Michel Morin), Canadian Law and Society Association Annual Conference, Congress of the Social Sciences and Humanities, University of Ottawa, 31 May-3 June 1998 (106 papers presented in 35 panels)

Co-convenor (with W.W. Pue), Canadian Law in History Conference, Carleton University, June 1987 (62 papers presented in 19 panels)

b) Conference Papers/Faculty Seminar Presentations (papers subsequently published and listed in Section D not included):

“Political Trials in Retrospect and Comparison: From the Treason Trial of David McLane, Quebec 1797, to the FLQ Trials, Quebec, 1963-72” University of Queensland School of Law Research Seminar Series, Brisbane, 24 August 2018

Aspects of “Macaulay’s India Law Reforms and Labour” presented at the Legal History Seminar Series, Faculty of Law University of Toronto, 13 March 2013, Legal Histories of the British Empire Conference, National University of Singapore 4 July 2012, and the Law Research Seminar Series, University of Queensland, Brisbane, 9 March 2012

“State Trials Scholarship and Modern National Security Laws” Macquarie Seminar Series: ‘Limiting Leviathan: Law and Liberty,’ Sydney, 28 February 2008

“Beyond Convicts and Remittance Men: Comparative Colonial Legal History and the Rule of Law” School of Law, University of Queensland Research Seminar Series, Brisbane, 22 February 2008

“Themes in Comparative Colonial Legal History: The Case of Criminal Law Codification in the British Empire” presented at the inauguration of the Macquarie University Centre of Comparative Law and History and Canadian Studies, New South Wales Supreme Court, Sydney, 7 April 2006

“Imagining Sedition: Colonial Law and the Emerging Public Sphere” School of Law Research Seminar Series, University of Queensland, 11 November 2005

“Lawless Aggression and Deportation: The Liability of Foreigners for Political Offences” Australian International Law Association, Brisbane Chapter, 27 September 2005

"The State, Law and Economic Development in Upper Canada: The Welland Canal and the Bank of Upper Canada" Lawyers and Business Conference, Law Society of Upper Canada/Osgoode Society, Osgoode Hall, Toronto 12 May 1989

"Issues in Canadian Legal History: Towards a Critical Approach," European Conference of Critical Legal Studies, University of Kent, Canterbury 13 April 1984

3. Contract/Other Research (Grants, Subventions):

2015 \$8,000. Humanities and Social Sciences Federation of Canada, Aid to Scholarly Publication Programme, publication subvention for *Canadian State Trials Vol. 4*

2009 \$8,000. Humanities and Social Sciences Federation of Canada, Aid to Scholarly Publication Programme, publication subvention for *Canadian State Trials Vol. 3*

2003 \$7,000. Humanities and Social Sciences Federation of Canada, Aid to Scholarly Publication Programme, publication subvention for *Canadian State Trials Vol. 2*

1998 \$37,200. Social Sciences and Humanities Research Council of Canada Research Grant, Principal Investigator (Dr. F.M. Greenwood as co-investigator) "Canadian State Trials Project, Selected Research 1838-43"
(This research grant supported research for contributions to *Canadian State Trials Volume 2* and employed four graduate students at Carleton University)

1995 \$8,700. Humanities and Social Sciences Federation of Canada, Aid to Scholarly Publication Programme, publication subvention for *Canadian State Trials Volume 1*

1992 \$28,000. Social Sciences and Humanities Research Council of Canada Research Grant, Principal Investigator (Dr. F.M. Greenwood as co-investigator) "Canadian State Trials Project, Selected Research to 1837"
(This research grant supported research for contributions to *Canadian State Trials Volume 1* and employed 4 graduate students at Carleton and McGill Universities)

1992 \$2,500. University GR 6 Research Grant for the Canadian state trials project

1990 \$3,000. The Osgoode Society, seed funding for the Canadian state trials project.

1988 \$5,000. (with W.W. Pue) Canadian Law Information Council, publication subvention for *Canadian Perspectives on Law and Society*

1988 \$2,600. (with W.W. Pue) Law Foundation of Ontario, grant to assist editorial preparation of *Canadian Perspectives on Law and Society*

1987 \$2,000. University GR 6 Research Grant, for "Criminal Law and Politics in Upper Canada"

1987 \$2,500. (with W.W. Pue) Osgoode Society grant in support of the 1987 Canadian Law in History Conference

1987 \$6,500. (with W.W. Pue) Social Sciences and Humanities Research Council of Canada, conference subvention, for the 1987 Canadian Law in History Conference.

4. Other Professional Activity:

National Archives of Canada Appraisal Board, Chief Justice Dickson Papers, August 1993

Referee for book monographs submitted to the University of Toronto Press, McGill-Queen's University Press, and Social Science Federation of Canada Aid to Scholarly Publication Programme (all since 1992).

Referee for articles submitted to the Law and History Review, Osgoode Hall Law Journal, The Canadian Journal of Law and Society, Labour/Le Travail, McGill Law Journal, Ottawa Law Review, University of New Brunswick Law Journal

Referee for research grant applications to the Social Sciences and Humanities Research Council of Canada: 2007, 2005, 1999, 1998, 1997, 1996, 1995, 1993; Research grant application to the Fonds pour la formation de chercheurs et l'aide à la recherche, Quebec: 1996

F. ACADEMIC TEACHING RESPONSIBILITIES

1. Courses Taught:

-LAWS 1000/Law 51.100 Introduction to Legal Studies (1986-2005)

-LAWS 1001 (2019, 2020, 2021)

-Law 51.204 Introduction to Criminal Law in Context (1986-1992)

-HIST/LAWS 3305 Crime and State in History/Law 51.335 Law, Crime and Society in Historical Perspective (1988-2011, 2013, 2014, 2015, 2016, 2017, 2019, 2020, 2021, 2022)

-LAWS 4309/Law 51.436/439 Criminal Proceedings and Dissent (1991-2007, 2009)

Graduate:

-LAWS 5006/Law 51.506 Historical Perspectives on Law and Society (1992-2011)

2. Student Thesis Supervisions (Completed Dissertations):

PhD Supervisions:

Stéphane Lefebvre, “Towards a critique of state secrecy: Uncovering the rhetorical practices of secret keepers and their legitimization by the discourse of law” (2023)

Darren Pacione, “Political Trials and the *Felquiste* Defendants: Defending the *Front de Libération du Québec* in the Courtroom” (2017)

MA Supervisions:

Darren Pacione, “The Courts and Late Modern Security Crises: Judicial Deference, Temporary Emergency Power and the Rule of Law in Quebec and Northern Ireland” (2011)

Judi Cumming, “The Role of the Canadian Judiciary in the Development of the Canadian Criminal Code of 1892” (2010)

Colin Borgal, “Thus with Rueful Epitaph: Law, Church, and State Relations During the Holy Wars in 19th Century Quebec” (2009)

James Lingwood, “The Reduction of Criminal Trial Juries in Nineteenth Century Canada (2008)

Lisa Hepplewhite, “Judicial Review, Rights and National Security: The Balancing Act” (2005)

Vivian Li, “The Legal Regulation of Monogamy, Bigamy and Polygamy: Late 19th Century Canada” (2003)

Monica Burke, “'Creatures Devoid of Sense and Will': The Canadian Crime of Seduction and Its Early Victims” (co-supervision with L. Atkinson) (2001)

Soren Frederiksen, “Mediating Discourses of the Expert Witness: Science, Fingerprinting and the Law” (2000)

Alessandra Iozzo, “In the Best Interests of the Child?: The Industrial Schools System in late 19th and early 20th Century Ontario” (2000)

Charles Taillefer, “The Legal Dimensions of Public Education and Modernity: An Analysis of Denominational Rights and Separate Schools in late 19th and early 20th Century Ontario” (1999)

Robert Lamot, “The Politics of the Judiciary: The Supreme Court of Canada and the J.C.P.C. in late 19th Century Ontario” (1998)

Logan Atkinson, “Through the Telescopic Lens of Literature: Social Life and the Reform of English Quarantine Law, 1665-1722” (1997)

John Sullivan, “Policing Poverty: The Rhetoric and Realities of Drug Enforcement” (1996)

Russell Prime, “Forgotten Magistrates: Historical Glimpses of New Brunswick’s Community Justices” (1996)

External Examiner on Graduate Thesis Boards: 15

Undergraduate Honours Research Essay Supervisions: 28

G. ACADEMIC ADMINISTRATIVE SERVICE

- 2019-22 Senate (Faculty of Public Affairs representative); Chair, Law/Legal Studies Tenure and Promotion Committee
- 2013-18 Director, Arthur Kroeger College and Associate Dean, Faculty of Public Affairs (Kroeger College houses three multidisciplinary programs in the Faculty of Public Affairs which I headed: the Bachelor of Public Affairs and Policy Management, the Bachelor of Global and International Studies, and the Master of Political Management).
- 2008-11 Senate (Faculty of Public Affairs representative)
- 2008-9 Director *pro tem*, Institute of Criminology and Criminal Justice
- 2002-5 Director, Institute of Criminology and Criminal Justice
- 2001-5 Senate Academic Planning Committee
- 2001-4 Senate (Faculty of Public Affairs and Management representative)
- 2001-2 University Ethics Committee
- 1998, 99 Selection Committee, SSHRCC Doctoral Fellowship Competition
- 1997 Advisory Committee on the Selection of Dean of Graduate Studies
- 1994-8 Supervisor of Graduate Studies and Chair, Graduate Studies Committee (Law)