

MONICA EPPINGER

meppinge@slu.edu

EDUCATION

Yale Law School, J.D., 2006

Yale Journal of Law and Humanities, Editor, special volume on property, 2006

Yale Journal of International Law, 2001-2002

Fellowships and Grants: Yale Law School Olin Fellowship in Law and Social Science (2002), Yale Agrarian Studies (2006), Yale European Studies (2006)

Research Assistant: Susan Rose-Ackerman

University of California Berkeley, Ph.D., Anthropology, 2010

Dissertation: *Reforming the Nation: Law and Land in Post-Soviet Ukraine*

Director Laura Nader; Committee members Paul Rabinow, Alexei Yurchak, Robert Cooter

Graduate GPA: 4.0

Fellowships and Grants: National Science Foundation Fellowship in Law and Social Science (2006-07), Fulbright-Hayes Doctoral Dissertation Fellowship (2006-07), Foreign Language and Area Studies Fellowship in French (2003-04), University of California Berkeley Dean's Fellowship (2008-09), Berkeley Post-Socialist Studies (2009)

U.C. Berkeley Graduate Student Instructor of the Year, 2010

Fletcher School of Law and Diplomacy, M.A., International Law and Diplomacy, 1992

Concentrations: International Law, International Negotiation Theory, Famines and Food Policy

Praxis: A Journal of Development, Articles Editor, 1990-1992

Fellowships: Foreign Language and Area Studies Fellowship in Russian (1991-1992)

Research Assistant: Abe Chayes (Harvard Law School)

Award: Best paper in Negotiations in International Diplomacy

Yale University, B.A., Anthropology, *cum laude*, 1988

PROFESSIONAL APPOINTMENT

Saint Louis University, St. Louis, MO, 2010 – present

Assistant Professor of Law and of Anthropology

Service and Affiliations:

American Association of Law Schools, Anthropology of Law Section Executive Board, January 2015-Present

International Competition Planning Committee, Revolution of Dignity Memorial to the Fallen, Chief Architect's Office, City of Kyiv, Ukraine, June 2014-present

Saint Louis University School of Law Center for International and Comparative Law, 2010-present

Saint Louis University School of Law Multicultural Affairs Committee, 2012-present

Saint Louis University Center for Intercultural Studies Executive Board, 2011-present

Saint Louis University Russian and Eastern European Studies Advisory Board, 2011-present

University of California Berkeley, Berkeley, CA, August 2013 - August 2014
Visiting Scholar, Department of Anthropology

PROFESSIONAL AFFILIATIONS

American Bar Association
American Anthropological Association
American Association of Law Schools, Anthropology of Law Section, Executive Board
Meridian 180 (Trans-Pacific cross-cultural forum), invited participant, 2012-present
Co-Founder and contributor, Comparative Law Prof Blog, 2014-present
Anthropology of Institutions working group, Washington University in Saint Louis

PUBLICATIONS

Property and Political Community: Democracy, Oligarchy, and the Case of Ukraine, GEORGE WASHINGTON INT'L L. REV. (forthcoming August 2015).

Book review of *Politicized Justice in Emerging Democracies: A Study of Courts in Russia and Ukraine (Popova)*, 33 ANTHROPOLOGY OF EAST EUROPE REVIEW 93 (2015).

On Common Sense: Lessons on Starting Over from post-Soviet Ukraine, in STUDYING UP, DOWN, AND SIDEWAYS: ANTHROPOLOGY AT WORK, Rachael Stryker and Roberto Gonzalez, eds. (August 2014) [peer-reviewed].

Diplomacy and its Others, with Karen Knopp and Annelise Riles, 6 EWHA J. GENDER & L. 1 (Seoul, Korea) (June 2014).

Beyond the Limits of the Local: Sexual Violence in the Law of War and Transnational Communities of Fate, 5 EWHA J. GENDER & L. 1 (Seoul, Korea) (Dec. 2013).

Reality Check: Detention in the War on Terror, 62 CATH. U.L. REV. 325 (Winter 2013).

Sages, Savages, and other Speech Act Communities: Culture in Comparative Law, 57 ST. LOUIS U. L. J. 407 (2013).

Parliamentarians, Farmers, and Other Legal Subjects: Law and Experimentation in Independent Ukraine, ANTHROPOLOGY NEWS (December 2012).

Military Tribunals: A Critical Assessment, 52 ST. LOUIS U. L. J. 1153 (2012).

Reforming the Nation: Law and Land in Post-Soviet Ukraine (Ph.D. dissertation, University of California Berkeley, December 2010).

Nation-building in the Penumbra: Notes from a Liminal State, 32 HASTINGS INT'L & COMP. L. REV. (2009).

Governing in the Vernacular, in *LIVING LAW: RECONSIDERING EUGEN EHRLICH* (Marc Hertogh, ed.) (2009) [peer-reviewed].

1996 Country Human Rights Report on Ukraine, in U.S. DEP'T ST., 1996 COUNTRY HUMAN RIGHTS REPORTS (1996).

Scholarly Blogs - Substantive Posts

Comparative Law Prof Blog. November 18, 2014. *Descriptive versus Normative: Interdisciplinary Tensions*.

http://lawprofessors.typepad.com/comparative_law/2014/11/descriptive-versus-normative-doing-comparative-law-to-tell-other-people-what-to-do.html

Comparative Law Prof Blog. November 6, 2014. *Waiting for Ferguson*.

http://lawprofessors.typepad.com/comparative_law/2014/11/waiting-for-ferguson.html

Comparative Law Prof Blog. August 9, 2014. *Occupations, Evictions, and Summer in the Field*.

http://lawprofessors.typepad.com/comparative_law/2014/08/occupations-evictions-and-summer-in-the-field.html

St. Louis Public Radio website. April 10, 2014. *Ukraine Commentary: What Happened, Why It Matters, and Dangerous Myths*. <http://news.stlpublicradio.org/people/monica-eppinger>

Anthropology of Policing and Security blog Anthropoliteia March 25, 2014. *Ukraine Roundtable*.

<http://anthropoliteia.net/category/commentary-forums/whats-going-on-in-ukraine/>

Anthropology of Policing and Security blog Anthropoliteia, March 25, 2014. *Crimea: Skirmishes and Signals in a (mostly) Bloodless War*.

<http://anthropoliteia.net/2014/03/25/crimea-skirmishes-and-signals-in-a-mostly-bloodless-war/#more-1482>.

Anthropology of Policing and Security blog Anthropoliteia, March 16, 2014. *Silencing and Backtalk: Scenes from an Occupation*. <http://anthropoliteia.net/2014/03/16/silencing-and-backtalk-scenes-from-an-occupation/>.

Anthropology of Policing and Security blog Anthropoliteia, March 16, 2014. *Spirit of the Gift, wartime edition*. <http://anthropoliteia.net/2014/03/16/spirit-of-the-gift-wartime-edition/>.

Anthropology of Policing and Security blog Anthropoliteia, March 16, 2014. *The Neither/Nor of a Bloodless War*. <http://anthropoliteia.net/2014/03/16/the-neithernor-of-a-bloodless-war/>.

Anthropology of Policing and Security blog Anthropoliteia, March 15, 2014. *Crimea: On Aesthetics, Master Narratives, and Resistance*. <http://anthropoliteia.net/2014/03/15/crimea-2-on-aesthetics-master-narratives-and-resistance/>.

Anthropology of Policing and Security blog Anthropoliteia, March 6, 2014. *Bakhtin at the Front*. <http://anthropoliteia.net/2014/03/06/bakhtin-at-the-front/>.

Comparative Law Prof blog, March 4, 2014. *Law in a Time of Cholera*. http://lawprofessors.typepad.com/comparative_law/2014/03/law-in-a-time-of-cholera.html

Comparative Law Prof blog, Feb. 18, 2014. *Richness from Juxtaposition*. http://lawprofessors.typepad.com/comparative_law/page/5/

RESEARCH INTERESTS

Property, Law and Power, Spatial Arrangement and Social Organization, Oligarchy, Precarity, Sovereignty, Security, Territory

PROFESSIONAL EXPERIENCE

International Law and Diplomacy

Diplomat, U.S. Department of State, 1992-2001

Five tours of duty in or on policy towards the former U.S.S.R., Caspian pipeline negotiations, or West Africa.

Honors and Awards: Individual Superior Honor Award (State Department's highest civilian award), 1999; Tenured, 1996; Group Superior Honor Award for work on U.S.-Ukraine bilateral relations, 1995.

Private Law

Debevoise and Plimpton LLP, New York, NY, international litigation practice group, summer 2003 and 2004.

Hogan and Hartson LLP, Denver, CO, Real property, Native American land claims, and intellectual property practice areas, summer 2003.

Caplin and Drysdale LLP, Washington, D.C., non-profit organizations practice, summer 2002.

SCHOLARLY PRESENTATIONS

Nationally of Internationally Competed Presentations

Law and Society Association, Seattle, WA, Seattle, WA, May 29, 2015. *Sovereignty in Ukraine: Law, Power, and Authority in Emerging Settings from Crimea to Facebookistan*. (Respondents: Mary Fan and Malcolm Feeley)

Soyuz Association for Post-socialist Cultural Studies annual symposium, February 28, 2015. *Law, Authority, Emotion: An Analysis of the Maidan through Legal Acts*. (Respondent: Laada Bilaniuk) (internationally competed selection)

American Anthropological Association annual meetings, December 5, 2014. *On Common Sense: Lessons on Starting Over from Post-Soviet Ukraine*. (Respondents: David Price, Laura Nader) (internationally competed selection)

Danyliw Research Seminar in Contemporary Ukrainian Studies, University of Ottawa, Ottawa, Canada, Oct. 29-Nov. 1, 2014. *Authority, Hope, and the Law: An Analysis of the Maidan through Legal Acts*.

Law and Society Association, Minneapolis, MN, May 30, 2014. *Property and Precariousness*.

Law and Society Association, Boston, Mass., June 1, 2014. *Land and Other Legal Objects: Legal Experiments in Independent Ukraine*.

Association for Law, Property, and Society, University of Minnesota School of Law, April 26-27, 2013. *Land, Bread, and Sovereignty in Post-Soviet Ukraine*.

Association for the Study of Nationalities, Columbia University, April 20-21, 2013. *Ukrainskiy Khib: Land and Sovereignty in Post-Soviet Ukraine*

Danyliw Research Seminar in Contemporary Ukrainian Studies, University of Ottawa, Ottawa, Canada, November 1-3, 2012. *Parliamentarians, Farmers, and other Legal Subjects*.

Southeastern Association of Law Schools annual conference, August 1, 2012.
Legal Transplants and the Ownership of Life: Synthetic Biology in Agriculture in Comparative Perspective.

Stanford-Yale Junior Faculty Forum, Stanford Law School, June 24, 2011.
Boomtown and Ghost Town in post-Soviet Ukraine: Property, Personhood, and the New Objectivity.

Association of the Study of Law, Culture, and the Humanities, March 11, 2011.
Panel organizer: Marking Space, Marking Time: Sovereignty and Orientalism.
Securing the Population: Contemporary Sovereignty, Scarcity, and the Politics of Provision.

Association for Law, Property, and Society annual meeting, March 4, 2011.
Unraveling the Illiberal Commons: On Property, Personhood, and the New Objectivity.

American Society of Comparative Law Annual Workshop, Yale Law School, February 11, 2011.
Unraveling the Illiberal Commons: On Property, Personhood, and the New Objectivity.

Danyliw Research Seminar in Contemporary Ukrainian Studies, University of Ottawa, Ottawa, Canada, October 2010. *Ukrainskyi Khib [Ukrainian Bread]: Holodomor, Grain Confiscation, and the Contemporary Ukrainian State*.

American Anthropological Association annual meetings, panel on Event-Approach Practices, November 19, 2008.

Flat-Screen Venue, Mirage Mode, and Action-Forcing Events in the Country of Dreams.

American Society of Comparative Law annual meetings, September 2008.

Nation-Building in the Shadow of Great Powers: Notes from a Liminal State.

American Anthropological Association annual meetings, panel on Studying Up, San Jose, CA, November 15, 2006.

Orienteering in Zero Gravity: Constitutionalism and Parliamentary Practice in Post-Soviet Ukraine.

National or International Scholarly Body or Conference

American Association of Law Schools, Anthropology of Law Section Roundtable, Washington, D.C., Jan. 5, 2015. *Legislating Belonging.*

American Association of Law Schools, Comparative Law Section, Washington, D.C., Jan. 3, 2015. *Property and Political Community.*

Comfort Women Conference, Ewha Women's University Law School, Seoul, Korea, Dec. 2, 2013. *Sexual Violence in the Law of War and Transnational Communities of Fate.*

Comfort Women Conference, Ewha Women's University Law School, Seoul, Korea, Dec. 2, 2013. *Diplomacy and Its Others.*

Summer School in Post-Socialist Transformations (conducted under auspices of Embassy of France in Ukraine), Mikolayiv, Ukraine, July 3-10, 2013, *Anthropological Methods for Understanding Law and Social Change.*

Anthropology of Institutions Conference, Washington University of Saint Louis, April 11-12, 2013. *Property as Institution.*

American Society of Comparative Law Annual Workshop, University of Illinois Law School, March 1-2, 2013. Invited discussant for work on informal property regimes in China.

European Central Slavic Conference, Institute of Eastern Europe, Przemysl, Poland, July 9, 2012. *The Place of the Past in the Present: Law and Other Technologies of Remediation.*

Anthropology in the World symposia, University of California Berkeley, March 10, 2012. invited moderator, symposium on *Pedagogy and Civic Life.*

Association for Law, Property, and Society annual meeting, Georgetown Law Center, March 3, 2012. *Legal Transplants and the Ownership of Life: Synthetic Biology in Agriculture in Comparative Perspective.*

Center for International and Comparative Law bi-annual symposium, Saint Louis University, March 2, 2012, panel on Culture.

Invited panelist: *Bringing Comparison Home: The Concept of Culture in Comparative Law*

Childress Symposium on Innovations in the Courts (in honor of Judith Resnik), St. Louis University School of Law, November 11, 2011.

Invited panelist: *Military Tribunals and the Myths of Detention*

Central Slavic Conference (regional division of the Association for Slavic, Eastern European, and Eurasian Studies), November 11, 2011.

Invited keynote speaker: *Boomtown and Ghost Town in Ukraine: Market Democracy, the Illiberal Commons, and other post-Soviet Phantoms*

Danyliw Research Seminar in Contemporary Ukrainian Studies, University of Ottawa, Ottawa, Canada, October 2011. Invited discussant for papers in anthropology and political science.

Workshop on Living Law: Reconsidering Eugen Ehrlich, Institute of Law and Society, Onati, Spain, May 10, 2006. *Governing in the Vernacular.*

Workshop or Seminar

Harvard Law School, International and Comparative Law Workshop, Nov. 12, 2014. *Property, Political Community, and Contemporary Ukraine.*

Cornell University School of Law, Comfort Women Conference, June 19, 2014. *Diplomacy and Its Others: The Case of Comfort Women.*

Kyiv Polytechnic Institute Department of Sociology, May 27, 2014. *Property, Oligarchy, and Vulnerability.*

Saint Louis University School of Law, Faculty Works in Progress Workshop, June 18, 2014. *Property, Oligarchy, and Crisis: The Case of Ukraine.*

New York University School of Law, Property Rights in Development Seminar, April 28, 2014. *Property, Oligarchy, and Crisis: The Case of Ukraine.*

Saint Louis University School of Law Faculty Workshop, March 20, 2014. *Rupture, Revolution, and Invasion in Ukraine.*

Washington University Eurasian Studies Faculty Salon, April 19, 2012. *Sovereignty and Food Security in the Land of Cannibalized Combines.*

Indiana University Law School Interdisciplinary Works in Progress Workshop, March 23, 2012. *Property and Sociability: Legal Objects and Conditions of Possibility.*

Washington University School of Law Regional Junior Faculty Workshop, September 23, 2011. *Shadow Biology and the Ownership of Life: Regulation of Synthetic Biology in Comparative Perspective.*

Faculty Works-in-Progress Workshop, Saint Louis University School of Law, September 14, 2011. *Shadow Biology and the Ownership of Life: Regulation of Synthetic Biology in Comparative Perspective.*

Stanford-Yale Junior Faculty Forum, Stanford Law School, June 24, 2011.
Boomtown and Ghost Town in post-Soviet Ukraine: Property, Personhood, and the New Objectivity.

Anthropology /Sociology faculty lunchtime works-in-progress series, St. Louis University, April 17, 2011. *Boomtown and Ghost Town in post-Soviet Ukraine: Property, Personhood, and the New Objectivity.*

Faculty Works-in-Progress Workshop, Saint Louis University School of Law, July 15, 2010,
Operationalizing Empathy.

Stanford University Department of Anthropology, April 5, 2010.
Social Bread, Surveillance, and Sovereignty in the Land of Cannibalized Combines.

Golden Gate University School of Law Faculty Workshop, October 2009.
Unraveling the Illiberal Commons: On Property, Personhood, and the New Objectivity.

Wake Forest University School of Law Faculty Seminar Series, November 2009,
Unraveling the Illiberal Commons: On Property, Personhood, and the New Objectivity.

University of Richmond School of Law Faculty Seminar, November 2009.
Unraveling the Illiberal Commons: On Property, Personhood, and the New Objectivity.

Saint Louis University School of Law Faculty Seminar, November 2009.
Unraveling the Illiberal Commons: On Property, Personhood, and the New Objectivity.

Southwest School of Law Faculty Seminar Series, December 2009.
Unraveling the Illiberal Commons: On Property, Personhood, and the New Objectivity.

University of California Berkeley Haas School of Business Research Seminar, 2009,
Principles of Property and Abandonment.

University of California Berkeley Institute for Eastern Europe and Eurasia, March 2009.
Flight from Property.

University of California Berkeley Anthropology Methods Seminar, May 2008.
Constitutionalism and Rule of Law under Conditions of Rupture and Emergence.

Scholars of the Saint Sophia National Historical Museum annual conference, Kiev, Ukraine, October 25, 2007. Місце Минулого в Сучасності [*The Place of the Past in the Present: Law and Other Technologies of Remediation*] (delivered in Ukrainian).

Ukrainian Scholars' Conference on The Project of Ukraine in the Twenty-first Century, Kyiv, Ukraine, October 20, 2007. *Europe is Not [only] a Place.*

Fulbright Program in Ukraine annual Orientation Conference, Kyiv, Ukraine, October 18, 2007. *[Not] Achieving Project Goals, and Other Routes to Success.*

Ostroh Academy Law School Bilateral Scholars Conference, Ostroh, Ukraine, May 10, 2007. *Orienteering in Zero Gravity: Performance, Privatization, and Parliament.*

Law School of Kyiv Maritime University, April 9, 2007. *Antecedents and Current Problems of Commercial Law in the U.S.*

Law School of Kyiv International University, Kyiv, Ukraine, December 6, 2006. *A Comparative Perspective on Private International Law.*

Ukrainian National Civil Aviation University, Kyiv, Ukraine, December 8, 2006. *Deixis and Transition.*

Yale Law School Comparative Law Seminar, April 27, 2006. *Soviet Genetics, Capitalist GMOs, and post-Soviet Agriculture.*

Yale Law School Empirical Legal Studies Seminar, 2005. *Comparative Property.*

Presentations to the Public, Popular Press, and Interviews

Presidential Symposium, Saint Louis University, invited respondent to Elijah Anderson's presentation on *The White Space and the Iconic Ghetto.*

Public Policy Luncheon, Weidenbaum Center on the Economy, Government, and Public Policy, Washington University in Saint Louis, February 2, 2015. *Crisis and Reform in Ukraine.*

Saint Louis University School of Law Multi-Cultural Affairs Committee, Sounds of Change [(Ferguson-reflection event (co-sponsored with SLU Law chapters of BALSAs and the American Constitution Society)], November 18, 2014. *Two Numbers* (original spoken word piece, written for the event and performed live).

Central Slavic Studies Association annual conference, keynote panel on Ukraine, November 8, 2014.

Center for International and Comparative Speaker Series, Saint Louis University School of Law, Sept. 16, 2014. *Crisis in Ukraine: Significance for Poland, the United States and Beyond.*

Public Policy Luncheon, Weidenbaum Center on the Economy, Government, and Public Policy, Washington University in Saint Louis, Sept. 14, 2014. *Revolution, Counter-Revolution, and Invasion in Ukraine.*

CNN, April 19, 2014. *Ukraine, Separatists, and Geneva Negotiations.*

St. Louis Public Radio, St. Louis on the Air, April 16, 2014. *Events in Ukraine and international legal ramifications.*

Politics Class, Lifetime Learning Institute of Washington University in St. Louis, April 6, 2014. *Revolution and Invasion.*

Eliot Society, Weidenbaum Center on the Economy, Government, and Public Policy, Washington University in Saint Louis, March 26, 2014. *Ukraine's Background and the Way Ahead.*

Center for Global Citizenship, Saint Louis University, March 25, 2014. *Crisis in Ukraine.*

CBS Radio KMOX, Charlie Brennan Show, March 4, 2014. *Crisis in Ukraine.*

Public Policy Luncheon, Weidenbaum Center on the Economy, Government, and Public Policy, Washington University in Saint Louis, March 3, 2014. *Revolution and Invasion in Ukraine.*

Interviews with Daily Cal Newspaper March 5, Fox 2 KTVI Television News March 4, NBC Television News KSDK Feb. 21, 2014. *Legal, Historical, and Social Aspects of Crisis in Ukraine.*

Lecture to undergraduate Anthropology of Law, University of California Berkeley, November 26, 2013. *Law and Social Change in post-Soviet Ukraine.*

GRANTS AND FELLOWSHIPS

Saint Louis University Center for Intercultural Studies Research Fellowship, 2012, 2014

Saint Louis University Faculty Research leave, Fall 2013

Saint Louis University School of Law Summer Faculty Research Fellowship, 2010, 2011, 2012

University of California Berkeley Post-Soviet Studies Summer Research Fellowship, 2009

University of California Berkeley Teaching Fellow, Spring 2009

University of California Berkeley Dean's Fellowship, Spring and Fall 2008

National Science Foundation Fellowship, 2006-2007

Fulbright-Hays Dissertation Fellowship, 2006-2007

Yale European Studies Fellowship, 2006

Yale Agrarian Studies Fellowship, 2006

Foreign Language and Area Studies Fellowship, in French, 2003-04

Foreign Language and Area Studies Fellowship, in Russian, 1991-92

Olin Fellowship in Law and Social Science, 2002

LANGUAGES

Russian, fluent; *Ukrainian*, proficient; *French*, research proficient; *Mandarin*, conversational;
Hausa, conversational

ANNOTATED SUMMARY OF PUBLICATIONS

On Common Sense: Lessons on Starting Over in post-Soviet Ukraine, in *STUDYING UP, DOWN, AND SIDEWAYS: ANTHROPOLOGY AT WORK* 194 (Rachael Stryker and Roberto Gonzalez, eds.) (Aug. 2014). Rupture poses a challenge to anthropology of law's traditional study the reproduction of authoritative discourse. The methodological injunction to "study up, down, and sideways" presumes a stable sense of up and down. Rupture unsettles that. Based on "vertical slice" fieldwork among parliamentarians in post-Soviet Ukraine, in this chapter, I identify two features of rupture and suggest how they can facilitate the larger project of understanding power and how it works. Misrecognition, wherein familiar-looking institutions, rituals, or processes betray expectations, alerts us to a context in which the interpretive frame is unstable. Polyphony (a less sonorous variation to Bakhtinian heteroglossia) signals a context of many competing "ups." Paying ethnographic attention to both, I argue, yields insight into some of the microprocesses by which power and authority get formed.

Diplomacy and its Others, with Karen Knopp and Annelise Riles, 6 *EWHA J. GENDER & L.* 1 (Seoul, Korea) (June 2014). This article identifies what we term the diplomatic style, as distinct from law and politics, cast into relief in a 2011 Korean Constitutional Court decision (Lee, O-Soo v. Minister of Foreign Affairs and Trade Legal Representative). In contrast to typical judicial reluctance to intervene in foreign affairs, the Constitutional Court held that the constitutional rights of the plaintiffs, former Korean Comfort Women, required the Korean government to pursue a particular strategy on their behalf with the government of Japan. Although legal scholars tend not to analyze diplomacy as analytically separate from politics, we show that focusing on diplomacy and identifying specific features of its style – restraint, pragmatism, and presentism -- helps us to think about the implications of the Constitutional Court's interventionist approach. Law is usually seen as a funnel for politics. This analysis shows the relationship of diplomacy, politics, and law as more of an eddy than a funnel. It is on this point that we perceive a glimmer of feminist hope in the decision.

Beyond the Limits of the Local: Sexual Violence in the Law of War and Transnational Communities of Fate, 5 *EWHA J. GENDER & L.* 1 (Seoul, Korea), (December 2013). The recent emergence of new legal doctrines criminalizing sexual violence during armed conflict under the international law of war is creating a new space for action. In this article, I consider how that jurisprudence is forging new communities of fate, changing patterns of international norm formation and diffusion. I suggest the term biojuridical citizenship to describe new forms of community, patterns of affiliation, and grounds for future action.

Reality Check: Detention in the War on Terror, 62 *CATH. U.L. REV.* 325 (Winter 2013). In this paper, I identify three kinds of detention practiced in the "war on terror": criminal detention, interrogative detention, and preventive detention. I analyze applicable international and domestic law governing detention and propose new measures to subject detention to greater scrutiny and more effective regulation.

Sages, Savages, and Other Speech Act Communities: Culture in Comparative Law, 57 *ST. LOUIS U. L. J.* 407 (December 2013). Against comparative legal scholarship over-reliant on an inadequately examined concept of culture to explain differential outcomes for similar legal rules,

this article proposes instead a components approach, harnessing tools from linguistic anthropology and performance theory in comparative analysis.

Military Tribunals: A Critical Assessment, 52 ST. LOUIS U. L. J. 1153 (2012). Efforts to reform or abolish military commissions in the "war on terror" suffer from an inadequate understanding of the scope and function of tribunals. In this paper, I propose a broader conceptualization of tribunals, an examination of their functions and various motivations of their practitioners, in order to increase scrutiny of practices for generating and managing detainees in the "war on terror" and to aid those working on reform.

Parliamentarians, Farmers, and Other Legal Subjects: Law and Experimentation in Independent Ukraine [ANTHROPOLOGY NEWS (a bulletin of cutting-edge scholarship in anthropology) (Dec. 2012)]. This essay focuses on the role that law has played in the reframing of physical locale over the two decades since the end of the Soviet Union to address some basic questions. It assesses changes in human experience as predicted, and as actually made, by laws focusing on land actually bring about. More broadly, it examines the role of law and legal change under conditions of rupture.

Reforming the Nation: Law and Land in Post-Soviet Ukraine (dissertation in anthropology). Based on 14 months of ethnographic fieldwork, I outline shifts in practices of selfhood, citizenship, and sovereignty wrought by a revolution in property regime and territorial regulation. This work informs our understanding of interrelationships between democracy, oligarchy, and the creation of private property and adds empirical depth to study of the commons and consequences of allocating commons resources through market mechanisms.

Governing in the Vernacular, in LIVING LAW: RECONSIDERING EUGEN EHRLICH (Marc Hertogh, ed., 2009). In this paper, I demonstrate how jurist Eugen Ehrlich, an intellectual godfather of the Legal Realists, adapted contemporary ethnographic techniques to operationalize toleration in judicial decisions. I argue that Ehrlich forges the tools for a sociology of law and at the same time for an innovative mode of governing a pluralistic society.

Nation-building in the Penumbra: Notes from a Liminal State, 32 HASTINGS INTL. & COMP. L. REV. (2009). To analyze legal orders emerging on the margins of Europe, I deploy the anthropological concepts of deixis and liminality. This method engages local formulations and affords comparative law an alternative both to universalistic assumptions and to well-worn debates over hegemony and legal neocolonialism.

Country Human Rights Report on Ukraine (United States Department of State, 1996). In this chapter of the State Department's Congressionally mandated annual Human Rights Report for 1996, I document protections of human rights and establishment of constitutional order, detailing progress and failure on a number of specified indices.