

JOHN GARDNER—OBITUARY

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Our friend John Gardner, who has died aged 54 of cancer, had a glittering academic career as an expert in legal philosophy and served as Professor of Jurisprudence at Oxford University.

Born in Glasgow to Sylvia (née Hayward-Jones) and William, who were both lecturers in German at the city's university, John attended the Glasgow Academy. In 1983 he went to New College, Oxford, to study law.

Dazzling his tutors and fellow students alike, he graduated with a first in 1986 and won the Vinerian Scholarship for the top Bachelor of Civil Law degree. A notable academic career followed: as a Prize Fellow at All Souls College, Oxford (1986-91); as a Fellow at Brasenose College, Oxford (1991-96); Reader in legal philosophy at King's College, London (1996-2000); and in 2000—at only 35—Professor of Jurisprudence at Oxford and a fellow of University College.

He became an Honorary Bencher of the Inner Temple in 2003 and a Fellow of the British Academy in 2013 and returned to All Souls as Senior Research Fellow in 2016. From that year, too, he was Professor of Law and Philosophy at Oxford.

John published three philosophical books on law: *Offences and Defences* (OUP 2007), *Law as a Leap of Faith* (2014) and *From Personal Life to Private Law* (2018). In his final weeks, with superhuman strength, he finished *Torts and Other Wrongs* which will be published posthumously by Oxford University Press.

John worked across an unusually broad canvas, bringing not only legal and philosophical acumen but also a wide array of literary reference points to bear on all he wrote. In general jurisprudence, he reinvigorated the effort to formulate a universal, descriptive theory of law, very much

in the tradition of his distinguished predecessor H L A Hart; in the philosophy of criminal law, he tackled core questions such as which wrongs should be criminalized and the nature of responsibility, as well as arguing that judgments of wrongdoing should be understood as evaluations of the quality of an agent's character as constituted by their actions; in private law, he showed that technical legal rules and obligations closely echoed more general understandings of duty across personal and social life; and in anti-discrimination law, his trademark emphasis on the moral centrality of reasons for action underpinned a fresh understanding of the wrong of discrimination as founded in the discriminator's reasons.

He took his work seriously, but his intensity of purpose was lit up by an infectious and lively enthusiasm for everything he took on. That extended not just to his work, but to his outside interests in cooking, design, literature and music, and to his relationships with friends, students and work colleagues.

John's exceptional qualities of warmth and commitment underpinned a happy family life.

He is survived by his wife, Jennifer (née Kotilaine), a barrister, whom he married in 2012, and by their children, Henrik, Annika and Audra, his mother, and a brother, David.

This Obituary is an extended version of the Obituary published earlier this summer by *The Guardian* and republished here in a slightly longer form with the kind permission of Guardian News & Media Limited (see '[John Gardner Obituary](#)', 22 July 2019).