

DENIS BARANGER

Date of Birth: 6 December 1968

Citizenship: French

Professor of Public Law, *Université Panthéon-Assas (Paris II)*

EDUCATION AND QUALIFICATIONS

- 1998 Professor of Public Law (Agrégation de droit public; concours national de recrutement des professeurs, France)
- 1996 Doctorate, University of Paris II (supervisor: Professor Stéphane Rials).
Title: « The Formation of a Responsible Cabinet in England 1742-1841 ».
- 1992–1993 LL.M., University of Cambridge (United Kingdom)
- 1990 Sciences Po Paris (School of public administration) graduate, *avec les Félicitations du Jury* (hons)

AWARDS AND HONOURS

- Grant from the *Agence Nationale de la Recherche* (France, 2013–2016), second project on « Droit politique » (continuing from first project).
- Grant from the *Agence Nationale de la Recherche* (France, 2009–2012), first project on « Droit politique ».
- Christensen Fellow, St Catherine's College, Oxford, Michaelmas term 2009.
- Chevalier dans l'ordre des palmes académiques (France, 2009).
- Fellow of the Institut Universitaire de France (elected 2008).
- Prix François Furet 2000 (Association des Amis de François Furet; E.H.E.S.S., Paris).

CAREER HISTORY

ACADEMIC POSITIONS

- Sep. 2001 onwards Professor of Public Law, University of Paris II (Panthéon-Assas)
Teaching: constitutional law (first year and master's degree); legal theory and jurisprudence, British constitutional law (doctoral program).
- 1998/2001 Professor of Public Law (University of Orléans, France)
Teaching: constitutional law (first year and doctoral program); history of political thought (graduate).
- 1997–1998 Lecturer (Maître de conférences, University of Paris V, France)
- 1995–1997 Assistant lecturer (A.T.E.R. en Droit public, University of Paris II, France)

VISITING POSITIONS AT FOREIGN UNIVERSITIES

- Apr.–Jun. 2014 Visiting fellow, St Catherine's College, University of Oxford (United Kingdom)
- Apr.–Jun. 2013 MacCormick Fellow, Edinburgh Law School, University of Edinburgh (Scotland)
- Mar. 2013 Visiting speaker, Stanford University (United States)
- Feb. 2011 Visiting professor and visiting speaker, Keio University and Kogakuin University (Tokyo, Japan)
- Oct.–Dec. 2009 Visiting fellow (Christensen Fellowship), St Catherine's College, University of Oxford (United Kingdom)
- 2002–2004 On secondment as French Deputy Director, Institute of European and Comparative Law, University of Oxford (United Kingdom)
- 2002–2004 Visiting fellow, University College, University of Oxford (United Kingdom)
- Summer 2001 Visiting scholar, Institute of Comparative and International Law, Melbourne Law School, University of Melbourne (Australia)
Teaching in the J.D. program (legal theory, comparative law)

OTHER APPOINTMENTS

- 2015 External assessor, tenure committee, *National University of Singapore* (2015).
- Sep. 2007 onwards Deputy director, Institut Michel Villey, University of Paris II
I organize or co-convene 10 to 15 events every year at the Institut Michel Villey.

Details can be seen on www.institutvilley.com. I am also in charge, along with Olivier Beaud, of the editorial side of our activities.

Convenor of the *Institut Villey Summer School*, with Paul Kahn (Yale), Mike Wilkinson (London School of Economics) and Richard Brooks (Columbia).

Forthcoming: convenor of the joint Paris II/Yale Law School seminar on « Law and economic rationality », with Daniel Markowitz (Yale), Richard Brooks (Columbia) and David Grewal (Yale). Paris, Institut Villey, 4–5 July 2016.

Other In charge of several exchange programs at the University of Paris II:

- Double maîtrise Paris II–Cambridge University
- Double maîtrise Paris II–University College (Dublin)
- Joint degree with University College London

Associate member, Centre NoSoPhi (philosophy and norms), University of Paris I (Sorbonne)

EDITORIAL POSITIONS/REVIEWER

Co-founder and joint editor (with Carlos Pimentel and Armel Le Divellec) of the online journal *jus politicum* (www.juspoliticum.com).

Co-founder and joint editor (with Olivier Beaud) of the *Annuaire de l'Institut Michel Villey*, Dalloz, Paris.

Co-founder and joint editor of the series « droit politique », Dalloz, Paris.

External reviewer, Academia Sinica (Taiwan), 2009.

NON-ACADEMIC POSITIONS

French National Assembly Committee on Constitutional Reform: member (2014–2015) (<http://www2.assemblee-nationale.fr/14/autres-commissions/avenir-des-institutions>).

Franco-British council/Conseil Franco-britannique: member of the French section (elected in 2009).

Cambridge Society of Paris: founding member, former committee member, former treasurer.

PUBLICATIONS

1. Published books

« *The Modern Legislator* » : *le législateur des temps modernes*, Gallimard, Paris, 2017 (forthcoming).

Ecrire la constitution non-écrite, coll. « Léviathan », P.U.F., 2008.

Constitutionalism and the role of Parliaments (ed. with Katja S. Ziegler and Anthony W. Bradley), Hart Publishing, Oxford, 2007.

Droit constitutionnel, 6th ed., coll. « *Que sais je ?* », P.U.F., 2002-2013.

Textes constitutionnels étrangers (with Stéphane Rials), 10th ed., coll. « *Que sais je ?* », P.U.F., 2002.

Parlementarisme des Origines, coll. « Léviathan », P.U.F., 1999.

2. Selected conference papers and speeches

Discussant at « Thinking about Federalism(s): Beyond the United States Experience », Yale Law School (United States), 29–30 October 2015.

Speaker at « Uncovering the foundations of public law », *Foundations of Public Law*, LSU (Singapore), April 2015.

« The Dieudonné cases and liberty in French public law », Faculty of Law, Oxford (United Kingdom), 26 May 2014.

« Doing away with legal sources? », St Catherine's College, Oxford (United Kingdom), 22 May 2014.

« Law, Liberty and *Entick v. Carrington* », *Colloquium on Entick v. Carrington: 250 Years of the Rule of Law*, University of Glasgow (United Kingdom), January 2014.

« The pedigree of law: rethinking legal sources » (MacCormick seminar), University of Edinburgh (United Kingdom), June 2013.

« Comparative constitutional law: history and contours – a discussion of Mark Tushnet », Sciences Po Paris (France), May 2013.

« Our legislative predicament: an investigation in the history of ideas », *Legal History workshop*, University of Stanford, California (United States), March 2013.

« Our legislative predicament: an investigation in the history of ideas », Grinnell College, Iowa (United States), November 2011.

« L'impeachment du Président des Etats-Unis et l'idée américaine de constitution », *La responsabilité du chef de l'Etat*, Société de Législation Comparée – Conseil constitutionnel

(France), March 2009.

« Montesquieu, les juristes, et la science civile », *Montesquieu et la civilité*, University of Paris II (France), June 2008.

« France – The Fifth Republic – Questioning the Constitution », *The Fifth Republic at Fifty: Fifty Years of Constitutional Change in Britain and France*, St Antony's College, University of Oxford (United Kingdom), May 2008.

Co-convenor (with Vernon Bogdanor) of the joint seminar on « *Revising* » or « *drafting* » a constitution: the work of the Balladur commission and the constitutional plans of the Brown administration, University of Paris II (France) and the Institute of European and Comparative Law, Faculty of Law, Oxford (United Kingdom), April 2008.

« The Constitution 'as it should be' and the Constitution 'as it is' », *The Common Law, the Royal Prerogative and Executive Legislation*, Faculty of Law, University of Cambridge (United Kingdom), January 2008.

3. Selected articles and book chapters

« Law, Liberty and *Entick v. Carrington* », in Adam Tomkins and Paul Scott (eds.), *Entick v. Carrington: 250 Years of the Rule of Law*, Hart Publishing, 2014.

« The Legislator's Tormented Soul: Utility in Bentham's *Of The Limits Of The Penal Branch Of Jurisprudence* », in Guillaume Tusseau (ed.), *The Legal Philosophy and Influence of Jeremy Bentham: Essays on Of the Limits of the Penal Branch of Jurisprudence*, Routledge, 2014.

« Constitutional justice and constitutional politics in France: policy arguments in the case law of the Constitutional Council », in Matt Qvortrup (ed.), *The British Constitution: Continuity and Change – A Festschrift for Vernon Bogdanor*, Hart Publishing, Oxford, 2013.

« Systems of government » (with Christina Murray), in Mark Tushnet, Cheryl Saunders and Thomas Fleiner (eds.), *Routledge Handbook of Comparative Constitutional Law*, Routledge, 2012.

« The language of eternity: judicial review of the amending power in France (or the absence thereof) », *Israel Law Review*, vol. 44, 2011, pp. 389–428.

« The apparition of sovereignty », in Quentin Skinner and Hent Kalmo (eds.), *Transforming sovereignties*, Cambridge University Press, 2010.

« Régimes parlementaires » (with Armel Le Divellec), in Michel Troper and Dominique Chagnollaud (eds.), *Encyclopédie internationale de droit constitutionnel*, vol. II, Dalloz, 2012.

Contributions to the *Dictionnaire des Droits de l'Homme*, P.U.F., 2008:

« common law », « déclarations anglaises de liberté », « habeas corpus », « utilitarisme et droits de l'homme »

« L'esperienza costituzionale francese », in Filippo Sabetti (ed.), *In Libertà e liberali in Europa e in America*, Guerini, 2007.

- « Parliamentary Law and Parliamentary Government in Britain: some historical remarks », in Katja S. Ziegler, Denis Baranger and Anthony W. Bradley (eds.), *Constitutionalism and the Role of Parliaments*, Hart Publishing, 2007.
- « Le dépérissement de la pensée institutionnelle sous la Vè république », *Droits*, no. 44, 2006, pp. 34–50.
- « The French Executive », in Paul Craig and Adam Tomkins (eds.), *The Executive and Public Law: Power and Accountability in Comparative Perspective*, Oxford University Press, 2006.
- « La tradition du contrôle budgétaire en Grande-Bretagne », *Revue Française de Finances Publiques*, no. 86, 2004, pp. 75–86.
- « Les constitutions de Michel Troper », *Droits*, no. 37, 2003, pp. 123–148.
- « Le Serment des juges dans *Marbury v. Madison* – ou : qu'est-ce qu'obéir à une constitution écrite? », in Elisabeth Zoller (ed.), *Marbury v. Madison: 1803-2003 – Un dialogue Franco-Américain*, Dalloz, 2003, pp. 51–71.
- Contributions to Denis Alland and Stéphane Rials (eds.), *Dictionnaire de culture juridique*, P.U.F., 2003:
 « culture juridique britannique », « responsabilité politique », « utilitarisme et droit »
- « The Eighteenth-Century Citizen », *European Review of History – Revue européenne d'histoire*, vol. 7, no. 2, 2000, pp. 251–259.
- Introduction to the French translation of J.G.A. Pocock, *Virtue, Commerce, and History*, coll. « Léviathan », P.U.F., 1997.
- « Temps et constitution », *Droits*, no. 30, 1999, pp. 45–70.
- « L'affaire Clinton et la Philosophie du droit », *Droits*, no. 29, 1999, pp. 147–155.
- « Une tragédie de la responsabilité : remarques autour du livre d'Olivier Beaud *Le sang contaminé* », *R.D.P.*, no. 1, 1999, pp. 28–36.
- « Le gouvernement par la législation (responsabilité politique et transformation de la fonction législative dans le parlementarisme britannique des origines 1688–1832) », *R.D.P.*, no. 6, 1999, pp. 1626–1643.
- « Le temps du droit », *Revue Administrative*, 2000, pp. 32–40.
- « Le paradoxe du droit commun : la responsabilité pénale des ministres en Grande Bretagne, dans la période contemporaine », publication of the University of Paris II, 1998.
- « Jeremy Bentham et la codification », *Droits*, no. 27, 1998, pp. 18–38.
- « Les historiens et la politique anglaise du dix-huitième siècle », *Droits*, no. 21, 1995, pp.141–150.
- « La preuve en droit constitutionnel anglais », *Droits*, no. 23, 1995, pp. 67–78.