

Grégoire Webber, M.S.M.

CONTACT INFORMATION

Queen's University
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ACADEMIC APPOINTMENTS

Queen's University

Canada Research Chair in Public Law and Philosophy of Law, 2014-

- Professor of Law, 2020-; Associate Professor of Law, 2014-2020
- Cross-appointed to the Department of Philosophy, 2018-
- Founding convenor, Colloquium in Legal and Political Philosophy, 2015-

London School of Economics and Political Science (LSE)

Associate Professor of Law, 2012-2014; Assistant Professor of Law, 2009-2012

- Major Review Teaching Prize, 2012

VISITING APPOINTMENTS

Princeton University

Faculty member, Seminar on the Moral Foundations of Law (James Madison Program), Department of Politics, 2021-

London School of Economics and Political Science (LSE)

Visiting Fellow, Department of Law, 2015-

Université Panthéon-Assas (Paris II)

Enseignant invité, Institut Michel Villey, 2011-2013

EDUCATION & PROFESSIONAL QUALIFICATIONS

University of Oxford (Balliol College)

Doctorate of Philosophy (DPhil) in Law, 2004-2008

- Trudeau Scholar, Pierre Elliott Trudeau Foundation
- Graduate Teaching Assistant in Human Rights, 2005-2007

Law Society of Ontario

Barrister and Solicitor, 2004-

McGill University

Bachelor of Common Law & Bachelor of Civil Law (*Great Distinction*), 1999-2003

- Valedictorian, Convocation Ceremonies
- Editorial Board, McGill Law Journal
- Dean's Honour List, 1999-2003 and recipient of a number of awards

PROFESSIONAL EXPERIENCE

Supreme Court Advocacy Institute • Institut de plaidoirie devant la Cour suprême

Cofounder and Executive Director • Cofondateur et directeur général, 2006-

- The Institute offers to all counsel with an appeal before the Supreme Court of Canada a free oral advocacy session with a panel of experienced barristers
- Approximately 67% of cases before the Court benefit from the Institute's advocacy program annually
- Received a Meritorious Service Medal (M.S.M.) from the Governor General of Canada for increasing 'the effectiveness and the quality of advocacy before the Court' and in improving 'access to justice for all Canadians'

Department of Justice, Government of Canada

Legal Agent, 2017-

- Appointed by the Deputy Minister of Justice and Deputy Attorney General of Canada to provide legal advice to the Department of Justice on key files

**Office of the Minister of Justice and Attorney General of Canada,
Government of Canada**

Legal Affairs Advisor, 2016-2017

- Principal areas of responsibility focused on the Attorney General of Canada's role as the Chief Law Officer of the Crown providing legal advice to the Government of Canada and having carriage of litigation involving Canada

Privy Council Office, Government of Canada

Senior Policy Advisor, 2008-2009, part-time 2009-2012

Policy Advisor, 2007-2008

- Drafted Memoranda to Cabinet and briefing notes to the Prime Minister and Ministers and provided briefings to Ministers and senior staff
- Principal areas of responsibility included democratic, electoral, and parliamentary reform and supporting legislative drafting and litigation in related areas

CLERKSHIPS

Supreme Court of Canada

Chambers of the Honourable Justice W. Ian C. Binnie, 2003-2004

Quebec Court of Appeal (student clerkship)

Chambers of the Honourable Justice André Rochon, 2001-2002

**CONTINUING
JUDICIAL
EDUCATION**

Federal Court of Appeal

Speaker, Federal Court of Appeal Education Seminar, National Judicial Institute, Kingston, Ontario, 10/2019

Court of Appeal for Ontario

Honorary Guest Speaker, Judges' Education Seminar, Stratford, Ontario, 06/2018

**DISTINCTIONS &
MAJOR AWARDS**

Governor General of Canada

Meritorious Service Medal, 2015

Royal Society of Canada

College of New Scholars, Artists and Scientists, 2019

Pierre Elliott Trudeau Foundation

Trudeau Scholar, 2004-2007

PUBLICATIONS

Monographs

1. *Droits et droit* (Montréal: Thémis, 2020), xvii, 62 pp.
2. *Legislated Rights: securing human rights through legislation* (New York: Cambridge University Press, 2018; paperback edition 2019) (*with* Richard Ekins, Maris Köpcke, Bradley Miller, Francisco Urbina, Paul Yowell), xi, 209 pp.
3. *The Negotiable Constitution: On the Limitation of Rights* (Cambridge: Cambridge University Press, 2009; paperback edition, 2012), viii, 231 pp.

Edited collections

4. *Constitutional dialogue: rights, democracy, institutions* (Cambridge: Cambridge University Press, 2019) (edited with Geoffrey Sigalet and Rosalind Dixon) xi, 471 pp.
5. *Proportionality and the Rule of Law: Rights, Reasoning, Justification* (New York: Cambridge University Press, 2014; paperback edition, 2016) (edited with Grant Huscroft and Bradley Miller), ix, 421 pp.
6. *The Limitation of Charter Rights: Critical Essays on R. v. Oakes / La limitation des droits de la Charte : Essais critiques sur l'arrêt R. c. Oakes* (Montreal: Thémis, 2009) (edited with Luc B Tremblay) iv, 181 pp.

Journal articles

7. 'Notwithstanding rights, review, or remedy? On the notwithstanding clause and the operation of legislation' (2021) 71 *University of Toronto Law Journal* 510-538
8. 'Legislación, derechos humanos y derechos legislados' (2021) 12 *Revista del Centro de Estudios Constitucionales* 81-135
9. 'The Rule of Law in a pandemic' (2021) 46 *Queen's Law Journal* 317 (with Victoria Carmichael)
10. 'Legislated Rights and contemporary constitutional government' (2020) 11 *Jurisprudence* 632-644 (with Richard Ekins)
11. 'Legislated Rights in the real world' (2020) 21 *Jerusalem Review of Legal Studies* 145-170 (with Paul Yowell)
12. 'A conservative disposition and constitutional change' (2019) 39 *Oxford Journal of Legal Studies* 526-552 (with Graham Gee)
13. 'Legislated Rights in the Anglo-American Tradition' (2018) 10 *Faulkner Law Review* 129-169 (with Richard Ekins)
14. 'Judicial power and judicial responsibility' (2017) 36 *University of Queensland Law Journal* 205-220
15. 'Loyal Opposition and the political constitution' (2017) 37 *Oxford Journal of Legal Studies* 357-382
16. 'The Question Why and the Common Good' (2017) 8 *Jurisprudence* 99-109
17. 'Asking why in the study of human affairs' (2015) 60 *American Journal of Jurisprudence* 51-78
18. 'Eulogy for the constitution that was' (2014) 12 *International Journal of Constitutional Law* 468-486
19. 'Parliament and the Management of Conflict' [2014] *Public Law* 101-112
20. 'Rationalism in Public Law' (2013) 76 *Modern Law Review* 708-734 (with Graham Gee)

21. 'Rights and the Rule of Law in the Balance' (2013) 129 *Law Quarterly Review* 399-418
22. 'A Grammar of Public Law' (2013) 14 *German Law Journal* 2137-2155 (with Graham Gee)
23. 'Some Internal Points of View and the Study of Law' (2012) 28 *Constitutional Commentary* 325-345
24. 'L'activité politique et la constitution de Westminster' (2012) 9 *Jus politicum* 1-17 ([online](#))
25. 'The Polycentricity of Political Financing' [2012] *Public Law* 310-327
26. 'What is a Political Constitution?' (2010) 30 *Oxford Journal of Legal Studies* 273-299 (with Graham Gee)
27. 'Proportionality, Balancing, and the Cult of Constitutional Rights Scholarship' (2010) 23 *Canadian Journal of Law and Jurisprudence* 179-202
28. 'The Unfulfilled Potential of the Court and Legislature Dialogue' (2009) 42 *Canadian Journal of Political Science* 443-465
29. 'L'utilisation de la procédure de l'avis consultatif devant la Cour suprême du Canada : Essai de typologie' (2003) 82 *Canadian Bar Review* 757-780 (with François Chevette)

Chapters in edited collections

30. 'Human goods and human rights law: two modes of derivation from natural law' in Tom Angier, Iain Benson, and Mark Retter (eds) *The Cambridge Companion to Natural Law and Human Rights* (Cambridge: Cambridge University Press, forthcoming 2022)
31. 'Opposition' in Richard Bellamy and Jeff King (eds) *The Cambridge Handbook of Constitutional Theory* (Cambridge: Cambridge University Press, forthcoming 2022)
32. 'Can the constitution of a fruit fly be written?' in Michelle Dempsey and François Tanguay-Renaud (eds) *From morality to law and back again: Liber amicorum for John Gardner* (Oxford: Oxford University Press, forthcoming 2022)
33. 'Human rights and justice' in Mortimer Sellars and Stephan Kirste (eds) *Encyclopaedia of the Philosophy of Law and Social Philosophy* (Springer, 2021)
34. 'Proportionality and limitations on freedom of speech' in Frederick Schauer and Adrienne Stone (eds) *The Oxford Handbook of Freedom of Speech* (Oxford: Oxford University Press, 2020) 173-192
35. 'The duty to govern and the Rule of Law in an emergency' in Colleen Flood, Jane Philpott et al (eds), *Vulnerable: The Law, Policy, and Ethics of COVID-19* (Ottawa: University of Ottawa Press, 2020 and [online](#)) 175-182
36. 'Past, present, and justice in the exercise of judicial responsibility' in

Geoffrey Sigalet, Grégoire Webber, and Rosalind Dixon (eds) *Constitutional dialogue: rights, democracy, institutions* (Cambridge: Cambridge University Press, 2019) 129-160

37. 'The "What" and "Why" of Constitutional Dialogue' in Geoffrey Sigalet, Grégoire Webber, and Rosalind Dixon (eds) *Constitutional dialogue: rights, democracy, institutions* (Cambridge: Cambridge University Press, 2019) 1-31 (with Geoffrey Sigalet and Rosalind Dixon)
38. 'Proportionality and absolute rights' in Vicki Jackson and Mark Tushnet (eds) *Proportionality: New Frontiers, New Challenges* (Cambridge: Cambridge University Press, 2017) 75-99
39. 'On the loss of rights' in Grant Huscroft, Bradley W Miller, and Grégoire Webber (eds) *Proportionality and the Rule of Law: Rights, Reasoning, Justification* (New York: Cambridge University Press, 2014) 123-154
40. 'Originalism's Constitution' in Grant Huscroft and Bradley W Miller (eds) *The Challenge of Originalism: Theories of Constitutional Interpretation* (New York: Cambridge University Press, 2011) 147-178
41. 'Legal Reasoning and Bills of Rights' in Richard Ekins (ed) *Modern Challenges to the Rule of Law* (Wellington: Lexis Nexis, 2011) 143-164
42. 'La disposition limitative de la Charte canadienne : une invitation à définir les droits et libertés aux contours indéterminés' in Luc B Tremblay and Grégoire Webber (eds) *The Limitation of Charter Rights: Critical Essays on R. v. Oakes / La limitation des droits de la Charte : Essais critiques sur l'arrêt R. c. Oakes* (Montreal: Thémis, 2009) 37-57

PARLIAMENTARY
& OTHER
EVIDENCE

Convención Constitucional de Chile

'*Democratizar los derechos: una propuesta de clausula de limitación y armonización para la Nueva Constitución*' ('Democratize rights: a proposal for a limitation and harmonization clause for the New Constitution'), joint submission (with Francisco Urbina) of January 2022 to the Convention tasked with drafting and approving a draft Constitution for approval in a plebiscite

Parliament of Canada

House of Commons Legislative Committee on Bill C-20, invited to testify in 2008 as a public servant with joint policy responsibility for Bill C-20, Senate Appointments Consultation Act

House of Commons Standing Committee on Justice and Human Rights, invited to testify in 2006 during the Committee's review of s. 25.1 of the Criminal Code, which authorises public officers and others to commit acts or omissions that would otherwise constitute offences

COMMUNITY
SERVICE

Royal Society of Canada

- Member, Selection Committee (Law/Politics/Business), College of New Scholars, 2020

Pierre Elliott Trudeau Foundation

- Member, Application and Nomination Review Committee, 2021
- Founding President and Executive Committee member, Trudeau Foundation Alumni Association, 2010-2013

Queen's University

- Chair, Renewal, Tenure, and Promotion Committee, 2020-2022
- Chair (joint), Committee for the Faculty of Law 2020-2026 Strategic Plan, 2020-2021
- Member, Principal's Advisory Committee for selecting the new Dean of Law, 2018-2019
- Senator (Law), Queen's Senate, 2018-2019
- Member, Faculty of Law Appointments Committee, 2015-2016, 2017-2018

London School of Economics

- Director, Summer School Law Programme, 2012-2014
- Director, Double Degree Programme with Columbia Law School, 2010-2014
- Faculty representative, Strategic Planning Committee, 2012-2014
- Member, Research Quality Investment Fund (RQIF) special appointments committee, 2012-2013

Editorial boards

- Modern Law Review, 2013-
- Queen's Law Journal, 2015-
- Canadian Journal of Law and Jurisprudence, 2015-
- American Journal of Jurisprudence, 2019-
- Hart Publishing, Constitutional Systems of the World monograph series, 2011-2016

GRANTS & AWARDS

Social Science and Humanities Research Council (SSHRC)

- Insight Grant, *Recovering the good in law*, 2021-2024, \$85,725
- Institutional Grant, *Recovering the good in the law*, 2020-2021, \$6,870
- Canada Research Chair (Tier 2) (renewed), 2019-2024, \$650,000
- Canada Research Chair (Tier 2), 2014-2019, \$650,000
- Insight Development Grant, *Foundations of Law & Common Good*, 2017-2019, \$58,181

Queen's University

- Catalyst Fund, *Human Goods & Human Laws*, 2020-2021, \$24,725
- Research Leaders' Fund, *Law & Common Good*, 2017-2019, \$48,200