Jonathan Simon
Jurisprudence and Social Policy Program
School of Law (Boalt Hall)
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Professional Employment

Adrian A. Kragen Professor of Law, UC Berkeley, 2010 ---

Associate Dean for Jurisprudence and Social Policy, School of Law (Boalt Hall), July 2004 --- 2009

Professor of Law/Jurisprudence and Social Policy, University of California, Berkeley, 2003---Present

Professor of Law, University of Miami, School of Law, 1996-2003

Visiting Professor of Law, Yale Law School, 1997-1998

Visiting Professor of Law, New York University, School of Law, 1996-1997

Associate Professor of Law, University of Miami, 1992-1996

Assistant Professor, Department of Political Science, University of Michigan, 1990-1992

Law Clerk, Chambers of the Hon. William C. Canby, Jr., United States Court of Appeals for the Ninth Circuit, 1988-1989

Honors and Special Appointments

Leverhulme Visiting Professor, Edinburgh University School of Law, Winter-Spring 2011

Visiting Research Fellow, Queens University, Belfast, March 2011
MaCormick Fellow, Edinburgh University School of Law, 2010-11

J.C. Smith Distinguished Visiting Professor of Criminal Law, University of Nottingham, Law School, February 2009

Education

University of California, Berkeley
Phd., Jurisprudence & Social Policy Program, 1990
J.D., School of Law (Boalt Hall), 1987
A.B., Social Science Field Major, 1981

Books Authored

MASS INCARCERATION ON TRIAL: AMERICA'S COURTS AND THE FUTURE OF IMPRISONMENT (New Press, forthcoming 2012)

GOVERNING THROUGH CRIME: HOW THE WAR ON CRIME TRANSFORMED AMERICAN DEMOCRACY AND CREATED A CULTURE OF FEAR (Oxford University Press, 2007) *Distinguished Book Award 2008, American Sociological Association, Section on the Sociology of Law; Hindelang Award, American Society of Criminology, 2010.*

POOR DISCIPLINE: PAROLE AND THE SOCIAL CONTROL OF THE UNDERCLASS, 1890-1990 (Chicago: University of Chicago Press 1993) *Distinguished Book Award 1994, American Sociological Association, Section on the Sociology of Law*

Books Edited

SAGE HANDBOOK OF PUNISHMENT & SOCIETY with Richard Sparks (Sage, 2012 forthcoming)

AFTER THE WAR ON CRIME: RACE, DEMOCRACY, AND A NEW RECONSTRUCTION, edited with Mary Louise Frampton and Ian Haney-Lopez (New York University Press, 2008)

CULTURAL ANALYSIS, CULTURAL STUDIES, AND THE LAW: MOVING BEYOND LEGAL REALISM, edited with Austin Sarat (Duke University Press 2003)

EMBRACING RISK: THE CHANGING CULTURE OF INSURANCE AND RESPONSIBILITY, edited with Tom Baker (University of Chicago Press 2002)

Articles, Book Chapters, and Reviews

Punishment and the Political Technologies of the Body, in SAGE HANDBOOK OF PUNISHMENT & SOCIETY Jonathan Simon and Richard Sparks eds. (Sage, 2012 forthcoming)

Mass incarceration: from social policy to social problem, in Kevin Reitz and Joan Petersilia, eds. THE OXFORD HANDBOOK OF SENTENCING AND CORRECTIONS (2012), 23-52

Total Incapacitation: The Penal Imaginary and the Rise of an Extreme Penal Rationale in California in the 1970s, in Malsch, M. & Duker, M.J.A. (2012). INCAPACITATION: TRENDS AND NEW PERSPECTIVES. Aldershot: Ashgate.

Editorial: Mass Incarceration on Trial, Punishment & Society, Vol. 13:251-255

Dignity and Risk: The Long Road from Graham v. Florida to the Abolition of LWOP, in Charles Ogletree and Austin Sarat, (eds). LIFE WITHOUT PAROLE: AMERICA'S NEW DEATH PENALTY (2011)

How Should we Punish Murder? Excessive Punishment and the Structure of the Law of Murder, 94 MARQUETTE LAW REVIEW (August 2011)

Drugs Are Not the (Only) Problem: Structural Racism, Mass Imprisonment, and the Overpunishment of Violent Crime in Keith O. Lawrence, ed. RACE, CRIME AND PUNISHMENT: BREAKING THE CONNECTION IN AMERICA (Aspen Institute, 2011), 133-148

Interposition: Segregation, Capital Punishment, and the Forging of the Post-New Deal Political Leader, in AMERICA'S DEATH PENALTY: BETWEEN PAST AND PRESENT, David Garland, Randall McGowan, and Michael Meranze eds. (New York: NYU Press, 2011), 166-190
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Capital Punishment as Homeowner's Insurance: The Rise of the Homeowner Citizen and the Fate of Ultimate Sanctions in Both Europe and the United States, in IS THE DEATH PENALTY DYING? EUROPEAN AND AMERICAN PERSPECTIVES, Austin Sarat and JurgenMartschukat, eds. (Cambrige: Cambridge University Press, 2011) 78-108
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Consuming Obsessions: Housing, Homicide, and Mass Incarceration since 1950, THE UNIVERSITY OF CHICAGO LEGAL FORM 2010(October 2010) 141-180

Beyond the Panopticon: Mass Imprisonment and the Humanities, LAW, CULTURE AND THE HUMANITIES, 6(3) 327-340 (2010)
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Clearing the "troubled assets" of America's punishment bubble, DAEDALUS, 139(3, Summer 2010) 91-101
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Do these prisons make me look fat? Moderating the USA's consumption of punishment, THEORETICAL CRIMINOLOGY 14(3 August 3, 2010) 257-272
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Il cammino verso l'abolizione: il dibattito sulla penal capitale negli Stati Uniti, in *A L'ENIGMA DELLA PENA DI MORTE, a cura di Pietro Costa* (Milano: Feltrini, 2010) pp. 195-221

Recovering the Craft of Policing: Wrongful Convictions, the War on Crime, and the Problem of Security in WHEN LAW FAILS: MAKING SENSE OF MISCARRIAGES OF JUSTICE Charles J. Ogletree, Jr. and Austin Sarat eds. NYU Press, 2009

*Choosing our Wars, Transforming Government: Crime, Cancer and Terro*r, in RISK AND THE WAR ON TERROR, Louise Amoore and Marieke de Goede eds. (London: Routledge, 2008)
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From the New Deal to the Crime Deal, in AFTER THE WAR ON CRIME: RACE, DEMOCRACY, AND A NEW RECONSTRUCTION, Mary Louise Frampton, Ian Haney-Lopez, and Jonathan Simon eds. (New York University Press, 2008)

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Rise of the Carceral State, SOCIAL RESEARCH 74(2) 471-508 Punishment the US Record (2007)

Wake of the Flood: Crime, Disaster, and the American Risk Imaginary after Katrina ISSUES IN LEGAL SCHOLARSHIP, Catastrophic Risks: Prevention, Compensation, and Recovery (2007): Article 4.
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Reversal of Fortune: The Resurgence of Personal Risk Assessment in the Criminal Justice System, 1 ANNUAL REVIEW OF LAW AND SOCIAL SCIENCE 397-421 (December 2005)

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Thinking About Criminal Justice: Sociolegal Expertise and the Modernization of American Criminal Justice, in THE BLACKWELL COMPANION TO LAW & SOCIETY edited by Austin Sarat (London 2004), pp.

Peace and Insurance: Recovering the Utopian Vision of Insurance in Royce's War and Insurance, 10 CONN. INS. L.J. 51-72 (2004)

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Fearless Speech In the Killing State: The Power of Capital Crime Victim Speech, 82 NORTH CAROLINA L. REV. 1377-1413 (2004)

Wechsler's Century and Ours: Reforming Criminal Law in a Time of Shifting Rationalities of Government 7 BUFFALO CRIM. L. REV. 101-130 (2004)

The Forms and Limits of the New Penology, with Malcolm Feeley, in PUNISHMENT AND SOCIAL CONTROL (2ND EDITION) edited by Thomas G. Blomberg and Stanley Cohen (New York: Aldine de Gruyter, 2003), 75-116

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Introduction, with Austin Sarat, in CULTURAL ANALYSIS, CULTURAL STUDIES, AND THE LAW: MOVING BEYOND LEGAL REALISM, edited with Austin Sarat (Duke University Press 2003) 1-34

"A Situation So Unique That it Will Probably Never Repeat Itself": Madness, Youth, and Homicide in Twentieth Century Criminal Jurisprudence, in LAW'S MADNESS, Austin Sarat, Lawrence Douglas and Martha Merrill Umphrey, eds. (Ann Arbor: University of Michigan Press, 2003)

Embracing Risk, with Tom Baker, in EMBRACING RISK, Tom Baker and Jonathan Simon, eds. (Chicago: University of Chicago Press, 2002) 1-25

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Introduction: Crime, Community, and Criminal Justice 90 CALIFORNIA LAW REVIEW 1415-1422 (2002)

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Sanctioning Government: Explaining America's Severity Revolution, 56 UNIVERSITY OF MIAMI LAW REVIEW 217-253 (2002)

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Beyond Legal Realism?: Cultural Analysis, Cultural Studies, and the Situation of Legal Scholarship, with Austin Sarat, 13 YALE JOURNAL OF LAW & THE HUMANITIES 3-32 (2001)

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From the Big House to the Warehouse: Rethinking Prisons and State Government in the 20th century, 2 PUNISHMENT & SOCIETY 213-234 (2000)

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'Entitlement to Cruelty': The End of Welfare and the Punitive Mentality in the United States, in CRIME, RISK AND JUSTICE: THE POLITICS OF CRIME CONTROL IN LIBERAL DEMORACIES, Kevin Stenson and Robert R. Sullivan, eds. (London: Willan Publishing, 2000), 125-143

Understanding Prison Policy and Population Trends, with Theodore Caplow, CRIME & JUSTICE, Michael Tonry & Joan Petersilia editors (1999), 281-338

On Their Own: Delinquency without Society, 47 KANSAS LAW REVIEW 1001-1019 (1999)

From a Tight Place: Crime, Punishment, and American Liberalism, 17 YALE LAW & POLICY REVIEW 853-876 (1999)

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Tokens of Our Esteem: Aggravating Factors in the Era of Deregulated Death Penalties, with Christina Spaulding, in THE KILLING STATE: CAPITAL PUNISHMENT IN LAW, POLITICS, AND CULTURE, Austin Sarat ed. (Oxford University Press, 1999) 81-114

Refugees in a Carceral Age: The Rebirth of Immigration Prisons in the United States, 10 PUBLIC CULTURE 577-606 (1998)

Managing the Monstrous: Sex Offenders and the New Penology, 3 PSYCHOLOGY, PUBLIC POLICY AND LAW 452-467(1998)

Driving Governmentality: Automobile Accidents, Insurance and the Challenge to Social Order in the Inter-War Years, 1919-1941, 4 CONN. INS. L.J. 521-588 (1998)

Discipline & Punish: The Birth of a Middle-Range Research Strategy, in REQUIRED READING: SOCIOLOGY'S MOST INFLUENTIAL BOOKS, Dan Clawson, ed. (Amherst: University of Massachusetts Press, 1998) 47-55

Ghosts of the Disciplinary Machine: Lee Harvey Oswald, Life-History, and the Truth of Crime, 10 YALE JOURNAL OF LAW AND THE HUMANITIES 75-113 (1998)

Gewalt, Rache und Risiko: die Todesstrafe im neoliberalen Staat (Violence, Vengeance and Risk: Capital Punishment in the Neo-liberal State), 37 *KOLNER ZEITSCHRIFT FUR SOCIOLOGIE UND SOZIALPSYCHOLOGIE* 281-301 (1997)

Governing Through Crime, in George Fisher and Lawrence Friedman eds., THE CRIME CONUNDRUM: ESSAYS ON CRIMINAL JUSTICE 171-190 (Westview Press 1997)

Criminology and the Recidivist, in Dale Sechrest and David Sichor eds., 'THREE STRIKES' AND PUBLIC POLICY (Sage 1996) 24-52

The Ballad of a Thin Man: Socio-legal Studies in a Time of Postmodern Crisis, 29 LAW & SOCIETY REVIEW 631-638 (1995)

Inevitable Dependencies: A Comment on Martha Fineman's THE NEUTERED MOTHER, THE SEXUAL FAMILY, AND OTHER TWENTIETH CENTURY TRAGEDIES, 5 COLUMBIA JOURNAL OF GENDER AND LAW 152-167 (1995)

'They Died With Their Boots On': The Boot Camp and the Limits of Modern Penality, 22 SOCIAL JUSTICE: A JOURNAL OF CRIME, CULTURE AND CONFLICT 25-48 (1995)

True Crime: The New Penology and Public Discourse on Crime, (with Malcolm Feeley), in Thomas G. Blomberg and Stanley Cohen eds., PUNISHMENT AND SOCIAL CONTROL: ESSAYS IN HONOR OF SHELDON MESSINGER (New York: Aldine-de-Gruyter, 1995)

Power Without Parents: Juvenile Justice in a Postmodern Society, 16 CARDOZO LAW REVIEW 2501-2564 (1995).

Between Power & Knowledge: Habermas, Foucault, and the Future of Legal Studies, 28 LAW & SOCIETY REVIEW 947-961 (1994)

Actuarial Justice: Power/Knowledge in Contemporary Criminal Justice (with Malcolm Feeley), in David Nelkin ed., THE FUTURE OF CRIMINOLOGY, 173-201 (London: Sage, 1994)

In the Place of the Parent: Risk Management and the Government of Campus Life, 3 SOCIAL & LEGAL STUDIES 14 (1994)

From Confinement to Waste Management: The Post-Modernization of Social Control, 8 FOCUS ON LAW STUDIES No. 2, 4, 6-7 (1993)

'The Government of its Servants': Law and Disciplinary Power in the Industrial Work Place, 1870-1906, 13 STUDIES IN LAW, POLITICS, AND SOCIETY 105-136 (1993)

'The Long Walk Home' to Politics (review essay, Gerald Rosenberg, THE HOLLOW HOPE: CAN COURTS BRING ABOUT SOCIAL CHANGE), 26 LAW & SOCIETY REVIEW 923-941 (1992)

Columbus in The Twilight Zone (review essay, Bruce Ackerman, WE THE PEOPLE: FOUNDATIONS), 17 LAW & SOCIAL INQUIRY 501-520 (1992)

The New Penology: Notes on the Emerging Strategy of Corrections and its Implications, (with Malcolm Feeley) 30 CRIMINOLOGY 449-474 (1992

'In another kind of wood': Michel Foucault and Socio-legal Studies, 17 LAW & SOCIAL INQUIRY 49-55 (1992)

Federalism and the Exclusionary Rule: Rationalizing Law Enforcement, (with Jerome Skolnick) in Malcolm M. Feeley and Harry N. Scheiber, eds., STUDIES IN FEDERALISM, VOL III., 75-88 (Institute for Government Studies, 1989)

The Ideological Effects of Actuarial Practices, 22 LAW & SOCIETY REVIEW 801-830 (1988)

The Emergence of a Risk Society: Law, Insurance, and the State, SOCIALIST REVIEW, No. 89: 61-89 (Fall/Winter 1987)

The Jurisprudence of Death in the Bio-Power State, HISTORY OF THE PRESENT, No. 3: 3, 20-31 (Fall 1987)

Michel Foucault in America, ACTES: LES CAHIERS D'ACTION JURIDIQUE, No. 24, 1986

'*Back to the Future*,' (review essay, Graeme Newman, JUST AND PAINFUL: THE CASE FOR CORPORAL PUNISHMENT), 1985 AMERICAN BAR FOUNDATION RESEARCH JOURNAL 927-941

Comments and Book Reviews

The Culture of Punishment: Prison Society and Spectacle, by Michelle Brown. The LAW & POLITICS BOOK REVIEW, 21(12 December 2011) 690-692

Carceral Nation, Review of; Prison Profiteers: Who Makes Money from Mass Incarceration by Tara Herivel and Paul Wright , eds. New Press, 2007, 352 pages. The Prisoners' World: Portraits of Convicts Caught in the Incarceration Binge by William Tregea and Marjorie Larmour . Lexington Books, 2009, 364 pages. CONTEXTS, 9(4, Fall 2010) 74–76

American nightmare: how forty years of governing through crime have reshaped American democracy, CRIMINAL JUSTICE MATTERS, 2009

Review of, Jennifer Wood and Clifford Shearing, *Imagining Security* (Cullompton, UK: Willan Publishing, 2007), reviewed in CRIMINOLOGY AND CRIMINAL JUSTICE

Review of, Michael Tonry, *Thinking About Crime: Sense and Sensibility in Criminal Justice*, reviewed, THEORETICAL CRIMINOLOGY,

Selected Papers and Public Lectures

Legitimacy through Crime: The Moral Limits of Mass Incarceration, Legitimacy & Criminal Justice: An International Conference, University of Cambridge, Institute of Criminology, May 2-4, 2012

The View from Castle Rock: Restoring Legitimacy to America's Prisons, Scottish Centre for Crime & Justice Research, 2011 Annual Lecture, April 11, 2011

How Should We Punish Murder? Excessive Punishment and the Structure of the Law of Murder, 3rd Annual Barrock Lecture, January 24th, 2011, Marquette Law School, Milwaukee, WI.

No Rationale for the Law of Homicide, 4th Annual Roger Hood Public Lecture, May 22nd, 2009, Centre for Criminology, University of Oxford

Implications of the War on Crime, Plenary Session, British Society of Criminology Conference, London School of Economics, September 2007.

Funded Projects

"Protecting and Treating those Destabilized by Mental Illness:
Beyond the Asylum and the Jail," A symposium, Berkeley and Los Angeles, May

27, 2008 San Francisco Foundation regarding Award #C-2007-0199, $20,000 awarded January 2007

"Youth Violence and Neighborhood Change: New Immigrants in Oakland, California", Pilot Grant, $10,000, Berkeley Population, Center, awarded March 2008

"Losing their Place? Neighborhood Change, Social Control, and Youth Violence", NSF proposal 0921843, $561,501, pending July 2009

Journal and Association Service

PUNISHMENT AND SOCIETY, Co-Editor in Chief, 2004—2008, Board member, 2004-present
LAW & SOCIETY REVIEW, ASSOCIATE-Editor, 2007 - 2010
THEORETICAL CRIMINOLOGY, International Advisory Board, 2001-present
LAW & SOCIETY ASSOCIATION,
Board of Trustees, 2003-2006
Executive Committee Representative Class of 2006
Program Committee, Co-Chair, 1999

University Service

Appointments Committee, School of Law (Boalt Hall), 2003-4, 2004-5, 2005-6
Curriculum Committee, School of Law (Boalt Hall), 2004-5; 2005-6, 2006-7
Admissions Committee, JSP, School of Law (Boalt Hall), 2004 -
Counsel of Undergraduate Deans, 2004---