

**Gabriel S. Mendlow**  
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734-764-7488 mendlow@umich.edu

## **EMPLOYMENT**

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**University of Michigan**, Professor of Law, 2018-present, and Professor of Philosophy (by courtesy), 2019-present; Assistant Professor of Law, 2013-2018

**Yale Law School**, Visiting Professor of Law, Spring 2025

**United States Attorney's Office for the Eastern District of Michigan (Detroit)**, Special Assistant United States Attorney, General Crimes, 2012-2013 (full time), 2013-2015 (part time)

**Connecticut Supreme Court**, Hon. Richard N. Palmer, Law Clerk, 2011-2012

**Yale University**, Postdoctoral Associate and Law & Philosophy Fellow, 2008-2010

## **EDUCATION**

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**Yale Law School**, J.D., 2011

**Princeton University**, Ph.D., M.A., *Philosophy*, 2008

**Harvard University**, A.B., *Social Studies*, 2001, *magna cum laude* with Highest Honors in Field, Phi Beta Kappa

**Hunter College High School**, New York, New York, 1997

## **FELLOWSHIPS, HONORS, AND AWARDS**

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National Endowment for the Humanities Fellow, 2021-2022

Burkhardt Residential Fellow (John W. Kluge Center at the Library of Congress), American Council of Learned Societies, 2021-2022

Visiting Scholar in Law and Philosophy, University of Toronto, February-March 2018

Visiting Lecturer (instructional lectures on the American law of *mens rea*), University of Tokyo Law Faculty Exchange Program, July 2017

Fellow, Yale Center for Law and Philosophy, Yale Law School, September-October 2016

Harvard/Yale/Stanford Junior Faculty Forum (selected through blind review), 2016

Felix S. Cohen Prize, Yale Law School, for the best essay on legal philosophy, 2011

Jacob K. Javits Fellow, U.S. Department of Education, 2002-2006

Humane Studies Fellow, Institute for Humane Studies, 2000-2001, 2002-2004

Thomas T. Hoopes Prize, Harvard University, for outstanding undergraduate research, 2001

George Plimpton Adams Prize, Harvard University, for a thesis or dissertation on the history of philosophy, 2001

**Works in Progress**

*Thoughts, Crimes, and Thought Crimes* (partial book manuscript)

*The Vicious Will: Culpability and the Springs of Action* (early-stage book project)

“Justifying the Police: A Theory of the Crime Prevention Power,” invited to submit to *Oxford Studies in Philosophy of Law* (acceptance conditional on peer review)\*

“The Philosophy of Policing” (with Malcolm Thorburn), invited to submit to *Stanford Encyclopedia of Philosophy* (acceptance conditional on peer review)\*

“Grading Angry Killers”

**Publications**

“On the State’s Exclusive Right to Punish,” *Law and Philosophy* 41, 2022\* [companion to “The Moral Ambiguity of Public Prosecution”]

“The Moral Ambiguity of Public Prosecution,” *Yale Law Journal* 130, 2021

“Demystifying Desert,” *Journal of Ethics* 24, 2020\*

“Thoughts, Crimes, and Thought Crimes,” *Michigan Law Review* 118, 2020 [companion to “Why Is It Wrong to Punish Thought?”]

“May the State Punish What It May Not Prevent?,” *Ohio State Journal of Criminal Law* 17.2, 2020\*

“The Elusive Object of Punishment,” *Legal Theory* 25, 2019\* [companion to “Divine Justice and the Library of Babel”]

“Why Is It Wrong to Punish Thought?,” *Yale Law Journal* 127, 2018

- Reprinted as abridged and modified in *The Law and Ethics of Freedom of Thought, Volume 1: Neuroscience, Autonomy, and Individual Rights* (Marc Blitz and Jan Christoph Bublitz eds.), London: Palgrave Macmillan, 2021

“Divine Justice and the Library of Babel: Or, Was Al Capone Really Punished for Tax Evasion?,” *Ohio State Journal of Criminal Law* 16.1, 2018\*

“Theories of the Common Law of Torts” (with Jules Coleman and Scott Hershovitz), *Stanford Encyclopedia of Philosophy*, 2015\*

“What Temptation Could Not Be: A Lesson from the Criminal Law,” *Law and the Philosophy of Action* (Enrique Villanueva ed.), Amsterdam: Rodopi, 2014

“Want of Care: An Essay on Wayward Action,” *Ethical Theory and Moral Practice* 17, 2014\*

“Is Tort Law a Form of Institutionalized Revenge?,” *Florida State University Law Review* 39, 2011 (symposium)

“Theories of Tort Law” (with Jules Coleman), *Stanford Encyclopedia of Philosophy*, 2010\*

Review of Christopher Bennett's *The Apology Ritual: A Philosophical Theory of Punishment*, *Notre Dame Philosophical Reviews*, 2009\*

"The Good, the Bad, and the Blameworthy: Understanding the Role of Evaluative Reasoning in Folk Psychology" (with Joshua Knobe), *Journal of Theoretical and Philosophical Psychology* 24, 2004\*

## **PRESENTATIONS**

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Keynote Address (title TBD), Ludwig Maximilian University of Munich, Workshop on Accountability and its Practices in Law and Philosophy, July 2025

"Grading Angry Killers," University of York, Criminal Law and Philosophy Conference, May 2025

"Justifying the Police: A Theory of the Crime Prevention Power," Oxford Jurisprudence Discussion Group, May 2025

"Justifying the Police: A Theory of the Crime Prevention Power," Surrey Center for Law and Philosophy, May 2025

"Justifying the Police: A Theory of the Crime Prevention Power," The Political Turn(s) in Criminal Law Theory Workshop, April 2025

"Justifying the Police: A Theory of the Crime Prevention Power," University of Michigan Law School, Legal Theory Workshop, April 2025

"The Structure and Foundation of the Provocation Defense," 6<sup>th</sup> Annual Stanford Ancient Philosophy Conference: Ancient and Contemporary Philosophy of Law, February 2025

"Justifying the Police: A Theory of the Crime Prevention Power," Columbia Law School, Law and Philosophy Workshop, December 2024

"Justifying the Police: Some Reflections on the Crime Prevention Power," Rutgers University, Philosophy Department, Graduate Seminar on Philosophy of Criminal Law, April 2024

"Justifying the Police: Some Reflections on the Crime Prevention Power," Antonin Scalia Law School, George Mason University, April 2024

"Justifying the Police: Some Reflections on the Crime Prevention Power," Yale Law School, Law and Philosophy Speaker Series, March 2024

"Justifying the Police: Some Reflections on the Crime Fighting Power," University of Pennsylvania, Law and Philosophy Graduate Seminar, November 2023

"Justifying the Police: Some Reflections on the Crime Fighting Power," University of Toronto, Criminal Law and Philosophy Workshop, September 2023

"The Police and the Crime Fighting Power," University of Michigan Law School, Faculty ("Fawley") Workshop, June 2023

"The Police and the Crime Fighting Power," Hebrew University of Jerusalem, Faculty of Law, June 2023

“Reflections on the Crime Fighting Power,” University of California at San Diego, Workshop on Agency, Values, Etc. (WAVE), May 2023

“Reflections on the Crime Fighting Power,” University of Illinois College of Law, Faculty Colloquium, April 2023

Synopsis of book on punishment for thought, Northwestern Pritzker School of Law, Criminal Theory Workshop, November 2022

Comments on Izabel Skoczen’s “Renouncing the Attempt Versus Perpetration Distinction,” University of Michigan, Workshop on Experimental Jurisprudence, October 2022

“Thoughts, Crimes, and Thought Crimes,” University of Michigan, Rackham Interdisciplinary Workshop on Knowledge, Information, and Society, February 2022

“The Moral Ambiguity of Public Prosecution,” University of Virginia Law School, Legal Theory Workshop, January 2021

“The Moral Ambiguity of Public Prosecution,” Yale Law School, Yale Law Journal Legal Scholarship Workshop, November 2020

“The Moral Ambiguity of Public Prosecution,” Michigan Philosophy Department, Faculty Working Group, October 2020

“The Moral Ambiguity of Public Prosecution,” University of Iowa College of Law, Faculty Speaker Series, September 2020

“The Moral Ambiguity of Public Prosecution,” University of Michigan Law School, Legal Theory Workshop, August 2020

“Punishment Proportionate to What?,” Georgetown University Law Center, Symposium on Proportionality in the Criminal Law, July 2020

“Thoughts, Crimes, and Thought Crimes,” Brooklyn Law School, Markelloquium (formerly the New York City Criminal Law Colloquium), October 2019

Comments on Vincent Chiao’s *Criminal Law in the Age of the Administrative State*, Annual Meeting on Law and Society, Panel on Recent Books in Punishment Theory, Washington, D.C., June 2019

“Public Law and Personal Wrongs,” Rutgers University, Symposium Conference on R.A. Duff’s *The Realm of Criminal Law*, May 2019

“Divine Justice and the Library of Babel: Or, Was Al Capone Really Punished For Tax Evasion?,” Tel Aviv University, Buchmann Faculty of Law, April 2019

“Divine Justice and the Library of Babel: Or, Was Al Capone Really Punished For Tax Evasion?,” Hebrew University of Jerusalem, Philosophy Department, April 2019

“Why Is It Wrong to Punish Thought?,” Rutgers Philosophy Department, March 2019

“Demystifying Desert,” American Philosophical Association Eastern Division Conference, Symposium on Gideon Yaffe’s *The Age of Culpability*, New York, January 2019

“Why Is It Wrong To Punish Thought?,” University of Michigan Law School, Criminal Law Society, November 2018

- “Divine Justice and the Library of Babel: Or, Was Al Capone Really Punished for Tax Evasion?,” York University, Osgoode Hall Law School, November 2018
- “Divine Justice and the Library of Babel: Or, Was Al Capone Really Punished for Tax Evasion?,” Dartmouth Philosophy Department, Legal Philosophy Workshop, October 2018
- “Thought Crime: A Précis,” Northwestern University, Pritzker School of Law, Criminal Theory Workshop, June 2018
- “Toward a Normative Theory of Law Enforcement,” Annual Meeting on Law and Society, Panel on Policing and Political Theory, Toronto, June 2018
- “The Unity of Action and the Action as Object: Unsung Axioms of Criminal Law,” UC-Irvine, Legal Philosophy Workshop, April 2018
- “Why Is It Wrong to Punish Thought?,” University of Toronto Law School, Criminal Law Theory Lab, Faculty of Law, March 2018
- “Why Is It Wrong to Punish Thought?,” Queen’s University, Faculty of Law, February 2018
- “Divine Justice and the Library of Babel,” University of Toledo College of Law, October 2017
- “The Obscure Object of Punishment,” Northwestern University, Pritzker School of Law, Criminal Theory Workshop, May 2017
- “Terror, Treason, and the Reach of the Act Requirement,” Analytical Legal Philosophy Conference, University of Michigan, April 2017
- “Terror, Treason, and the Reach of the Act Requirement,” University of Michigan Law School, Legal Theory Workshop, April 2017
- “The Structure of Crime and the Reach of the Act Requirement,” Fordham Law School, Criminal Law Theory Discussion Group, March 2017
- “Punishing Pure Thought” American Philosophical Association Central Division Conference, Colloquium on Intentions, Kansas City, Missouri, March 2017
- “Divine Justice and the Library of Babel,” Michigan Philosophy Department, Ethics Discussion Group, December 2016
- “Divine Justice and the Library of Babel,” York University, Osgoode Hall Law School, Conference on Philosophical Perspectives on Criminal Procedure, November 2016
- “Thought Crime,” University of Surrey, School of Law, Faculty Research Seminar, October 2016
- “Thought Crime,” London School of Economics, Criminal Law and Criminal Justice Theory Forum, October 2016
- “Thought Crime,” University of Oxford, Criminal Law Discussion Group, October 2016
- “Thought Crime,” Yale Law School, Ph.D. in Law Pro-Seminar (guest speaker), September 2016
- “Thought Crime,” Yale Law School, Legal Theory Workshop, September 2016

“What Is Punishment Imposed For?,” University of Michigan Law School, Faculty (“Fawley”) Workshop, August 2016

“Thought Crime,” Harvard/Yale/Stanford Junior Faculty Forum, Yale Law School, June 2016 (selected through blind review)

“Punishing Pure Thought,” York University, Osgoode Hall Law School, Symposium on the Ambit of Legitimate Domestic and International Criminalization, April 2016

“Thought Crime,” UCLA, Legal Theory Workshop, February 2016

“Is Criminal Justice Reform for the White and Wealthy a Good Thing?” (on legislative proposals to add an intent requirement to federal regulatory crimes and to increase funding for non-criminal responses to the opioid epidemic), University of Michigan Law School, Criminal Justice Lunch, February 2016

“Thought Crime,” University of Michigan Law School, Criminal Theory Workshop, November 2015

Comments on David Brink’s “Two Kinds of Culpability,” University of Michigan Law School, Criminal Theory Workshop, November 2015

“Thought Crime,” University of Michigan Law School, Faculty (“Fawley”) Workshop, April 2015

Comments on Gideon Yaffe’s “The Point of Mens Rea: The Case of Willful Ignorance,” University of Michigan, Law and Ethics Lecture, November 2014

“Reforming the Rules of Criminal Discovery,” University of Michigan Law School, Criminal Justice Lunch, February 2014

Comments on Dan Markel’s “Retributive Justice and the Demands of Democratic Citizenship,” Criminal Justice Roundtable, Yale Law School, April 2011

“Human Frailty: The Structure and Foundation of the Provocation Defense,” Yale Law School, March 2011

“Human Frailty: The Structure and Foundation of the Provocation Defense,” University of Michigan Law School, March 2011

“Human Frailty: The Structure and Foundation of the Provocation Defense,” University of Pennsylvania Law School, February 2011

“Is Tort Law a Form of Institutionalized Revenge?,” Florida State University College of Law, Symposium on Civil Recourse Theory, February 2011

“Human Frailty: The Structure and Foundation of the Provocation Defense,” University of Virginia Law School, January 2011

“What Temptation Could Not Be,” University of Michigan Law School, November 2010

Comments on Scott Hershovitz’s “Harry Potter and the Trouble with Tort Theory,” Fordham Law School, Conference on the Philosophy of Tort Law, April 2010

“The Concept of Corrective Justice and Its Place in Tort Law” (with Jules Coleman), American Philosophical Association Eastern Division Conference, New York City, Symposium on Tort Law, December 2009

- “Capital Punishment and Moral Uncertainty,” Goethe University Frankfurt am Main, Normative Orders Cluster of Excellence, October 2009
- “Repentance, Guilt, and Punishment,” Yale Philosophy Department, Working Group in Moral Philosophy, May 2009
- “Caring and Weakness of Will,” Yale Philosophy Department, Working Group in Moral Philosophy, October 2008

## **TEACHING**

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### *Lecture Courses*

Criminal Law  
Criminal Procedure: Survey  
Federal Criminal Law  
Introduction to Ethics  
Jurisprudence  
Philosophy of Law: Selected Topics  
Torts

### *Seminars*

Action and Responsibility [philosophy graduate seminar]  
Dangerous Speech  
Ethics: Blame, Blameworthiness, and Wrongdoing [philosophy graduate seminar]  
Ethics, Morality, and the Law  
Punishment [philosophy graduate seminar]  
Moral Issues in Criminal Law  
Philosophical Approaches to Ethical Decision Making  
Should Good People Be Prosecutors?  
Theoretical Perspectives on Criminal Procedure  
Theories of Rights  
Topics in Criminal Law Theory: Discretion and Power  
Topics in Criminal Law Theory: Culpability and Excuse  
Topics in Criminal Law Theory: Foundations of Responsibility (Free Will and Criminal Responsibility)  
Topics in Criminal Law Theory: Foundations of Responsibility (Ignorance of Law and Self-Defense in War)

## **SELECTED SERVICE**

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*Criminal Law and Philosophy*, Editorial Board Member, 2016-  
University of Michigan Law School Dean Search Advisory Committee, 2024  
University of Michigan Advisory Committee on Diversity of Thought and Freedom of Expression (drafted [report](#) recommending “institutional neutrality”), 2024  
“Theorizing Criminal Law: Transnational Perspectives,” Max Planck Institute for the Study of Crime, Security, and Law (Freiburg, Germany), Co-Organizer, June 2024

University of Michigan Faculty Drafting Committee for Principles on Diversity of Thought and Freedom of Expression (drafted university-wide [free speech principles](#)), 2023

Michigan Law School committee service: Tenure Support for Prof. Daniel Fryer (Chair), 2021-present; Faculty Appointments (Chair), Fall 2023; Intellectual Community, 2022; Faculty Appointments, Winter 2021; Experiential Education (Chair), 2018-2019; Faculty Research and Scholarship, 2018-2019; Clerkships, 2017-2018; Academic Standards and Practices, 2016-2017; Library, 2015-2016; Alumni Academic Placement, 2014-2015; Clinics Advisory, 2013-2014

Consultative Workshop on Legal Frameworks for Respecting, Protecting, and Fulfilling Freedom of Thought, convened by the UN Special Rapporteur on Freedom of Religion or Belief, June 2021

Criminal Theory Conference (international online workshop), Co-Organizer, 2020-2021

University of Michigan Senate Assembly Representative, 2018-2021

University of Michigan Police Department Oversight Committee, Elected Member, 2018-2020

Michigan Law School Criminal Justice Group, Organizer, 2018-2019

University of Michigan Office of Research Ad Hoc Committee on Disclosure of Individual Research Results (charged with developing university-wide policy on how individual-level research data (e.g., information that a research subject exhibits a particular DNA mutation) should be shared with the individuals to whom those data pertain), 2017-2018

University of Michigan Medical School Ad Hoc Committee on Disclosing Individual Research Results, 2016

American Philosophical Association Committee on Philosophy and Law, 2011-2014

Peer referee for *Analysis*, *Australasian Journal of Philosophy*, Cambridge University Press, *Criminal Law and Philosophy*, *Ethics*, Israel Science Foundation, *Law and Philosophy*, *Legal Theory*, *New Criminal Law Review*, Oxford University Press, *Philosophical Studies*, *Philosophy and Phenomenological Research*, *Yale Law Journal*

## **BAR ADMISSION**

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Connecticut, 2011