



## RSC MEDAL AND AWARDS PREPARING A MEDAL NOMINATION EXAMPLES

### PRIMARY NOMINATOR'S LETTER

The Primary Nominator Letter **must** follow the model below. Nominations that do not follow the model will automatically be rejected and excluded from the selection process.

[Institutional Letterhead]

March 31<sup>st</sup>, XXXX

Manager, Fellowship & Awards  
The Royal Society of Canada  
282 Somerset Street West  
Ottawa, Ontario  
K2P 0J6

Re: YYY

Dear Mr. Dragan,

I am pleased to submit a completed nomination package for the XYZ Medal / Award. I understand that the cover letter for nominations is not meant to contain an appraisal of the candidate or any substantive information not appearing on the nomination forms.

You will note that the file is complete and includes a brief biographical statement for each of the three referees who have agreed to write in support of Professor YYY's nomination. May I briefly note why they have been selected? Professor LMN is the leading U.S. scholar of comparative legal professions. She is well qualified to speak to Professor YYY's international reputation in that field. Professor DEF is a professor at Oxford the author of the leading (until Professor YYY's book came out) Comparative Law treatise published in English. Mr. Justice RST was for 25 years a law professor at the University of Toronto where he was acknowledged as a leading scholar in the field of civil procedure. He is especially well placed to assess Professor YYY's scholarship in the field of judicial institutions and civil procedure.

I would be grateful if you could bring this nomination forward to the relevant committee.

Yours sincerely,

[Signature (Mandatory)]

ZZZ, FRSC

AAA Professor of Constitutional and Public Law

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CITATION - maximum 70 words, or 85 if written in French

YYY, Faculty of Law, XXX University YYY's innovative approaches to comparative law and legal theory have contributed to opening up a significant new research field: cross-cultural comparison of judicial institutions. His studies on the theory, history and evolution of western legal traditions, together with his pioneering scholarship on customary law and codification have reinvigorated comparative law research worldwide. Also, the author of acclaimed monographs in comparative private international law, he is a worthy recipient of this medal.

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## DETAILED APPRAISAL - maximum 1200 words, or 1450 if written in French

For thirty years Professor YYY has contributed a stream of innovative studies to the international literature of comparative law and legal theory. Because the Dawson Medal is meant to recognize “important and sustained contributions in two domains of interest to the RSC or in interdisciplinary research”, this appraisal will focus on Professor YYY’s salient contributions that reflect an interdisciplinary perspective.

From the time of his doctoral thesis and early work on private international law—that branch of law that most puts into question the territory-based conception of state law—he has been preoccupied with fundamental questions of legal legitimacy. His pioneering work on custom, codification, the trans-systemic borrowing of persuasive authority by courts, and comparative legal methodology have carried this inquiry into realms of comparative research not usually subjected to penetrating theoretical analysis. His critique of Canada’s immigration and refugee regimes, like his earlier doctoral dissertation, puts into question received wisdom about the relationship between territory and legal institutions, and directly challenges traditional statist views of legal subjectivity. In his essays on the history and evolution of western legal traditions and in his most recent theoretical monograph entitled *ABCDE* he draws the several threads of his scholarship together in a grand synthesis of the local vernacular and the transcendent in legal normativity. Over the past thirty years Professor YYY has carved out a world-wide reputation for powerful analyses of, and creative approaches to, the central questions of legal legitimacy and authority.

Publishing in both the French and English languages, he has effectively exploited the unique comparative law laboratory of contemporary Quebec and Canada to develop and test hypotheses about legal institutions, legal processes and comparative judicial methodology. These hypotheses have been applied by scholars to locales as distinct as Eastern Europe and South-East Asia.

While theoretically sophisticated, his work has always focused on the actual functioning of legal rules within their procedural and institutional settings. His current scholarship targets how the cultural roundedness of law and legal traditions leads to the transformation of borrowed institutions when they are implanted in a new social environment.

Professor YYY’s early work in private international law led him to examine the porous frontiers of modern national legal systems, and to reject then prevalent views about the normative closure of these systems. This inquiry matured into his path-breaking studies of persuasive authority and the cross-systemic pollination of legal ideas. In turn, these investigations blossomed into his work on the history and institutional character of legal traditions—a direction in comparative law that has gradually come to displace the formal, doctrinal comparison of the rules and concepts of national systems as a central problem of international comparative law.

From the outset of his career as a student of private international law, he has also focused upon substantive issues of legal regulation that lie on the margins of official legal systems. His studies on the right to privacy and the legal regimes governing the treatment of refugees, the latter being the subject of a monograph authored while he held the Bora Laskin Fellowship in Human Rights Law, reflect his capacity to see overarching legal ideals that inform apparently disparate branches of the law. During the past two decades he has written several studies on codification, the interpenetration of the Civil law and the Common law traditions and the notion of mixed legal systems. As his CV indicates, these have been published in leading journals in Canada, the United States and Europe.



A further dimension of Professor YYY's deep concern with the legitimacy of legal institutions and processes is reflected in his twenty-year preoccupation with structural and methodological features of contemporary judicial institutions. Several recent publications on civil procedure, judicial methodology, the nature of precedent, class actions, court organization and the independence of the judiciary are informed by his search for the intellectual foundations of adjudication as a social institution. He is acknowledged as an international authority on the design of appellate courts.

Professor YYY's work in comparative law earned him election, at a young age, to the International Academy of Comparative Law (IACL), as well as several prizes and research fellowships, including the prestigious Grand Prize (Canada Prize) of the IACL for his treatise *ABCDE*. He has served as the Director of the Institute of Comparative Law at ZZZ University and has been a President of both the Quebec and Canadian Comparative Law Associations. He has edited a number of scholarly collections produced on the occasion of the Annual Meetings of these organizations.

The animating intellectual theme of Professor YYY's work has been the inadequacy of state-centred conceptions of legal normativity to meeting the needs of an increasingly mobile and diverse world community. The corpus of his scholarship constitutes a theoretically sophisticated, interdisciplinary exploration of the institutions, processes and history of contemporary western legal traditions. His vast legal culture and wide-ranging investigation of both substantive and methodological questions makes him the pre-eminent scholar of comparative law in Canada today. (823 words)

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## LETTER OF REFERENCE

[Institutional Letterhead]

March 31<sup>st</sup>, XXXX

Primary Nominator  
University ABC

Re: Professor YYY

Dear Members of the Sir William Dawson Medal Selection Committee,

I have been asked to write in support of the nomination of Professor YYY for the Sir William Dawson Medal of the Royal Society of Canada. I am most pleased to do so as I believe Professor YYY to be at the very top rank of Canadian legal scholars. Indeed, as I assess Professor YYY against a more universal standard, I can honestly say that his academic contributions to scholarship on indigenous peoples' issues and theorizing social diversity are in the top rank of common law jurists world-wide.

Let me begin by noting my various interactions with Professor YYY. None of these, I believe, put me in a conflict of interest with respect to this reference. While we have never directly collaborated on any projects, he and I are both members of a team that recently received a major research grant from the Social Sciences and Humanities Research Council of Canada (SSHRC) to study Aboriginal Governance issues. In addition, I have reviewed his scholarship at the request of the Law Commission of Canada. Indeed, I have read almost all of the published items that are listed on his CV. There is much to say about YYY's teaching, support of graduate students, administrative leadership in the trans-national indigenous rights community, and counsel work for Canadian Aboriginal organizations. But since the Dawson Medal is meant to recognize important and sustained contributions in two domains of interest to the RSC or in interdisciplinary research, I shall confine my observations to this aspect of his academic career.

A glance at his CV will immediately reveal four features of YYY's scholarly career.

First, ongoing commitment to scholarship. YYY has maintained a consistent pace of scholarly research and writing since the early 1990s. He has won prizes for the best contribution to the Canadian Journal of Law and Society (in 1998) and the American Journal of Comparative Law (in 2006).

Second, international recognition. His work has attracted attention in Canada, Australia, New Zealand and the United States, as attested by the significant number of named lectureships (listed in his CV) that he has presented over this same period.

Third, policy impact. YYY has been sought after not only by first nations, but by governments, commissions of inquiry such as the Royal Commission on Aboriginal Peoples, and by think tanks such as the Law Commission of Canada.

Fourth, intellectual and theoretical sophistication. YYY's scholarship is of the highest order, a point confirmed by the prizes and awards he has won in law, political science and anthropology—the Smiley Prize in Political Science; the New Zealand Law Foundation Fellowship; the Bertha Wilson Professorship; and the Alatsis Fellowship in Australia.



I should like to develop these observations briefly. One might think, upon a cursory reading of his CV, that YYY has but a single research interest. A close read, however, reveals that his interests range across private law, administrative law, constitutional law and international law. More recently, in his work with the Law Commission he has taken on the enormously challenging task of attempting to discern the fundamental premises of different indigenous legal traditions in Canada. This is a work of comparative scholarship that no-one has yet attempted. I have read a draft of this monograph and am staggered by the depth of knowledge of comparative law that it reveals and the originality of YYY's arguments.

There is a further point. Until the past decade, most work on Aboriginal law in Canada has been about the law of Canada as it relates to Aboriginal peoples. YYY has been at the forefront of scholars who are closely investigating the normative and conceptual premises of Aboriginal law as the "law of Aboriginal peoples." This task has led him into the fields of legal anthropology and legal pluralism theory. In my view he is pushing the traditional analyses of scholars like Etienne LeRoy, Raymond Verdier and Norbert Rouland in new and exciting ways. My own research in legal pluralism has been enriched by YYY's studies of indigenous law in Canada, and his insights have greatly enhanced the work of the Quebec research group "Autochtonie et gouvernance" of which I am a member.

Let me conclude by saying that YYY has been a creative and productive legal scholar for almost twenty years, and over the last six years has carved out a place as one of, if not the most original and creative theorist of indigenous law in the English-speaking world. He is intellectually engaged, generous with his ideas, supportive of the research of others and, by his example and by his counsel, able to assist his colleagues and other first nations' scholars in upgrading their own work. To date, there have only been two Canadian law professors who have won the Sir William Dawson Medal. While I cannot speak for other disciplines, I am hard pressed to think of any legal scholars who are more deserving of the honour of the Sir William Dawson Medal of the Royal Society of Canada.

Yours sincerely,

[Signature (Mandatory)]

ZZZ, FRSC

QRS Professor of Constitutional and Aboriginal Law

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**BIOGRAPHICAL STATEMENT OF REFEREES** - maximum 250 words, or 300 if written in French

First Referee: Professor LMN

Professor LMN is the ABC Professor of Comparative Law at Harvard University where she has taught since the mid-1970s. She obtained a B.A. from the University of Chicago in 1959, a J.D. in 1961 and a Master of Comparative Law in 1963, also from Chicago. She was named ABC Professor of Comparative Law in 1993. Her primary research interests lie in Comparative Constitutional Law in the United States and Europe, International Human Rights, Comparative Law, and the Legal Profession. She has published five leading monographs and a dozen of peer-reviewed articles in top journals. She is a Fellow of the National Academy of Sciences.

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