

ALICE RISTROPH

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ACADEMIC APPOINTMENTS

Brooklyn Law School Brooklyn, NY	Professor, 2017 – present
Harvard Law School Cambridge, MA	Visiting Professor, Fall 2017
Seton Hall University School of Law Newark, NJ	Professor, 2010-2017; Associate Professor, 2008-2010 <ul style="list-style-type: none">• Eileen Denner Research Fellow
Columbia University School of Law New York, NY	Stephen and Barbara Friedman Visiting Professor, Spring 2015
Fordham Law School New York, NY	Visiting Professor, Fall 2010
Georgetown University Law Center Washington, DC	Visiting Professor, Fall 2009
University of Utah S.J. Quinney College of Law Salt Lake City, UT	Associate Professor, 2005-2008

FELLOWSHIPS

Edmond J. Safra Center for Ethics Harvard University Cambridge, MA	Faculty Fellow, 2007-2008
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EDUCATION

Harvard University Cambridge, MA	PhD., Government (political theory) J.D., cum laude A.B., Government, magna cum laude
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PUBLICATIONS

Books:

THE LAW OF VIOLENCE (under contract with Oxford University Press)

CRIMINAL LAW: AN INTEGRATED APPROACH (under contract with CALI eLangdell Press)

Articles and Essays:

The Second Amendment in a Carceral State, 116 NW. U.L. REV. 203 (2021)

The Curriculum of the Carceral State, 120 COLUM. L. REV. 1631 (2020)

Criminal Law as Public Ordering, 70 U. TORONTO L.J. 64 (2020)

An Intellectual History of Mass Incarceration, 60 B.C. L. REV. 1949 (2019)

Farewell to the Felonry, 53 HARV. C.R.-C.L. L. REV. 563 (2018)

The Thin Blue Line Between Crime and Punishment, 108 J. CRIM. L. & CRIMINOLOGY 305 (2018)

The Constitution of Police Violence, 64 U.C.L.A. L. REV. 1182 (2017)

Regulation or Resistance? A Counter-Narrative of Constitutional Criminal Procedure, 95 B.U. L. REV. 1555 (2015)

Sovereignty and Subversion, 101 VA. L. REV. 1029 (2015)

Just Violence, 56 ARIZ. L. REV. 1017 (2014)

Covenants for the Sword, 61 U. TORONTO L.J. 657 (2011)

Criminal Law in the Shadow of Violence, 62 ALA. L. REV. 571 (2011)

Disestablishing the Family, 119 YALE L.J. 1236 (2010) (with Melissa Murray)

Is Law? Constitutional Crisis and Existential Anxiety, 25 CONST. COMM. 431 (2009)

- Selected for the Stephen G. Gey Award for junior faculty writing, AALS Constitutional Law Section

How (Not) To Think Like a Punisher, 61 FLA. L. REV. 727 (2009)

Respect and Resistance in Punishment Theory, 97 CAL. L. REV. 601 (2009)

- Selected for the Law and Humanities Junior Scholar Workshop, UCLA, June 8-9, 2008

State Intentions and the Law of Punishment, 98 J. CRIM. L. & CRIMINOLOGY 1353 (2008)

Desert, Democracy, and Sentencing Reform, 96 J. CRIM. L. & CRIMINOLOGY 1293 (2006)

Sexual Punishments, 15 COLUM. J. GENDER & LAW 139 (2006)

Proportionality as a Principle of Limited Government, 55 DUKE L.J. 263 (2005)

Contributions to edited volumes:

Conditions of Legitimate Punishment, in THE NEW PHILOSOPHY OF CRIMINAL LAW (Zachary Hoskins & Chad Flanders eds., Rowman & Littlefield 2015)

'Diffidence' and the Criminal Law, in FOUNDATIONAL TEXTS IN CRIMINAL LAW (Markus Dubber ed., Oxford University Press 2014)

The Imperfect Legitimacy of Punishment, in HOBBS TODAY (S.A. Lloyd ed., Cambridge University Press 2013)

Criminal Law for Humans, in HOBBS AND THE LAW (David Dyzenhaus and Thomas Poole eds., Cambridge University Press 2012)

Terror as a Theory of Punishment, in RETRIBUTIVISM HAS A PAST: HAS IT A FUTURE? (Michael Tonry ed., Oxford University Press 2011)

Actions of Mercy, in MERCIFUL JUDGMENTS (Austin Sarat ed., Cambridge University Press 2011)

Responsibility for the Criminal Law, in PHILOSOPHICAL FOUNDATIONS OF THE CRIMINAL LAW (Antony Duff & Stuart Green eds., Oxford University Press 2011)

Games Punishers Play (reply to Bernard Harcourt, *Post-Modern Meditations on Punishment*), in CRIMINAL LAW CONVERSATIONS (Paul Robinson, Kimberly Ferzan, Stephen Garvey eds., Oxford University Press 2009)

Interpretive Construction and Defensive Punishment Theory (reply to Mark Kelman, *Interpretive Construction in the Substantive Criminal Law*), in CRIMINAL LAW CONVERSATIONS (Robinson et al eds., Oxford University Press 2009)

The New Desert, in CRIMINAL LAW CONVERSATIONS (Robinson et al eds., Oxford University Press 2009)

Security's Province in a Democratic Society, in DEMOCRACY AND HOMELAND SECURITY (Nawal Ammar ed., Kent State University Press 2005) (with Jameel Jaffer)

Reviews and shorter pieces:

Read Thyself, 74 ALA. L. REV. __ (forthcoming 2022) (reviewing DAVID ALAN SKLANSKY, A PATTERN OF VIOLENCE: HOW THE LAW CLASSIFIES CRIMES AND WHAT IT MEANS FOR JUSTICE (2021))

Criminal Theory and Critical Theory: Husak in the Age of Abolition, LAW & PHILOSOPHY (2022), available at <https://doi.org/10.1007/s10982-021-09437-3>

The Wages of Criminal Law Exceptionalism, CRIM. L. & PHIL. (2021), available at <https://doi.org/10.1007/s11572-021-09613-5>

What Is Remembered, 118 MICH. L. REV. 1157 (2020) (reviewing SARAH A. SEO, *POLICING THE OPEN ROAD: HOW CARS TRANSFORMED AMERICAN FREEDOM* (2019))

The Definitive Article, 68 U. TORONTO L. J. 140 (2018) (reviewing LINDSAY FARMER, *MAKING THE MODERN CRIMINAL LAW: CIVIL ORDER AND CRIMINALIZATION* (2016))

Blackout, DEMOCRACY JOURNAL (August 14, 2017), reprinted as *American Blackout*, THE ATLANTIC (August 18, 2017), available at <https://www.theatlantic.com/science/archive/2017/08/american-totality-eclipse-race/537318/>

When Freedom Isn't Free, 14 NEW CRIM. L. REV. 468 (2011) (invited comment on ALAN BRUDNER, *PUNISHMENT AND FREEDOM: A LIBERAL THEORY OF PENAL JUSTICE* (2009))

Third Wave Legal Moralism, 42 ARIZ. ST. L.J. 1151 (2010-2011) (invited comment on Paul H. Robinson's Shoen Lecture)

Hope, Imprisonment, and the Constitution, 23 FED. SENT. R. 75 (2010) (invited comment on *Graham v. Florida*)

Professors Strangelove, 11 GREEN BAG 2D 243 (2008) (reviewing ERIC POSNER & ADRIAN VERMEULE, *TERROR IN THE BALANCE: SECURITY, LIBERTY AND THE COURTS* (2007))

- Selected as a Notable Essay of 2008 in THE BEST AMERICAN ESSAYS 2009, series ed. Robert Atwan

Prison, Detention and Correctional Institutions and Sex, in THE ENCYCLOPEDIA OF SEX AND GENDER (Fedwa Malti-Douglas ed., Thomson Gale 2007) (invited contribution)

Note, *The Rhetoric of Difference and the Legitimacy of Capital Punishment*, 114 HARV. L. REV. 1599 (2001)

SELECTED PRESENTATIONS AND CONFERENCES

Criminal Law as Public Ordering, Workshop on Criminal Law and Civil Order, University of Toronto, Toronto, Canada, May 2018

Criminal Law's Nightmare, and Its Noble Dream, Criminal Justice Roundtable, Harvard Law School, May 2018

Farewell to the Felonry

- Law Faculty Workshop, Harvard Law School, March 2018
- Law Faculty Workshop, St. John's Law School, January 2018
- Crimfest Conference, Cardozo Law School, New York, NY, July 2015

The Constitution of Police Violence

- Law Faculty Workshop, Brooklyn Law School, November 2016
- Law Faculty Workshop, Vanderbilt University School of Law, Nashville, TN, October 2016

- Law Faculty Workshop, Duke University School of Law, Durham, NC, September 2016
- Law Faculty Workshop, UC Berkeley Law School, Berkeley, CA, March 2016

The End of All Resistance, Criminal Justice Section Symposium on Violence Against Women, Association of American Law Schools, Annual Meeting, New York, NY, January 2016

The Thin Blue Line from Crime to Punishment, Clough Distinguished Lecture in Jurisprudence, Boston College Law School, March 2015

Regulation or Resistance? A Counter-Narrative of Constitutional Criminal Procedure

- Columbia Faculty Workshop, Columbia Law School, March 2015
- Crimfest Conference, Rutgers School of Law, Newark, NJ, July 2014

Sovereignty and (or) Subversion, Jurisprudence and (Its) History Symposium, University of Virginia School of Law, Charlottesville, VA, September 2014

Panelist, The Future of Criminal Law, Robina Annual Conference, University of Minnesota School of Law, Minneapolis, MN, April 2014

Just Violence

- Hoffinger Lecture, NYU School of Law, New York, NY, November 2013
- Faculty Workshop, Cardozo School of Law, New York, NY, October 2012
- Faculty Workshop, George Washington University Law School, Washington, DC, September 2012

The Police Officer as a (Reasonable) Human, NYC Criminal Law Theory Workshop, NYU School of Law, New York, NY, October 2013

Political Anthropomorphism, Conference on Criminalization and Criminalized States, Osgoode Hall School of Law, York University, Toronto, Canada, November 2012

Participant, Roundtable on Jack Goldsmith's POWER AND CONSTRAINT: THE ACCOUNTABLE PRESIDENCY AFTER 9/11, Temple University Beasley School of Law, September 2012

Criminal Law in the Shadow of Violence

- Faculty Workshop, Emory Law School, Atlanta, GA, April 2011
- Law and Society Association Meeting, Denver, CO, May 2009
- Berkeley Center for Criminal Justice, University of California at Berkeley School of Law, Berkeley, CA, February 2009

Commentator, Symposium on Human Dignity and Criminal Law, University of Minnesota Law School, Minneapolis, MN, April 2011

Panelist, The Constitution in 2020: The Future of Progressive Constitutional Scholarship, University of Pennsylvania Law School, Philadelphia, PA, April 2011

Criminal Law for Humans

- Morrell Political Theory Workshop, York University, York, UK, March 2011
- Legal and Political Theory Forum, London School of Economics, London, UK, March 2011

Roundtable Participant, Symposium on The Future of Criminal Law Theory, University of Minnesota Law School, Minneapolis, MN, November 2010

Covenants for the Sword

- Faculty Workshop, Loyola Los Angeles, CA, October 2010
- Faculty Workshop, Southwestern Law School, October 2010
- Young Scholars Criminal Justice Roundtable, Vanderbilt Law School, Nashville, TN, January 2010
- Constitutionalism and Criminal Law Conference, University of Toronto Faculty of Law, Toronto, Canada, September 2009

Actions of Mercy

- Criminal Law and Human Rights Conference, Copenhagen, Denmark, October 2010
- Merciful Judgments Symposium, University of Alabama Law School, Tuscaloosa, AL, September 2010

Disestablishing the Family

- Legal Theory Workshop, University of Toronto, Toronto, Canada, March 2010
- Faculty Workshop, University of Florida, Gainesville, FL, February 2010
- Faculty Workshop, Georgetown University Law Center, Washington, DC, September 2009

Panelist, Imprisoned: Liman Colloquium, Yale Law School, New Haven, CT, March 2010

Constitution in 2020 Conference, Yale Law School, New Haven, CT, October 2009

Philosophical Foundations of Criminal Law Conference, Rutgers Law School, Newark, NJ, September 2009

Criminal Justice Roundtable, University of Chicago Law School, Chicago, IL, May 2009

The Imperfect Legitimacy of Punishment, Hobbes Today Conference, University of Pennsylvania, Philadelphia, PA, April 2009

Is Law? Constitutional Doctrine and Existential Anxiety, Georgetown Constitutional Law Colloquium, Georgetown University Law Center, March 2009

Panel: "Is American Constitutional Law in Crisis?", Constitutional Law Section, Association of American Law Schools, Annual Meeting, San Diego, CA, January 2009

Panel: "The Model Penal Code Sentencing Proposals," Criminal Justice Section, Association of American Law Schools, Annual Meeting, San Diego, CA, January 2009

Respect and Resistance in Punishment Theory

- Faculty Workshop, Willamette University College of Law, Salem, OR, October 2008
- Law and Humanities Junior Scholar Workshop, UCLA School of Law, Los Angeles, CA, June 2008
- Criminal Justice Roundtable, Harvard Law School, Cambridge, MA, May 2008
- Faculty Workshop, Temple University School of Law, Philadelphia, PA, January 2008

Stateless Persons and Personified States, American Political Science Association Annual Meeting, Boston, MA, August 2008

The Evolution of Criminal Law Theory Conference, Institute for Law and Philosophy, Rutgers University, New Brunswick, NJ, May 2008

Citizens in Dark Times, Constitutional Law Schmooze, University of Maryland School of Law, Baltimore, MD, March 2008

Political Anthropomorphism

- Political Theory Colloquium, Georgetown University, November 2007
- Workshop in Political Thought, Centro de Investigación y Docencia Económicas, Mexico City, Mexico, May 2007

State Intentions and the Law of Punishment

- Criminal Justice Workshop, Harvard Law School, October 2007
- Faculty Colloquium, Lewis & Clark Law School, Portland, OR, September 2007

OTHER EXPERIENCE

**Columbia University
School of Law**
New York, NY

Associate in Law, 2004-2005

- Course: Legal Writing and Research
- Awarded LLM on basis of written work. Readers: Jeremy Waldron, The Honorable Gerard E. Lynch

Dartmouth College
Hanover, NH

Visiting Assistant Professor of Government, Winter 2005

- Courses: Civil Liberties; American Political Thought

**Paul, Weiss, Rifkind,
Wharton & Garrison LLP**
New York, NY

Litigation Associate, 2002-2004

- General commercial litigation; white collar criminal defense; pro bono capital defense.

PROFESSIONAL MEMBERSHIPS

- American Law Institute
- Admitted to the state bars of New York (active) and Texas (inactive)