**Ekow Nyansa Yankah**

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**Short Bio**

Professor Yankah holds degrees from the University of Michigan, Columbia Law School and Oxford University.  His work focuses on questions of political and criminal theory and particularly, questions of political obligation and justifications of punishment.  His work has appeared in law review articles, peer reviewed legal theory journals, books and medical journals, including NOMOS, Ratio Juris, Law and Philosophy, Criminal Law and Philosophy, the Fordham Law Review among others. He has been a Distinguished Visiting Faculty Member at the University of Toronto School of Law and a visiting fellow at the Israeli Institute of Advanced Studies (IIAS) among others. His work has been translated into Italian and Spanish.

He has been recognized numerous times by his students for his dedication to teaching. He was awarded an “Inspiration Award” by the Cardozo student body and the “Cardozo Alumni of the Year Award” by Cardozo BALLSA, becoming the first non-Cardozo graduate or faculty member to be recognized.

His interests have also led him to develop expertise in voting rights and election law. For years he serves as the co-chair of the New York Democratic Lawyers Council, the voting rights arm of the New York Democratic party and the coordinating arm of the DNC. In 2020, he was awarded the “Guardian of Democracy” Award by NYDLC. That year, he was appointed to New York’s Public Campaign Finance Board, which he now serves as Chairman.

He also sits on multiple non-profit and start up boards including the Innocence Project, where he was awarded as an “Advocate for Justice” in 2017. He maintains a public presence writing for publications spanning The New York Times, The New Yorker, The Washington Post and Salon among others and has been a regular commentator on criminal law issues on television and radio including NBC, CNN, MSNBC, BBC, BBC International, NPR and PBS.

**Education**

**Oxford University, Lincoln College**, Oxford, England

*BCL* (postgraduate degree in law), 2002

*Awards:* Lord Crewe Scholarship Award

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

*Juris Doctorate,* 2000

*Awards:* Harlan Fiske Stone Scholar; Parker School of International and Comparative Law Award

*Service:* Unemployment Action Center: Regional Board of Directors (1999-2000); Local Leadership Council, Co-Chairperson (1998-1999); Advocate of the Year Award (1998).

Black Law Students Association (BLSA): Political Action Committee (PAC), Co-Chair and Coordinator of the Paul Robeson Symposium

**Universiteit van Amsterdam**, Amsterdam, Netherlands

*Study Abroad Program: School of Law,* 1998

**University of Michigan**, Ann Arbor, Michigan

*Bachelor of Arts.* Political Science with a minor in Chemistry, 1997

 **Experience**

**Cardozo Law School,** New York, New York

2011-Present

 **Professor of Law**

Affiliated Scholar, Center for Jewish Law and Contemporary Civilization

*Subjects:* Jurisprudence and Legal Theory, Criminal Law, Criminal Procedure and Torts

*Awards, Service and Other:* BALLSA Alumni of the Year Award (First Non-Cardozo Graduate or Faculty Member Awarded); Top 50 Under 50 Law Professors; Faculty Inspire Award; ABA Law School Review Committee (Curriculum Reform); Chair – (Lateral and Entry-Level) Appointments Committee, Chair – Diversity Committee; Chair - Faculty Development Committee; Chair - Adjunct Faculty Hiring

*Faculty Advisor:* BLSA; Cardozo Democrats; Cardozo American Constitution Society; Unemployment Action Center; Journal of International and Comparative Law

2008-2011

 **Associate Professor of Law**

2007

 **Visiting Associate Professor of Law**

**Fordham Law School,** New York, New York

2010, 2012

**Adjunct Professor**

*Subjects:* Torts

**University of Illinois, School of Law,** Champaign, Illinois

2005

 **Richard W. and Marie L. Corman Scholar and Assistant Professor of Law**

 *Member:* Law and Philosophy Program; Program in Criminal Law and Procedure

 *Subjects:*  Jurisprudence and Legal Theory, Torts and Criminal Procedure

*Awards, Service and Other:* Black Law Students Association Award for Special Service; University-wide Senator; University-wide Senate Committee on Student Discipline; University-wide Senate Committee on Student Discipline Special Steering Committee

**Boies, Schiller & Flexner LLP**, New York, New York

2003

 **Associate,** Complex Commercial Litigation

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

2000

**Law and Philosophy Research Fellow/Legal Discourse Fellow**

**Visiting and Fellowships**

***King’s College London, Dickson Poon School of Law***

Visiting Professor of Law – (Fall 2019)

***University of Toronto School of Law***, Toronto, Canada

Distinguished Visiting Faculty Member - (Oct. 2017)

***The InterDisciplinary, Radzyner Law School***, Herzliya, Israel

Visiting Professor of Law – (May – June, 2017)

***The Institute for Advanced Studies, Hebrew University***, Jerusalem, Israel

Visiting Fellow – (Spring 2016)

**Publications and Manuscripts**

*Mandatory Voting and Black Citizenship*, \_ Fordham L. Rev. \_ (*forthcoming* 2021)

*Provider Care Team Segregation and Operative Mortality Following Coronary Bypass Grafting*, 14 Circulation \_ , (2021) (with Dr. John Hollingsworth, et. al.)

*Reckless Racism and Mens Rea in Criminal Punishment*, \_ Arizona State L. Rev. \_ (*forthcoming* 2021)

*Punishing Them All: How Criminal Justice Should Account for Mass Incarceration*, 97 Res Philosophica 185 (2020)

*The Right to Reintegration*,23 New Criminal Law Review 74 (2020)

*The Place of Retributivism in Punishment*, 71 Rutgers L. Rev 1003 (2020)

*Race, Criminal Law and Ethical Life* in Palgrave Handbook on Applied Ethics and the Criminal Law (2019)

*Whose Burden to Bear?: Privilege, Lawbreaking and Race.* Symposium on Tommie Shelby’s Dark Ghettos: Injustice, Dissent, and Reform in \_ Crim. Law and Phil. \_ (2019)

*The Sovereign and the Republic: A Republican View of Political Obligation*, \_ NOMOS \_ (*forthcoming* 2019)

*Pretext of Justification: Republicanism, Policing and Race*, 40 Cardozo L. Rev. 1543 (2019)

Reprinted in part in *A Republican Vision of Policing*, in The Cambridge Handbook of Policing in the United States (2019)

*Legal Hypocrisy*, 32 Ratio Juris 2 (2019)

Book Review:  *The Failure of “Rights” in Racial Justice: Comments on From Slave Abuse to Hate Crime by Ely Aaronson*, 14 Jerusalem Review of Legal Studies 192 (2017)

*Facing Terror Together: Public Agents and Civic* Worth, 2 Critical Analysis of Law 244(2015)

*Republican Responsibility in Criminal Law.*  9 Crim. Law and Phil. 457 (2015)

*Legal Vices and Civic Virtue*. 7 Crim. Law and Phil. 61 (2012)

*Reprinted in* Aristotle and the Philosophy of Law: Theory, Practice and Justice (Ius Gentinum: Comparative Perspectives on Law and Justice) (Eds. Liesbeth Huppes-Cluysenaer & Nuno M.M.S. Coelho) (2013)

*When Justice Can’t Be Done: The Obligation to Govern and Rights in the State of Terror*. 31Law and Phil. 643 (2012)

Book Review: *Crime, Freedom and Civic Bonds: Arthur Ripstein’s Force and Freedom.* 6 Crim. Law and Phil. 255 (2012)

[*Liberal Virtue*](http://cardozo.yu.edu/uploadedFiles/Cardozo/Profiles/yankah-632/Liberal%20Virtue.pdf)inLaw, Virtue and Justice (Alalia Amaya and Ho Hock Lai eds.; Oxford: Hart Publications) (with reply by Anthony Duff) (2011)

[*A Paradox in Overcriminalization*](http://cardozo.yu.edu/uploadedFiles/Cardozo/Profiles/yankah-632/Paradox%20in%20Overcriminalization%20%28final%29.pdf)*.*  14New Criminal Law Review 1 (2011)

[Book Review: Peter de Marneffe, Liberalism and Prostitution](http://cardozo.yu.edu/uploadedFiles/Cardozo/Profiles/yankah-632/Liberalism%20and%20Prostitution%20NDPR.PDF), in Notre Dame Philosophical Review (2010)

[*Virtue’s Domain*](http://www.cardozo.yu.edu/uploadedFiles/Cardozo/Profiles/yankah-632/Virtues%20Domain.pdf)*.* 2009 U. Ill. L. Rev. 1167 (2009)

[*The Law of Duty and the Virtue of Justice*](http://www.cardozo.yu.edu/uploadedFiles/Cardozo/Profiles/yankah-632/The%20Law%20of%20Duty%20and%20the%20Virtue%20of%20Justice.pdf)*.* 27 Crim. Just. Ethics 67 (2008) (symposium including Anthony Duff, Jeff McMahan, Andrew Von Hirsch and Andrew Ashworth; reply by George Fletcher)

[*The Force of Law: The Role of Coercion in Legal Normativity*](http://www.cardozo.yu.edu/uploadedFiles/Cardozo/Profiles/yankah-632/The%20Force%20of%20Law.pdf)*.* 42 U. Rich. L. Rev. 1195 (2008)

[*Good Guys and Bad Guys: Punishing Character, Equality and the Irrelevance of Moral Character to Criminal Punishment*](http://www.cardozo.yu.edu/uploadedFiles/Cardozo/Profiles/yankah-632/Good%20Guys%20and%20Bad%20Guys%20-%20Punishing%20Character%20Equality%20and%20the%20Irrelevance%20of%20Moral%20Character%20to%20Criminal%20Punishment.pdf)*.* 25 Cardozo L. Rev. 1019 (2004)

**In Progress**

*Book Project: For We are All Bonded: Political Obligation, Franchise and Criminal Law*

*Franchise as a Republican Value: Pursuing the Common Good*

*Republican Rights and (De)Criminalization*

*Franchise, Ancient and Modern: Franchise as a Political Value*

*Republicanism and the Rule of Law*

*Rawlsian Conjecture, Secular Communication and Exclusion*

*The Right to Condemn*

*The Second-Person Point of View, Rights and Child Criminals*

**Selected Academic Presentations and Participation**

*Franchise as a Republican Value: Pursuing the Common Good –* Loyola University (New Orleans) Philosophy Department; Northwestern University Philosophy Department

*Republican Rights and (De)Criminalization –* Republican Theories of Criminal Law Conference

*Republicanism, Policing and Race* – Villanova Law School Faculty Workshop; Minnesota Law School – The Future of Criminal Law (Keynote Speaker);

*Franchise, Ancient and Modern: Franchise as a Political Value* – American Philosophical Association (Central Division Meeting) Jurisprudence Section; New Voices in Legal Theory, St. Andrews, Scotland

*Republican Responsibility in Criminal Law* – UCLA Legal Theory Workshop; Berkeley GALA Seminar; Robina Institute – University of Minnesota School of Law

*The Sovereign and the Republic: A Republican View of Political Obligation* – University of Pennsylvania Center for Ethics and Rule of Law; Kings College (London) New Waves in Legal and Political Theory; IVR – Belo Horizonte, Brazil

MacArthur Foundation Research Network on Law and Neuroscience – Invited Commenter - interdisciplinary collaboration to aimed at exploring ways to deploy neuroscientific insights to improve the fairness and effectiveness of the criminal justice system while avoiding neuroscientific evidence in criminal law contexts.

“Criminal Responsibility and Its History,” Themes in the Work of Nicola Lacey – Commenter, University of Minnesota School of Law

The Retributivist Tradition and Its Future – Commenter, St. John’s School of Law

Roundtable on Scott Shapiro’s Legality – Commenter, Cardozo Law School

Symposium on Human Dignity and the Criminal Law – Commenter, University of Minnesota School of Law

*Legal Hypocrisy* - Cardozo Junior Faculty Workshop; Columbia Law School Lieber Colloquium; University of Toronto; University of Baltimore School of Law Faculty Workshop; University of Alabama School of Law Faculty Workshop; University of Pennsylvania School of Law Faculty Workshop; NYU Political Theory Workshop; Princeton Center for Human Values

*Legal Vices and Civic Virtue* - World Congress of Philosophy of Law and Social Philosophy, Frankfurt (Special Workshop Aristotle and the Philosophy of Law: Theory, Practice and Justice) (Workshop on Legal Normativity and the Philosophy of Practical Reason); Rutgers Law School (Newark) Symposium on Vice and Crime; Cardozo Law School Faculty Workshop

Rethinking Criminal Law Theory: New Canadian Perspectives in the Philosophy of Domestic, Transnational, and International Criminal Law – Commenter, Osgoode Hall Law School, York University

Conference on Criminalization – Commenter, Queens University Faculty of Law (Kingston, Ontario)

*Rawlsian Conjecture, Secular Communication and Exclusion* – Annenberg/Oxford Summer Institute (Oxford, England); Central European University (Budapest)

*When Justice Can’t be Done: The Obligation to Govern and Rights in the State of Terror* - Cardozo Symposium on The Obligations of Sovereignty; Cardozo Junior Faculty Workshop; The New Voices in Legal Theory Conference, St. Louis; University of Buffalo Baldy Center for Law and Social Policy; University of North Carolina State Philosophy Department Public Lectures

*Liberal Virtue* - University of Colorado Speaker’s Colloquium; University of Illinois Faculty Workshop; Criminal Law Theory Workshop; Cardozo Faculty Workshop; Oxford University Jurisprudence Working Group; World Congress of Philosophy of Law and Social Philosophy (Beijing)

*A Paradox in Overcriminalization* – Symposium on Overcriminalization, Pace Law School

Conference on Terrorism, Human Security and Human Rights – Commenter, Jindal Global Law School, New Delhi, India

*Virtue’s Domain -* Prawfsfest – New Voices Roundtable; Rutgers University (New Camden) School of Law Faculty Workshop; Cardozo Law School Faculty Workshop; Washington University School of Law Regional Junior Faculty Workshop; Law and Society – Theories of Punishment; New Voices in Legal Theory Roundtable; Pace Law School Faculty Workshop

*The Force of Law: The Role of Coercion in Legal Normativity -* The University of Illinois School of Law Faculty Workshop; The Chicago-Kent School of Law - University of Illinois School of Law Faculty Workshop; University of Notre Dame School of Law Faculty Workshop; University of Virginia School of Law - Law and Humanities Workshop; Cardozo Law School Bauer Workshop

Contributing Editor, Jotwell (Jurisprudence Section): Eds. Brian Bix and Brian Tamanaha

Refereed Articles in various law reviews, legal theory and philosophy journals including *The Harvard Law Review, The Monist, Law and Philosophy, Oxford University Press, Criminal Law and Philosophy* and *The New Criminal Law Review*

**Professional Activities**

**Lawyers’ committee for Civil Rights Under the Law**

2016-Present

 **Executive Board Member**

**American Constitutional Society,** New York, New York

2010-Present

**New York Executive Board Member**

**New York Democratic Lawyers Council,** New York, New York

2008-2020

**Co-Chair**

Recognized as the “Guardian of Democracy,” Aug. 2020

**The Innocence Project,** New York, New York

 **Board of Directors; Executive Board**

Recognized as an “Advocate for Justice,” Nov. 2017

# Op-Eds and Public Commentary

**Modern Day Segregation in Hospitals is Killing Black Patients**, Salon, June 26, 2021 (with John M. Hollingsworth and Brahmajee K. Nallamothu)

**Prisoners are Getting Whiter. That’s One Way Mass Incarceration May End**, Washington Post, February 26, 2021 (with Keith Humphreys)

**New York’s Next Shot to Strengthen Our Democracy**, Gotham Gazette, February 24, 2021

**Trump’s Racism is Bad for White People Too**, New York Daily News, October 19, 2020

**Dismantling Obstacles to Voting in NY**, Newsday, August 28, 2020

**Racialized Violence Never Takes A Break: On The Killing Of Ahmaud Arbery**, New York Daily News, May 08, 2020

**Can My Children Be Friends With White People?,** New York Times, November 11, 2017

**Cardozo Law Professor Perfectly Explains What Trump Stands For,** Huffington Post, November 16, 2016 (www.aol.com/video/view/cardozo-law-professor-perfectly-explains-what-trump-stands-for/58264bc0c7480e44b98f03b7/?a\_dgi=aolshare\_facebook)

# Trump and the Country We Lost, Huffington Post, November 8, 2016

# No Wave of Compassion When Addicts Were Hooked on Crack, PBS NewsHour, March 29, 2016

# When Addiction Has a White Face, New York Times, February 9,2016

# Why NCAA Athletes Shouldn’t be Paid, The New Yorker, October 14, 2015

# Seeing Walter Scott, The New Yorker, April 12, 2015

**Eric Garner’s Value,** Huffington Post, December 12, 2014

# Ferguson’s Easy Answers, Huffington Post, September 2, 2014

# The Truth About Trayvon, New York Times, July 15, 2013

**Why Government is Virtuous,** Huffington Post, July 4, 2013

# Electoral fairness held prisoner, Albany Times Union, May 17, 2011 (with Leonard Kohen)