

JACOB BRONSTHER
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ACADEMIC APPOINTMENTS

MICHIGAN STATE UNIVERSITY COLLEGE OF LAW, East Lansing, MI

Associate Professor of Law (without tenure), August 2024–

Assistant Professor of Law, August 2021–August 2024

HARVARD LAW SCHOOL, Cambridge, MA

Climenko Fellow & Lecturer on Law, July 2018–July 2021

FULBRIGHT SCHOLARSHIP, Mauritius

Fulbright Fellow, September 2005–August 2006

RESEARCH AND TEACHING INTERESTS

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

EDUCATION

LONDON SCHOOL OF ECONOMICS AND POLITICAL SCIENCE, London, UK

Ph.D. in Law (Criminal Law Theory), October 2018, passed without corrections

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 (inaugural award for “the best candidate in the fields of Criminal Law and the Law of Evidence”)

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, NY

J.D., May 2011

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)

Frederick Conger Wood Fellowship

PUBLICATIONS

Liability to Society: A Theory of Punishment

117 JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY (forthcoming 2027)

- Selected for the Harvard/Stanford/Yale Junior Faculty Forum

Is Death Different?

110 CORNELL LAW REVIEW 597 (2025)

The Social Costs of Solar Radiation Modification

4 NPJ CLIMATE ACTION 69 (2025) (with Yangyang Xu) (peer-reviewed Nature Portfolio journal)

The Virtues of Optional Legislation

56 ARIZONA STATE LAW JOURNAL 1635 (2024) (with Guha Krishnamurthi)

Byproducts, Side-Effects, and the Law of War

17 CRIMINAL LAW & PHILOSOPHY 735 (2023) (peer-reviewed)

Carbon Time Machine

45 THE WASHINGTON QUARTERLY 27 (2023) (faculty-edited foreign policy journal)

Optional Legislation

107 MINNESOTA LAW REVIEW 297 (2022) (with Guha Krishnamurthi)

- Companion essay published in *The Washington Post*

Nonfatal Death Sentences

75 OKLAHOMA LAW REVIEW 7 (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) (faculty-edited)

Long-Term Incarceration and the Moral Limits of Punishment

41 CARDOZO LAW REVIEW 2369 (2020)

- Selected for the 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) (faculty-edited)

WORK IN PROGRESS (some titles withheld for peer review)

Liability to Society: A Theory of Tort Law (draft available)

When the Cheapest Cost Avoider Is the Machine: Direct Sanctions for Autonomous AI (draft available)

A paper on the relationship between retributive and corrective justice (draft available)

A paper on the procedural aspects of interpersonal morality (draft available)

A coauthored paper on the foundations of the doctrine of double effect (draft available)

LEGAL EXPERIENCE

KRAMER LEVIN NAFTALIS & FRANKEL LLP (now HERBERT SMITH FREEHILLS KRAMER), New York, NY
Litigation Associate, White Collar Defense and Investigations, September 2011–September 2014
Assisted in the defense of Rajat Gupta, former McKinsey and Goldman Sachs executive, against insider trading charges in the Southern District of New York, among other litigation and pro bono matters.

TEACHING EXPERIENCE

Criminal Law, Michigan State University College of Law, Spring 2022, Spring 2023, Spring 2024, Spring 2025, Spring 2026

Torts, Michigan State University College of Law, Fall 2022, Fall 2023, Fall 2024, Fall 2026

Topics in Criminal Law: Theories of Punishment, Michigan State University College of Law, Fall 2021, Spring 2023, Spring 2024, Spring 2025, Fall 2025

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

PRESENTATIONS

A paper on the relationship between retributive and corrective justice (title withheld for peer review)

- Criminal Law Theory Workshop, University of Michigan Law School, May 16, 2026

“Liability to Society: A Theory of Tort Law”

- Faculty Workshop, Michigan State University College of Law, February 13, 2026
- Faculty Workshop, DePaul University College of Law, October 16, 2025
- Central States Law Schools Association, 2025 Scholarship Conference, October 10, 2025

“Liability to Society: A Theory of Punishment”

- Markelloquium, Cardozo Law School, December 12, 2025
- AALS Jurisprudence Section, Junior Works-in-Progress Workshop, August 26, 2025
- CrimFest, Cardozo Law School, July 16, 2024
- 2024 Harvard/Stanford/Yale Junior Faculty Forum, Stanford Law School, June 4, 2024
- Workshop on Deterrence, Stockholm University, Stockholm Centre for the Ethics of War and Peace, Bled, Slovenia, June 20, 2023
- Criminal Law Conference, Notre Dame Law School, Kylemore Abbey Global Centre, County Galway, Ireland, May 5, 2023
- Faculty Workshop, Michigan State University College of Law, April 26, 2023
- Faculty Workshop, University of Kansas School of Law, February 7, 2023
- Chicago Criminal Law Theory Workshop, Northwestern School of Law, November 4, 2022

“The Virtues of Optional Legislation” (with Guha Krishnamurthi)

- Faculty Workshop, Michigan State University College of Law, September 4, 2024
- Constitutional Law Colloquium, Loyola U. Chicago School of Law, Nov. 10, 2023

“Is Death Different?”

- Maryland Discussion Group on Constitutionalism, Maryland Carey School of Law, February 28, 2025
- AALS Jurisprudence Section, Junior Works-in-Progress Workshop, August 27, 2024
- Chicagoland Junior Scholars Conference, Loyola U. Chicago School of Law, October 6, 2023
- Decarceration Law Professors: Virtual Work in Progress Workshop, July 5, 2023
- ABA-AALS-Academy for Justice Workshop, December 2, 2022
- 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

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

- “Negotiating the Non-Negotiable” Conference, European University 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

OTHER EXPERIENCE

INSTITUTE FOR DEFENSE ANALYSES, Alexandria, VA

Researcher, Joint Advanced Warfighting Division, Summer 2009

UNITED STATES EMBASSY TO IRELAND, Dublin, IE

Intern, Political-Economic Section, Summer 2003

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

ACADEMIC SERVICE

Michigan State University College of Law

Academic Standards Committee (2021-22), Curriculum Committee (2022-23), Appointments Committee (2023-24), Bar Passage Committee (2024-25), Librarian Review Committee (Chair) (2024-25), Faculty Advisory Council (2025-26)

Occasional Reviewer

LAW & PHILOSOPHY, CRIMINAL LAW & PHILOSOPHY, JOURNAL OF APPLIED PHILOSOPHY, ROUTLEDGE,
EIDOS: REVISTA DE FILOSOFÍA DE LA UNIVERSIDAD DEL NORTE

BAR ADMISSIONS

New York