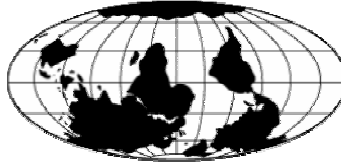


## AN INTRODUCTION AND INVITATION: SNX 2005

### **The South-North Exchange on Theory, Culture and Law**

The South-North Exchange is a joint project of LatCrit, Inc and the Universidad Inter-Americana de Puerto Rico, Facultad de Derecho.



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### ***The Americas and their Indigenous People: Assessing the International Decade of the World's Indigenous People (1994-2004)***

SAN JUAN, PUERTO RICO \* MAY 5-7, 2005

The South-North Exchange on Theory, Culture and Law ("SNX") met for the first time in 2003 to foster and sustain a transnational, cross-disciplinary and inter-cultural dialogue on current issues in law, theory and culture that are of common interest across the Americas. This Exchange consists of two parts: an annual encounter in Puerto Rico and, afterward, a scholarly publication based on the live proceedings. Both the "live" and published versions of the Exchange aim to bring to bear on a contemporary issue or topic the combined specialties of the Exchange participants. Ideally, this annual Exchange will help to build networks of knowledge that, over time, will help to foster social justice awareness and activism, and help to inform public discourse and policymaking nationally, hemispherically and globally regarding current affairs in law and society. To do so, each year the Exchange examines a topical general theme, and participants "exchange" views, experiences, proposals and work through a series of four interactive plenary sessions spanning three days. We invite you to make advance plans *NOW* to join us in the Caribbean in May 2005 for the third meeting of this hemispheric Exchange! To follow up, please *fully complete and timely return* the appended "Participation Guidelines Form" by March 4, 2005 (with your Abstract – see instructions on appended Form).

Most nation-states in the Americas have indigenous peoples under their jurisdiction. Unfortunately, to many citizens, and even some social activists, the members of these communities are like Ralph Ellison's *Invisible Man*. To help rectify this marginality, on December 21, 1993, the General Assembly of the United Nations passed its resolution 48/163, proclaiming the International Decade of the World's Indigenous People, to begin on December 10, 1994. The U.N. General Assembly thus sought to promote international cooperation in order to solve the problems faced by autochthonous communities in areas such as human rights, cultural survival, the environment, and development. This Decade is now concluding and, in the eyes of many observers and affected people, not much has changed. Indeed, most governments have failed to move forward and adopt the U.N. Draft Declaration on the Rights of Indigenous Peoples. The 2005 South-North Exchange on Theory, Culture and Law ("SNX") will convene in San Juan, Puerto Rico at the Inter-American University (School of Law) to cast a critical focus on this topic. To do so, the program for the 2005 Exchange calls for paper proposals exploring the current conditions and prospect of the indigenous peoples throughout the Americas, and interrogating the meaning of concepts like self-determination, nationalism, Eurocentrism, colonialism, multiculturalism, democracy, federalism, political philosophy and the Rule of Law from the perspective of the indigenous. All paper proposals for this 2005 Exchange program are due by March 5, 2005; please use the appended Form. More particularly, the 2005 Exchange organizing committee hopes that the proposals will focus critical analysis on the worth, importance, and relevance of contemporary indigenous cultures in South, Central or North America. The 2005 committee also is very much interested in paper proposals examining the history and politics of the negotiations on the United Nations Draft Declaration between 1994 and 2004. Finally, the 2005 committee welcomes paper proposals that address the work that remains to be done on this topic after ten years, and again from the perspective of indigenous fellow citizens. Interested scholars may obtain from the 2005 Exchange program coordinators a listing of U.N. and indigenous peoples' web sites that provide information and discussion about the Draft Declaration. To request this list, or to obtain further information, please contact the 2005 Program Coordinators (see below) or write directly to [latcrit@law.miami.edu](mailto:latcrit@law.miami.edu).

The exchange sessions begin on Thursday, May 5<sup>th</sup> at 4 PM and conclude on Saturday, May 7<sup>th</sup>, at noon. Please use the appended Form to accept this invitation. For more information, please contact the 2005 program Coordinators (see below) or contact us directly at [latcrit@law.miami.edu](mailto:latcrit@law.miami.edu). Mil Gracias!

**Program Coordinators** : Dominique Legros ([legros\\_dominique@sympatico.ca](mailto:legros_dominique@sympatico.ca)) & Angel Oquendo ([oquendo@uconn.edu](mailto:oquendo@uconn.edu))

# The South-North Exchange 2005: Program Participation Guidelines and Form

After reviewing the Guidelines below, please FAX your completed Form and Abstract to Professor Frank Valdes at 305-284-6506 or email your response to [latcrit@law.miami.edu](mailto:latcrit@law.miami.edu) as soon as possible, *and no later than Friday, March 4, 2005*, so that we can follow up appropriately in advance of the South-North Exchange 2005 in San Juan. Mil gracias for your timely response ... Abrazos!!

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**ABSTRACTS, ADVANCE DRAFTS, FINAL PAPERS & PARTICIAPTION GUIDELINES:** *Each session of the Exchange will feature three-four presentations (15-20 minutes each) based on the timely responses to this Form, and will be facilitated to ensure interactive dialogue. Presentations may consist of or be based on (a) recent or ongoing research projects relating to the Exchange topic; (b) a thought piece responsive to the Exchange topic; or (c) an analysis of current affairs in a particular locality or community as they relate to the Exchange topic. **To participate in the Exchange, please fully complete and timely return this Form by October 1<sup>st</sup> with an Abstract (1-3 paragraphs) of your proposed presentation/paper. To facilitate interactive discussion at the Exchange, all participants additionally are requested and urged to submit a short Advance Draft (2-5 pages) or outline of their papers by April 5, 2005 for advance circulation among Exchange participants. Finally, all Exchange participants are invited to submit a Final Paper (15-35 pages) based on their participation by August 30, 2005 for publication as part of a law review symposium. Thanks for your cooperation in meeting these Program Participation Guidelines ... see ya soon in Puerto Rico!!***

1. NAME: \_\_\_\_\_ EMAIL: \_\_\_\_\_

2. SCHOOL: \_\_\_\_\_ PHONE/S: \_\_\_\_\_

3. MAILING ADDRESS: \_\_\_\_\_

4. \_\_\_ Yes, I am interested in participating in the inaugural South-North Exchange this May 5 – 7, 2005 in Puerto Rico, AND would like to present a paper/essay there on (please provide title and brief description or Abstract of your presentation below, or attach a separate sheet if necessary):

5. \_\_\_ Yes, I will be able to submit an Advance Draft or outline of my remarks (2-5 pages) via email or otherwise by April 5, 2005, for advance circulation to other Exchange participants.

6. \_\_\_ Yes, after the Exchange in San Juan I will be able to submit my Final Paper (15-35 pages) by August 30, 2005 for publication as an essay in a law review symposium based on this event.

# **The South-North Exchange on Theory, Culture and Law**

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## ***The Americas and their Indigenous People: Assessing the International Decade of the World's Indigenous People (1994-2004)***

SAN JUAN, PUERTO RICO

MAY 5-7, 2005

# **PROGRAM AND SCHEDULE**

### **Sponsored by:**

Center for Human Rights, Facultad de Derecho, Universidad Inter-Americana de Puerto Rico

REG-Justice Project

&

Center for Hispanic and Caribbean Legal Studies, University of Miami School of Law

### **Co-Sponsored by:**

Florida Journal of International Law

### **Presented by:**

LatCrit, Inc.

(Latina and Latino Critical Legal Theory, Inc.)

## **The South-North Exchange: Introduction, Welcome and Overview**

Saludos, Amigas/os! Welcome to the third South-North Exchange on Theory, Culture and Law, which will be held May 5-7, 2005 at the Inter-American University School of Law in San Juan, Puerto Rico. This new scholarly initiative is designed to foster and sustain a trans-national, cross-disciplinary and inter-cultural dialogue on current issues in law, theory and culture that are of common interest across the Americas. To do so, this new project will examine topical general themes as participants “exchange” views, ideas, experiences and work through a series of interactive plenary Sessions formatted as interactive roundtable discussions. Ideally, this South-North Exchange (“SNX”) will help to build enduring networks of critical knowledge that, over time, will help to foster social justice awareness and activism, and help to inform public discourse and policymaking nationally, hemispherically and globally. **Travel, lodging and related information follows below, after the introductory and overview notes.**

**Introductory and Overview Notes:** The SNX project consists of two parts: a three-day encounter in Puerto Rico consisting of interactive plenary Sessions and, afterward, a scholarly publication based on the live proceedings. Each Session is timed to last one hour and 45 minutes and is formatted to lead up to interactive discussion akin to a roundtable but including the audience as well. The Exchange Sessions open with a 5-minute Substantive Introduction by that Session’s Introducer and Facilitator, followed by the presenters’ 15-minute presentations, culminating in interactive discussion among the participants as well as between the participants and the audience after the presentations conclude. In addition, all participants and attendees at the live Exchange are invited to submit short essays by August 30, 2005 for publication as a law review symposium based on the proceedings: final details for symposium submissions will be provided on site. Both the “live” and published versions of the South-North Exchange aim to bring to bear on a contemporary topic the combined specialties of multiply diverse scholars.

This year’s Exchange theme, ***“The Americas and their Indigenous People: Assessing the Interantional Decade of the World’s Indigenous People (1994-2004),”*** draws attention to United Nations Resolution 48/163, proclaiming the International Decade of the World’s Indigenous People to begin on December 10, 1994. This Decade, only recently concluded, did not, in the eyes of many observers and affected people, bring about much significant change or improvement. Indeed, most governments have failed to move forward and adopt the U.N. Draft Declaration on the Rights of Indigenous Peoples. Casting a critical focus on this topic, the program for the 2005 SNX aims to explore the current conditions and prospect of the indigenous peoples throughout the Americas, interrogating the meaning of concepts like self-determination, nationalism, Eurocentrism, colonialism, multiculturalism, democracy, federalism, political philosophy and the Rule of Law from the perspective of the indigenous. With these introductory thoughts in mind, we invite and welcome you to the third meeting of the South-North Exchange on Theory, Culture and Law.

**Travel, Lodging & Related Information:** Due to the generous sponsorship of the Inter-American University and the University of Miami, no registration fee applies to this event. **To attend, simply: (1) send us a reply email to [latcrit@law.miami.edu](mailto:latcrit@law.miami.edu) with your name and institutional affiliation; (2) arrange your travel plans to arrive in San Juan in time to join us at the campus of the Inter-American University School of Law by 3 PM on Thursday, May 5<sup>th</sup> and; (3) make your hotel reservation directly with the Holiday Inn San Juan (make sure it’s the one in the Isla Verde neighborhood) by calling 1-800-465-4329 or 787-253-9000 and identifying yourself as a member of the “LatCrit Group.” A shuttle bus will transport you at 2:30 from the hotel to the University and back (free). If you miss the shuttle bus take a taxi to the Inter-American University School of Law. For more information about this or other LatCrit programs and projects, please contact us via email [latcrit@law.miami.edu](mailto:latcrit@law.miami.edu) or visit our website [www.latcrit.org](http://www.latcrit.org). Hasta San Juan!!!**

**Day 1:**

**THURSDAY, May 5, 2005**

*All scheduled events take place at the law campus of the Inter American University of Puerto Rico School of Law unless otherwise noted.*

**3:00 – 3:30 PM: Registration and Welcome Reception**

**3:45 – 4:00 PM: Opening Remarks**  
Frank Valdés (Miami, Law)

**4:00 – 5:45 PM: Session I: Indigenous Peoples and the International Context**

**Introduction and Facilitation:**

Belkys Torres (Notre Dame, Literature)

**Presenters:**

Romeo Saganash, Esq. (Native Attorney, Grand Council of the Cree Indians, Canada), *“Assessing the Decade: A Report”*

Irène Bellier (LAIOS/CNRS, Anthropology), *“The Declaration and the World Indigenous Movement”*

Ron Niezen (McGill, Anthropology), *“The Indigenous Claim for Recognition in the International Public Sphere”*

June McCue (U. British Columbia, Law), *“Securing Our Relations: Indigenous Peoples’ Self-Determination and the Right to Security”*

Dominique Legros (Concordia, Anthropology), *“Overwhelming the Draft Declaration with an Indigenous Legal System”*

**6:00 - 7:15 PM: Film and Moderated Discussion: “Manuel Quintín Lame”**

Manuel Quintín Lame is one of the twentieth century’s most important Indian leaders in Colombia. The documentary “Manuel Quintín Lame” is a spatial and symbolic journey across the south of Tolima, an area where Lame lived for the last forty years of his life. Instead of a biographical account, the documentary shows vignettes of Lame’s life events since his arrival to the area in the early 1920s. Relying on testimonies by his Pijao companions and a performance based on Lame’s political treatise “The Thoughts of the Indian Educated in the Colombian Forest,” the documentary examines the Indian struggle for the recovery of ancestral lands, the mobilization of local-based councils, strategies to counter discrimination and political persecution, and the deployment of law as integral part of Indian militancy. Lame emerges as a visionary leader and a long-lasting symbol of the Indian struggle in Colombia. The immediate objective of this screening and moderated discussion is to facilitate an interdisciplinary debate on the relationship of indigenous movements/activism and the law in Colombia and, by extension, elsewhere throughout the Americas (and globe). The broader goal is to help foster critical debate on this vexed relationship toward an improvement of material and legal conditions for the world’s indigenous people.

**7:30 – 8:00 PM: On-Campus Reception**

**8:45 - 10:00 PM: Group Dinner (unhosted)**

**DAY 2:**

**FRIDAY, May 6, 2005 (morning)**

*All scheduled events take place at law campus of the Inter American University of Puerto Rico School of Law unless otherwise noted.*

**9:00 – 9:45 AM: Coffees, Fruits and Sweet Things**

**10:00 - 11:45 AM: Session 2: Indigenous Peoples and the Domestic Context**

**Introduction and Facilitation:**

Charles R. Venator Santiago (Ithaca College, Political Science)

**Presenters:**

Bethany Berger (Wayne State, Law), *“U.S. American Indian Courts”*

Daniel Bonilla (Universidad de los Andes, Law), *“The Colombian Constitutional Court and Radical Difference”*

Mónica L. Espinosa (UPR/Arecibo, Anthropology), *“Colombian Law and Indigenous Movements”*

Claudia Lozano (Free U. Berlin, Sociology), *“The Argentine State and Indigenous Peoples”*

Imer Flores (Universidad Autonoma de Mexico, Law), *“Assessing the International Decade of the World's Indigenous People: From the Chiapas Rebellion to the Constitutional Reform in Mexico”*

**12:00 – 1:15 PM: Luncheon and Welcome Remarks:**

Luis Mariano Negron, Dean, Universidad Inter-Americana, Law, Puerto Rico

**Moderated Group Discussion:**

Arnulf Becker (Harvard, Law), *“The State of Critical Thinking on Law in Latin America: Scholarship, International Law and Professional Battles”*

**NOTE:**

***Please turn the page for the continuation of the Friday SNX program schedule --->***

**DAY 2:**

**FRIDAY, May 6, 2005 (afternoon)**

*All scheduled events take place at the law campus of the Inter American University of Puerto Rico School of Law unless otherwise noted.*

**1:30 – 3:15 PM: Session 3: Pluralism and Group Identity**

**Introduction and Facilitation:**

Greg Nielsen (Concordia, Sociology)

**Presenters:**

Jean-François Coté (U. Québec/Montreal, Sociology), *“Cosmopolitanism”*

Enrique Fernández (U. Concepción, Sociology), *“Education and Multiculturalism”*

Ciro Alegría (Catholic/Lima, Philosophy), *“What’s a People?: Identity and Self-Determination”*

Martin Saavedra (Universidad de Buenos Aires, Law), *“Opening Legality, Closing Justice”*

Valerie Phillips (Tulsa, Law), *“American Indian Economies”*

**3:30 – 5:15 PM: Session 4: Narratives of Inclusion and Exclusion**

**Introduction and Facilitation:**

Doel Quiñones (Inter, Law)

**Presenters:**

Ángel R. Oquendo (UConn, Law), *“Self-Determination in the Indigenous Communities of the Americas”*

Carolina Stefoni (FLACSO, Sociology), *“Trans-National Migrants and New Citizens”*

Paco Guerra (Catholic/Ponce, Law), *“Deconstructing Darwin”*

Sonia Migdalia Rosa (Independent Scholar), *“The Puerto Ricans at Carlisle Indian School: An Experiment in Americanization through Education”*

**5:30 – 6:15 PM: On-Campus Reception**

**DINNER: Everyone On Their Own!**

**10:30 - 12:00 AM: Fiesta! – Meet at the LatCrit Hospitality Suite**

### **DAY 3**

**Saturday, May 7, 2005**

*All scheduled events take place at the law campus of the Inter American University of Puerto Rico School of Law unless otherwise noted.*

**9:00 - 9:45 AM: Coffees, Fruits and Sweet Things**

**10:00 - 11:45AM: Session 5: Self-Determination Within/Beyond the U.S. – A Roundtable**

**Introduction and Facilitation:**

Celina Romany (Inter, Law)

**Discussants:**

Carlos Severino (UPR/RP, Geography)

Yanira Reyes (Inter, Law)

Angel Rodriguez (UPR/Cayey, Sociology)

**11:45 – 12:00 PM: Concluding Remarks**  
Carmen Gonzalez (U. Seattle, Law)

**LUNCH: Everyone On Their Own!**

**NOTE:**

*The LatCrit Board-and-Friends Retreat commences at this time and in the same place immediately after the conclusion of the South-North Exchange program.*