

**Gabriel S. Mendlow**  
University of Michigan  
625 South State Street, Ann Arbor, Michigan 48109  
734-764-7488 mendlow@umich.edu

## **EMPLOYMENT**

---

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

**United States Attorney's Office for the Eastern District of Michigan**, Special Assistant United States Attorney, General Crimes Unit (trial-level and appellate cases involving guns, drugs, fraud, theft, and counterfeiting), 2012-2013 (full time), 2013-2015 (part time)

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

**Yale Law School and Yale Department of Philosophy**, Postdoctoral Associate and Law & Philosophy Fellow, 2008-2010

## **EDUCATION**

---

**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

**Hunter College High School**, 1997

## **PUBLICATIONS**      *\* indicates a publication venue that is peer-evaluated or refereed*

---

"The Moral Ambiguity of Public Prosecution," *Yale Law Journal* (forthcoming)

"The State's Monopoly to Punish," *Law and Philosophy* (forthcoming)\*

"Punishment Proportionate to What?," *Criminal Law and Philosophy* (forthcoming)\*

"Demystifying Desert," *Journal of Ethics* 24, 2020\*

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

"Thoughts, Crimes, and Thought Crimes," *Michigan Law Review* 118, 2020

"The Elusive Object of Punishment," *Legal Theory* 25, 2019\*

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

- Reprinted as abridged in *The Future of Freedom of Thought: Liberty, Technology, and Neuroscience* (Marc Blitz and Jan Christoph Bublitz eds.), London: Palgrave Macmillan, 2020 (forthcoming)

“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\*

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

---

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

National Endowment for the Humanities Fellow, 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 (one of sixteen legal scholars in the United States 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

Phi Beta Kappa, 2001

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

## PRESENTATIONS

---

- “The Moral Ambiguity of Public Prosecution,” Legal Theory Workshop, University of Virginia Law School, January 2021
- “The Moral Ambiguity of Public Prosecution,” Yale Law Journal Legal Scholarship Workshop, Yale Law School, November 2020
- “The Moral Ambiguity of Public Prosecution,” Michigan Philosophy Department Faculty Working Group, October 2020
- “The Moral Ambiguity of Public Prosecution,” Faculty Speaker Series, University of Iowa College of Law, September 2020
- “The Moral Ambiguity of Public Prosecution,” Legal Theory Workshop, University of Michigan Law School, August 2020
- “Punishment Proportionate to What?,” Symposium on Proportionality in the Criminal Law, Georgetown University Law Center, July 2020
- “Thoughts, Crimes, and Thought Crimes,” Markelloquium (formerly the New York City Criminal Law Colloquium), Brooklyn Law School, October 2019
- Comments on Vincent Chiao’s *Criminal Law in the Age of the Administrative State*, Panel on Recent Books in Punishment Theory, Annual Meeting on Law and Society, Washington, D.C., June 2019
- “Public Law and Personal Wrongs,” Symposium Conference on R.A. Duff’s *The Realm of Criminal Law*, Rutgers University, 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 University, Philosophy Department, March 2019
- “Demystifying Desert,” Comments on Gideon Yaffe’s *The Age of Culpability*, Symposium, American Philosophical Association Eastern Division Conference, New York, January 2019
- “Why Is It Wrong To Punish Thought?,” Criminal Law Society, University of Michigan Law School, 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?,” Legal Philosophy Workshop, Dartmouth College, Department of Philosophy, October 2018
- “Thought Crime: A Précis,” Criminal Theory Workshop, Northwestern University, June 2018

“Toward a Normative Theory of Law Enforcement,” Panel on Policing and Political Theory, Annual Meeting on Law and Society, Toronto, June 2018

“The Unity of Action and the Action as Object: Unsung Axioms of Criminal Law,” Legal Philosophy Workshop, UC-Irvine, April 2018

“Why Is It Wrong to Punish Thought?,” Criminal Law Theory Lab, University of Toronto, Faculty of Law, March 2018

“Why Is It Wrong to Punish Thought?,” Queen’s University, Faculty of Law, February 2018

Panel Chair, Program on Philosophy, Criminal Law, and the Present Crisis, Association of American Law Schools Annual Meeting, Jurisprudence Section, San Diego, January 2018

“Divine Justice and the Library of Babel,” University of Toledo College of Law, October 2017

“The Obscure Object of Punishment,” Criminal Theory Workshop, Northwestern University, 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,” Legal Theory Workshop, University of Michigan Law School, April 2017

“The Structure of Crime and the Reach of the Act Requirement,” Criminal Law Theory Discussion Group, Fordham Law School, March 2017

“Punishing Pure Thought” (Commentator: Brian Hutler), Colloquium, American Philosophical Association Central Division Conference, Kansas City, Missouri, March 2017 (selected through blind review)

“Divine Justice and the Library of Babel,” Ethics Discussion Group, University of Michigan, Department of Philosophy, December 2016

“Divine Justice and the Library of Babel” (Commentator: Russell Christopher), Conference on Philosophical Perspectives on Criminal Procedure, York University, Osgoode Hall Law School, November 2016

Comments on Eric Miller’s “A Fair Cop and a Fair Trial,” Conference on Philosophical Perspectives on Criminal Procedure, York University, Osgoode Hall Law School, November 2016

“Thought Crime” (Commentator: Alex Sarch), Faculty Research Seminar, University of Surrey, School of Law, October 2016

“Thought Crime,” Criminal Law and Criminal Justice Theory Forum, London School of Economics, October 2016

“Thought Crime,” Criminal Law Discussion Group, University of Oxford, October 2016

“Thought Crime,” Ph.D. in Law Pro-Seminar (guest speaker), Yale Law School, September 2016

- “Thought Crime” (Commentator: Michael Moore), Legal Theory Workshop, Yale Law School, September 2016
- “What Is Punishment Imposed For?,” Faculty (“Fawley”) Workshop, Michigan Law School, August 2016
- “Thought Crime” (Commentator: Dan Kahan), Harvard/Yale/Stanford Junior Faculty Forum, Yale Law School, June 2016 (selected through blind review)
- “Punishing Pure Thought” (Commentator: Susan Dimock), Symposium on the Ambit of Legitimate Domestic and International Criminalization, York University, Osgoode Hall Law School, April 2016
- “Thought Crime” (Commentator: Seana Shiffrin), Legal Theory Workshop, UCLA School of Law, 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), Criminal Justice Lunch, University of Michigan Law School, February 2016
- “Thought Crime” (Commentator: Peter Westen), Criminal Theory Workshop, University of Michigan Law School, November 2015
- Comments on David Brink’s “Two Kinds of Culpability,” Criminal Theory Workshop, University of Michigan Law School, November 2015
- “Thought Crime,” Faculty (“Fawley”) Workshop, University of Michigan Law School, April 2015
- Comments on Gideon Yaffe’s “The Point of Mens Rea: The Case of Willful Ignorance,” Law and Ethics Lecture, University of Michigan, November 2014
- “Reforming the Rules of Criminal Discovery,” Criminal Justice Lunch, University of Michigan Law School, 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?,” Symposium Paper, Conference on Civil Recourse Theory, Florida State University College of Law, 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,”  
Conference on the Philosophy of Tort Law, Fordham Law School, April 2010
- “The Concept of Corrective Justice and Its Place in Tort Law” (with Jules Coleman),  
Symposium Paper, American Philosophical Association Eastern Division Conference,  
New York City, December 2009
- “Capital Punishment and Moral Uncertainty,” Normative Orders Cluster of Excellence,  
Goethe University Frankfurt am Main, October 2009
- “Repentance, Guilt, and Punishment,” Yale Working Group in Moral Philosophy, May 2009
- “Caring and Weakness of Will,” Yale Working Group in Moral Philosophy, October 2008

## **TEACHING**

---

### *Lecture Courses*

Criminal Law  
Criminal Procedure: Survey  
Federal Criminal Law  
Introduction to Ethics (Yale Philosophy Department)  
Jurisprudence  
Torts

### *Seminars*

Action and Responsibility (Yale Philosophy Department graduate seminar)  
Ethics: Blame, Blameworthiness, and Wrongdoing (Michigan Philosophy Department  
graduate seminar)  
Punishment (Yale Philosophy Department graduate seminar)  
Moral Issues in Criminal Law  
Should Good People Be Prosecutors?  
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)

## **SERVICE**

---

Inaugural Criminal Theory Conference, Hebrew University of Jerusalem, May 2021, Co-  
Organizer

Michigan Law School Criminal Justice Group, Organizer, 2018-  
*Criminal Law and Philosophy*, Editorial Board Member, 2016-  
University of Michigan Senate Assembly Representative, 2018-2021

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

Michigan Law School: Personnel Committee, 2021; Experiential Education Committee (Chair), 2018-2019; Faculty Research and Scholarship Committee, 2018-2019; Clerkships Committee, 2017-2018; Academic Standards and Practices Committee, 2016-2017; Library Committee, 2015-2016; Alumni Academic Placement Committee, 2014-2015; Clinics Advisory Committee, 2013-2014

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

Dissertation committee member for Philosophy Ph.D. candidates Caroline Perry and Steve Schaus

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

## **BAR ADMISSION**

---

Connecticut, 2011