



LatCrit Student Scholar Program 2007 Final Selections

1. **Danielle Boaz, St. Thomas University School of Law, daniellenboaz@hotmail.com, “Religious Reparations from the Trans-Atlantic Slave Trade: Forming Demons and Cults and Zombies to Justify Black Enslavement”**

In this article, Boaz explores the history of the suppression of African and African-based religions, in particular Voodoo and Santeria, from the founding of the United States to the present. She argues that present-day discrimination against these religions is based on a racist discourse that can be traced directly back to Atlantic slavery, in which these religions are portrayed as “barbaric, primitive, and even evil.” Drawing on international human rights law, Boaz argues that this history of suppression and discrimination requires reparation, and she explores several different forms reparation might take, including secular education about world religions in public schools. This strikingly original and thoughtful article draws on history, international and domestic U.S. law, and theories of reparations in creative and insightful ways. It calls attention to an aspect of contemporary discrimination that is seldom recognized.

Boaz received her J.D. from the University of Toledo School of Law in 2006, and expects to receive her Master of Laws from St. Thomas University School of Law in May, 2007. In the fall of 2007, she intends to begin a Ph.D. program in African and Latin American history and a J.S.D. in Intercultural Human Rights. Her goal is to become a professor of law, with a focus on the intersection of law with history, religion, culture, and the protection of human rights.

2. **Gina Cabarcas, University of Los Andes Law School (Colombia), g-cabarc@uniandes.edu.co, “Language and Domination: The Word ‘Indian’ and Its Use in the First Years of the Republic in Colombia”**

Cabarcas notes that although Colombia embraced the principle of multiculturalism in its 1991 constitution, the term “Indian” remains an insult in popular speech, connoting lack of decency, ignorance, and ineptness. She investigates Colombia’s colonial period for an explanation, and finds that by the nineteenth century, Colombian elites had linked national progress with “whitening.” Whitening stood for the advent of a new generation of men who stood for the values of industriousness, civilization, and morality. The formal equality of Indians coexisted with a social understanding that they represented the backward past.

This sophisticated investigation of law and cultural history shows the connections between republican political theory and theories of race. Cabarcas, drawing on the French *Annales*

tradition, seeks to place legal ideas of equality and multiculturalism into their historical and social context, examining the “private” as well as the “public” spheres. Her work adds to the growing literature of law and humanities that examines legal discourse in its cultural context.

Cabarcas received her law degree from the Universidad de los Andes in 2006, and is beginning a master’s degree program in history at that institution. She was inspired by seeing the upside-down world logo of LatCrit and hopes to bring history to bear on understanding contemporary forms of subordination.

3. César Cuahtémoc García Hernández, Boston College Law School, garciaen@bc.edu, “Of Inferior Stock: The Two-Pronged Repression of Radical Immigrant Birth Control Advocates at the Turn of the Century”

Inspired by Richard Delgado’s Rodrigo stories, García has written a first-person narrative in which he chats with Malinali – a woman named after “La Chingada,” the indigenous woman thought to have betrayed the Aztecs for the Spanish and whose mixed-race descendants stand for Mexico’s mestizo culture. García and Malinali discuss García’s paper in progress, which concerns the combined use of anti-obscenity criminal laws and immigration laws to quash birth control advocacy by both citizen and non-citizen radicals. Although the history of suppression of birth control advocacy through the anti-obscenity laws is well known, scholars have not recognized the contribution of immigration law to this crackdown through the deportation of anarchists and other political radicals. García deftly shows how moral panic and political panic came together to target figures like Emma Goldman, and how, as today, criminal law and immigration law authorities used their power to repress dangerous ideas.

García expects to receive his law degree from Boston College Law School in May, 2007. He attended the 2006 LatCrit conference in Las Vegas, and describes that experience as filling him with “the joy of finding an innovative, inspiring intellectual community that I did not know existed.” He hopes to become a law teacher and to use his formal education toward the pursuit of liberatory praxis.

For more information on the Student Scholar Program, please contact Professor Angela Harris at aharris@law.berkeley.edu.