

SUJIT CHOUDHRY

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BIOGRAPHY

Sujit Choudhry is an internationally recognized authority on comparative constitutional law, and has been an advisor to governance, constitution building, rule of law and peacebuilding processes for over 20 years, including in Egypt, Jordan, Libya, Nepal, South Africa, Sri Lanka, Tunisia, Ukraine and Yemen. He has lectured or spoken in over two dozen countries. Professor Choudhry's research addresses constitutional design as a tool to manage the transition from violent conflict to peaceful democratic politics; constitutional design in ethnically divided societies; federalism, decentralization and secession; semi-presidentialism; constitutional courts and transitional justice; official language policy; minority and group rights; bills of rights; constitutional design in the context of transitions from authoritarian to democratic rule; constitution building processes; security sector oversight; and basic methodological questions in the study of comparative constitutional law. He founded and directs the Center for [Constitutional Transitions](http://constitutionaltransitions.org) (CT). CT's current [projects](#) are: [Security Sector Reform & Constitutional Transitions in New Democracies](#); [Dealing with Territorial Cleavages in Constitutional Transitions](#); [Security Sector Oversight: Protecting Democratic Consolidation from Authoritarian Backsliding & Partisan Abuse](#) and [Semi-Presidentialism & Constitutional Instability in Ukraine](#).

EMPLOYMENT

CENTER FOR CONSTITUTIONAL TRANSITIONS (CT) constitutionaltransitions.org 2012-
Founder and Director. **The Center for Constitutional Transitions** (CT) generates and mobilizes knowledge in support of constitution building by assembling and leading [international networks of experts](#) to produce [evidence-based policy options for decision-makers and agenda-setting research](#), in partnership with a [global network of multilateral organizations, think tanks, and NGOs](#). CT has worked with over 50 experts from more than 25 countries.

UNIVERSITY OF CALIFORNIA, BERKELEY - SCHOOL OF LAW 2014-
I. Michael Heyman Professor of Law (Dean from 2014-6)

NEW YORK UNIVERSITY SCHOOL OF LAW 2011-4
Cecelia Goetz Professor of Law

UNIVERSITY OF TORONTO FACULTY OF LAW 1999-2011
Scholl Chair & Full Professor (promoted from Assistant Professor, then Associate Professor)

SUPREME COURT OF CANADA 1996-7
Law Clerk to the Rt. Hon. Antonio Lamer, Chief Justice of Canada

EDUCATION

HARVARD LAW SCHOOL: LL.M. 1998
UNIVERSITY OF TORONTO FACULTY OF LAW: LL.B. (Hon.) 1996
UNIVERSITY COLLEGE, OXFORD: B.A. in Law (1st Cl. Hon.), Rhodes Scholar 1994
MCGILL UNIVERSITY: B.Sc. (Great Distinction) 1992

HONOURS AND DISTINCTIONS

Professional

Executive Committee, International Society of Public Law (2014-); International Advisory Council, Institute for Integrated Transitions (2016-); Board of Editors (2008-17) and Scientific Advisory Board (2017-), *International Journal of Constitutional Law*; Editorial Board, *Constitutional Court Review*, South Africa (2008-); Editorial Advisory Board, *Cambridge Studies in Constitutional Law* (2008-); Honorary Member, Advisory Council, *Indian Constitutional Law Review* (2016-).

Neelan Tiruchelvam Memorial Lecture, Colombo, Sri Lanka (2012); Trudeau Foundation Lecture, University of Alberta (2012); Trudeau Fellowship, Trudeau Foundation (\$225,000) (2010-4); Connaught Research Fellowship in the Social Sciences, University of Toronto (2007).

Manuscript reviewer for Oxford University Press, Cambridge University Press, University of Toronto Press, Hart Press, *Global Constitutionalism*, *International Journal of Constitutional Law*, *University of Toronto Law Journal*, *World Politics*.

Educational

Harvard University: Graduate Fellowship, Harvard University Center for Ethics and the Professions (1998-9); William E. Taylor Fellowship, Social Sciences and Humanities Research Council of Canada (for top ranked applicant in graduate fellowship competition) (1997-8); Frank Knox Memorial Fellowship, Harvard University (1997-8); U.S.-Canada Fulbright Scholarship (*declined*) (1997-8).

University of Toronto: Dean Cecil A. Wright Key (for excellence in academic extra-curricular work) (1996); Class of 1967 Prize (1996); Osler Hoskin Prize (1996); Blaney, McMurtry, Stappels Prize (1996); Bassel, Sullivan, Leake & Davison Prize (1995); James Jefferson Prize (1995).

University of Oxford: Rhodes Scholarship (1992-4); University College Prize (1994); Peter Rowley Prize, University College (1994).

McGill University: University Scholar (1992); Penhallow Prize (1992); Rowlinson Traveling Prize (1992); Scarlet Key Award (for excellence in leadership) (1992); Greville Smith Entrance Scholarship (1988-92); Canada Science Scholarship (1988-92).

WORKS IN PROGRESS/FUTURE PROJECTS

Dealing with Territorial Cleavages in Constitutional Transitions (co-editor with G. Anderson; 16 case-studies & 3 thematic chapters; co-author of introduction and synthetic conclusion) (under contract with Oxford University Press; policy manual based on research to be co-published by Center for Constitutional Transitions, Forum of Federations and International IDEA).

Security Sector Reform and Constitutional Transitions in Emerging Democracies (co-editor with Z. Barany, S. Bisarya, and R. Stacey; 9 case-studies; co-author of introduction and synthetic conclusion) (under contract with Oxford University Press; policy manual based on research to be co-published by Center for Constitutional Transitions and International IDEA).

Security Sector Oversight: Protecting Democratic Consolidation from Authoritarian Backsliding and Partisan Abuse (co-editor with Z. Al-Ali and R. Stacey; 11 case-studies; co-author of synthetic introduction) (policy manual based on research to be co-published by Center for Constitutional Transitions and International IDEA in English and Arabic).

Semi-Presidentialism and Constitutional Instability in Ukraine (co-author with T. Sidelius & R. Stacey) (to be co-published by Center for Constitutional Transitions and International IDEA).

BOOKS

Constitution Making (Edward Elgar, 2016) (co-editor with T. Ginsburg).

Oxford Handbook of the Indian Constitution (Oxford University Press, 2016) (co-editor with P.B. Mehta & M. Khosla).

Canadian Constitutional Law, 4th ed. (Emond Montgomery, 2010) (member of casebook team).

Constitutional Design for Divided Societies: Integration or Accommodation? (Oxford University Press, 2008) (editor).

The Migration of Constitutional Ideas (Cambridge University Press, 2006) (editor).

Dilemmas of Solidarity: Rethinking Redistribution in the Canadian Federation (University of Toronto Press, 2006) (co-editor with J.-F. Gaudreault-DesBiens & L. Sossin).

SPECIAL JOURNAL ISSUES

Constitutional Transitions in the Middle East, (2013) 11 *International Journal of Constitutional Law* 553-831 (symposium issue; editor).

Citizenship and Constitutionalism, (2010) 8 *International Journal of Constitutional Law* 6-130 (symposium issue; co-editor with C. Saunders).

Constitutionalism in Divided Societies, (2007) 5 *International Journal of Constitutional Law* 573-753 (symposium issue; editor).

Education, Administration, and Justice: Essays in Honour of Frank Iacobucci, (2007) 57 *University of Toronto Law Journal* 129-606 (symposium issue; co-editor with P. Macklem, D. Schneiderman & L. Austin).

ARTICLES, BOOK CHAPTERS, WORKING PAPERS AND REPORTS

"Transnational constitutionalism and a limited doctrine of unconstitutional constitutional amendment: A reply to Rosalind Dixon and David Landau", (2017) 15 *International Journal of Constitutional Law* 826-832.

"The Canadian Constitution and the World" in N. DesRosiers, P Macklem & P. Oliver, eds., *Oxford Handbook of the Canadian Constitution* (Oxford University Press, 2017) 1075-1102.

"Introduction" in S. Choudhry & T. Ginsburg, eds., *Constitution Making* (Edward Elgar, 2016) xiii-xix.

"Locating Indian Constitutionalism" in S. Choudhry, M. Khosla & P.B. Mehta, eds., *Oxford Handbook of the Indian Constitution* (Oxford University Press, 2016) 1-14.

"Language" in S. Choudhry, M. Khosla & P.B. Mehta, eds., *Oxford Handbook of the Indian Constitution* (Oxford University Press, 2016) 180-195.

"How to Do Constitutional Law and Politics in South Asia" in M. Tushnet & M. Khosla, eds., *Unstable Constitutionalism: Law and Politics in South Asia* (Cambridge University Press, 2015) 18-44.

"Constitutional Transitions and Territorial Cleavages" (with G. Anderson) (The Center for Constitutional Transitions and International IDEA, 2015).

"Combating Corruption: Constitutional Frameworks for the Middle East and North Africa", *The Center for Constitutional Transitions, International IDEA and United Nations Development Program Reports: Constitutional Design in the Middle East and North Africa* (2015) (also translated into Arabic).

"Decentralization in Unitary States: Constitutional Frameworks for the Arab States Region", *The Center for Constitutional Transitions, International IDEA and United Nations Development Program Reports: Constitutional Design in the Middle East and North Africa* (2015) (also translated into Arabic).

"Oil and Natural Gas: Constitutional Frameworks for the Arab States Region", *The Center for Constitutional Transitions, International IDEA and United Nations Development Program Reports: Constitutional Design in the Middle East and North Africa* (2015) (also translated into Arabic).

"Still Not Equal? Visible Minority Vote Dilution in Canada" (2014) 8 *Canadian Political Science Review* 85-101.

"Semi-Presidential Government in the Post-Authoritarian Context", *The Center for Constitutional Transitions Meeting the Challenges of Emerging Constitutional Democracy Working Paper Series* (with Richard Stacey) (2014).

"Minority Rights in Culturally Diverse Societies", *The Center for Constitutional Transitions Meeting the Challenges of Emerging Constitutional Democracy Working Paper Series* (with G. Anderson) (2014).

"Constitutional Courts after the Arab Spring: Appointment mechanisms and relative judicial independence", *The Center for Constitutional Transitions at NYU Law & International IDEA Reports: Constitutional Design in the Middle East and North Africa* (with K. Glenn Bass) (2014) (also translated into Arabic).

"Semi-Presidentialism as Power-Sharing: Lessons for the Middle East and North Africa", *The Center for Constitutional Transitions at NYU Law & International IDEA Reports: Constitutional Design in the Middle East and North Africa* (with R. Stacey) (2014) (also translated into Arabic).

"Political Party Finance Regulation: Lessons for the Middle East and North Africa", *The Center for Constitutional Transitions at NYU Law & International IDEA Reports: Constitutional Design in the Middle East and North Africa* (with K. Glenn Bass) (2014) (also translated into Arabic).

“Classical and Post-Conflict Federalism: Implications for Asia” in T. Ginsburg and R. Dixon, eds., *Research Handbook on Comparative Constitutional Law in Asia* (Edward Elgar, 2014) 163-199.

“The Commonwealth constitutional model or models?” (2013) 11 *International Journal of Constitutional Law* 1094-99.

“Proportionality: Comparative Perspectives on Israeli Debates” in G. Sapir, D. Barak-Erez, and A. Barak, eds., *Israeli Constitutional Law in the Making* (Hart Publishing, 2013) 255-266.

“Constitutional Review in New Democracies”, *The Center for Constitutional Transitions at NYU Law & Democracy Reporting International Briefing Papers* (with K. Glenn Bass) (2013).

“International Standards for the Independence of the Judiciary”, *The Center for Constitutional Transitions at NYU Law & Democracy Reporting International Briefing Papers* (with R. Stacey) (2013).

“Constitutional transitions in the Middle East: Introduction” (2013) 11 *International Journal of Constitutional Law* 611-614.

“Semi-Presidentialism as a Form of Government: Lessons for Tunisia”, *International IDEA & The Center for Constitutional Transitions at NYU Law Working Papers: Consolidating the Arab Spring – Constitutional Transition in Egypt and Tunisia* (with R. Stacey) (2013).

“Rights Adjudication in a Plurinational State: the Supreme Court of Canada, Freedom of Religion, and the Politics of Reasonable Accommodation” (2013) 50 *Osgoode Hall Law Journal* 575-608.

“Living Originalism in India? ‘Our Law’ and Comparative Constitutional Law” (2013) 25 *Yale Journal of Law & Humanities* 1-22.

“How to Do Comparative Constitutional Law in India: Naz Foundation, Same Sex Rights, and Dialogical Interpretation” in S. Khilnani, V. Raghavan & A. Thiruvengadam, eds., *Comparative Constitutionalism in South Asia* (Oxford University Press, 2012) 45-85.

“The Globalization of the Canadian Constitution” in *Trudeau Foundation Papers*, vol. 4 (2012) 88-112.

“Civil War, Ceasefire, Constitution: Some Preliminary Notes” (2012) 33 *Cardozo Law Review* 1907-21.

“Method in Comparative Constitutional Law: A Comment on Law & Versteeg” (2012) 87 *New York University Law Review* 2078-87.

“Group Rights in Comparative Constitutional Law: Culture, Economics, or Political Power?” in M. Rosenfeld & A. Sajo, eds., *Oxford Handbook of Comparative Constitutional Law* (Oxford University Press, 2012) 1100-1123.

“Independent or Dependent? Constitutional Courts in Divided Societies” in C. Harvey & A. Schwartz, eds., *Rights in Divided Societies* (Hart Publishing, 2012) 89-123 (with R. Stacey).

“Growing Legal Aid Ontario into the Middle Class: A Proposal for Public Legal Expenses” in M.J. Trebilcock, T. Duggan & L. Sossin, eds., *Middle-Income Access to Justice* (University of Toronto Press, 2011) ch. 13 (with M.J. Trebilcock and J. Wilson).

“Federalism, Devolution & Secession: From Classical to Post-Conflict Federalism” in T. Ginsburg and R. Dixon, eds., *Research Handbook on Comparative Constitutional Law* (Edward Elgar Publishing, 2011) 356-384 (with N. Hume).

“The Impact of Regionally Differentiated Entitlement to EI on Charter-Protected Canadians” (2011) (Toronto: Mowat Centre Employment Insurance Task Force) (with M. Pal).

“Voter Equality & Other Canadian Values: Finding the Right Balance” (2011) (Toronto: Mowat Centre for Policy Innovation) (with M. Mendelsohn).

“Mechanisms for Resolving Divisive Issues in Constitutional Negotiations” (2010) *Interpeace Working Paper Series* (with N. Haysom).

“After the Rights Revolution: Bills of Rights in the Post-Conflict State” (2010) 6 *Annual Review of Law and Social Science* 301-322.

“Symposium on citizenship: Foreword” (2010) 8 *International Journal of Constitutional Law* 6-8 (with C. Saunders).

- “Constitutional Politics and Crisis in Sri Lanka” in J. Bertrand & A. Laliberté, eds., *Multination States in Asia: Accommodation or Resistance* (Cambridge: Cambridge University Press, 2010) 103-135.
- “Constituency Boundaries in Canada” in H. MacIvor, ed., *Election* (Toronto: Emond Montgomery, 2010) 87-105 (with M. Pal).
- “‘He had a mandate’: The South African Constitutional Court and the African National Congress in a Dominant Party Democracy” (2009) 2 *Constitutional Court Review* 1-86.
- “Not a New Constitutional Court: The Canadian *Charter*, the Supreme Court and Quebec Nationalism” in P. Pasquino & F. Billi, eds., *The Political Origins of Constitutional Courts: Italy, Germany, France, Poland, Canada, United Kingdom* (Rome: Adriano Olivetti Foundation, 2009) 39-76.
- “Managing linguistic nationalism through constitutional design: Lessons from South Asia” (2009) 7 *International Journal of Constitutional Law* 577-618.
- “Drafting Nepal’s Language Policy” (2009) 8:2 *Federations* 26-28.
- “Bills of Rights as Instruments of Nation-Building in Multinational States: the Canadian *Charter* and Quebec Nationalism” in J. Kelly & C. Manfredi, eds., *Contested Constitutionalism: Reflections on the Charter of Rights and Freedoms* (Vancouver: University of British Columbia Press, 2009) 233-250.
- “Constitutional Change in the 21st Century: A New Debate over the Spending Power” (2008) 34 *Queen’s L.J.* 375-390.
reprinted in P. H. Russell et al., eds., *Essential Readings in Canadian Government and Politics* (Toronto: Emond Montgomery, 2010) 293-296.
- “Bridging Comparative Politics and Comparative Constitutional Law: Constitutional Design for Divided Societies” in S. Choudhry, ed., *Constitutional Design for Divided Societies: Integration or Accommodation?* (Oxford: Oxford University Press, 2008) 3-40.
- “Ackerman’s higher lawmaking in comparative constitutional perspective: Constitutional moments as constitutional failures?” (2008) 6 *International Journal of Constitutional Law* 193-230.
- “Constitutionalism in divided societies” (2007) 5 *International Journal of Constitutional Law* 573-575.
- “Does the world need more Canada? The Politics of the Canadian Model in Constitutional Politics and Political Theory” (2007) 5 *International Journal of Constitutional Law* 606-638.
reprinted in S. Choudhry, ed., *Constitutional Design for Divided Societies: Integration or Accommodation?* (Oxford: Oxford University Press, 2008) 141-172.
- “Frank Iacobucci as Constitution-Maker: From the *Quebec Veto Reference*, to the Meech Lake Accord and the *Quebec Secession Reference*” (2007) 57 *University of Toronto Law Journal* 165-193 (with J.-F. Gaudreault-DesBiens).
- “Referendum? What Referendum?” (2007) 15:3 *Literary Review of Canada* 7-9.
- “Is Every Ballot Equal? Visible Minority Vote Dilution in Canada” (2007) 13 *IRPP Choices* 1-30 (with M. Pal).
- “The Legal Architecture of Intergovernmental Transfers: A Comparative Examination” in R. Boadway & A. Shah, eds., *Intergovernmental Fiscal Transfers: Principles and Practice*, (Washington, DC: World Bank, 2006) (with B. Perrin) 259-292.
- “Migration as a New Metaphor in Comparative Constitutional Law” in S. Choudhry, ed., *The Migration of Constitutional Ideas* (New York: Cambridge University Press, 2006) 1-36.
- “Introduction: Exploring the Dilemmas of Solidarity” in Sujit Choudhry, J.-F. Gaudreault-DesBiens & L. Sossin, eds., *Dilemmas of Solidarity: Rethinking Redistribution in the Canadian Federation* (Toronto: University of Toronto Press, 2006) (with J.-F. Gaudreault-DesBiens and L. Sossin) 1-28.
- “Redistribution in the Canadian Federation: The Impact of the Cities Agenda and the New Canada” in S. Choudhry, J.-F. Gaudreault-DesBiens & L. Sossin, eds., *Dilemmas of Solidarity: Redistribution in the Canadian Federation* (Toronto: University of Toronto Press, 2006) 45-56.

“Afterword: Solidarity as the Boldness of Modesty” in S. Choudhry, J.-F. Gaudreault-Desbiens & L. Sossin, eds., *Dilemmas of Solidarity: Rethinking Redistribution in the Canadian Federation* (Toronto: University of Toronto Press, 2006) (with J.-F. Gaudreault-DesBiens and L. Sossin) 206-216.

“Popular Revolution or Popular Constitutionalism? Reflections on the Constitutional Politics of Quebec Secession” in T. Kahana & R. Bauman, eds., *The Least Examined Branch: The Role of Legislatures in the Constitutional State* (New York: Cambridge University Press, 2006) 480-98.

“What is a Canadian?” in I. Studin, ed., *What is a Canadian?* (Toronto: McLelland & Stewart/Douglas Gibson Books, 2006) 117-123.

“So What is The Real Legacy of Oakes? Two Decades of Proportionality Analysis under the Canadian Charter’s Section 1” (2006) 35 *Supreme Court Law Review* (2d) 501-535.

cited by *Alberta v. Hutterian Brethren of Wilson Colony*, 2009 SCC 37 at para. 154; *R. v. Bryan*, 2007 SCC 12 at paras. 20 and 29; *R. v. K.R.J.*, 2016 SCC 31 at paras. 90 and 94.

“Worse than *Lochner*?” in C.M. Flood, K. Roach & L. Sossin, eds., *Access to Care, Access to Justice: The Legal Debate over Private Health Insurance in Canada* (Toronto: University of Toronto Press, 2005) 75-100.

The City We Want – The Government We Need: The Report of the Governing Toronto Advisory Panel (City of Toronto, 2005, 50 pp.) (with A. Buller & M. Connell).

“Old Imperial Dilemmas and the New Nation-Building: Constitutive Constitutional Politics in Multinational Polities” (2005) 37 *Connecticut Law Review* 933-945.

“The Legal Regulation of Referral Incentives: Physician Kickbacks and Physician Self-Referral under Provincial Rules of Physician Professional Misconduct” in C.M. Flood, ed., *Just Medicare: What's In, What's Out, How We Decide* (Toronto: University of Toronto Press, 2005) (with N.K. Choudhry & A. Brown) 261-280.

“Specialty vs. Community Hospitals: What Role for the Law?” (2005) *Health Affairs* W5-361 - W5-372 (with N.K. Choudhry & T.A. Brennan).

“The Supreme Court Appointments Process: Improved Federal-Provincial Relations vs. Democratic Renewal?” (2005) (7) *Democracy and Federalism Series*, Queen’s University Institute of Intergovernmental Relations.

“Continuing the Conversation: A Reply to Manfredi and Kelly” (2004) 49 *McGill Law Journal* 765-778 (with C. Hunter).

a reply to C.P. Manfredi & J.B. Kelly, “Misrepresenting the Supreme Court’s Record? A Comment on Choudhry and Hunter” (2003) 49 *McGill Law Journal* 741-764.

“Unregulated private markets for health care in Canada? Rules of professional misconduct, kickbacks to physicians and physician self-referral in Canada” (2004) 170 *Canadian Medical Association Journal* 1115-18 (with N.K. Choudhry & A. Brown).

“The *Lochner* era and comparative constitutionalism” (2004) 2 *International Journal of Constitutional Law* 1-55.

“Putting the Past Behind Us? Prospective Judicial and Legislative Constitutional Remedies” (2003) 21 *Supreme Court Law Review* (2d) 205-66 (with K. Roach).

cited by *Hislop v. Canada*, 2007 SCC 10 at paras. 86, 138, 158, 159; 2004 CanLII 43774 (ON C.A.) at para. 85.

“Measuring Judicial Activism on the Supreme Court of Canada: A Comment on *Newfoundland (Treasury Board) v. Newfoundland Association of Public Employees*” (2003) 48 *McGill Law Journal* 525-562 (with C. Hunter).

“Racial and Ethnic Profiling: Statutory Discretion, Constitutional Remedies and Democratic Accountability” (2003) 41 *Osgoode Hall Law Journal* 1-36 (with K. Roach).

“Unrelated living organ donation: ULTRA needs to go” (2003) 29 *Journal of Medical Ethics* 169-70 (with A.S. Daar et al.).

“Beyond the Flight from Constitutional Legalism: Rethinking the Politics of Social Policy post-Charlottetown” (2003) 12 *Constitutional Forum Constitutionnel* 77-83.

- A National Framework for Infectious Disease Outbreaks in Canada: Selected Legal Issues* (National Advisory Committee on SARS and Public Health, 2003, 46 pp.).
- Review Essay of *Judicial Power and the Charter: Canada and the Paradox of Liberal Constitutionalism*, 2d ed. by C.P. Manfredi (2003) 1 *International Journal of Constitutional Law* 379-90.
- "CPR for the DNR: The Role of the Limited Aggressive Therapy Order" (2003) 138 *Annals of Internal Medicine* 65-68 (with N.K. Choudhry and P.A. Singer).
- winner of the K.J.R. Wightman Award for Research in Biomedical Ethics from the Royal College of Physicians of Canada.
- "Recasting Social Canada: A Reconsideration of Federal Jurisdiction over Social Policy" (2002) 52(3) *University of Toronto Law Journal* 163-252.
- "Strengthening the Economic Union: the *Charter* and the *Agreement on Internal Trade*" (2002) 12 *Constitutional Forum Constitutionnel* 52-59.
- revised and expanded version of "The *Agreement on Internal Trade*, Economic Mobility, and the *Charter*" in *Strengthening Canada: Challenges for Internal Trade and Mobility* (Winnipeg: Internal Trade Secretariat, 2001) 101-111, also published in French as "L'Accord sur le commerce intérieur, la mobilité économique et la *Charte*" in *Un Canada Performant: Les défis du commerce intérieur et de la mobilité* (Winnipeg: Secrétariat du Commerce Intérieur, 2001) 120-132.
- "National Minorities and Ethnic Immigrants: Liberalism's Political Sociology" (2002) 10 *Journal of Political Philosophy* 54-78.
- Jurisdiction and Health Care* (Health Canada, 2002, 14 pp.).
- Strengthening the Foundations: Modernizing the Canada Health Act* (Discussion Paper No. 13, Royal Commission on the Future of Health Care in Canada, 2002, 46 pp.) (with C.M. Flood).
- reprinted in T. McIntosh, G.P. Marchildon & P.-G. Forest, eds., *The Governance of Health Care in Canada: The Romanow Papers, Volume III* (Toronto: University of Toronto Press, 2003) 346-387.
- "Protecting Equality in the Face of Terror: Ethnic and Racial Profiling and the *Charter*" in R. Daniels, P. Macklem & K. Roach, eds., *The Security of Freedom: Essays on Canada's Anti-Terrorism Bill* (Toronto: University of Toronto Press, 2001) 163-78.
- "Collective Bargaining by Physicians: Labor Law, Antitrust, and Organized Medicine" (2001) 345 *New England Journal of Medicine* 1141-4 (with T.A. Brennan).
- "Citizenship and Federations: Some Preliminary Reflections" in K. Nicolaidis and R. Howse, eds., *The Federal Vision: Legitimacy and Levels of Governance in the US and the EU* (Oxford: Oxford University Press, 2001) 377-402.
- "Unwritten Constitutionalism in Canada: Where Do Things Stand?" (2001) 35 *Canadian Business Law Journal* 113-122.
- cited by *Lalonde v. Ontario (Commission de restructuration des services de santé)*, 56 O.R. (3d) 505 at para. 176 (C.A.).
- "Distribution vs. Recognition: The Case of Anti-Discrimination Laws" (2000) 9 *George Mason Law Review* 145-178.
- reprinted in C. McCrudden, ed., *Anti-Discrimination Law: International Library of essays in Law and Legal Theory, 2nd Series* (London: Ashgate Publishing, 2004).
- "Constitutional Theory and the *Quebec Secession Reference*" (2000) 13(2) *Canadian Journal of Law and Jurisprudence* 143-169 (with R. Howse).
- reprinted in D. Dyzenhaus and A. Ripstein, eds., *Law and Morality: Readings in Legal Philosophy* (Toronto: University of Toronto Press, 2001) 634-71.
- cited by *Chaoulli v. Quebec (Attorney General)*, 2005 SCC 35 at para. 90.

"Bill 11, The *Canada Health Act* and the Social Union: The Need for Institutions" (2000) 38 *Osgoode Hall Law Journal* 39-99.

reprinted in B. von Tiegerstrom and T. Caulfield, eds., *Health Care Reform and the Law in Canada: Meeting the Challenge* (Edmonton: University of Alberta Press, 2002) 37-84.

"Globalization in Search of Justification: Toward a Theory of Comparative Constitutional Interpretation" (1999) 74 *Indiana Law Journal* 819-892.

"The Enforcement of the *Canada Health Act*" (1996) 41 *McGill Law Journal* 461-508.

"Public Opinion Regarding End of Life Decisions: Influence of Prognosis, Practice, and Process" (1995) 41(11) *Social Science & Medicine* 1517-21 (with P.A. Singer, J. Armstrong, E. Meslin & F. Lowy).

Challenging the Repeal of the Canada Assistance Plan by Bill C-76: A Case Development Report prepared for the Charter Committee on Poverty Issues (1995, 122 pp.).

"A Review of Legal Instruments and Codes on Medical Experimentation with Children" (1994) 3 *Cambridge Quarterly of Health Care Ethics* 560-73.

"Hospital policies on life-sustaining treatments and advance directives in Canada" (1994) 150 *Canadian Medical Association Journal* 1265-70 (with I. Rasooly et al.).

"Public Opinion Regarding Consent to Treatment" (1993) 41 *Journal of the American Geriatric Society* 112-116 (with P.A. Singer & J. Armstrong).

"Ontario's proposed consent laws: 2. Advocacy" (1992) 146 *Canadian Medical Association Journal* 1165-68 (with P.A. Singer).

"Ontario's proposed consent laws: 1. Consent and capacity, substitute decisions, advance directives and emergency consent" (1992) 146 *Canadian Medical Association Journal* 829-32 (with P.A. Singer).

SELECTED GOVERNANCE, CONSTITUTION BUILDING, RULE OF LAW & PEACEBUILDING ADVISORY EXPERIENCE

Professor Choudhry has worked in a broad variety of contexts (including during ceasefires and conditions of political violence), and his field experience includes: facilitating public dialogue sessions with civil society groups and other stakeholders; leading stakeholder consultations; performing detailed advisory work with technical experts; training civil servants and bureaucrats; engaging party leaders and parliamentarians; and drafting technical reports and memoranda in the field. Examples of his field experience include:

- Invited participant in Expert Group meetings in Geneva and New York on Transitional Justice and Atrocity Prevention to advise Pablo de Greiff, UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence & Adama Dieng, UN Special Adviser of the Secretary-General on the prevention of genocide (2017).
- Prepared a memorandum for International IDEA on issues related to federalism as a tool to resolve conflict and reconstitute states, in support of discussions relating to the Yemen conflict (2017).
- Jointly led an expert workshop in Kyiv, co-hosted by International IDEA and the Centre of Policy and Legal Reform (Ukraine), to review a draft report which I co-authored (in English and Ukrainian) on constitutional reforms to executive powers in Ukraine, as part of the constitutional review currently being led by the Constitutional Commission of Ukraine (2017).
- Served as a senior international scholar in residence at the Academy of the Arab Association of Constitutional Law in Tunis, leading seminars and working intensively with emerging constitutional experts from across the Arab region on the relationship between security sector reform and constitutional transitions (2016).
- Participated in an expert consultation co-convened by the Center for Policy Alternatives (Sri Lanka) and International IDEA to advise the Office of the Prime Minister of Sri Lanka on constitutional reform, including meeting personally with Prime Minister Wickremesinghe to brief him on the results of our consultation (2015).
- Co-chaired a two-day international meeting in Brussels to present the preliminary results of the [Dealing with Territorial Cleavages in Constitutional Transitions](#) project, in cooperation with the European Union External

Action Service and hosted by the European Union Committee of Regions, attended by nearly 100 representatives of multilateral organizations (including the United Nations), regional organizations, MFAs, ODAs, NGOs, and technical advisors (2015).

- Co-chaired an international meeting of experts from Latin America, the Middle East and North Africa, North America and Western Europe at the Canadian embassy in Tunis, in partnership with International IDEA, for the [Security Sector Oversight: Protecting Democratic Consolidation From Authoritarian Backsliding & Partisan Abuse](#) project, to explore legal and institutional mechanisms for security sector oversight in transitional democracies (2014).
- Co-chaired an international meeting of experts from Africa, Asia, Latin America, the Middle East and North Africa, North America and Western Europe at the Canadian embassy in the Hague, in partnership with International IDEA, for the [Security Sector Reform & Constitutional Transitions In Emerging Democracies](#) project, to explore the role of security sector reform in constitutional reform processes (2014).
- Directed the [Constitutional Transitions Clinic](#) (at the New York University School of Law), which provided “back office” research support to International IDEA’s Middle East and North Africa office through a team of 20 student researchers (over two years); this partnership produced [six technical reports](#) (in English and Arabic) on constitutional design in the Middle East and North Africa, jointly published by International IDEA, CT, and (for three reports) UNDP; served as the lead author on these reports; made two missions to Tunisia with the research team to present draft reports and consult President Marzouki, legal experts, parliamentarians with responsibility for the constitutional process, academic experts, civil society, and university students (2012 to 2014).
- Member of a joint Egyptian-international expert group, convened by International IDEA in cooperation with the Swiss Agency for Development and Cooperation, to review a draft of the Egyptian constitution in Cairo (December 2013).
- Drafted a report for International IDEA on design options for the Libyan constitutional process (prior to the election of the Constitutional Assembly of Libya), which addressed possible mechanisms to coordinate the work of the Constitutional Assembly and the General National Congress (GNC), and led a workshop in Tripoli with members of the GNC to review and discuss these options (2012 to 2013).
- Engaged parliamentarians, civil society, and the diplomatic community in a public lecture, invitational workshop and private sessions, in Colombo, on power-sharing options (including electoral system design and executive powers) for Sri Lanka that could both enhance political competition among Sinhalese parties and accommodate the demands of Tamil nationalists (2012).
- Served on a team providing technical advice on the redesign of Nepal’s judicial system to adapt it to a federal structure through consultations with the legal profession and judiciary, in support of the Nepal Bar Association; and led workshops on official language rights for the indigenous peoples’ caucus of Nepal’s Constitutional Assembly (hosted by International IDEA), and on the right to self-determination for indigenous peoples under international law (hosted by UNDP) (2010).

OTHER LEGAL AND PUBLIC POLICY EXPERIENCE

- Constitutional and public policy consultant, providing confidential constitutional opinions and public policy advice to governments, public sector organizations, NGOs and private sector entities (2001-).
- Counsel in *Khadr 1* and *Khadr 2* (Guantanamo detainees) for the British Columbia Civil Liberties Association, Supreme Court of Canada (2008 & 2009).
- Consultant, Ontario Citizens’ Assembly on Electoral Reform; prepared memorandum on the impact of reforms to Ontario’s electoral system on the weight of the votes of visible minority urban residents (2007).
- Board of Directors, Legal Aid Ontario (Ontario’s publicly funded legal assistance program), 2006-10; Finance & Audit Committee (2006-10), Public Affairs & Education Committee (2006-8).
- Counsel in *Charkaoui* (security certificates) for Human Rights Watch, Supreme Court of Canada (2006).

- Member, Governing Toronto Advisory Panel, City of Toronto; three-member panel appointed by Toronto City Council, which proposed major reforms to the structure of municipal government in Toronto (2005).
- Consultant, World Bank Institute, World Bank; prepared paper on constitutional and legal framework for intergovernmental transfers in federations (2005).
- Member, Academic Advisory Committee, Democratic Renewal Secretariat, Province of Ontario (2004).
- Consultant, National Advisory Committee on SARS and Public Health; prepared report on selected legal issues raised by the creation of a national system to manage infectious disease outbreaks (2003-).
- Consultant, Royal Commission on the Future of Health Care (Romanow Commission); prepared report on *Canada Health Act* (2002).
- Summer student, Constitutional Law Branch, Ministry of the Attorney General of Ontario (1995).
- Intern, Health Legislation Unit, World Health Organization (1993).