

MONICA EPPINGER

meppinge@slu.edu

EDUCATION

Yale Law School, J.D., 2006

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

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.

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.

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

Comparative Law Prof Blog. August 9, 2014.

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

St. Louis Public Radio website. April 10, 2014.

<http://news.stlpublicradio.org/people/monica-eppinger>

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

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

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

<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.

<http://anthropoliteia.net/2014/03/16/silencing-and-backtalk-scenes-from-an-occupation/>.

Anthropology of Policing and Security blog Anthropoliteia, March 16, 2014.

<http://anthropoliteia.net/2014/03/16/spirit-of-the-gift-wartime-edition/>.

Anthropology of Policing and Security blog Anthropoliteia, March 16, 2014.

<http://anthropoliteia.net/2014/03/16/the-neithernor-of-a-bloodless-war/>.

Anthropology of Policing and Security blog Anthropoliteia, March 15, 2014.

<http://anthropoliteia.net/2014/03/15/crimea-2-on-aesthetics-master-narratives-and-resistance/>.

American Anthropological Association annual meetings, December 5, 2014.
(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.

Law and Society Association, Boston, Mass., June 1, 2014.

Association for Law, Property, and Society, University of Minnesota School of Law, April 26-27, 2013.

Association for the Study of Nationalities, Columbia University, April 20-21, 2013.

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 Khlib [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.

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,

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 Lan

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.*

Ukrainian Scholars' Conference on The Project of Ukraine in the Twenty-first Century, Kyiv, Ukraine, October 20, 2007.

Fulbright Program in Ukraine annual Orientation Conference, Kyiv, Ukraine, October 18, 2007.

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

St. Louis Public Radio, St. Louis on the Air, April 16, 2014.

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

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.

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

Interviews with Daily Cal Newspaper March 5, Fox 2 KTVI Television News March 4, NBC Television News KSDK Feb. 21, 2014.

Lecture to undergraduate Anthropology of Law, University of California Berkeley, November 26, 2013.

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

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.

[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.