



A HOME FOR HIGH FOREHEADS JANE BURBANK

Jane Burbank's research, teaching, and studies have ranged widely over disciplines, methods, and topics. Graduating from Reed College in Russian Literature in 1967, she completed an M.A. in interdisciplinary Soviet Studies at Harvard University and received a Ph.D. in History from Harvard in 1981. Her first academic post was at Harvard University in the Department of History and the Program in History and Literature. Later she taught at the University of California at Santa Barbara and the University of Michigan, where she directed the Center for Russian and East European Studies during the turbulent transformations of the 1990s. Since 2002, Jane has been a professor at New York University in both History and Russian and Slavic Studies. She has lectured and conducted seminars in Russia and has been a visiting professor at the *École des Hautes Études en Sciences Sociales*, Paris; the *École Normale Supérieure de Cachan*; and the Humboldt University, Berlin. Her publications include: *Empires in World History: Power and the Politics of Difference* (Princeton University Press, 2010 with Frederick Cooper); *Russian Peasants Go to Court: Legal Culture in the Countryside, 1905–1917* (Indiana University Press, 2004); and *Intelligentsia and Revolution: Russian Views of Bolshevism, 1917–1922* (Oxford University Press, 1986). – Address: Department of History, New York University, 52 Washington Square South, New York, NY 10012-1098, USA.
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When the Fellows gathered for our introductory meeting in September 2015, I couldn't help noticing the number of high foreheads. I always worried about my own: shouldn't I cover it up with bangs, hats, scarves, or bandanas? Here among my future colleagues I

saw a lot of space over the eyebrows, on both men and women, even those with stylish shocks of hair above. I felt at home.

There's a world of difference between high foreheads and eggheads; this was borne out by our year together. Our "class" was full of clear-thinking free spirits who liked to share their ideas and their fun. We sustained long-term arguments more or less productively but always with good will; watched movies at our "film club"; consumed many communal meals and drained many bottles; walked in the Grunewald on Mondays and other days; jumped German-style into lakes; enjoyed art exhibits, city explorations, operas, concerts, and dance halls; returned many a late night on the M19 bus; and near the end picnicked almost nightly at the Villa Walther "terrace" on the Herthasee.

What does all this rambunctious interaction mean for science? A great deal, as it turns out. Wiko offers time for the mind behind the forehead to mull things over: to wonder if what someone said at lunch about "history" or "method" or "proof" was worth pursuing, to see one's own work from another angle, and to worry about the limits of inquiry and how to overcome at least some of them. Measured in pages, I did not make that much progress on my manuscript on Russian sovereignty in imperial Kazan, but I am sure that this book, when it emerges, will be both different and better because of my time and my colleagues at Wiko.

As for my second project – a Focus Group on Russian law – here Wiko's generous and effective support for collective work has had immediate and far-reaching results. My colleague Tatiana Borisova from Saint Petersburg and I were able to design and carry out a year-long exploration of our intentionally provocative proposal, "Russia: the Rule of Law in Question". Many of our colleagues were puzzled by our putting Russia and rule of law in the same sentence. Scholars and social commentators alike are unfamiliar with Russia's legal tradition, and even historians of Russia tend to be poorly informed about how law worked before or after the times that they study. We addressed these challenges by organizing two kinds of discussions that brought specialists from many disciplines and regions into a series of conversations about Russian law.

One forum was the workshop, each based on contributions by scholars and activists directly involved in the study of Russian law from the 17th century to the present. Over the course of the year, we conducted four international workshops, attended by a total of 73 scholars. One quarter of our specialists came from Russia, one quarter from the United States, one fifth from Germany, the rest from other countries in Europe or Japan. Their disciplines were history, law, sociology, and anthropology.

The workshops' themes were the "everyday" law of small crimes and civil suits, the roles of legal "intermediaries" of all kinds, the making and interpreting of law, and the connection of law to governance and sovereignty. For each topic, we brought together specialists who worked on different periods of Russian history. Our goal was to familiarize participants with each other's work and to explore the long-term developments in Russian law. The discussions at the workshops enabled us to sketch out the lines of a "Russian legal tradition", to identify strong continuities in legal practice and legal culture, and to identify breaks and shifts in the way law functioned over the centuries of Russia's configuration as a polity.

In addition to the workshops, we conducted a year-long series of seminars, open to all Wiko Fellows and partners as well as to Berlin scholars working on Russia or on law. These were real seminars – discussions based on circulated papers and articles, introduced by commentators. The idea was to expose the participants to the lively scholarship on Russian law and to try out our analyses on experts who work on other regions and disciplines. To our delight and I think to everyone's surprise, this open-ended forum worked very well. The seminar was attended by a shifting cast of lawyers, anthropologists, historians, political activists, legal theorists, and judges, and each time the discussion was wide-ranging, high-pitched, and, we hope, informative.

What came of all this? I can point to some immediate results and also to what I hope will happen later. One short-term result is that we convinced everyone at Wiko and most of those who attended the seminar that there *is* such a thing as a Russian legal tradition. Our colleagues themselves will be able to challenge the recurrent claim that Russia has always been a lawless and anti-law state.

Another result affects us, the convenors. When we planned the project, we hoped that it would serve to enhance the field of legal studies through the inclusion of systems that are not "Western". But during our meetings with colleagues who were not Russian specialists, we kept encountering resistance to the very notion of a legal system that did not conform to political practices that Europeans assume to be universal and desirable. Of course the "rule of law" is nowhere the same, even in Europe, and the concept itself has a particular history, but we still find ourselves puzzling over how to pluralize legal studies convincingly and usefully. Is it possible to break with the normative conception of rule of law and to recognize instead the historical and present-day existence of distinctive, if sometimes overlapping, legal traditions? This is a challenge for Tatiana and me as we

continue our work together. We've started an article, have four conferences coming up, and later, we hope, there will be a book.

Now for a plan that did get fulfilled. Probably most Fellows at Wiko have never been the worst in the class, but I always wanted to go to school with students who were better than I was. I achieved this goal when I was placed in the advanced German course, the vaunted C1, where everyone else was way ahead of me. We had a great deal of fun in this group all year long, and I learned a lot of German. But I also learned what people do (covering up, tuning out, etc.) when they are last in the class. This experience will make me a better teacher, especially in my NYU classes, where English is not everyone's first language.

Finally, let's not forget the forest and the city. As a girl who grew up in the country and loves opera, I found living on the edge of the Grunewald and on the route to three opera companies exhilarating. Birdsong and great music just outside our door: it was paradise.