

# *Curriculum Vitae*

# **Jonathan Gingerich**

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## RESEARCH INTERESTS

AOS: Ethics, Political Philosophy, Philosophy of Law, Aesthetics

AOC: Feminist Philosophy, 19th and 20th Century Continental Philosophy, Bioethics, Applied Ethics

## EMPLOYMENT

**2018-**      **Mellon Postdoctoral Fellow**  
Washington University in St. Louis

## EDUCATION

**2018**      **University of California, Los Angeles, Ph.D. in Philosophy**  
Dissertation: *Freedom's Spontaneity* (abstract attached)  
Committee: Calvin Normore (co-chair), Seana Shiffrin (co-chair), Barbara Herman, A.J. Julius, Robert Goldstein

**2010**      **Harvard Law School, J.D.**  
*magna cum laude*

**2007**      **Georgetown University, A.B. in Philosophy and History**  
*magna cum laude*, Distinction in Philosophy, Honors in History, Phi Beta Kappa

## PUBLICATIONS: PHILOSOPHY

"Freedom and the Value of Games," *Canadian Journal of Philosophy* 48 (2018): 831-849 (peer-reviewed).

"The Political Morality of Nudges in Healthcare," in *Nudging Health: Health Law and Behavioral Economics*, edited by I. Glenn Cohen, Holly Fernandez Lynch, and Christopher T. Robinson (Baltimore: Johns Hopkins University Press, 2016), 97-106 (peer-reviewed).

"Poincaré, Sartre, Continuity and Temporality," *Journal of the British Society for Phenomenology* 37 (2006): 327-330 (peer-reviewed).

## PUBLICATIONS: LAW

"Remixing Rawls: Constitutionalizing Cultural Liberties," *Northeastern University Law Review*, forthcoming 2019.

“Responding to the Market: The Impact of the Rise of Corporate Law Firms on Elite Legal Education in India,” co-authored with Nick Robinson, in *The Indian Legal Profession in the Age of Globalization*, edited by David B. Wilkins, Vikramaditya S. Khanna, and David M. Trubek (Cambridge: Cambridge University Press, 2017), 519-547.

“The Anatomy of Legal Recruitment in India: Tracing the Tracks of Globalization,” co-authored with Vikramaditya Khanna and Aditya Singh, in *The Indian Legal Profession in the Age of Globalization*, edited by David B. Wilkins, Vikramaditya S. Khanna, and David M. Trubek (Cambridge: Cambridge University Press, 2017), 548-577.

“A.V. ex rel. Vanderhye v. iParadigms, LLC: Electronic Databases and the Compartmentalization of Fair Use,” *IDEA: The Intellectual Property Law Review* 50 (2010): 345-365.

“A Call for Blind Review: Student Edited Law Reviews and Bias,” *Journal of Legal Education* 59 (2009): 269-278 (peer-reviewed).

## WORKS IN PROGRESS

“Spontaneous Freedom” (under review)  
“Integrity and Spontaneity” (under review)  
“Freedom beyond Choice”  
“Kantian Genius and Artistic Creativity”  
“Fragility and Spontaneity”  
“Agency, Moral and Aesthetic”  
“Liberal Neutrality, Equality, and Culture”

## REFEREED CONFERENCE PRESENTATIONS

“The Spontaneity of Genius”  
American Society for Aesthetics, Pacific Division, March 23, 2019.

“Fragility and Spontaneity: Bioethical Implications of Spontaneous Freedom”  
American Philosophical Association - Central Division Annual Meeting, February 21, 2019.

“The Spontaneous Self”  
American Philosophical Association - Eastern Division Annual Meeting, January 7, 2019.

“Spontaneous Freedom”  
Vancouver Summer Philosophy Conference, University of British Columbia, August 22, 2018.  
Horizons of Phenomenology Conference, UC Merced, April 28, 2018.

“Agency, Moral and Aesthetic”  
Refereed Panel Presentation, American Society for Aesthetics, Pacific Division, April 4, 2018.

“Freedom and the Value of Games”  
American Philosophical Association - Eastern Division Annual Meeting, January 4, 2018  
(presented as podcast due to weather-related travel cancellations).  
American Society for Aesthetics Annual Meeting, November 18, 2017.  
Berkeley-Stanford-Davis Graduate Conference in Philosophy, UC Davis, April 29, 2017.

Refereed Panel Presentation, American Society for Aesthetics, Pacific Division, April 6, 2016.

“Remixing Rawls”

Harvard Graduate Legal Philosophy Colloquium, April 15, 2016.

“The Political Morality of Nudges”

Harvard Law School Petrie-Flom Center Annual Conference, May 2, 2014.

“Rawls’s Justice as Fairness and Blind Review by Academic Journals”

Harvard University Edmund J. Safra Center for Ethics Symposium, November 1, 2013.

## **INVITED TALKS**

“The Spontaneity of Genius”

Annual Southwest Seminar in Continental Philosophy, Utah Valley University, May 29-31, 2019.

“Liberal Equality, Neutrality, and Culture”

Living with Others: Conscience, Coercion, and Freedom, Andrew J. Mellon Modeling Interdisciplinary Inquiry Conference, Washington University in St. Louis, January 26, 2019.

“Agency, Moral and Aesthetic”

Camp Aesthetics, Utah Valley University, August 3, 2018.

“Fragility and Spontaneity: Bioethical Implications of Spontaneous Freedom”

UCLA Health Ethics Center, January 8, 2018.

“Freedom beyond Choice”

Philosophy Mountain Workshop, March 10, 2019.

University of Nevada, Reno Department of Philosophy, February 14, 2019.

University of South Carolina Department of Philosophy, February 4, 2019.

Workshop in Politics, Ethics, and Society, Washington University, October 19, 2018.

Dartmouth College Department of Philosophy, March 6, 2018.

University of Redlands School of Business, December 20, 2017.

“Spontaneous Freedom”

St. Louis Ethics Workshop, September 21, 2018.

Annual Southwest Seminar in Continental Philosophy, CSU Northridge, June 10, 2017.

“A Rawlsian Theory of Copyright Law”

National Law University, Jodhpur, Ministry of Human Resources Development Chair on IPR Distinguished Speaker Series II, August 11, 2011.

## **PUBLIC PHILOSOPHY**

Podcast on “What Makes Games So Awesome” with Luke Cuddy, The Southwestern College Podcast, January 16, 2018.

Gallery Talk on Kyung Hwa-Lee’s “Plasticity: Architectural Bodies,” Building Bridges Art Exchange, Bergamot Station, Santa Monica, March 25, 2017.

## **HONORS, AWARDS, AND COMPETITIVE GRANTS AND FELLOWSHIPS**

2018	Horizons of Phenomenology Conference Travel Grant
2017	Dissertation Year Fellowship, UCLA Graduate Division
2013	Graduate Research Mentorship, UCLA Graduate Division
2013	Graduate Summer Research Mentorship, UCLA Graduate Division
2010	Irving Oberman Memorial Prize: Intellectual Property (best essay), Harvard Law School
2010	Student Empirical Research Fellowship, Harvard Center on the Legal Profession
2009	Summer Academic Fellowship, Harvard Law School
2009	Heyman Summer Internship, Harvard Law School
2007	Ryan Medal (top graduating philosophy student), Georgetown University

## **TEACHING EXPERIENCE AS PRIMARY INSTRUCTOR**

Philosophy in Literature, introductory course, Spring 2018 (UCLA)  
Critical Thinking, general education course, Spring 2018 (UCLA Extension) (taught online)  
Philosophy of Law, upper-division course, Summer 2017 (UCLA), Fall 2018 (Washington University)  
The Philosophy of Disembodiment, interdisciplinary freshman seminar, Spring 2017 (UCLA)  
Medical Ethics, upper-division course, Summer 2016 (UCLA)  
Topics in Aesthetics: Philosophy of Popular Art, upper-division course, Summer 2016 (UCLA)  
Contemporary Moral Issues, lower-division course, Fall 2015 (UCLA Extension) (taught online)  
Nietzsche, Freud, and Husserl, upper-division course, Summer 2015 (UCLA)  
Topics in Political Philosophy: Paternalism, upper-division course, Summer 2014 (UCLA)  
Advanced Honors Seminar: Nudges, upper-division honors section, Summer 2014 (UCLA)  
Moral Responsibility and Free Will, upper-division course, Summer 2013, Summer 2014, Spring 2015, and Spring 2016 (UCLA Extension) (taught online)

## **TEACHING EXPERIENCE AS TEACHING ASSISTANT**

### **Teaching Associate and Teaching Fellow, UCLA**

Biotechnology and Society, team-taught interdisciplinary freshman course, Fall 2016, Winter 2017  
Topics in Political Philosophy: Patriarchy, upper-division course, Spring 2016 (A.J. Julius)  
Introduction to Ethics, lower-division writing-intensive course, Winter 2016 (Pamela Hieronymi)  
Philosophy in Literature, lower-division course, Fall 2015 (Herbert Morris)  
Introduction to Political Philosophy: Historical, lower-division course, Spring 2015 (A.J. Julius)  
History of Ethics: Kant's Moral Philosophy, upper-division course, Winter 2015 (Barbara Herman)  
Topics in Ethical Theory: The Ethics of Friendship, upper-division course, Fall 2014 (Anthony Cross)  
Moral Responsibility and Free Will, upper-division course, Spring 2013 (Pamela Hieronymi)  
Medieval and Early Modern Philosophy, upper-division course, Winter 2013 (Brian Copenhaver)  
Rationality and Action, upper-division course, Fall 2012 (Calvin Normore)  
Modern Philosophy, 1650-1800, upper-division course, Spring 2012 (John Carriero)  
Medieval and Early Modern Philosophy, upper-division course, Winter 2012 (Calvin Normore)  
Introduction to Political Philosophy: Freedom, lower-division course, Fall 2011 (A.J. Julius)

### **Teaching Fellow, Harvard University**

Justice, general education political philosophy course, Fall 2008 (Michael Sandel)

## ACADEMIC SERVICE

### Conferences Organized

Co-Organizer, Living With Others: Conscience, Coercion, and Freedom, Washington University  
Modeling Interdisciplinary Inquiry Conference, 2019.

Co-Founder and Organizer, UCLA Law and Philosophy Graduate Conference, 2012-2013, 2015-2016

Founder and Organizer, UCLA Legal and Political Philosophy Mini-Conference, 2013-2016

Co-Organizer, UCLA-University of Antwerp Joint Conference on Law and Philosophy, 2014

### Refereeing

*Social Theory and Practice* (2018), UCLA Minorities and Philosophy Conference (2016)

### Selected Departmental, University, and Professional Service

Program Committee, 2020 American Philosophical Association Central Division Meeting, 2018-2020

Interdisciplinary Project in the Humanities Committee, Washington University, 2018-2019

Head Steward, UAW Local 2865, University of California Student-Workers Union, 2016-2017

UCLA Feminist Theory Reading Group, Co-Founder and Organizer, 2012-2016

UCLA Minorities and Philosophy Chapter, Mentor to Undergraduate Majors, 2014-2015

Philosophy Representative to UCLA Graduate Student Association's Humanities Council, 2011-2014

*Harvard Journal of Law and Gender*, Managing Editor, 2009-2010

*Harvard Civil Rights-Civil Liberties Law Review*, Executive Editor for Student Writing, 2009-2010

Georgetown University LGBTQ Working Group, Student Representative, 2005-2007

## LANGUAGES

Proficient German (reading, speaking), Intermediate French (reading), Intermediate Latin (reading)

## PROFESSIONAL AFFILIATIONS AND ACTIVITIES

Board Member and Technology Chair, Harvard Law School Association of Los Angeles, 2014-2017

Member, State Bar of California

Member, American Philosophical Association

Member, American Society for Aesthetics

## DISSERTATION ABSTRACT: *FREEDOM'S SPONTANEITY*

Many of us have experienced a peculiar feeling of freedom, of the world being open before us. This is the feeling that is captured by phrases like “the freedom of the open road” and “free spirits,” and, to quote Phillip Larkin, “free bloody birds” going “down the long slide / To happiness, endlessly.” This feeling is associated with the ideas that my life could go in many different directions and that there is a vast range of things that I could become. It arises in concert with a wide range of human experiences, including experiences of artistic creation, play, fun, and resistance to authority.

This freedom of openness and spontaneity, which I call *spontaneous freedom*, is central to our ordinary talk about freedom. Yet it is a phenomenon largely ignored in discussions of freedom in contemporary moral philosophy. This is because moral philosophers are primarily concerned to identify the sort of freedom that is a prerequisite for moral responsibility, and so focus on deliberate, voluntary action rooted in rational choice. When moral philosophers do discuss spontaneous freedom, it is often to disparage it as, in the words of Harry Frankfurt, the freedom of “the wanton” whose liberty is merely that of “anarchic impulsive behavior.”

My dissertation develops a theory of spontaneous freedom and of the role it does and should play in our lives, including our moral and political lives. I argue that, to do full justice to the human aspiration for freedom, moral and political theory must recognize the value of spontaneity. Through a study of characters from stories and films by Virginia Woolf, Saki, Akira Kurosawa, and Aman Sethi, I develop a phenomenological account of the nature of spontaneous freedom. I argue that we experience spontaneous freedom when we experience our actions as arising out of ourselves but not fixed in advance either by the decisions of other agents or by our own preexisting commitments or plans.

I further argue that spontaneous freedom is valuable because it allows for the distinctive pleasure of feeling that one’s life is unfortold and that one is among the sources of novelty in the world, a feeling that is central to artistic creativity. It also affords solace from the anxiety associated with the inevitability of death. As with many experiences, like falling in love or seeing an alpine lake, experiences of spontaneous freedom are most valuable when they are veridical. But even the subjective experience of spontaneous freedom, I suggest, activates our awareness of and openness to possibility. Achieving this awareness, at least on occasion, is valuable because it provides us with a sense of our own psychological potential and sharpens a skill that contributes to practical deliberation.

My claim that spontaneous freedom is valuable conflicts with a popular account of the self. According to that account—endorsed by a number of moral philosophers but most famously associated with Christine Korsgaard—the ideal self is one that is well-ordered, actively constituted through rational deliberation. Such *integrity theories* of the self are attractive because they provide an account of agency according to which ideal moral agents invariably endorse their own actions and beliefs. Integrity theories view freedom as involving rational, deliberative control of one’s actions. But I argue that integrity theories forbid well-constituted moral agents to seek out experiences of spontaneous freedom: such agents must act in a manner that they antecedently and reflectively endorse, while spontaneous freedom requires acting in a manner not antecedently fixed by one’s own decisions. Insofar as spontaneous freedom is a kind of freedom that we do and should value, my account exerts pressure on this standard view of agency and the self.

My account of spontaneous freedom also has important political implications. One version of liberal theory holds that the only sort of political freedom worth having is the freedom of each individual to effectively exercise choice compatibly with every other individual doing likewise. On this picture, I have all of the freedom that I could want if I am able to choose autonomously and act in accordance with my choices. But I argue that a community that secures this liberal variety of freedom does not yet provide its members with all the freedom for which people rightly yearn. When public and private institutions

arrange our circumstances in ways that make the courses of our lives predictable, our own choices about how to act may be largely settled by the plans and decisions of other agents. This in turn makes it difficult for us to regard our futures as open in the way that is characteristic of experiences of spontaneous freedom. States should promote spontaneous freedom by providing the material and social preconditions for us to feel that our lives could head in radically different and unanticipated directions.

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## REFERENCES

### *Philosophy Letter Writers\**

Prof. Calvin Normore  
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UCLA Department of Philosophy  
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Prof. Seana Shiffrin  
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Prof. Pamela Hieronymi (also teaching reference)  
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*\* To solicit letters of reference, please contact:*  
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### *Additional References (Law):*

Prof. Larry Sagar  
Professor of Law  
University of Texas at Austin School of Law  
727 East Dean Keeton Street  
Austin, TX 78705-3299  
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Prof. David B. Wilkins  
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Harvard Law School  
Hauser 312, 1563 Massachusetts Avenue  
Cambridge, MA 02138  
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University of Michigan Law School  
3242 South Hall, 701 S. State Street  
Ann Arbor, MI 48109-1215  
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