

Anthropology of Law

ANT 4273 RK42 • 26144 / ANG 6273 RK62 • 26143

3 credits / Prereq: Sophomore standing

Spring 2026

instructor:

Richard Kernaghan

kernaghan@ufl.edu | (352) 392-2253

Grinter 335 | [zoom](#) | office hours:

Mondays 1 - 4 pm (in-person or zoom)

T | Period 7 (1:55 - 2:45 PM)

R | Period 7- 8 (1:55 - 3:50 PM)

location: TUR 2333

Description: Cross-culturally examines legal systems with a focus on the interrelationship of law with culture, society, economics, and politics.

Summary: How do norms and taboos infuse ordinary life and how do people make sense of their transgression? What binds rules to coercion and under what circumstances may lethal force be deemed legitimate?

In this introduction to legal anthropology, we will frame *law* as an eminently plural phenomena that operates unevenly across multiple social domains (within and beyond the reaches of formal juridical institutions). In dialogue with classic anthropological perspectives on jurisprudence, this class weighs contributions of recent ethnographic approaches to the cross-cultural study of law, as well as critical themes fundamental to it, such as sovereignty, violence and democracy, but also myth, imagination, legal aesthetics and forensic evidence. To assist us in our explorations, we will draw upon a select group of texts from anthropology, history, political and legal philosophy, film and literary fiction. Whether engaging Enlightenment notions of social contract, indigenous rights, courtroom theater, or exclusionary codes (blurring lawfare with warfare), we will consider the protective, potentially empowering, but also predatory dimensions of legal phenomena, taking quite seriously their empirical and reality-creating effects.

* * *

Overview of Requirements: This course will be run as a blend of lecture and seminar with an emphasis on group discussion. Please come to class with the required materials close by, having carefully reviewed them ahead of time. Every week students will be asked to turn in three questions in response to course readings, occasionally (i.e. four times) accompanied by a brief written reflection (300-400 words). In lieu of a mid-term and final exam, there will be an individual research project consisting of an abstract, a bibliography and a proposal poster, to be designed and revised over the course of the semester. Graduate students will prepare an annotated bibliography as well as a final paper, give an in-class presentation of one of the supplemental readings and also have opportunities to moderate group discussions.

* * *

Course Learning Goals: By the end of the semester, students should be able to:

1. identify and explain key concepts and thematic concerns of anthropological approaches to law
2. critically evaluate the history of legal anthropology as well as its contemporary trends
3. demonstrate well-honed skills of textual analysis and interpretation
4. recognize and explain ethnographic modes of research and representation
5. create a persuasive, thoughtfully-designed project for anthropological research

* * *

Texts: The following titles are required,

Malinowski, *Crime and Custom in Savage Society* (Routledge, 2009)
Mulla, *The Violence of Care* (New York University Press, 2014)
Taussig, *Law in a Lawless Land* (University of Chicago Press, 2005)

You do not need to purchase them. E-book versions of these three titles are available via UF Libraries course reserves. All remaining assigned and supplemental class materials (readings, films, etc.) can be accessed via the Canvas course site.

Films: Among the critical materials for this course are four films. These should be viewed outside of class hours and prior to the date for which they are assigned. Weblinks for most of the films can be accessed via Canvas or in some cases Course Reserves. When weblinks are not available, alternative arrangements will be made.

* * *

Class Etiquette: As a courtesy to all, please join each session punctually, prepared to share your informed questions, impressions, and interpretations of the current week's materials. Also,

kindly turn cell phones to silent for the duration of our class meetings. You are welcome to use laptops or tablets to take notes but *not* to reference or take part in activities unrelated to the course. If, at all possible, please do not leave before the session's scheduled end time.

Attendance: An attendance sign-up sheet will be circulated every class. If you miss a session, please provide appropriate documentation (*except for religious holidays*). In such cases you are responsible for contacting a classmate to obtain notes on materials and topics covered while away.

In accord with university attendance policies ([click here to read](#)), absences for reasons of illness ([here](#)), religious holiday ([here](#)), and official university business ([here](#)) are excused.

If the absence is planned, please notify me ahead of time and as early as possible.

If the absence is unplanned, then as soon as it is feasible for you to do so.

Religious observances: The Florida Board of Education and state law govern university policy regarding observance of religious holidays (policy [here](#)). The following guidelines apply:

- Students, upon prior notification to their instructors, shall be excused from class or other scheduled academic activity to observe a religious holy day of their faith.
- Students shall be permitted a reasonable amount of time to make up the material or activities covered in their absence.
- Students shall not be penalized due to absence from class or other scheduled academic activity because of religious observances.

* * *

Course Communications

- Students are responsible for reviewing all materials posted on E-Learning (Canvas) at <https://elearning.ufl.edu/>, including required readings, announcements, details on assignments, and other supplementary material.
- Canvas technical support available at <https://elearning.ufl.edu/student-help-faqs/>.
- The instructor may use email to make general class announcements or to contact you directly about your work. You are responsible for checking your official UF email regularly to be aware of communication from your instructors. There are no allowances for students who fail to read their email announcements or whose inboxes are full at the time an announcement is sent.
- Canvas Notifications: In your Canvas "Account," click on "Notifications." Set the notification for "Submission Comment" to either "Notify Immediately" or "Daily Summary." The instructor may communicate with you regarding your assignments through Submission Comments more so than e-mail. Please read submission comments within 24 hours. Many may require immediate action on your part.

Evaluations - Final grades will be determined according to the following components/assignments:

Participation (& related class activities)	20%
Weekly questions	10%
Reading Reflections	25%
First sketch of individual research project	20%
Final project research proposal	25%

1. Participation (20%) Participation will be evaluated on the degree to which students play an active, informed role in class. These include:

- i.) 5% - regular attendance (no more than 3 unexcused absences);
- ii.) 5% - volunteered in-class commentary;
- iii.) 5% - contributions to peer response activities and discussion groups; as well as
- iv.) 5% - meeting with instructor at least once during term: to brainstorm ideas for final research project; talk about course content; or discuss class-related concerns.

2. Reading response questions (10%) Starting Week 2, students are required to submit three questions addressing the specific content and arguments of the texts assigned for the Tuesday class session.

3. Short reading reflections, four in all (25%) These brief reflections (300-400 words) are for critically engaging one of the required readings from the week the assignment is due. Each reflection should accomplish more than summarize the respective text's contents. Instead, it should succinctly interpret its significance within the context of that week's broader themes.

4. First sketch - Ethnography of law research project (20%) The research project should be "ethnographic," which means it must originate and/or draw inspiration from an actual personal connection or experiential encounter that has significance for the anthropological study of law. Submission of this first sketch should include an abstract (300 words max.), a bibliography (min.10 sources) as well as a longer description (1000 words) that defines the main questions of your inquiry, its scope and its relevance for legal anthropology.

5. Final project - Ethnography of law research (25%) The project will culminate, for undergraduate students, in a research proposal poster, with a revised abstract and a bibliography listing at least 20 sources. The second to last week of the semester undergraduate students will give a group, in-class, poster presentation. The final project (including all accompanying parts) must be submitted via Canvas by the last day of class.

.....

For Graduate students only (ANG 6273 • RK62 • 26143) should submit a research proposal or in lieu of that a term paper that engages relevant concepts and texts of legal anthropology through some aspect of their own current or upcoming research. If the paper option is chosen, an initial draft (minimum 2000 words) is due by mid-semester with a final version (expanded to between 4500 and 5500 words and revised in response to my feedback) due the last day of class.

Other Graduate student requirements: During the semester graduate students should closely review the *supplemental* as well as required readings. You will be asked to give a short 15-20 minute presentation on one of those readings at some point during the semester. You will also be called on during class sessions to mentor undergraduate students on an informal basis and to share insights and experiences from your own research and/or scholarly interests. Finally, alongside the final project (proposal or term paper) you should submit an annotated bibliography on works of legal anthropology that you have found to be germane for your master's or doctoral research.

.....

Assignment Deadlines:

- 1) three discussion questions (weekly): posted to the Canvas course page by **8pm every Monday**
- 2) reading reflections: 2/5, 2/19, 3/5, 4/2
- 3) research project sketch: 3/12
- 4) final project: 4/21

All written assignments will be judged on content (the extent to which they succeed in explicating course material and relevant themes). They will be evaluated as well in terms of style (coherence, persuasiveness and creativity).

Formatting requirements: typed, double-spaced with one-inch margins and pages numbered.

All assignments should be submitted via Canvas: typed in a common 12pt font and double-spaced with one-inch margins and pages numbered. Please not forget to type your full name and the date at the top of the first page

Assignments must be submitted electronically through Canvas, where the Turnitin service will review for proper scholarly attributions and acknowledgments.

Late submissions & assignment extension policy Unless there are extenuating circumstances, such as excused absences (but do let me know!), major assignments handed in late but still within one (1) week of the original due date will be docked 10 points (on a letter grade / 100-point scale). After that, they will no longer be accepted.

Two exceptions to this policy: **1)** weekly discussion questions will be accepted only 24 hours past their regular due date; and **2)** extensions for the final research project beyond the final due date will be not granted except in special cases, i.e. extenuating circumstances as mentioned above, and in accordance with university policies (those policies may be consulted by clicking [here](#)).

Grade Return Timing: I will make every effort to grade and return all assignments that are handed in on-time within two weeks of the official due date.

Please keep in mind that writing assignments must be prepared in accordance with the student conduct code and University of Florida standards of academic honesty.

Assignments submitted via Canvas are screened with the tool Turnitin to assess plagiarism. If there is any evidence of violation of the Student Honor Code, that suggests the student has not written the majority of the content on their own (at least 80%) and that content is egregiously plagiarized, the instructor may do one or more of the following: ask the student to redo the assignment, deduct major points from the score, or receive a *grade of zero* for the assignment. Repeat offenses will be reported to the Anthropology department administration for review and could result in a report to the Student Conduct and Conflict Resolution Office.

Grading: The following scale will be used for grades on all assignments: 94-100=A; 90-93=A-; 87-89=B+; 83-86=B; 79-82=B-; 76-78=C+; 72-75=C; 69-71=C-; 66-68=D+; 62-65=D; 59-61=D-; 58 and below=E (failing). Click [this link to consult current UF policies for grades and grading](#).

* * *

This course complies with all UF academic policies. For information on those policies and for resources for students, please see [this link](#).

Procedure for conflict resolution Any issues, disagreements or grade disputes should be discussed first between the instructor and the student. If the problem cannot be resolved, please contact Prof. John Krigbaum (krigbaum@ufl.edu, (352) 294-7540), Chair of Anthropology. Be prepared to provide documentation of the problem, as well as all graded materials for the semester. Issues that cannot be resolved departmentally will be referred to the University Ombuds Office (<http://www.ombuds.ufl.edu>Links to an external site.; 352-392-1308) or the Dean of Students Office (<http://www.dso.ufl.edu>Links to an external site.; 352-392-1261).

Library Resources

- The **UF Libraries** provide access to numerous resources and services that will help you succeed in this course. Access thousands of **online databases, books, and articles** or visit one of the **branch locations** for additional **resources, services, and study spaces**. Further, as this class

requires students to complete a bibliography, research paper, or project, both the **Anthropology Library Guide** and the **Anthropology Assignment Guide** may be of assistance.

- You can also contact the **Anthropology Librarian** Ginessa Mahar directly for help with developing your research topic/question, searching for sources, and evaluating information: gjmahar@ufl.edu, office: Library West Room 500
- And you can also **Ask A Librarian** for help by email, chat, text, or phone.

Course feedback: Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. [Click here for guidance on how to give feedback in a professional and respectful manner](#). Students will be notified when the evaluation period opens and can complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via ufl.bluera.com/ufl/. [Summaries of course evaluation results are available to students here](#).

* * *

Additional UF Resources:

Health & Wellness

- *U Matter, We Care*: If you or someone you know is in distress, please contact umatter@ufl.edu, 352-392-1575, or visit [U Matter, We Care website](#) to refer or report a concern and a team member will reach out to the student in distress.
- *Counseling and Wellness Center*: [Visit the Counseling and Wellness Center website](#) or call 352-392-1575 for information on crisis services as well as non-crisis services.
- *Student Health Care Center*: Call 352-392-1161 for 24/7 information to help you find the care you need, or [visit the Student Health Care Center website](#).
- *University Police Department*: [Visit UF Police Department website](#) or call 352-392-1111 (or 9-1-1 for emergencies).
- *UF Health Shands Emergency Room / Trauma Center*: For immediate medical care call 352-733-0111 or go to the emergency room at 1515 SW Archer Road, Gainesville, FL 32608; [Visit the UF Health Emergency Room and Trauma Center website](#)

* * *

Please note: I may make minor adjustments to class readings or assignment requirements during the semester. Any and all modifications will be announced ahead of time.

Weekly Course Schedule

week one **visceral things, invitations, dreams...**

1/13 [Kafka, "The Problem of Our Laws"](#)

[Graeter, "Infrastructural Incorporations"](#)

1/15 [Pitt-Rivers, "The Law of Hospitality"](#)

[Anker, "Law as... Forest"](#)

film – [Cocote \(dir. de los Santos Arias\)](#)

week two **afterlives & remains (of Rome)**

1/20 [Pottage, "Finding Melanesia in Ancient Rome"](#)

[Anghie, "Francisco de Vitoria and the colonial origins of international law"](#)

[Miller, "Johnson v. M'Intosh & the Doctrine of Discovery Applied Worldwide"](#)

supplemental: [Miller, "The International Law of Colonialism: A comparative Analysis"](#)

1/22 [Herzog, A Short History of European Law: Part I – Ancient Times](#)

[de Sutter, "On the Magic of Law"](#)

[Vismann, "The Love of Ruins"](#)

week three **forensic interventions**

1/27 Canetti, "Question & Answer"

Mulla, The Violence of Care: Introduction & Chapter 1

supplemental: Mulla, *The Violence of Care: Chapter 2*

1/29	<p><u>Torres & Smith, "Deep Forensics for a More-than-Human Justice"</u></p> <p><u>Hernández Castillo, "The Challenges of Activist Feminist Anthropology in the Context of Forced Disappearance"</u></p>
week four	matter, image, evidence, cliché
2/3	<p><u>Keenan & Weizmann, "Mengele's Skull"</u></p> <p><u>McAllister, "What are the dead made of?"</u></p> <p><u>Clarke & Kendall - 'The beauty...is that it speaks for itself'</u></p> <p><u>Alarcón, "How do you define a gang member?"</u></p>
	<p><i>supplemental:</i> <u>Mulla, "Normalizing Sexually Violated Bodies"</u></p>
2/5	<p><u>Zani, "Forensic Imaginary: Glen Canyon"</u></p> <p><u>Noble, "Teaching Trayvon"</u></p> <p><u>Krajewski, "Against the power of algorithms"</u></p>
	<p><i>supplemental:</i> <u>Noble, "Close-Up: Black Images Matter"</u></p>
week five	legal milieus
2/10	<p>Moore, "Introduction to the Early Classics of Legal Ethnography"</p> <p><u>Malinowski, <i>Crime and Custom in Savage Society</i>: Part I</u></p>
2/12	<p><u>Bohannan, "Differing Realms of Law"</u></p> <p><u>Malinowski, <i>Crime and Custom in Savage Society</i>: Part II</u></p>
	<p><i>supplemental:</i> film – <u>Two Laws (Borroloola Community, Cavadini & Strachan)</u></p>

week six	the properties of transgression
2/17	<p>Frazer, "Taboo"</p> <p>Serres, <i>Malfeasance</i> – Part I</p> <p>Bataille, "Sacrificial Mutilation and the Severed Ear of Vincent Van Gogh"</p> <p>Taussig, "NYPD Blues"</p>
	<u>film</u> - M (dir. Fritz Lang)
2/19	Lemaitre, "Manuel Quintín Lame"
week seven	myths, foundings, fairy tales, files
2/24	<p>Boll, "The Balek Scales"</p> <p>Hobbes, Leviathan, Chapters 13-14</p> <p>Mbembe, Necropolitics: Chapter 1</p>
	<u>supplemental</u> : Locke, <i>Second Treatise of Government</i> , Chapter 9
2/26	<p>Foucault, <i>Society must be defended</i>: Lectures 4 & 5</p> <p>Vismann, "Files, Not Literature"</p>
week eight	research workshop
3/3	<p>guest presentation</p> <p>(readings TBA)</p>
3/5	<p>guest presentation</p> <p>(readings TBA)</p>

week nine	democracy: a question of police
3/10	Ericson, <i>Checked Out OK</i> (excerpts) Stillman, "The Use and Abuse of Civil Forfeiture" Stillman, "Disappeared to a Foreign Prison" Locke, "Of Prerogative"
	<u><i>supplemental: film</i></u> - Hana-Bi (dir. Kitano)
3/12	Canetti, "Command. Flight and Sting" Brighenti, "Did we really get rid of commands?"
	*** SPRING BREAK • March 16 – 21, 2026 ***
week ten	states of exception frontier law
3/2	Schmitt, "Definition of Sovereignty" (Political Theology) Browne, <i>Dark Matters</i> : Chapter 2 Carter, "Gothic Sovereignty"
	<u><i>supplemental: Mbembe, Necropolitics: Chapter 3</i></u>
3/26	Vismann, "Starting from Scratch" Simpson, "The Sovereignty of Critique"
week eleven	liminal zones
3/31	Taussig, <i>Law in a Lawless Land</i> , pp. 1-65

4/2 Taussig, *Law in a Lawless Land*, 66-108

supplemental: Taussig, *Law in a Lawless Land*, pp. 109-202

week twelve proper relations: from juris-diction to ecocide

4/7 Rose, "Participation" (*Shimmer*, Chapter 4)

Correia, "All the land was stolen"

Pasternak, "Jurisdiction and settler colonialism"

Serres, *Malfeasance* – Part II

4/9 Goldstein, "Life in Traffic"

supplemental: Ulmer, "The Earth Is Hungry"

week thirteen project presentations

4/14 student research posters – round 1

4/16 student research posters – round 2

week fourteen final reflections

4/21 group critique