

# Jacob Bronsther

Michigan State University College of Law  
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## APPOINTMENTS

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**MICHIGAN STATE UNIVERSITY COLLEGE OF LAW**, East Lansing, MI  
*Assistant Professor of Law*, August 2021–

**HARVARD LAW SCHOOL**, Cambridge, MA  
*Climenko Fellow & Lecturer on Law*, July 2018–July 2021

## RESEARCH AND TEACHING INTERESTS

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Criminal Law • Sentencing • Law & Philosophy • Torts • Criminal Procedure • Constitutional Law

## EDUCATION

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**LONDON SCHOOL OF ECONOMICS AND POLITICAL SCIENCE**, London, UK

Ph.D. in Law (Criminal Law Theory), October 2018

Dissertation: *Long-Term Incarceration and the Moral Limits of Punishment*

Supervisors: Professors Nicola Lacey and Peter Ramsay

Examiners: Professors Lindsay Farmer and Victor Tadros

Awards: LSE Law Department Studentship (merit-based funding)  
Modern Law Review – Mike Redmayne Scholarship (awarded to the best candidate  
in the fields of Criminal Law and Evidence)

**NEW YORK UNIVERSITY SCHOOL OF LAW**, New York, NY

J.D., May 2011

Activities: *NYU Journal of Law & Liberty*, Articles Editor  
Research Assistant, Professor Samuel Rascoff

Awards: John Bruce Moore Award (for “excellence in the area of law and philosophy”)

**OXFORD UNIVERSITY**, Balliol College, Oxford, UK

M.Phil. in Politics: Political Theory, June 2008

Dissertation: *The Value Structure of Radical Islamism:  
An Ideological Analysis of Sayyid Qutb and Sayyid Abul A’la Mawdudi*

Awards: Department of Politics and International Relations Studentship (merit-based funding)

**CORNELL UNIVERSITY**, College of Arts and Sciences, Ithaca, NY

B.A. in Philosophy, Government (double major), with Honors and Distinction in All Subjects, May 2005

Activities: President of the Cornell Political Coalition

Awards: Meinig Family Cornell National Scholar (1 of 50 selected in the Class of 2005)

## PUBLICATIONS

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*Byproducts, Side-Effects, and the Law of War*, 17 CRIMINAL LAW & PHILOSOPHY (forthcoming 2023) (peer reviewed)

*Optional Legislation*, 107 MINNESOTA LAW REVIEW (forthcoming 2022) (with Guha Krishnamurthi)

*Nonfatal Death Sentences*, 74 OKLAHOMA LAW REVIEW (forthcoming 2022) (invited contribution, symposium on “Ending Mass Incarceration: Philosophy, Practice, and Policy”)

*The Corrective Justice Theory of Punishment*, 107 VIRGINIA LAW REVIEW 227 (2021)

*The Iron Rule*, 42 CARDOZO LAW REVIEW 2889 (2021) (with Guha Krishnamurthi) (special issue on Supreme Court nomination of then-Judge Amy Coney Barrett)

Editor, *Special Issue: New Topics in Sentencing Theory*, 24 NEW CRIMINAL LAW REVIEW 271 (2021)

*Editor's Introduction: New Topics in Sentencing Theory*, 24 NEW CRIMINAL LAW REVIEW 271 (2021)

*The Limits of Retributivism*, 24 NEW CRIMINAL LAW REVIEW 301 (2021)

*Long-Term Incarceration and the Moral Limits of Punishment*, 41 CARDOZO LAW REVIEW 2369 (2020)

- Selected for the 2019 Law & Humanities Junior Scholars Workshop

*Vague Comparisons and Proportional Sentencing*, 25 LEGAL THEORY 26 (2019) (peer reviewed)

*Torture and Respect*, 109 JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY 423 (2019)

*Stay the Hand of Justice? Evaluating Claims that War Crimes Trials Do More Harm than Good*, 146 DAEDALUS: JOURNAL OF THE AMERICAN ACADEMY OF ARTS AND SCIENCES 83 (2017) (with Mark Martins)

Book Review, Joshua D. Freilich & Rob T. Guerette (eds.), *MIGRATION, CULTURE CONFLICT, CRIME AND TERRORISM* (Ashgate, 2006), 9 GLOBAL CRIME 286 (2008)

## **WORK IN PROGRESS**

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*The Doctrine of Double Effect: No Need to Choose* (with Patrick Tomlin) (draft available)

*A Debt to Society* (draft available)

*Carbon Time Machine* (draft available)

INCARCERATION AND HUMAN VALUE (book proposal and manuscript based on my Ph.D. thesis)

*Is Death Different? Incarceration and the Eighth Amendment*

## **LEGAL EXPERIENCE**

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**KRAMER LEVIN NAFTALIS & FRANKEL LLP**, New York, NY

*Litigation Associate, White Collar Defense and Investigations*, September 2011–September 2014

Defended Rajat Gupta, former McKinsey and Goldman Sachs executive, against insider trading charges. Researched evidentiary issues, including the admissibility of wiretap evidence. Created innovative defense strategies and narratives, which were incorporated at trial into the opening statement, multiple cross-examinations, and the summation. Worked on various other white collar and litigation matters. Represented *pro bono* clients in criminal and administrative settings.

## **TEACHING EXPERIENCE**

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*Torts*, Michigan State University College of Law, Fall 2022

*Criminal Law*, Michigan State University College of Law, Spring 2022, Spring 2023

*Topics in Criminal Law: Theories of Punishment*, Michigan State University College of Law, Fall 2021, Spring 2023

*Repairing Wrongs: Crimes and Torts*, Harvard Law School, Spring 2020, Spring 2021

*Legal Research and Writing*, Harvard Law School, 2018–19, 2019–20, 2020–21 (full-year course)

*Criminal Law*, Class Teacher, LSE Law Department, 2015–16, 2016–17 (full-year course)

- Nominated for LSE Student-Led Teaching Award

## **OTHER EXPERIENCE**

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**THE PUBLIC PHILOSOPHER (ThePublicPhilosopher.com)**, New York, NY

*Founding Editor and Contributor*, August 2008–January 2011

Contributed to and co-edited a site that unpacked the moral and philosophical issues lurking beneath public policy debates. Recruited a team of nine writers.

**INSTITUTE FOR DEFENSE ANALYSES**, Alexandria, VA

*Researcher, Joint Advanced Warfighting Division*, Summer 2009

Researched and wrote papers on Islamist ideology and U.S. public diplomacy for the Defense Department’s Terrorist Perspectives Project. Created novel course material for the Sherman Kent School for Intelligence Analysis, CIA University.

**FULBRIGHT SCHOLARSHIP**, Mauritius

*Fulbright Fellow*, October 2005–August 2006

Explored the relationship between Islam and democracy, using Mauritius’s multicultural democracy as a test case. Interviewed over 80 religious and political leaders in and outside the Muslim community. Organized and led a team of 15 University of Mauritius students in the collection of 600 surveys from a random sample of Mauritian Muslims.

**FREDERIC CONGER WOOD FELLOWSHIP**, London, UK and Cornell University

*Fellow*, November 2003–May 2005

Researched the domestic influences of British foreign policy toward Muslim countries.

**UNITED STATES EMBASSY TO IRELAND**, Dublin, IE

*Intern, Political-Economic Section*, Summer 2003

Served as the State Department reporter and analyst for the trial of Michael McKevitt, leader of the “Real IRA.” Negotiated successfully for a U.S. historian in a dispute with the Irish government over salvage rights to the Lusitania, the historic WWI ship. Represented the Embassy in an in-depth assessment of the International Fund for Ireland.

**EXPORT-IMPORT BANK OF THE UNITED STATES**, Washington, D.C.

*Intern*, Summer 2002

**CONGRESSMAN JOSEPH CROWLEY (D-NY)**, Washington, D.C.

*Staff Assistant*, Summers 2000, 2001

## **PRESENTATIONS**

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“A Debt to Society”

- Chicago Criminal Law Theory Workshop, November 4, 2022

“Is Death Different? Incarceration and the Eighth Amendment”

- Chicagoland Junior Scholars Conference, Loyola U. Chicago School of Law, Sept. 30, 2022
- Faculty Research Roundtable, Michigan State University College of Law, September 9, 2022
- Junior Scholars Legal Research Workshop, June 16, 2022

“The Limits of Retributivism”

- Virtual Workshop on Criminal Law Theory, January 28, 2022

“Optional Legislation” (with Guha Krishnamurthi)

- National Conference of Constitutional Law Scholars, University of Arizona College of Law, William H. Rehnquist Center, February 19, 2022
- Maryland Carey Law Virtual Constitutional Law & Economics Workshop, January 10, 2022
- Faculty Workshop, Michigan State University College of Law, October 27, 2021
- Chicagoland Junior Scholars Conference, Loyola U. Chicago School of Law, October 1, 2021
- Climenko Workshop, Harvard Law School, April 20, 2021

“The Corrective Justice Theory of Punishment”

- Scholarship Clinic, NYU Law School, September 14, 2020
- Northern Illinois University Criminal Law Seminar, June 18, 2020
- Virtual Workshop on Criminal Law Theory, May 1, 2020
- CrimFest, Brooklyn Law School, July 15, 2019
- Climenko Workshop, Harvard Law School, July 10, 2019

“Long-Term Incarceration and the Moral Limits of Punishment”

- Law & Humanities Junior Scholars Workshop, University of Pennsylvania, June 2, 2019
- Law and Society Association 2019 Annual Meeting, Washington, D.C., June 1, 2019
- Junior Faculty Forum, Richmond School of Law, May 21, 2019
- Scholarship Clinic, NYU Law School, April 15, 2019
- Climenko Fest, Harvard Law School, March 29, 2019
- Climenko Workshop, Harvard Law School, January 31, 2019

“Torture and Respect”

- Climenko Workshop, Harvard Law School, October 22, 2018

“Two Theories of Deterrent Punishment”

- Gerald Gordon Seminar on Criminal Law, University of Glasgow, June 13, 2017

“A Social Defence Theory of Punishment”

- Centre for Penal Theory and Penal Ethics, University of Cambridge, November 21, 2016
- Ph.D. Research Presentation, LSE Law Department, October 12, 2016
- Society of Legal Scholars Graduate Conference, Oxford University, September 5, 2016

Response to Kai Möller’s paper, “What’s Wrong About Ritual Male Circumcision?”

- Legal & Political Theory Forum, LSE Law Department, March 23, 2016

“Sacriligious Terror, Sacred Security: The Non-Negotiable in U.S. Anti-Terrorism Law”

- “Negotiating the Non-Negotiable” Conference, European Union Institute, February 13, 2015

“Reason in Radical Islam”

- Institute for Defense Analyses, Joint Advanced Warfighting Division, August 2009

“The Value Structure of Radical Islamism”

- Center for Political Ideologies, Oxford University, April 2008

## **SELECTED COMMENTARY**

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“Why Trump Supporters Are So Susceptible to Conspiracy Theories,” *The New Republic*, October 21, 2016.

“Why Being Offensive Works for Trump,” *Salon*, April 13, 2016.

“How Radical Islam Explains the Appeal of Trump and Cruz,” *The New Republic*, February 19, 2016.

“The Climate Agreement in Lima Isn’t Enough. Here’s a Better Solution,” *The New Republic*, December 14, 2014.

“Mubarak steps down. Will Obama step up?,” *The Christian Science Monitor*, February 11, 2011.

“What does President Obama really believe?,” *The Christian Science Monitor*, January 21, 2011.

“Guns, Drugs, and La Barbie: Why America is responsible for Mexican drug cartels,” *The Christian Science Monitor*, September 2, 2010.

“Mount Vernon Statement: The contradiction at the heart of this conservative fusion,” *The Christian Science Monitor*, February 18, 2010.

“The third front in Afghanistan: the American public,” *The Christian Science Monitor*, October 22, 2009 (with Shalev Roisman).

“What do neocons have to do with Obama?,” *The Christian Science Monitor*, September 29, 2009.

“Obama versus Muslim conspiracy theories,” *The Christian Science Monitor*, June 3, 2009.

“The emptiness of Obama’s pragmatism,” *The Christian Science Monitor*, May 26, 2009.

“Obama’s Change: Minor or Major?,” *The Christian Science Monitor*, December 1, 2008.

## **BAR ADMISSIONS**

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New York

## **ACADEMIC SERVICE**

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*Reviewer*, LAW & PHILOSOPHY

*Reviewer*, CRIMINAL LAW & PHILOSOPHY

*Reviewer*, EIDOS: REVISTA DE FILOSOFÍA DE LA UNIVERSIDAD DEL NORTE