

VINCENT CHIAO

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CITIZENSHIP: USA & Canada

CURRENT EMPLOYMENT (SINCE 2011):

Professor & Chair in Law & Technology (Innovation), University of Toronto, Henry NR Jackman Faculty of Law.

Associate Dean, Graduate Programs (since 2025).

PRIOR EMPLOYMENT:

Tyler Haynes Professor of Interdisciplinary Studies, University of Richmond School of Law & Jepson School of Leadership Studies, 2022–2023.

Law clerk to the Hon. Juan R. Torruella, U.S. Court of Appeals for the First Circuit, Boston, MA, 2010–2011.

Reginald F. Lewis Research Fellow, Harvard Law School, 2008–2010.

VISITING POSITIONS:

Visiting Professor, New York University School of Law, fall 2023.

William Lyon Mackenzie King Visiting Professor of Canadian Studies, Canada Program, Harvard University, 2021–2022.

Visiting Fellow at the Israel Institute for Advanced Study, March–June 2016.

Robina Visiting Fellow, University of Minnesota School of Law, spring 2014.

OTHER PROFESSIONAL EXPERIENCE:

Assistant Crown Attorney, Ministry of the Attorney General Ontario (College Park), October 2017–January 2018.

WORKS IN PROGRESS:

“Cooperation and the retributive sentiments” (in draft).

“Law, trust, and social order” (in draft) (with Hadar Dancig-Rosenberg).

“Perfect law, perfect compliance” (in draft).

The Normal and the Normative: Rules, Norms and the Making of Social Order (current book project).

PUBLICATIONS – BOOK:

Criminal Law in the Age of the Administrative State (Oxford University Press, 2018).
<https://doi.org/10.1093/oso/9780190273941.001.0001>. Subject of a symposium
issue: *Jerusalem Review of Legal Studies* 17(1) (2018): 90–175.

PUBLICATIONS – ARTICLES & BOOK CHAPTERS:

- “Unreasonably Hypothetical: What’s Wrong with Section 12,” with François Tanguay-Renaud, *McGill Law Journal* (forthcoming). <https://doi.org/10.2139/ssrn.6585298>
- “Must States Do It Themselves? A Rights-Based Theory of Delegating State Coercion,” *Journal of Ethics & Social Philosophy* 31(3) (2026): 442–468. Peer reviewed.
<https://doi.org/10.26556/jesp.v31i3.4458>
- “Excess Incarceration,” *Journal of Applied Philosophy* 42(4) (2025): 1210–1229. Peer reviewed. <https://doi.org/10.1111/japp.70018>
- “The Rule of Law After the Anthropocene,” in *Artificial Intelligence, Humans, and the Law*, ed. H. P. Olsen, J. L. Slosser, S. A. Ravn, J. Eddebo, and J. H. Rosenberg (Routledge, 2025), 290–306. <https://doi.org/10.4324/9781003565963-21>
- “Disobedience as Such,” with Alon Harel, *Jurisprudence* 15(4) (2024): 497–514. Peer reviewed. <https://doi.org/10.1080/20403313.2024.2325267>
- “Algorithmic Decision-Making, Statistical Evidence, and the Rule of Law,” *Episteme* 21(4) (2024): 1241–1264. Peer reviewed. <https://doi.org/10.1017/epi.2023.27>
- “Content Moderation Online: Regulation Ex Ante Versus Ex Post,” with Alon Harel, *University of Illinois Law Review* 2023(5): 1587–1603.
<https://illinoislawreview.org/print/vol-2023-no-5/content-moderation-online/>
- “Explainability and the Epistemic Division of Labour in Adjudication,” with Martin Heslop, *University of Toronto Law Journal* 73(S1) (2023): 73–91.
<https://doi.org/10.3138/utlj-2023-0003>
- “From the Philosophy of Punishment to the Philosophy of Criminal Justice,” with Javier Wilenmann, in *The Palgrave Handbook on the Philosophy of Punishment*, ed. Matthew C. Altman (Palgrave Macmillan, 2023), 357–376. https://doi.org/10.1007/978-3-031-11874-6_16
- “Realism and the Rational Administration of the Law in Beccaria,” in *Re-Reading Beccaria*, ed. Antje du Bois-Pedain and Shachar Eldar (Hart Publishing, 2022).
<https://doi.org/10.5040/9781509959167.ch-008>
- “Proportionality and Its Discontents,” *Law and Philosophy* 41(2) (2022): 193–217. Peer reviewed. <https://doi.org/10.1007/s10982-021-09423-9>. Cited by the Supreme Court of Canada in *Quebec (Attorney General) v. Denis*, 2026 SCC 25.
- “Transparency at Sentencing: Are Human Judges More Transparent Than Algorithms?” in *Sentencing and Artificial Intelligence*, ed. Julian V. Roberts and Jesper Ryberg (Oxford University Press, 2022), 34–56.
<https://doi.org/10.1093/oso/9780197539538.003.0003>
- “Hyperlexis and the Rule of Law,” *Legal Theory* 27(2) (2021): 126–148. Peer reviewed.
<https://doi.org/10.1017/S1352325221000094>

- “Algorithmic Decision-Making When Humans Disagree on Ends,” with Kiel Brennan-Marquez, *New Criminal Law Review* 24(3) (2021): 275–300.
<https://doi.org/10.1525/nclr.2021.24.3.275>
- “Corruption and the Criminal Law: Assurance and Deterrence,” *University of Toronto Law Journal* 71(S1) (2021): 8–34. <https://doi.org/10.3138/utlj-2021-0014>
- “Policing Entrapment,” *Manitoba Law Journal* 44(1) (2021): 295–320.
<https://doi.org/10.29173/mlj1250>
- “Capital Punishment and the Owl of Minerva,” in *The Palgrave Handbook of Applied Ethics and the Criminal Law*, ed. Larry Alexander and Kimberly Kessler Ferzan (Palgrave Macmillan, 2019), 241–261. https://doi.org/10.1007/978-3-030-22811-8_11
- “Fairness, Accountability, and Transparency: Notes on Algorithmic Decision-Making in Criminal Justice,” *International Journal of Law in Context* 15(2) (2019): 126–139.
<https://doi.org/10.1017/S1744552319000077>
- “Predicting Proportionality: The Case for Algorithmic Sentencing,” *Criminal Justice Ethics* 37(3) (2018): 238–261. Peer reviewed.
<https://doi.org/10.1080/0731129X.2018.1552359>
- “Mass Incarceration and the Theory of Punishment,” *Criminal Law and Philosophy* 11(3) (2017): 431–452. Peer reviewed. <https://doi.org/10.1007/s11572-015-9378-x>
- “What Is the Criminal Law For?” *Law and Philosophy* 35(2) (2016): 137–163. Peer reviewed. <https://doi.org/10.1007/s10982-015-9247-8>
- “Discretion and Domination in Criminal Procedure: Reflections on Pettit,” *Politics, Philosophy & Economics* 15(1) (2016): 92–110. Peer reviewed.
<https://doi.org/10.1177/1470594X15599104>
- “Two Conceptions of the Criminal Law,” in *The New Philosophy of Criminal Law*, ed. Chad Flanders and Zachary Hoskins (Rowman & Littlefield, 2015).
<https://www.bloomsbury.com/us/new-philosophy-of-criminal-law-9781783484157/>
- “Acts and *Actus Reus*,” in *The Oxford Handbook of Criminal Law*, ed. Markus D. Dubber and Tatjana Hörnle (Oxford University Press, 2014), 447–467.
<https://doi.org/10.1093/oxfordhb/9780199673599.013.0020>
- “Equality, Assurance, and Criminalization,” *Canadian Journal of Law & Jurisprudence* 27(1) (2014): 5–26. Peer reviewed. <https://doi.org/10.1017/S0841820900006202>
- “Punishment and Permissibility in the Criminal Law,” *Law and Philosophy* 32(6) (2013): 729–765. Peer reviewed. <https://doi.org/10.1007/s10982-012-9166-x>
- “*Ex Ante* Fairness in Criminal Law and Procedure,” *New Criminal Law Review* 15(2) (2012): 277–332. Peer reviewed. <https://doi.org/10.1525/nclr.2012.15.2.277>
- “Intention and Attempt,” *Criminal Law and Philosophy* 4(1) (2010): 37–55. Peer reviewed.
<https://doi.org/10.1007/s11572-009-9085-6>
- “Action and Agency in the Criminal Law,” *Legal Theory* 15(1) (2009): 1–23. Peer reviewed.
<https://doi.org/10.1017/S135232520909003X>

PUBLICATIONS – REVIEWS:

Review of Joseph Heath, *The Machinery of Government*, *University of Toronto Law Journal* 74(1) (2024): 109–117. <https://doi.org/10.3138/utlj-2023-0026>

“What Does It Mean to End Mass Incarceration, and How Would We Know If We Did?”

Review essay on Katherine Beckett, *Ending Mass Incarceration: Why It Persists and How to Achieve Meaningful Reform*, *Criminal Justice Ethics* 42(1) (2023): 86–98.

<https://doi.org/10.1080/0731129X.2023.2170658>

Review of Heidi Hurd, ed., *Moral Puzzles and Legal Perplexities: Essays on the Influence of Larry Alexander*, *Mind* 131(523) (2022): 970–979.

<https://doi.org/10.1093/mind/fzab033>

“Reflections on Themes from *The Realm of Criminal Law*,” review essay on Antony Duff, *The Realm of Criminal Law* (Oxford University Press, 2018), *Jerusalem Review of Legal Studies* 18(1) (2018): 38–49. <https://doi.org/10.1093/jrls/jly012>

“Making Modern Criminal Law Theory: Reflections on Farmer,” review essay on Lindsay Farmer, *Making the Modern Criminal Law* (Oxford University Press, 2016), *Critical Analysis of Law* 4(1) (2017): 1–10. <https://doi.org/10.33137/cal.v4i1.28143>

Review of Luís Duarte d’Almeida, *Allowing for Exceptions: A Theory of Defences and Defeasibility in Law*, *Law and Philosophy* 36(1) (2017): 109–114.

<https://doi.org/10.1007/s10982-016-9271-3>

“A Response to Professor Kleinfeld’s ‘Reconstructivism: The Place of Criminal Law in Ethical Life,’” *Harvard Law Review Forum* 129 (2016): 258–267.

<https://harvardlawreview.org/forum/vol-129/a-response-to-professor-kleinfelds-reconstructivism-the-place-of-criminal-law-in-ethical-life/>

Review of Philip Pettit and Christian List, *Group Agency*, *University of Toronto Law Journal* 64(5) (2014): 753–770. <https://doi.org/10.3138/utlj.020614-03ra>

Review of A. P. Simester and Andreas von Hirsch, *Crimes, Harms, and Wrongs: On the Principles of Criminalisation*, *Criminal Law and Criminal Justice Books* (November 2011).

https://web.archive.org/web/20150915094902/http://clcjbooks.rutgers.edu/books/crimes_harms_wrongs.html

PUBLICATIONS – WHITE PAPERS:

“Test, Trace, and Isolate: COVID-19 and the Canadian Constitution,” with Lisa Austin, Beth Coleman, David Lie, Martha Shaffer, Andrea Sloane, and François Tanguay-Renaud.

<https://doi.org/10.2139/ssrn.3608823>

EDUCATION:

Harvard Law School, J.D., 2008.

Northwestern University, Ph.D. (philosophy) 2006.

University of Virginia, BA, 1998.

AWARDS:

SSHRC Insight Development Grant (with François Tanguay-Renaud and Boris Babic), 2021–2025: \$64,584.

William Lyon Mackenzie King Visiting Professor, Harvard University, 2021-2022.

Foundation for Legal Research, summer 2020: \$5000 research grant.

Mewett Teaching Award, June 2018.

Foundation for Legal Research, summer 2013: \$5000 research grant.

Connaught New Researcher Grant: \$10,000 grant from the University of Toronto, 2012–2014.

Harvard Law School Reginald F. Lewis Fellowship: two-year research fellowship at Harvard Law School, for 2008–2010.

Harvard University Knox Traveling Fellowship: support for research abroad during the 2008–2009 academic year (declined).

William James Prize: awarded for best graduate student paper presented at the American Philosophical Association, Eastern Division meeting, 2006.

DAAD Academic Year Fellowship: supported research at the Humboldt-Universität zu Berlin during 2002–2003.

COURSES TAUGHT:

First year criminal law

Criminal procedure

Administrative law

Legal process (civil procedure)

Theories of criminal justice (undergraduate seminar)

Criminalization (seminar)

Philosophy of criminal law (seminar)

The rule and the exception (seminar)

Appellate criminal law externship (founder)

REFERENCES:

Prof Christopher Kutz, Berkeley Law, ckutz@berkeley.edu

Prof Youngjae Lee, Fordham Law School, ylee@fordham.edu

Prof Gabe Mendlow, University of Michigan School of Law, mendlow@umich.edu