



LEGAL HISTORY WINNERS RECOGNIZED AT VIRTUAL ROUNDTABLE

Virtual Roundtable Participants — Top row, left to right: Society President Daniel Kolkey, Chief Justice Patricia Guerrero, and Student Writing Competition Judges Laura Kalman, and Sarah Barringer Gordon. Bottom row, left to right: Winning authors Kyle DeLand, Michael Banerjee, and Miranda Tafoya.

DURING A VIRTUAL ZOOM MEETING ON August 21, the California Supreme Court Historical Society congratulated the winners of its 2023 Selma Moidel Smith Student Writing Competition.

The top three writers represented Berkeley Law and UC Irvine School of Law. They presented summaries of their papers to historical society members, including California Supreme Court Chief Justice Patricia Guerrero and Society President Daniel Kolkey.

Before the three winners summarized their reports, Chief Justice Guerrero said, “It’s a great pleasure and privilege to congratulate these bright young minds of the future who have been judged by our distinguished professors for these awards.”

The annual competition is open to all students and recent graduates in history and/or law, and papers may address any aspect of legal history dealing significantly with California.

First place was awarded to Berkeley Law student Kyle DeLand for his paper “The End of Free Land: The Commodification of Suscol Ranch and the Liberalization of American Colonial Policy.” DeLand’s study investigates nineteenth century California’s “free” versus “cheap” land policies. The state has long been the epicenter for fights that led to a shift from promoting squatters’ ownership of the land they occupied to a policy that favored speculators. DeLand’s paper provocatively examines the work of Paul Wallace Gates and others who have studied California land law. DeLand will receive \$5,000.

The second-place winner was Michael Banerjee, also of Berkeley Law. His article, “California’s Constitutional University: Private Property, Public Power, and the Constitutional Corporation, 1868–1900,” offers a detailed exploration

of how one of the world’s premier public universities emerged as the private property of the UC Regents, non-public constitutional officers, and lawmakers who control an independent branch of government. Banerjee considers the constitutional university a new and uniquely American innovation in higher education that has been widely copied, an entity “chartered directly by the sovereign people.” Banerjee will receive \$2,500.

UC Irvine student Miranda Tafoya won third place. Her paper, “A Shameful Legacy: Tracing the Japanese American Experience of Police Violence and Racism from the Late 19th Century Through the Aftermath of World War II,” integrates her family’s experiences with discrimination against Japanese Americans. At a time of renewed concern about policing techniques, she highlights the role of police violence in maintaining California’s internment camps. Tafoya will receive \$1,000.

The papers were judged by University of Pennsylvania Professor of Constitutional Law Sarah Barringer Gordon and Laura Kalman, UC Santa Barbara history professor and member of the Society’s Board of Directors. The winning papers will appear in the forthcoming issue of *California Legal History* and will be available on the California Supreme Court Historical Society’s website.

The competition is named in honor of long-time board member Selma Moidel Smith, who initiated and directed it from 2007 to 2022. ★

A version of this story was published in the Los Angeles and San Francisco editions of the Daily Journal on Aug. 22, 2023. Reprinted with permission.