

Jan 2024

**CURRICULUM VITAE****Douglas Hay**

Osgoode Hall Law School  
York University  
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**Employment and degrees**

Professor of Law and History, appointed in Osgoode Hall Law School (2/3<sup>rds</sup> appointment) and Department of History (1/3<sup>rd</sup>), York University, 1981 to 2015, Professor Emeritus and Senior Scholar from 2015; formerly associate professor of History at Memorial University of Newfoundland.

BA Modern History (University of Toronto, 1967; MA History (University of Toronto, 1969); PhD Social History (University of Warwick, 1976).

**Academic activities***Honours*

Fellow, Royal Society of Canada (Social Sciences)

Honorary Fellow, American Society for Legal History

Governor-General's Medal for best undergraduate degree, University College, University of Toronto

*Named or keynote lectures*

The Richard Youard Annual Lecture in Legal History, Oxford University, 17 May 2012: 'Time in the court of King's Bench'

The 2008 Walter Gordon Lecture, Osgoode Hall Law School, Toronto, 4 November 2008: 'Law, war and justice in another empire'

The Hugh M. Fitzpatrick Annual Lecture in Legal Bibliography, Dublin, 30 November 2006: 'Master and servant in Ireland: the law and its sources in the 18<sup>th</sup> and 19<sup>th</sup> centuries'

Plenary Address, Annual Conference of the American Society for Legal History, Toronto, October 1999: 'Distinctive societies and the demand for distinctive law'

Opening Address, Coloquio Internacional sobre la Historia del Delito y la Justicia en America Latina, Universidad Torcuato Di Tella, Buenos Aires, 19 October 1996: 'Crime and justice across borders, centuries, and legal systems'

The Iredell Annual Lecture, School of Law, University of Lancaster, January 1996: 'Taking judges seriously'

The Weir Memorial Lecture, School of Law, University of Alberta, November 1993: 'The distinctive history of Canadian criminal law'

The Hugh Alan Maclean Lecture, University of Victoria Faculty of Law, March 1992: 'Time, inequality, and law's violence'

Plenary address, Annual Congress, L'Institut d'histoire de l'Amérique Française, McGill University, October 1985 : 'Droit, état, société: défi aux historiens'

The Chorley Annual Lecture, London School of Economics, 1983: "The Criminal Prosecution in England and its Historians"

Annual Lecture, Legal History Dinner, Harvard University, 1981: 'The Private Prosecutor and Malice in Eighteenth-Century England'

The Biennial Earl Lecture, Keele University, 1977: 'Popular Jacobitism in 18th-century Staffordshire'

Visiting professor or scholar

Associate Member, Senior Common Room, St Hugh's College, Oxford University 2020

International Visiting Professor of Law, School of Law, Columbia University, Nov-Dec, 2016

Visiting Scholar, Massey College, University of Toronto, 2015-2016 (declined due to retirement)

Visiting scholar, School of Law, Columbia University, March-April, 2002

Visiting Fellow, Centre of Criminology, University of Toronto, 1995-96

\*Professorial Fellow in Socio-Legal Studies, School of Law, University of Warwick, 1982-84

\*Visiting Professor of Canadian Studies, Law, and Lecturer, History, Yale University, 1980-81

Honorary Fellow, Centre for Social History, University of Warwick, from 1977

\*Full Professor

Boards and committees of societies and journals:

Nominations committee, Royal Society of Canada, 2019, 2020

Editorial Advisory Board, *Osgoode Hall Law Journal*, 2006 -

Elected Member, Board of Directors, American Society for Legal History, 1985-88, 1999-2002

Programme committee, Social Science History Association, 1989-90

Member, Editorial Board, *Law and History Review*, 1983-1992

Elected Trustee, Law and Society Association, 1982-4

Programme committee, Canadian Historical Association, 1980

Member, Advisory Board, *Canadian Historical Review*, 1976-80

Conferences

Organizer (with Professor Paul Craven) of an international conference on “Master and Servant in History”, Osgoode Hall Law School, York University, 11-14 April 1996; co-editor of one volume (see Publications)

Organizer (with Dr. Francis Snyder) of an international conference on “The History of Law, Labour and Crime in Europe and the Third World”, University of Warwick School of Law, 15-18 September 1983; co-editor of two volumes (see Publications)

Other

Jury to adjudicate applications, Royal Society of Canada (Social Sciences division), 2019, 2020.

Presentation to 23 officials of the Office of the President of Vietnam: “Debating and Abolishing the Death Penalty”, on the history of capital punishment and its abolition in western countries. York University, 22 November 2013.

Assessor for publishers: Oxford University Press (UK), Osgoode Society (University of Toronto Press), Aid to Scholarly Publications Program (SSHA); Oxford University Press re new series; Hambledon Press, Cambridge University Press, Boydell etc.

Referee for SSHRC standard grants, post-doctoral fellowships, Canada Research Chairs, Canada Council Killam Fellowships (all repeatedly)

Manuscript reader for journals: *Canadian Historical Review*, *Journal of the Canadian Historical Association*, *Law and History Review*, *Journal of Law and Society*, *The Historical Journal*, *Columbia Law Review*, and other journals.

Member, Advisory Panel, Consultative Group on Research and Education in Law, Social Sciences and Humanities Research Council of Canada, 1980-81

Service on jury for research grants and post-doctoral fellowships, Canada Council, 1977

### **Awards and grants**

(not including grants for conferences, Ad Hoc grants, Specific Grants, and grants under \$1000)

#### Leave Fellowships

Walter L. Gordon Research Fellowship, York University, 2006-2007 (one year research leave without teaching)

Osgoode Hall Law School Fellowship, Autumn 1986, Spring 1994, Autumn 1999, Spring 2000, Autumn 2005 (each one term of leave)

Professorial Fellowship in Socio-Legal Studies from the Social Science Research Council (now Economic and Social Research Council), U.K. at the School of Law, University of Warwick, 1982-84 (two years research time without teaching)

Canada Council Leave Fellowship 451-790696 (1979-80) (one year)

#### Major grants

SSHRC standard grant 1996-1999 “The judges and the people: King's Bench and the criminal law in English politics and society, 1750-1820” \$66,000

SSHRC standard grant 1994-1997 (co-investigator with Paul Craven) “Master and servant in the British Empire and Commonwealth” (new grant) \$100,100

SSHRC standard grant: 1990-1993 (co-investigator with Paul Craven) “Master and servant in the British Empire and Commonwealth” \$82,000

SSHRC standard grant: 1988 “Judicial authority and libels on justice in 18<sup>th</sup>- and 19<sup>th</sup>-century England” \$11,560

Canada Council Research Grant 41-720 (1976) “Crime and the administration of the criminal law in England and Quebec in the later 18th century” and Canada Council Research Grant 410-77-0360 (1977, 1978) same subject

Woodrow Wilson Fellowship (Harvard University; declined) 1967; Commonwealth Scholarship (Cambridge University; declined) 1967; Canada Council Doctoral Fellowship 1969-73 (held at Warwick University); Killam Post-doctoral Fellowship, Dalhousie University, 1973 (declined)

### Minor grants

- *Research Intensification Fund, Osgoode HLS*: October 2019 (\$3,000) “*The Judges and the People: King’s Bench 1740-1820* – the social, economic, and political role of the high court judges”

- *Research Intensification Fund, Osgoode HLS*: July 2018 (\$3,000) “Criminal law in industrializing England 1740-1820”;

- *SSHRC Small Grants (York University)*: Jan. 1985 (\$2000) “Administration/procedure in King's Bench”; Dec. 1987 (\$2600) “Libels on Justice”; Dec. 1989 (\$1500) “Criminal cases in King's Bench”; Dec. 1991 (\$1750) “Master and servant in England”; Dec. 1995 (\$3000) “Enforcement of penal sanctions for breach of employment contracts in England 1750-1850”; Dec. 2000 (\$2000) “Digitized mapping of criminal and census data, England 1740-1820”; Apr. 2003 (\$2000) “Scots evidence on decisions in 18<sup>th</sup>-century King’s Bench and on master and servant in Scotland”; Apr. 2004 (\$1000) “Contract of employment in Ireland”; May 2006 (\$1,000) “Criminal Justice in Lichfield 1740-1820”.

- *Faculty of Arts Research Grants (York University)*: Nov. 1989 (\$1400) “State and Market at the end of the Eighteenth Century”; Nov. 1991 (\$3000) “Master and servant”; Nov. 1995 (\$3000) “Coding immigration statutes”; Nov. 2000 (\$1000) “German travellers and English justice”.

### **Teaching and examining**

Courses taught since 1981 (not including directed individual graduate reading courses and research papers)

*Osgoode Hall Law School:*

LW 2150.03 History of Legal Institutions in Canada

LW 2750.03 Law and Social Change: In an Age of Freedom of Contract

LW 2595.03 History of Canadian Law

LW 3460.03 and SPT 6710.03 Social History of Crime and Criminology

LW 3470.03 and SPT 6720.03 History of Criminal Law and its Administration

GS LAW 6030.03 Topics in Legal History

GS LAW 6781.06 Issues in Criminal Law: History, Evolution and Theoretical Approaches (professional development programme)

GS LAW 6601.03 Western Legal Histories (cross-listed in History and Socio-Legal Studies)  
 GS LAW Graduate Reading Group in Social Justice  
 GS LAW Graduate Reading Group in Theoretical Perspectives

*Department of History:*

HIST 1050.06 Ordinary People in a Changing World  
 HIST 3532.06 Canadian Legal History  
 HIST 3415.06 Law, Property and Freedom in Britain and Its Empire  
 GS HIST 6010.06 SPT 6430.06 Social History of Early Industrial Britain  
 GS HIST 6060.03/ GS SLST 6080.03 Western Legal Histories (cross-listed)

Dissertation and thesis supervisions completed

Madeleine Chartrand, “Gendered Justice: Women Workers, Gender, and Master and Servant Law in England, 1700-1850” (PhD, History, 2017)

Patrick Connor, “‘The Purest of Gifts’: Royal Clemency, Patronage, and the Politics of Identity in Upper Canada, 1791-1841” (PhD, History, 2012)

Karen Macfarlane, “Minority Justice: Ethnic minorities and criminal justice in eighteenth-century London” (PhD, History, 2008)

Karen Pearlston, “At the Limits of Coverture: Judicial Imagination and Women’s Agency in the English Common Law” (PhD, Law, 2007)

Douglas Harris, “Contested Fisheries: Colonialism, Courts and Aboriginal Rights in British Columbia” (PhD, Law, 2004)

Dale Brawn, “Paths to the Bench: Judicial Appointments in Manitoba, 1872-1950” (PhD, Law, 2003)

Christopher Frank, “‘Constitutional Law versus Justices’ Justice’: English Trade Unions, Lawyers, and the Magistracy, 1842-62” (PhD, History, 2003)

Nancy Parker, “Reaching a Verdict: The Changing Structure of Decision-Making in the Canadian Criminal Courts, 1867-1905” (PhD, History, 1999)

Howard Baker, “Small Claims, Communal Justice and the Rule of Law in Kingston, Upper Canada, c.1785-1819” (LLM, 1993)

Janet Drysdale, “Rape and the Law in Ontario 1892-1930” (LLM, 1988)

(Supervision of Major Research Papers for master's degrees not noted here.)

Member of past supervisory (s) and examining (e) committees for

Ronnie Morris (PhD, History, 2024)  
 Mary Stokes (PhD, Law, 2018) s  
 Ali Hammoudi (PhD, Law, 2018) s  
 Lee Slinger (PhD, History, 2014) e  
 David Zylberberg (PhD, History, 2014) s  
 Steffan Riddell (LLM, 2013) e  
 Claire Mummée (PhD, Law, 2013) e  
 Jong Chul Kim (PhD, Political Science, 2011) e  
 Jeremy Johnston (DJur, Law, 2010) e  
 Irving André (PhD, Law, 2010) e  
 Frank Luce (PhD, Law, 2009) e  
 Stephen Moore (PhD, History, 2009)  
 Arif Bulkan (PhD, Law, 2008) s  
 Thomas Malcolmson PhD (History, 2007)  
 Robin Ganev (PhD, History) s  
 Augustine Park (PhD, Sociology) e  
 James Muir PhD (History) s  
 Fred Koch PhD (Law) s  
 Jennine Hurl-Eamon PhD (History) s  
 Mary Polito PhD (English) s  
 Miriam Jones PhD (English) s  
 Sanjeev Anand (DJur)  
 Niamh Lalor LLM  
 John Meade LLM  
 Arturo Brion LLM  
 Michael Michie PhD (History)  
 Chris Tollefson LLM  
 Lynn MacKay (PhD, History) s  
 Wesley Pue DJur  
 Robin Clarkson LLM  
 Despina Iliopoulou (PhD, Sociology) e

Postdoctoral Fellowship

Wade Matthews, 'The British Communist Party History Group' (2009-11)

Graduate committee in progress

James Barry (PhD, Law)

External examiner for graduate degrees at other universities

McGill University MA  
 University of Ottawa PhD  
 University of Oxford D.Phil  
 University of Reading PhD  
 University of Toronto PhD

**Publications** (only refereed work is cited). Summary, not including reprinted chapters and articles:  
 7 books; 23 chapters in books; 17 journal articles.

[https://works.bepress.com/douglas\\_hay/](https://works.bepress.com/douglas_hay/)

***Books 7***

D. Hay, P. Linebaugh, E.P. Thompson (eds.), *Albion's Fatal Tree: Crime and Society in Eighteenth-Century England* (2nd edition, with new introductions, London: Verso, 2011), 352 pp.

Author of chapter 1 “Property, Authority and the Criminal Law” (17-63), chapter 5 “Poaching and the Game Laws on Cannock Chase” (189-253), and a new introduction.

(Judicially cited: *Kindler v Canada (Minister of Justice)* [1991] S.C.J. para 42.)

D. Hay, ed., *Criminal Cases on the Crown Side of King's Bench 1740-1800* (Stafford: Staffordshire Record Society, 2010) 580pp. (calendared cases and introductions to the records used)

D. Hay and P. Craven, eds., *Masters, Servants and Magistrates in Britain and the Empire, 1562-1955* (University of North Carolina Press, 2004), 592pp, a volume in *Studies in Legal History*, the series of the American Society for Legal History.

D. Hay and N. Rogers, *Eighteenth-Century English Society: Shuttles and Swords* (Oxford University Press, 1997) 253 pp.

D. Hay and R.Paley (eds.), *Friends of the Chief Justice: The William Osgoode Correspondence in the Archives of the Law Society of Upper Canada* (Law Society of Upper Canada, 1990 ) 322 pp.



D.Hay and F.Snyder (eds.), *Policing and Prosecution in Britain 1750-1850* (Oxford University Press, 1989), 470 pp; editor, co-author of Chapter 1, “Using the criminal law, 1750-1850: Policing, private prosecution, and the state” (3-52); sole author of Chapter 8, “Prosecution and power: malicious prosecutions in the English courts, 1750-1850” (343-395).

F.Snyder and D.Hay (eds.), *Labour, Law and Crime: An Historical Perspective* (London: Tavistock, 1987), 309 pp; co-editor, and co-author of Chapter 1 (1-41), “Comparisons in the social history of law: labour and crime.”

D. Hay, P. Linebaugh, E.P. Thompson (eds.), *Albion's Fatal Tree: Crime and Society in Eighteenth-Century England* (London: Allen Lane, New York: Pantheon, 1975), 352 pp. Author of chapter 1 “Property, Authority and the Criminal Law” (17-63) and chapter 5 “Poaching and the Game Laws on Cannock Chase” (189-253).

Chapter 1 reprinted in whole or in part in over 20 collections, including Fitzgerald, McLennan, Pawson (eds.), *Crime and Society* (Routledge and Kegan Paul, Open University, 1981); Robert Cover and Owen Fiss (eds.), *The Structure of Procedure* (Foundation Press, 1979); Piers Beirne and Richard Quinney (eds.), *Marxism and Law* (Wiley, 1982); Austin Sarat, (ed.), *The Social Organization of Law* (Los Angeles: Roxbury, 2004), and later collections to 2013. Chapter 5 reprinted in part in *Interpretations of the Western World* (Boston: Pearson, 2004).

### **Chapters in books 23**

“Wage labour”, article in the *Oxford Handbook of Global Labour History*, ed. Beckert and Van der Linden (forthcoming 2024)

“Preface” to the concluding volume of *Canadian State Trials*, vol.5 (Toronto: University of Toronto Press, 2022).

“E.P. Thompson and the Rule of Law: Qualifying the Unqualified Good”, in *The Cambridge Handbook of the Rule of Law*, Martin Loughlin and Jens Meierhenrich, eds. (Cambridge: Cambridge University Press, 2021), 202-220.

“Working Time, Dinner Time, Serving Time: Labour and Law in Industrialization” in *Law With Class: Essays Inspired by the Work of Harry Glasbeek*, Judy Fudge and Eric Tucker, eds., (Halifax NS: Fernwood Press, 2019), (see also a slightly different version as an Oxford University Discussion Paper in *Economic and Social History* 2018, below)

“Hanging and the English Judges: The Judicial Politics of Retention and Abolition,” in David Garland, Randall McGowen, and Paul Merantz, eds., *America's Death Penalty: Between Past and Present* (New York: New York University Press, 2010), 129-165.

“Legislation, Magistrates, and Judges: High Law and Low Law in England and the Empire,” in David Lemmings, ed., *The British and Their Laws in the Eighteenth Century* (London: Boydell and Brewer, 2005), 59-79.

“The Courts of Westminster Hall in the Eighteenth Century,” in Philip Girard, Jim Phillips and Barry Cahill, eds., *The Supreme Court of Nova Scotia 1754-2004: From Imperial Bastion to Provincial Oracle* (Toronto: Osgoode Society for Canadian Legal History and University of Toronto Press, 2004), 13-29.

Biographies of Lloyd Kenyon CJKB; William Ashhurst JKB; James Eyre CJCP; Simon LeBlanc JKB; (c.9,000 words in all) for the *Oxford Dictionary of National Biography* (60 volumes, Oxford University Press, 2004)

“Dread of the Crown Office: the English Magistracy and King’s Bench, 1740-1800”, in Norma Landau, ed., *Law, Crime and English Society 1660-1840* (Cambridge University Press, 2002), 19-45.

“Law and Society in Comparative Perspective” in *Crime and Punishment in Latin America: Law and Society Since Late Colonial Times*, ed. Ricardo D. Salvatore, Carlos Aguirre, and Gilbert M. Joseph (Durham NC and London: Duke University Press, 2001), 415-30.

“Master and Servant in England: Using the Law in the 18th and 19th Centuries”, in *Private Law and Social Inequality in the Industrial Age: Comparing Legal Cultures in Britain, France, Germany and the United States*, ed. Willibald Steinmetz (Oxford University Press, 2000), 227-64

“Moral Economy, Political Economy, and Law” in *Moral Economy and Popular Protest: Crowds, Conflict and Authority*, ed. Adrian Randall and Andrew Charlesworth (Manchester University Press, 1999), 93-122

“Foreword” to Carolyn Strange, ed., *Qualities of Mercy: Justice, Punishment, and Discretion* (Vancouver: University of British Columbia Press, 1996), vii-ix

“Civilians Tried in Military Courts: Quebec, 1759-1764”, in Murray Greenwood and Barry Wright (eds.), *Canadian State Trials* (Toronto: The Osgoode Society, 1996), 114-128

J.-M. Fecteau and D. Hay, “‘Government by Will and Pleasure instead of Law’: Military Justice and the Legal System in Quebec, 1775-1783”, in Murray Greenwood and Barry Wright (eds.), *Canadian State Trials* (Toronto: The Osgoode Society, 1996), 129-171.

P. Craven and D. Hay, “The Criminalization of ‘Free’ Labour: Master and Servant in Comparative Perspective”, in Paul E. Lovejoy and Nicholas Rogers, eds., *Unfree Labour in the Development of the Atlantic World* (London: Frank Cass, 1995) (Also a journal article.)

“The Laws of God and the Laws of Man: Lord George Gordon and the Death Penalty”, *Protest and Survival: The Historical Experience. Essays in Honour of E.P.Thompson*, ed. J.Rule, R.Malcolmson (London: Merlin, 1993), 60-111.

“Time, Inequality, and Law's Violence”, in Austin Sarat (ed.), *Law's Violence* (Ann Arbor:

University of Michigan Press, 1992), 141-73.

“The Class Composition of the Palladium of Liberty: Trial Jurors in the Eighteenth Century”, in James S. Cockburn and Thomas A. Green (eds.), *Twelve Good Men and True: The Criminal Trial Jury in England 1200-1800* (Princeton University Press, 1988), 305-57.

“The Meanings of the Criminal Law in Quebec 1764 to 1774”, in Louis Knafla (ed.) *Crime and Justice in Europe and Canada* (Montreal: Wilfred Laurier Press, 1981), 77-110.

“Crime and Justice in Eighteenth and Nineteenth Century England”, in Norval Morris and Michael Tonry (eds.), *Crime and Justice: An Annual Review of Research* (Chicago: University of Chicago Press, 1980), 45-84.

Biographical article, and revisions to the Indian Glossary, *Dictionary of Canadian Biography*, II (University of Toronto Press, 1972)

### *Articles in journals and working paper series 20*

(Not cited here: reviews of individual titles for *Albion*, *Canadian Historical Review*, *English Historical Review*, *International Journal of the Sociology of Law*, *History*, and other journals.)

‘The Master and Servant Statute of 1823: Enlarging the Powers of Justices Act’, *Historical Studies in Industrial Relations*, 43 (2022), 3-23

“Working Time, Dinner Time, Serving Time: Labour and Law in Industrialization”, University of Oxford Discussion Papers in Economic and Social History, no. 164 (May 2018)  
[https://www.economics.ox.ac.uk/research/working-papers?filter\\_types-2448601\[\]=c-report&filter\\_series-2448601\[\]=1346531&page-2448601=0&filter\\_authors-2448601\[\]=Hay%2C%20D](https://www.economics.ox.ac.uk/research/working-papers?filter_types-2448601[]=c-report&filter_series-2448601[]=1346531&page-2448601=0&filter_authors-2448601[]=Hay%2C%20D)

“Writing about the Death Penalty”, in J. Beattie, J. Phillips, J. Muir, and D. Hay, “Symposium on [Douglas Hay’s] ‘Property, Authority and the Criminal Law’”, *Legal History* vol. 10 nos.1-2 (2006), 13-52.

“Women, Men, and Empires of Law” [review essay], *Journal of British Studies*, vol. 44 no.1 (January 2005), 204-212.

“Tradition, Judges, and Civil Liberties in Canada,” *Osgoode Hall Law Journal*, vol. 41 nos.2-3 (2003), 319-22.

“The Last Years of Staffordshire Jacobitism [The Earl Lecture, Keele University]”, *Staffordshire Studies*, vol. 14 (2002), 53-88.

“Temps, culture, droit: l’historien et les temporalités des juristes,” *Quatre essais sur temps et*

*culture: Actes du séminaire international temps et culture* (Centre Interuniversitaire d'études québécoises, 2000), 19-24.

“The State and the Market: Lord Kenyon and Mr Waddington”, *Past & Present*, no.162 (February 1999), 101-162

“Patronage, Paternalism, and Welfare: Masters, Workers, and Magistrates in Eighteenth-Century England,” *International Labor and Working-Class History*, vol.53 (Spring 1998), 27-48

P. Craven and D. Hay, “Computer Applications in Comparative Historical Research: The Master and Servant Project at York University, Canada”, *History and Computing*, vol 7, no.1 (1995), 1-12.

P. Craven and D. Hay, “The Criminalization of 'Free' Labour: Master and Servant in Comparative Perspective”, *Slavery & Abolition*, vol. 15 no. 2 (August, 1994), 71-101 (also published as a chapter in a volume edited by Lovejoy and Rogers, above.)

“Edward Thompson” in *Studies in Political Economy* 43 (Spring 1994), 18-22.

D. Hay and P. Craven, “Master and Servant in England and the Empire: A Comparative Study,” *Labour/Le Travail*, no.31 (spring 1993), 175-84.

“Scandalizing the Court: A Political History of the First Hundred Years, 1721-1821” 25 *Osgoode Hall Law Journal* (1987) 431-84.

(cited by the Judicial Committee of the Privy Council, in *Dhoocharika (Appellant) v The Director of Public Prosecutions (Respondent)* (Mauritius) [2014] UKPC 11 Privy Council Appeal No 0058 of 2012)

“Archival Research in the History of the Law: A User's Perspective”, *Archivaria*, no. 24 (1987) 36-46.

“The Criminal Prosecution in England and its Historians”, (1984) 47 *Modern Law Review* 1-29.

Reprinted in David Sugarman, ed., *Law in History*, vol.1, in *The International Library of Essays in Law and Legal Theory* (1996).

“Controlling the English Prosecutor” (1983), 21 *Osgoode Hall Law Journal* 165-186.

Reprinted in Andrew Sanders, ed., *Prosecution in Common Law Jurisdictions* (Aldershot, Brookfield, Singapore, Sydney: Dartmouth, 1996), a volume in *The International Library of Criminology, Criminal Justice & Penology*.

“War, Dearth and Theft in the Eighteenth Century: The Record of the English Courts”, *Past and Present* No. 9 (May 1982) 117-60.

Part of the Conference Report, *Bulletin* of the Society for the Study of Labour History, vol. 25 (1972).

## **Conference Papers, Public Lectures, Guest Seminars 97**

(\*if cited also under publications).

‘Unfree labour’, presentation to the Political Economy in Global History Reading Group, Oxford University, 1 June 2021 (zoomed)

‘The importance of law for markets’, on panel, ‘Economics, economic history’ at conference ‘Why Does Economic History Matter?’, Warwick University, 21 Feb 2020

‘Beating a servant in the eighteenth century’, to the Oxford Legal History Forum, New College, Oxford University, 21 Jan 2020, and an earlier version at Crowds, Crime and Popular Politics in Britain and Its Empire: A Conference in Honour of Nicholas Rogers, York University, 24 May 2018.

‘Master and servant and economic growth’, History of Labour Economics Group, Wadham College, Oxford University, 26 Apr 2018

\* ‘Work Time, Dinner Time, Serving Time’, at Law With Class: A Workshop Inspired by the Work of Harry Glasbeek, Osgoode Hall Law School, York University, 28 June 2017

‘Families in the Court of King’s Bench’, Modern History Seminar, St. John’s College, Cambridge University, 25 Feb 2016

‘Artisans in Crime: Industrial England 1740-1820’, Legal History Group, University of Toronto, 25 Feb 2015

Comment, ‘Legal Subjecthood in the British Empire’, American Society for Legal History annual Conference, Denver, 8 Nov 2014

‘Debating and Abolishing the Death Penalty: A Comparative Perspective’, presentation to officials of the Office of the President, Vietnam, York University, 22 November 2013

‘Magistrates, crusading journalists, and King’s Bench in the early nineteenth century’, Conference on Law and Governance in Britain, Department of History and Faculty of Law, University of Western Ontario, 26 Oct 2013

‘Slow violence, law, and history’, Workshop on Law’s Slow Violence with Rob Nixon, Osgoode Hall Law School, 14 June 2013

‘Crooked and criminal lawyers in eighteenth-century England’, Toronto Legal History Group, University of Toronto, 24 Oct 2012

‘Criminal gangs in the eighteenth century’, Cambridge University, History and Anthropology Seminar Series, 22 May 2012

‘Time in the court of King’s Bench’, The Richard Youard Lecture in Legal History, Oxford University, 17 May 2012

‘Misdemeanour in 18th-century King’s Bench’, Oxford Legal History Forum, University College, Oxford, 10 June 2011, and Toronto Legal History Group, University of Toronto, 1 Feb 2012

‘King’s Bench and Westminster Hall in the Eighteenth Century’, Staffordshire Historical Society, Stafford, 3 June 2011

‘The criminal information in King’s Bench’, Conference on Law and Governance in Britain, University of Western Ontario, 17 Oct 2009

\*‘Hanging and the judges in Georgian England’, American Society for Legal History Annual Conference, Ottawa, 14 Nov 2008 (paper presented in absentia); also presented at University of Birmingham department of history graduate research seminar, 25 Mar 2009

‘Law, war and justice in another empire’, The 2008 Walter Gordon Lecture, Osgoode Hall Law School, 4 Nov 2008 (also presented to the Toronto Legal History Seminar, University of Toronto Law School, 3 Dec 2008)

‘Governing the family from King’s Bench’, conference on Law and Governance in Britain, 1350-1850, University of Western Ontario, 17 Nov 2007

\*‘Hanging and the judges in Georgian England’, Workshop on Historical and Theoretical Perspectives on Capital Punishment, School of Law and Department of Sociology, New York University, 3-4 May 2007

“Master and servant in Ireland: the law and its sources in the 18<sup>th</sup> and 19<sup>th</sup> centuries”, Hugh Fitzpatrick Lecture in Legal Bibliography, Gilbert Library, Dublin, 30 Nov 2006

\*“Property, authority and the criminal law after 30 years”, roundtable at University of Toronto Legal History Seminar, 8 Feb 2006

“Scottish masters and servants, and English law”, paper to Graduate Seminar in British History, the Open University, 17 Jan 2006 and graduate seminar in British history, Lincoln College, Oxford University, 18 Jan 2006

“Work time, dinner time, serving time: Law and labour markets in industrialization”, paper in opening session, Economic and Social Science Council seminar on Labour Markets in Industrialization, All Souls College, Oxford University, 12 Jan 2006

“Time in King’s Bench”, Toronto Legal History Group, University of Toronto Law School, 7 December 2005

“Legal and criminal lives in the *Oxford Dictionary of National Biography*”, Canadian Historical Association Annual Meeting, University of Western Ontario, London, 31 May 2005

“The law of master and servant in eighteenth-century Scotland”, Toronto Legal History Group, University of Toronto Law School, 10 March 2005, and Scottish Studies Seminar, Department of History, University of Guelph, 14 March 2005

“Masters, magistrates, commanders and coercion in Britain and the Empire”, Northeast Conference on

British Studies conference, Montreal, 1 October 2004

\* "Origins: Westminster Hall in the eighteenth century", at 'Courts, Communities and Conflict, Conference', Dalhousie Law School, 3-4 October 2003.

"Defining low law: magistrates and empire", University of British Columbia Faculty of Law, 14 April 2003 and University of Victoria Faculty of Law, 17 April 2003

"Gothic mystery: King's Bench and other high courts in the 18<sup>th</sup> and 19<sup>th</sup> centuries", public lecture, Green College, University of British Columbia, 15 April 2003

"Taking statutes seriously: a comparative study of master and servant in the British Empire" (with Paul Craven), American Society for Legal History, Annual Meeting, San Diego, California Nov 7-9, 2002

"Master and servant in the British Empire, 1562-1939: law as artefact, source, and power", Legal History Workshop, Law School, Columbia University, New York, 10 April 2002

\* "Judges and magistrates: high law and low law in England and the Empire", Conference on 'Law and the Enlightenment: The British Imperial State at Law, 1689-1832', 26-28 September 2001, Humanities Research Centre, Australian National University, Canberra

"Master and servant law in England and the Empire", Conference on 'Law, History, Colonialism', 21 September 2001, La Trobe University (Melbourne Campus)

"Master and servant in Britain and the Empire," Research Seminar, Montreal History Group, McGill University, 27 January 2000

"Distinct societies and the demand for distinctive law", Annual Lecture, Conference of the American Society for Legal History, Toronto, 22 October 1999

\* "Temps, culture, droit: l'historien et les temporalités des juristes," paper given at the Séminaire International 'Temps et culture', Centre Inter-universitaire d'Études Québécoises, Université Laval, Quebec 19 March 1999

\* "Dread of the crown office: King's Bench and JPs in the eighteenth Century" paper to the Graduate Seminar in British History, University of Kansas, 1 March 1999

\* Commentary and concluding overview, conference on The Contested Terrains of Law, Justice, and Repression in Latin American History, Luce Centre for Area Studies (Latin America), Yale University, 24-27 April 1997

"Crime and justice across borders, centuries, and legal systems", paper to opening session, Coloquio Internacional sobre la Historia del Delito y la Justicia en America Latina, Universidad Torcuato Di Tella, Buenos Aires, 19 October 1996

"English judges, images of service, and the nature of Empire", Joint Meeting, Law and Society Association and Research Committee in the Sociology of Law, Glasgow, 11 July 1996

"Taking judges seriously", Iredell Lecture in Legal History, University of Lancaster, England, 24 January

1996

\* "Master and servant: English law in a British Empire", Conference on Private Law and Social Inequality in the Industrial Age, German Historical Institute, London, England, 14-17 December 1995

"Master and servant in the eyes of the law, 1700-1820", paper to Oxford University graduate seminar "Culture, Society and Politics in Britain 1700-1795", 9 May 1995

"Masters and servants, England and the Empire", at workshop on "Contracts and Coercion: Labour Law and Order, Imperial Perspectives", Institute of Commonwealth Studies, University of London, 20 January 1995

Ibid., revised version presented by Craven at Colloque international, 'Consensus ex Machina?', Association for Literary and Linguistic Computing/Association for Computers and the Humanities, Sorbonne, Paris, 19-23 April 1994 *Data collection and analysis shared; paper principally written by Craven.*

\* Paper (with Paul Craven), "Spreading the word: the imperial dissemination of English employment law, 1563-1950: a textual approach", Dean of Arts Lecture Series, York University, 30 March 1994;

Paper, "Bentham and the desacralization of the death penalty", Annual Conference, Social History Society (UK), 5 January 1994

Public lecture, "The distinctive history of Canadian criminal law", Faculty of Law, University of Alberta (The Weir Memorial Lecture), 4 November 1993

Presentation, "The Master and servant project", Faculty Summer Seminar Series, Osgoode Hall Law School, York University, 21 July 1993

\* Paper, "The master and servant project: computer applications for comparative analysis of statutes," presented to the Annual Meeting of the Canadian Historical Association, Carleton University, Ottawa, 7 June 1993 (with Paul Craven; paper presented by Craven)

\* Paper, "The patterned distribution of the terms of master and servant in the British Empire," presented to conference on Unfree Labour in the Atlantic World, York University, 14 April 1993 (with Paul Craven)

Presentation, "The master and servant project at York University," to the Legal History Workshop, University of Toronto, 1 April 1993 (with Paul Craven)

Presentation, "Master and servant, a comparative method," faculty and graduate seminar, Department of History, Memorial University of Newfoundland, 23 March 1993

Public lecture, "The Distinctiveness of Canadian criminal law", Memorial University of Newfoundland, 22 March 1993

"Comment", English Legal History in the Age of Mansfield, symposium, Georgetown University Law School, Washington D.C., 5 March 1993

Presentation on "Computer applications for comparative analysis of statutes", Seventh Annual Conference



on Computers and Legal Education, University of Toronto, 20 June 1992 (with Paul Craven)

Paper on "Using the law: tactics and values", Economic and Social History Council Workshop on Social History: Law, Legal Sources, and the Social Historian, University of Essex, 28 March 1992

Member of panel on comparative legal histories, American Society for Legal History Annual Conference, San Francisco, 25 October 1991

\* Paper on "Time, inequality, and law's violence", Mellon Lecture Series, Amherst College, 11 April 1991;

and (revised) University of Victoria, 3 March 1992

\* Paper on "The laws of God and the laws of man: Lord George Gordon and the death penalty", Colloquium on Punishment, Centre for the Humanities, Columbia University, May 1990;

and University of Western Ontario graduate seminar in legal history, 21 January 1991

Paper on "Penal sanctions, masters, and servants", to Advanced Seminar on the History of Labour and Law, York University, 20 October 1988;

and to History Research-in-Progress Seminar, University of Sussex, 24 November 1988;

and to Seminar on Law and Labour in the Commonwealth, Institute of Commonwealth Studies, University of London, 25 November 1988

\* Paper on "Criminals in the English market, 1766-1844", Colloque International sur les Processus de Criminalisation et de Décriminalisation dans le Monde Occidental depuis le Moyen Age Jusqu'à nos Jours, Maison des Sciences de l'Homme, Paris, 20-22 October 1988 [paper circulated in my absence due to family illness]

and the Eighteenth Century Seminar, University of Western Ontario, November 1991;

and (revised) to the International Conference on 'Moral Economy', University of Birmingham, 2 April 1992

"Legal history", lecture to Living and Learning in Retirement, Glendon College, 9 September 1988

\* Paper on "The state and the market: Lord Kenyon and Mr Waddington", conference on Formation of the Modern State, St.Peter's College, Oxford, 14-16 April 1988

\* Paper on "Scandalizing the court: a political history", to the Faculty Seminar, Osgoode Hall Law School, 15 July 1987

and Johns Hopkins University, History Department and University of Maryland Law School, 30 January 1989

and Law and History Seminar, Institute of Historical Research, University of London, 3 December 1988

Commentator on papers by Natalie Zemon Davis and John Beattie, Canadian Historical Association

annual meetings, Hamilton, Ontario, 5 June 1987

Paper on "Capital punishment in England, 1750-1832: A quantitative analysis", at the annual conference, the American Society for Legal History, Toronto, 25 October 1986

\* Paper on "Archival research in the history of the law: a user's perspective", annual conference of the Ontario Association of Archivists, Barrie, 24 May 1986

Paper on "The crown side of King's Bench in the eighteenth century" given at the Conference on British Legal Manuscripts, Newberry Library and Northeastern Illinois University, Chicago (American Bar Foundation and American Society for Legal History) 4 April 1986

Lecture on "Power and spectacle in eighteenth-century courtrooms", History Department, Wilfred Laurier University, March 1986

Plenary address, "Droit, état, société: défi aux historiens" at the Annual Congress, L'Institut d'histoire de l'Amérique Française, McGill University, 18 October 1985

Commentator on a paper by Eric Monkonen re American and English approaches to the history of crime, conference of the Law and Society Association, Boston, June 1984

Participant in a roundtable panel on "Hyde's critique on the concept of legitimacy: implications for the study of law," June 1984, at the annual meeting of the Law and Society Association, Boston

Seminar at the University of Toronto Centre of Criminology on the subject of "Capital punishment in the eighteenth and nineteenth Centuries", 16 March 1984

Paper on "Using and abusing the criminal law in the 18th century" given to the Graduate Seminar in Early Modern English Social History, Oxford University, 8 November 1983

Lecture to Legal History Society, School of Law, University of Birmingham, on "Writing the history of the criminal law of eighteenth and nineteenth century England" 18 October 1983

Paper presented to the Annual Colloquium, the Past & Present Society, Oxford, on "Manufacturers and the criminal law in the later eighteenth century: crime and 'police' in south Staffordshire" 6 July 1983

Paper to Faculty/Graduate Seminar, University of Reading, "The social history of criminal law in the eighteenth century" 10 May 1983

Paper to CSE Law and State Group, London: "Popular protest and legal doctrine in the eighteenth century" 27 February 1983

Paper to Staff/Postgraduate Seminar, Centre for Criminological and Socio-Legal Studies, University of Sheffield: "Prosecutorial discretion in the eighteenth and nineteenth centuries" 25 February 1983

Talk to the University of Nottingham Law Students' Society, "The constitutional significance of the private prosecutor in England" 27 January 1983

Paper to the Social History Seminar, University of Birmingham on "State prosecutions in the nineteenth

century" 26 January 1983

Paper to the History/Sociology Seminar on Crime and Criminal Justice, The Open University: "Some consequences of prosecutorial discretion 1750-1850" 19 January 1983

Paper to Staff Seminar, Board of Studies in Law, University of Kent at Canterbury: "Aspects of prosecutorial discretion in the eighteenth and nineteenth centuries" 24 November 1982

Staff Seminar, School of Law, University of Warwick on "Prosecution and its critics in the nineteenth century" 8 June 1982

Graduate Seminar, Centre for the Study of Social History, University of Warwick: "Some aspects of the relationship between social history and the law 1750-1820" 29 April 1982

\* "Controlling the English Prosecutor 1750-1850", Osgoode Hall Lecture Series, 2 December 1981

Panellist, Toronto Law Union Annual Meeting, on the subject of private prosecutions, 31 October 1981

"Langbein's Logic", in reply to J. Langbein, "Albion's Fatal Flaws", American Association for Legal History Annual Meeting, Washington S.C. 23 October 1981

"Controlling the Criminal Law: The Claims of the State in Eighteenth and Nineteenth Century England", Canadian Political Science Association Annual Meeting, Halifax, 19 May 1981

"Administering the Criminal Law in 18th and 19th Century England", Columbia University Seminar on Law and Social and Economic Change in the American Past, 14 May 1981

\* "The Private Prosecutor and Malice in Eighteenth-Century England", Legal History Dinner, Harvard University, 7 May 1981; and Northeastern Law School, Boston, 8 May 1981

"Quantitative Studies of 18th Century Crime", Cornell University Law School, 30 April 1981

"Legal History and the Social History of Law", Osgoode Hall Law School, Conference on Canadian Legal History, 27 February 1981

\* "War, dearth and larceny in the 18th century", International Conference on the History of Crime and Criminal Justice, University of Maryland, September 1980

"The Criminal law in Quebec in the 18th century", History Society, Cambridge University, May 1980

\* "The meanings of the criminal law in Quebec 1764-1774", Legal Theory Workshop, Yale Law School, December 1979 and Dalhousie University Graduate History Society and History Department, January 1980

\* "Malicious prosecution in the 18th century", Chicago Law School, March 1978, and York University (England), May 1980

\* "Popular Jacobitism in 18th-century Staffordshire", Biennial Earl Lecture, Keele University, England 1977

"The social basis of prosecutions in the 18th century", Dept of History, University of Rochester, 1976

"The English criminal law in the eighteenth century", Newnham College early-modern seminar, Cambridge University, February 1975

"Social control, the criminal law, and the concept of the ruling class", Research Seminar on Social Control in Early Modern England, University of Newcastle, Newcastle upon Tyne, 12-13 Jan 1973

#### Broadcast material

In programmes for CBC radio, CKLN radio, Radio-Canada, BBC Television, TV Ontario. Advisor to CBC television and HistoryTV on specific historical programs.

#### **Service to Osgoode Hall Law School, Department of History, and York University**

On leave Jan 1982- Dec 1983 on a fellowship at Warwick University; sabbatical leave 1988-89, sick leave and long-term disability from March to December 1994; research leave and sabbatical January 1995 to June 1996; sabbatical leave 2001-2; Walter Gordon Fellowship leave 2006-7; sabbatical leave 2008-9.

#### Osgoode Hall Law School

Library Committee 2000-2001, 2003-2004; 2011-2012

chair, 2004-2005, 2005-2006, 2007-2008, 2009-2011

Chief Librarian Search Committee, 2005, 2007-8

Building Users Planning Committee, 2007-8

IT Committee, 2003-2004, 2004-2005

Rare Books Committee 2000-2001

Graduate Studies Committee 1998-1999, 2007-2008, 2009-2010

Chair, Computer Applications and Planning Committee 1997-1998, 1998-1999

Research Advisory Committee 1996-1997

Computer Applications and Planning Committee 1996-1997

Faculty Seminars Committee 1993-4

Computer Applications and Planning Committee 1993-4

Research Advisory Committee 1992-1993

Chair (shared with T. Ison) Academic Policy Committee 1991-2

Academic Policy Committee 1990-91

Gender Equality Committee 1989-90 (to recommend measures to meet the Ontario Human Rights Commission complaint against Osgoode for systemic discrimination)

Research Advisory Committee 1986-1987, 1987-1988

Graduate Studies Committee 1986-1987, and 1987-1988

Research Programme Committee 1984-1985, and 1985-1986  
 Research Advisory Committee 1984-1985, 1985-1986

History Department

Chair, Adjudicating Committee, Tenures and Promotion, 2010-11  
 Executive Committee, Graduate Program in History, 2007-2008  
 Nominations Committee 2004-2005  
 Affirmative Action Representative 2002-2003  
 Graduate History Awards 2000-2001  
 Departmental Committee on Tenure and Promotion 2000-2001  
 Affirmative Action Representative 1996-1997  
 Graduate Admissions 1992-1993  
 Affirmative Action Representative, 1991-1992  
 Arts Faculty Council History rep. 1990-1991  
 Curriculum Committee 1987-1988  
 Executive Committee 1986-1987

York University, and other programs

Socio-Legal Studies Graduate Program, 2007-2013  
 Chair of Adjudication Panel on charges of academic dishonesty, Faculty of Graduate Studies,  
 2005  
 Member of Senate for Graduate Studies, 2004-2005, 2005-2006  
 Faculty of Graduate Studies, Academic Policy and Planning Committee and subcommittees on  
 curriculum, award of university professorships, etc 2002-2003, 2003-2004  
 Office of Research Administration, Small grants committee 1996-1997, 1997-1998  
 Office of Research Administration, Committee on CUEW Research Grants 1992-1993 (Chair);  
 1993-1994  
 Senate Committee on Research, sub-committee on Inventions and Patents 1992-1995  
 Senate Committee on Academic Computing 1993-1994  
 Senate Committee on Research 1992-1993  
 Member of Senate 1992-1993, 1993-1994, 1994-1995

End