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ESSAY: RELIGION AND SPIRITUALITY IN OUTSIDER THEORY:

TOWARD A LATCRIT CONVERSATION INTRODUCTION: RELIGIOUS RITUALS AND LATCRIT THEORIZING

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BIO:

* Associate Professor, University of New Mexico School of Law. My thanks to Nancy Ota, Leslie Espinoza, David Cruz, and the other participants in the impromptu discussion on religion at the St. Mary's LatCrit conference.

SUMMARY: ... After the first annual LatCrit conference held at La Jolla, California, Professor Keith Aoki observed that "issues of religion and spirituality are submerged not far below the surface of emerging Latina/o Critical Theory." ... I mention these references to Professor Aoki and Valdes and to my own scholarship by way of providing context and continuity to this Introduction to the cluster of articles on LatCrit theorizing about religion and spirituality. ... In my opinion, the St. Mary's faculty conflated the challenge to generic religious space, as exemplified by the space we were in, with other challenges to Dean Aldave and her supporters. ... Religious ritual is one such group of identity-forming cultural practices. ... This cluster of articles on LatCrit theorizing and religion begins with Professor Verna Sanchez's hortatory essay called Looking Upward and Inward: Religion and Critical Theory. ... With her comments at the conference and again in this symposium, Professor Ota picks up the challenge from Professors Aoki and Valdes and cautions us against the "blithe incorporation of Catholic tradition in a LatCrit conference" and focuses on the crucial questions to be considered in a nascent critical movement such as LatCrit, questions about history, identity, meaning, and bridges/barriers. ...

[*417]

After the first annual LatCrit conference held at La Jolla, California, Professor Keith Aoki observed that "issues of religion and spirituality are submerged not far below the surface of emerging Latina/o Critical Theory." n1 He proposed that LatCrits begin to "unbracket" religious affiliation and identity in the construction and representation of individual and group racial identities. n2 Professor Aoki further posited that "in a paradoxical way, religion simultaneously may be both more and less difficult to voluntarily discard than race, language or nationality as a constitutive element of one's individual and group identity." n3

Professor Francisco Valdes, in commenting on Professor Aoki's intervention at the first LatCrit conference, opined that "[Latina/o social or legal interests in religion or spirituality] include the relationship of Latina/o religious identities and practices to the politics of subordination and self-empowerment in the United States." n4 From its very inception, LatCrit Theory recognized the salience of spirituality and religion to its anti-subordination analyses. Professor Valdes articulated the opportunity and the imperative for LatCrits in this way:

The pending question for LatCrit theorizing, then, is whether "religion" and/or spirituality provide sources of Latina/o resistance to subordination or whether they serve as sources of Latina/o accommodation of

disempowerment. In varied instances or contexts, the answer could be either or both. The task, then, is not a LatCrit assessment of the "correctness" or value attributed to any particular article of faith or dogma, but a searching analysis of religion's impact on Latina/o lives to help fulfill the LatCrit goal of advancing Latina/o liberation from social or legal oppression. The [*418] lesson therefore, is that LatCrit projects focused primarily on race, ethnicity, class, gender or sexuality, should manifest a broadly-defined anti-subordination sensibility and purpose. n5

Details of spirituality and Hispana/o Catholicism n6 have dotted my scholarship beginning with my first article in which I commented on the head-to-toe masks of the nuns who were my elementary school teachers n7 and continuing with my presentation on LatCrit praxis at the first LatCrit conference. There I invoked memories of elementary school and our ritualistic inscription of "J.M.J." ("Jesus, Mary, and Joseph") on our written work which I linked to Chicano/a graffiti practices. n8

I mention these references to Professor Aoki and Valdes and to my own scholarship by way of providing context and continuity to this Introduction to the cluster of articles on LatCrit theorizing about religion and spirituality. These articles are likely to add to the controversy generated by the conversation about religion and Catholicism that took place at the St. Mary's LatCrit conference. By way of positioning myself within this dialogue, I will add that I am, once more, a "practicing" Catholic, mostly but not entirely, because of my daughters' entreaties. n9 I endured, but I know I was also benefited academically by, nine years of Catholic school education. I consider my Catholicism as indoctrination, or a subtly coercive cognitive "binding" to certain beliefs, a notion consistent with an accepted etymological meaning of "religion." n10 I have heard some people comment that they are "Catholics in recovery" and I understand this to mean that they are trying to rid themselves of the cognitive map that develops from religious indoctrination. For part of my life, I was a "non-practicing" Catholic: I attended church irregularly and rarely took the sacraments. I understand this to be different than a "lapsed" Catholic who has decided to stop being a Catholic with no intention of returning to the church. I have never [*419] stopped thinking of myself as a believing Catholic and acknowledge that religious dogma is an important perceptual frame for me. I often find solace in the familiarity of Catholic locations, rituals and icons, especially Nuestra Se<tild n>ora/la Virgen de Guadalupe. n11 However, as a feminist and a LatCrit engaged in anti-subordination projects, I have profound and irreconcilable differences with Catholic dogma, at least as enunciated by the Pope, particularly with respect to issues of sexual orientation and contraception. I deal with this, as I suppose many other Catholics, other Christians and perhaps all progressives who espouse some religious dogma, n12 by compartmentalizing my religious beliefs from my critical theorizing. Recently, partly as a result of writing this Introduction, I have begun to examine whether an integration of the two is possible or desirable. n13

Three of the articles in this cluster on LatCrit Theory and religion and spirituality, those by Professors Ota, Valencia, and Hartigan, focus on the discussion prompted by Professor Ota's comments at the conference. I will generalize her comments to be about the effects of religious iconography and ritual on the discursive and theoretical purposes of the conference. The Ota-Valencia-Hartigan colloquy, as well as the articles by Professors Sanchez and Castro, raise important questions for future LatCrit theorizing about the places and spaces in which we do our work as well as about the complexity of identity-forming cultural practices, including religious rituals, and their unintended effects on those who don't share particular cultural orientations.

Place, Space and LatCrits

Place and space and their effects on interactions are often issues for conference organizers. Much thought goes into choosing suitable surroundings and appropriate arrangements. The seating in most meeting spaces is usually arranged in neat rows and symmetrically rectangular patterns where the audience sits looking forward and eye contact with anyone other than the speaker is almost impossible. I remember the women

participants at the first LatCrit conference re-configuring the chairs in the main meeting room into more of a semi-circular seating pattern. At the second LatCrit conference we seated ourselves in the round (the traditional seating pattern for feminist classes and meetings) for the second day of discussions.

The spacial and design features of the meeting location can subtly structure the interactions. For example, my colleague Christine Zuni-Cruz organized a clinical teaching conference two years ago and held the meetings at the Isleta Indian Pueblo. The senior citizens' center prepared native foods for the participants and pueblo-based writers were included in the skill-building session on story-telling. Other meetings were held at the Pueblo Indian Cultural Center. The places and spaces of the conference with their cultural resonances were intended to leak into the perceptions of the participants. Culture, especially native cultures, was the one of the organizing principles of the conference, and space was utilized to further the organizers' objectives.

In a similar manner the overtly religious spaces of St. Mary's as well as the inclusion of prayers and the gifts of religious mementos for invited guests affected the perceptions of the participants at the second LatCrit conference. The effects were varied. Some of us could easily (often mindlessly and uncritically) bow our heads in prayer, but others understandably refrained from being compelled into silence for religious rituals with which they did not identify, rituals which, after all, are embedded with contested meanings about patriarchy, power and privilege, all core issues for LatCrits.

The religiously expressive space of St. Mary's furthered the objectives of the conference organizers when Professor Ota broke her silence about its oppressiveness; this linkage of space and LatCrit objectives, however, was inadvertent and occurred at considerable personal risk to Nancy Ota. Given that LatCrit theorizing is about anti-subordination, the spaces in which we conduct our work should facilitate our interrogation of relations, examination of institutions, excavation of histories, exposition of contradictions, flaunting of convention, and dissection of hegemony to understand the intricacies of power with its continual reproduction and re-consolidation.

The linkage between the religious spaces of St. Mary's and the LatCrit anti-subordination project was inadvertent partly because of the mixed motives of the conference's planning committee. The St. Mary's members of the committee had a celebratory attitude towards their interpretation of the spaces in which they conduct their academic work. From their perspective, religious spaces enhance their academic work; for them, there is more synergy between the Catholic icons and rituals and legal education than there is dis-empowering contradiction.

The undercurrents of the meeting were the rumors that the St. Mary's administration and faculty were in a heated battle over falling bar passage rates and other issues. Consequently, for the St. Mary's participants, the LatCrit meeting was seen as an opportunity to publicize the law school's (and Dean Barbara Aldave's) notable achievements in the racial diversification of the student body and the faculty, the establishment of a highly successful clinical program, and outreach to the Latina/o communities.

Because there were conflicting concerns and objectives, the interventions by different participants had many sub-currents and subtexts, and we often talked past one another. As it happened, the internal political battles of St. Mary's as the sponsoring school were largely unknown to many of the participants. Thus, the accolades that were offered to Dean Aldave's leadership were misunderstood by many. In retrospect these attempts by St. Mary's faculty to support Dean Aldave and her programs would have been more effective had the planning been more, open, inclusive and strategic.

Nancy Ota's attempt to be heard about the way that religious space can deform and conform sexual identity was silenced repeatedly. The specific space we were in was being defended by the St. Mary's faculty because they were already embattled over its control. That space, therefore, had different valences for the St. Mary's faculty. For others of us, the space was more generic - as religious space it invited challenge and analysis. In my opinion, the St. Mary's faculty conflated the challenge to generic religious space, as

exemplified by the space we were in, with other challenges to Dean Aldave and her supporters. Their spirited defense of the space and its meanings was misplaced and displaced. This concerted defense silenced Professor Ota and others who were focused on more generalized issues of ritualized space and place.

The lesson to be drawn from this dissension is that future conference planners must carefully sort out and try to anticipate the meanings of the places and spaces in which we do our LatCrit work. Moreover, the objectives of the sponsoring schools must be explicit and consistent with the expectations of the wider planning committee and the conference participants.

[*422]

Identity-Forming Cultural Practices and LatCrits

The importance of space and place is not only to the multiple ways in which they structure interactions but also because place and space are constitutive of individual and group identities. Latinas/os identify as islanders, mainlanders, desert peoples and mountain folks. The stories we tell are informed by the places we inhabit. Similarly, various cultural practices are also constitutive of our identities. Religious ritual is one such group of identity-forming cultural practices. Language is another.

Cultural practices, however, can bind peoples together, but they can also erect barriers. For example, I make a point of beginning every presentation before every audience in Spanish, whether I am addressing an AALS (American Association of Law Schools) workshop or an elementary school class. Because the history of the Southwest and that of my own family is replete with instances of language prohibition, the reclamation of Spanish as an intellectual and academic language is one of my professional goals. I also see using Spanish in public places as an everyday transgression against white supremacy and its corrosive sociolegal caricatures. Nonetheless, I know that my injecting Spanish into my talks creates a barrier for those who don't speak it, among Latinas/os and others. And I struggle with this. n15

There is no denying that Catholicism with its prayers, icons, dogma, and hierarchy is, and has been, constitutive of Latina/o identities. How, then, are we to understand the inclusion of religious rituals in LatCrit meetings? Is it included to be a subject of our theorizing and interrogation? Let's say that the "Grace" before meals invokes a male god, can I as a LatCrit feminist object or even note the patriarchal subtext? At St. Mary's, should any of us (Catholic or not) have interrogated the ambiguous/ambivalent qualities of Nuestra Señora/La Virgen de Guadalupe whose image as rendered by a local artist was given to conference guests? And, as LatCrit feminists, can we even wrap our minds around "Virgen mothers" (and was that a wrap or a warp)? My answer is an emphatic yes. I fear, however, that such interrogations can only be successful if we agree ahead of time about the terms of engagement. What I mean by this is that such interrogations did occur at St. Mary's (most notably, by Professor Ota) but were interpreted by some as off limits and/or disrespectful of "our" culture, defined and experienced, at times, as the Catholic subculture and, at others, as Latina/o subculture. While these two overlap, they are not co-extensive.

[*423] The lesson I draw from our St. Mary's experiences, individual and collective, is that cultural practices - whether based on our linguistic variety, our religious rituals or other elements of our identities - should continue to enhance and complicate our LatCrit meetings. With the shared understanding that we welcome the questions, doubts, challenges, and possible discomfort that they evoke.

This cluster of articles on LatCrit theorizing and religion begins with Professor Verna Sanchez's hortatory essay called *Looking Upward and Inward: Religion and Critical Theory*. n16 Her article manifests the cultural syncretism that is characteristic of Latina/o spirituality, the weaving together of disparate elements to produce a new entity. For many of us, our indigenous roots and histories are kept alive partly through our religious and spiritual practices. Professor Sanchez provides an example of this as she moves us out of a

Judeo-Christian context by beginning with Santeria, thereby centering "minority" religions within this dialogue. n17 Noting both the absence of analyses of religion in major Race Crit texts n18 and the historical linkages between churches and religious leaders and inter/national justice movements, n19 Professor Sanchez exhorts us to expand our analytical frames to include religion in our theorizing.

Professor Nancy Ota begins her article *Falling From Grace: A Meditation on LatCrit II* n20 by noting (in the most positive terms n21) that the discussion on religion and Catholicism not only displaced the conference's consideration of Asian-American legal scholarship but also, once more, muted the "queer" voice. With her comments at the conference and again in this symposium, Professor Ota picks up the challenge from Professors Aoki and Valdes n22 and cautions us against the "blithe incorporation of Catholic tradition in a LatCrit conference" n23 and focuses on the crucial questions to be considered in a nascent critical movement such as LatCrit, questions about history, identity, meaning, and bridges/barriers. In calling to mind the complicity of the Catholic Church in the structures and forces of conquest and colonization, Professor Ota links this history to Latinas/os and to gays, lesbians, bisexuals, and transgendered persons among Latinas/os.

[*424] Professor Ota repeatedly reminds us of the religious and spiritual diversity that typifies both Latina/o and Asian communities. In several places, her analysis juxtaposes the liberatory justice-seeking traditions of the various religions with their subordinating freedom-denying histories. She provides us with a model of effective LatCrit theorizing by searching out the positive aspects of cultural practices while exposing their subordinating effects.

Faced with Professor Ota's careful critique, we (heterosexuals), as a critical practice, should examine, expose, and acknowledge our complicity in shrouding and rendering acceptable the discrimination and subjugation of Queers with our continual refusal to hear the stories and the voices, in and out of the Latina/o community. We must also be careful not to appropriate Queer space and Queer suffering. Thus, while I agree with Professor Ota that the implosion at the St. Mary's conference about religion was almost inevitable, as it percolated beneath the surface; nonetheless, we should have made time and space, later in the program, to listen to and learn about Asian American and/or Queer concerns.

I must admit to how difficult writing this Introduction has been for me. I am late in getting the Introduction to the law review editors and I do so with apologies. Partly it's because I use evasion to deal with unpleasant tasks and I have put off the very unpleasant task of disagreeing publicly with Professors Valencia and Hartigan. Writing this Introduction has been a religious and an intellectual exercise for me. I have prayed, read, and meditated on what to write and how to write it. I will have failed if my words sound harsh or ill-considered. I have decided to be direct about my interpretation of their work because I consider the LatCrit anti-subordination projects so vitally important. We must learn to talk frankly about difficult topics. I can't agree more with Professor Valencia when he asks us to continue the dialogue.

Professor Reynaldo Valencia provides both personal narrative and historicized analysis in his piece entitled, *On Being an "Out" Catholic: Contextualizing the Role of Religion at LatCrit II*. n24 Professor Valencia deploys a closet metaphor with the word "Out," appropriated from the Queer experience and referring to "coming out or being out of the closet." This allusion fails, from my perspective as a heterosexual Latina Catholic, to elucidate either the difficult choices available to persons of Faith who desire to integrate religious beliefs into their public lives or to illuminate the shared experiences of subordination between Queers and Catholics. Queers continue to suffer de jure discrimination in employment, education, [*425] housing, medical care, etc., and to be the victims of untold (and untolled) hate crimes of violence. We Catholics, like white men, may be the butt of late night jokes and even the occasional objects of derision; nonetheless, Judeo-Catholic-Christian beliefs and rituals are at the core of traditional Euro-American ideology, receiving constitutional protection and socio-economic accommodation.

Professor Valencia's narratives are valuable because they provide the kind of details that bear excavating as LatCrits analyze how cultural practices, such as religious rituals and imagery, are the building blocks of our individual and collective identities. But he doesn't do the hard work of showing how Latina/o Catholicism inter-penetrates different forms of il/legitimate power - through land holdings, by structuring family relations, by sanctioning nationalism and colonialism, etc., etc. Moreover, finding idiosyncratic instances where Catholic individuals or schools have acted to support Queers, as described in Professor Valencia's epilogue, obfuscates the manner in which the Church exercises or fails to exercise its considerable institutional and structural power to thwart the extension of human rights protections to Queers.

Professor Valencia asserts at several points that "the religious personal is ... the equivalent of the secular political." n25 However, his examples don't interrogate the boundaries of the binary categories so that we can understand whether or how they are interlocking. I yearn to hear how Judge Garza reconciled Biblical references with constitutional interpretation. n26 From where I stand, Judge Garza's biographer seems to be reiterating the usual compartmentalization that characterizes the religious beliefs of public persons - namely, we pray for justice but follow the dictates of the law. n27 And, the LatCrit lesson is that, if we do so without an in depth analysis of the contradictory forces of the law, we risk re/producing subordination.

In her article *Disturbing the Peace*, n28 Professor Emily Fowler Hartigan frequently uses categories of analysis that confound the reader, at least this one. For example, in attempting to sort out "what hurt most" n29 about the discussion on religion at the St. Mary's conference, she identifies the "non-Catholics" n30 with the "judg[ment of] the Church and 'us' as uncritical of that Church." n31 I conclude that Professor Hartigan is using "us" to mean Catholics (and not St. Mary's Catholics), but the criticism or critique of the [*426] Church, as I recall, came as much from "believing" Catholics like myself as from "lapsed" Catholics and "non-Catholics." But, later in the article, I again get caught in Professor Hartigan's categories. For example, she writes "[a] number of speakers rushed into judgment, lacking ... critical distance ... or ... respect." n32 According to Professor Hartigan, these speakers, again identified as "non-Catholic," n33 commit a variety of errors: ignoring the Church's affirmations of basic economic rights, re-capitulating anti-Catholicism, preaching pluralism but failing to practice it. This analysis is just wrong: the speakers included Catholics, myself included, who know Church doctrine and history. More importantly, as LatCrits we did not go to St. Mary's for a weekend of religious indoctrination nor silent celebration; we were there to do serious critical work. Consequently, as I have already asserted, any cultural practices, including religious rituals, are open to critical challenge from LatCrits, whether Catholic or not.

Professor Hartigan evinces broad knowledge of Catholicism drawing on pertinent experiences as a Catholic progressive. However, her excoriation of the participants at the LatCrit meeting is unjustified and not in keeping with LatCrit objectives as articulated by Professors Aoki and Valdes with which I, for one, agree. She accuses us (again her categories are problematic because I simply don't know if "they," the supposed transgressors, are LatCrits or non-Catholics) of positioning ourselves as "anthropologists" and posits that our stories "trespassed." Many of us within the LatCrit movement have deliberately chosen to use cross-disciplinary methods, including borrowing ethnographic methods from anthropology. n34 Is Professor Hartigan taking issue with the crossing of disciplinary boundaries and if so, why? Also which stories "trespassed" whose space, mine about abortion, the one about attempted suicide, the family reunion story?

In this same vein of trespassing, Professor Hartigan adds:

We ... invited them into our home, and they acted in a way too similar to the wretchedly eloquent stories of how other religions and cultures (especially Native American, Aztec, Mayan) had been savaged by my Church. n35

Is Professor Hartigan comparing the criticisms of LatCrits or non-Catholics to the savage violence of the Catholic Church's colonialism? Then again, I can't make any sense of this idea about an [*427] invitation:

while the host school makes conference arrangements, we must remember that this was a LatCrit meeting for LatCrits. Wasn't it?

Professor Hartigan, albeit from a very different perspective, would agree with Professor Max Castro who asserts that the contemporary "Catholic Church ... defends and upholds certain human values more effectively than almost any institution on the planet." n36 Professor Castro adds an important perspective to this cluster of articles on LatCrit and Religion. Using the Pope's recent visit to Cuba as the context for his article *The Missing Center? Cuba's Catholic Church*, Professor Castro provides a historical and political analysis of the Catholic Church's role in Cuba. His reference to the "missing center" can be understood from two vantage points: one refers to the period from 1961 to 1969 when the Church was actively suppressed by Fidel Castro's communist regime. The second and intended reference is to the Cuban Catholic Church as a quasi-political party, "a party of the center, of moderation and dialogue." n37 Professor Castro, emphasizing the drastic change in Church rhetoric after Vatican II when the Church began to proclaim social justice commitments throughout Latin America, speculates that the Church can perhaps "offer itself as a bridge and a space for the necessary dialogue." n38

This is a good place to stop in this analysis of religion and spirituality. The following represent only some of the many vital areas for future LatCrit analyses regarding religion and spirituality:

1. Do the class and lifestyle accommodations and cultural assimilation that often accompany the pursuit of higher education, elite professions and academic theorizing promote or assume secular, agnostic and/or anti-religious stances? If so, does this have special consequences for Latinos/as who often come from families and communities with strong religious beliefs?
2. How can LatCrits use their varying commitments to dogma, faith, and spirituality to understand, analyze and interpret both the everyday joys and tribulations of the dispossessed and impoverished throughout Latin America, including Latina/o enclaves in the U.S.? Can we create a language of analysis that incorporates spirituality and a critical religious [*428] ity to increase our understanding of Latina/o communities and our links to other marginalized groups?
3. How do (or can) religious practices and beliefs, both historic and contemporary, inter-penetrate with other characteristics, such as race, color, language, gender and sexual orientation to create meaningful and liberatory referents and markers of collective identities?
4. What role do religious institutions play in the trans-national movements of people, capital, resources, and information? How does the Christian proselytizing going on in Latin America link to other impositions and exportations of Euro-American culture? Does such religious outreach enhance the "regional integration and cooperation" that is the basis for such political initiatives as NAFTA?
5. Recently the political landscapes of Mexico, Bolivia, Paraguay, Ecuador, Guatemala, Peru, and Nicaragua have been challenged and are being changed through the organizing of indigenous peoples. n39 Some religious groups, particularly Catholic ones and most notably Bishop Samuel Ruiz of Chiapas, continue to play a significant role in the on-going transformation of mestizo nation-states into multi-ethnic democracies. Throughout Latin America the complex and multi-layered relationships between mestizos/as and indigenous peoples are beginning to be examined. n40 What lessons can LatCrits learn from this evolving situation? How are analyses of and responses to color-on-color subordination, e.g., the suppression and marginalization of indigenous peoples by mestizos/mulattos, different from and/or similar to those referring to white-on-color subordination? Do categories of "indigenous" as distinct from "mestizos/mulattos" or "Latinos" or "ladinos" have theoretical integrity? Can LatCrits facilitate coalitions with indigenous peoples in and out of the U.S. (or how does Samuel Ruiz mediate on behalf of the Zapatistas) without compromising their objectives of self-determination and self-expression? [*429] Does the hard work of a Bishop Ruiz building schools and health clinics to address the material needs of

oppressed communities suggest a LatCrit approach? Don't sociolegal explorations of identity clarify individual and group claims within democratic systems in order to attenuate the interlocking forces of white supremacy, globalized state power and corporate capitalism?

We are confident that these difficult discussions about religion and spirituality have opened up a space for further conversations and that these articles serve as a bridge for others to walk into this continuing dialogue.

FOOTNOTE-1:

n1. Keith Aoki, (Re)presenting Representation, [2 Harv. Latino L. Rev. 247 \(1997\)](#).

n2. [Id. at 247-49](#).

n3. [Id. at 253](#).

n4. Francisco Valdes, Foreword, Poised at the Cusp: LatCrit Theory, Outsider Jurisprudence and Latina/o Self-Empowerment, [2 Harv. Latino L. Rev. 1, 21 \(1997\)](#).

n5. [Id. at 22](#).

n6. I use this term to denote the hybrid practices of New Mexico Catholicism which combine elements of Hispana/o and native, particularly pueblo, cultures with traditional Roman Catholicism. Similar forms of hybridity can be found in most parts of America Latina.

n7. Margaret Montoya, Mascaras, Trenzas y Greñas: Un/Masking the Self While Un/Braiding Latina Stories and Legal Discourse, 15 Chicano-Latino L. Rev. 1, 5 (1994) and [17 Harv. Women's L.J. 185, 189 \(1994\)](#).

n8. Margaret E. Montoya, Academic Mestizaje: Re/Producing Clinical Teaching and Re/Framing Wills as Latina Praxis, [2 Harv. Latino L. Rev. 349 \(1997\)](#).

n9. A few years ago my older daughter Diana asked to be baptized and she, her sister Alexandra, and I began the educational process, which accompanies receipt of the sacraments of Baptism, Confirmation and First Communion. My husband is an agnostic and does not participate in religious rituals.

n10. The etymology of the word "religion" is contested but an accepted root word is the Latin "religare" meaning "to bind" as through monastic vows. See The Compact Edition of the Oxford English Dictionary 410 (1971).

n11. Here I agree with Professor Aoki that religion and ritual raise questions of "voluntariness, intentionalism, and determinism." See Aoki, supra note 1 at 252-53.

n12. I frankly don't know enough about non-Judeo-Christian religions and belief systems to know whether they, too, are patriarchal and complicit with nationalism, colonization, state domination and hegemony.

n13. On April 26, 1998, I was invited to lead a Faculty Forum at my University's Catholic chapel. I entitled my presentation "Can Catholic Intellectuals Integrate Religion into Public Life?" and examined the possibility of bringing religious beliefs to bear on teaching and scholarship within a public institution. My tentative conclusion is that our religious beliefs may at times require us to position ourselves with respect to certain topics. By positioning I mean

deciding whether to disclose how our life experiences, including our religious beliefs, inform our academic work.

n14. Dean Barbara Aldave's energetic leadership proved controversial both among the faculty and the wider legal community. President Father John Moder decided not to renew Dean Aldave's three year contract as dean, offering her instead a one-year contract. This set off a reaction from many sectors in legal education that strongly supported Dean Aldave and the work she had been doing internationalizing the curriculum and diversifying the faculty and student body. Dean Aldave has explained that these objectives were integral to St. Mary's mission as a Catholic law school. See Barbara Bader Aldave, *The Reality of a Catholic School*, [78 Marq. L. Rev. 291 \(1995\)](#).

n15. See Montoya, *supra* note 8, at 351.

n16. Verna Sanchez, *Looking Upward and Inward: Religion and Critical Theory*, [19 Chicano-Latino L. Rev. 431 \(1998\)](#).

n17. [Id. at 432](#).

n18. [Id. at 433](#).

n19. [Id. at 434](#).

n20. Nancy K. Ota, *Falling From Grace: A Meditation on LatCrit II*, [19 Chicano-Latino L. Rev. 437 \(1998\)](#).

n21. [Id. at 437](#).

n22. See *supra* notes 1 and 4.

n23. Ota, *supra* note 20, at 439.

n24. Reynaldo Anaya Valencia, *On Being an "Out" Catholic: Contextualizing the Role of Religion at LatCrit II*, [19 Chicano-Latino L. Rev. 449 \(1998\)](#).

n25. [Id. at 461](#).

n26. *Id.*

n27. *Id.*

n28. Emily Fowler Hartigan, *Disturbing the Peace*, [19 Chicano-Latino L. Rev. 479 \(1998\)](#).

n29. [Id. at 479](#).

n30. [Id. at 480](#).

n31. *Id.* (Quotes added.)

n32. [Id. at 485](#).

n33. *Id.*

n34. See Melissa Harrison & Margaret E. Montoya, *Voices/Voces from the Borderlands: A Colloquy on Re/Constructed Identities in Re/Constructed Legal Spaces*, 6 *Colum. J. Gender & L.* 387 (1996).

n35. *Id.* at 488 (emphasis added).

n36. Max J. Castro, *The Missing Center? Cuba's Catholic Church With a Preface and a Proscript/Reflections* [19 Chicano-Latino L. Rev. 493, 501 \(1998\)](#).

n37. [Id. at 499.](#)

n38. Id.

n39. Democracia y Estado Multiétnico en América Latina 12 (Pablo González Casanova & Marcos Roitman Rosenmann coords., 1996) (the authors group these countries together based on the cultural presence, organization and struggle of indigenous groups within the respective nation-states).

n40. Id.