Methodology

*925* REVISITING OUTCRITS WITH A SOCIOLOGICAL IMAGINATION

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I.        Introduction

IN his book The Sociological Imagination, C. Wright Mills acknowledged the overwhelming sense of feeling trapped and the tendency to focus on individual change, responsibility and personal transformations. [FN1] Mills's development of the sociological imagination addressed the duty that sociologists had in making the links between personal problems and social issues. [FN2] A major component of this mission included the intersection of biography and history. [FN3] He argued that within society, the most significant form of self-consciousness is related to critical scholars' use of autobiographies, self-portraits, allegories, fables and fictive narratives. [FN4] His view resonates with the "oppositional legal canons being developed by Outsiders: people of color, feminists, Queers, the disabled." [FN5] Furthermore, his work can help reframe our understanding and worldview of the law.

In the following essay, I critique the propensity among LatCrits and Outcrits to be overly psychological in their analysis and use of various forms of story-telling. Narrative discourse has increased the use of tropes and metaphors-- many of which do not illuminate circumstances or issues, but rather distort material realities and existing legal structures. Frequently, the use of our own stories gives voice to the experiences we share with our students, but may appear to trivialize the actual circumstances encountered by persons of color outside the academy. Stories from the academy may not resonate with members of the larger community that for whom we aim to advocate.

The deference given to psychological concepts and approaches in analysis results in psychological reductionism. Individual focus and psychological explanations to racism contradicts proposals for structural change and undermines the significance of collective action in the struggle against inequality. These psychological underpinnings are quite evident *926* in the analysis of "unconscious" or "common sense" racism versus institutional racism. This essay aims to open a critical discussion between sociologists and critical legal scholars about the pitfalls of using a psychological foundation rather than a sociological imagination. I hope this essay also serves as an invitation to LatCrit scholars to incorporate a sociological imagination in their analysis.

II. The Behavioral Syndrome and Psychological Reductionism

Mills recognized that psychology is the dominant framework from which Americans view their world. He countered psychological tendencies by advocating a "sociological imagination" because theories, methods and practices to respond to a society

do not usually define the troubles they endure in terms of historical change and institutional contradiction. The well-being they enjoy, they do not usually impute to the big ups and downs of the societies in which they live. Seldom aware of the intricate connection between the patterns of their own lives and the course of world history,

ordinary men do not usually know what this connection means for the kinds of men they are becoming and for the kinds of history-making in which they might take part. They do not possess the quality of mind essential to grasp the interplay of man and society, of biography and history, of self and world. They cannot cope with their personal troubles in such ways as to control the structural transformations that usually lie behind them. [FN6]

Aside from Mills's sexist use of male pronouns, I reiterate his argument that people need both information or skills of reason and sociological imaginations--"quality of mind that will help them to use information and to develop reason in order to achieve lucid summations of what is going on in the world and of what may be happening within themselves." [FN7] I believe that an emphasis on a sociological imagination is essential to combat the growing tendency of relying on personal, individual and psychological approaches to understanding privilege, oppression, subordination and domination.

Psychological reductionism both blames the victim and offers little hope for organization to change conditions--it is therapeutic, not activist. [FN8] Psychological reasoning is evident in the popular focus on "empowerment" and "self-esteem" for marginalized persons, the identification of *927 individual forms of resistance and the fetishizing of individual "agency." [FN9] The worship of individual transformation, resiliency and empowerment is but modern-speak for the age-old American belief in "pulling yourself up by your bootstraps." [FN10] These words reflect the ideological illusions of social mobility under capitalism. I fear that under the impact of post-modernism, critical analysis is moving further away from structural explanations of inequality and the need to build social movements and organize collective political engagement.

Even among ethnographers gathering the stories of marginalized groups, individual empowerment and identity become the central point of analysis. They obscure the social, political, economic and historical circumstances that cause their subordination. [FN11] Ethnographic narratives may reveal the conditions of exclusion and how choices are rational within this context, but frequently the macro structural level of analysis is lost. [FN12] *928 The challenge is to move from individual narratives to revealing the historical, political and economic forces that produce persistent and oppressive structures.

The law, with its emphasis on individual responsibility and intent, engages in psychological reductionism as well. Psychology is embedded in legal discourse. I find the casual use of psychological reductionism in critical perspectives of the law alarming. Legal arguments are overwhelming, personal and individual. [FN13] When Latinos and other racialized groups experience exclusion, however, it is not because they are individuals, but because they are members of a subordinated group. A major struggle in arguing group rights in the struggle against racial, class, gender, sexuality and immigrant exclusion is a legal system that recognizes only individuals and refuses to recognize the intersections of domination and subordination created by institutional, structural and historical circumstances. As with ethnography, legal analytical practices of storytelling are not always successful in moving beyond the individual to the larger critique of institutional discrimination.

III. Enough About You, Let's Talk About Me

As Latinas and Latinos confront the law in their everyday lives, they experience the dreaded sense of being trapped that Mills noted. [FN14] They *929 are simultaneously bombarded by stories of the success and failure of individual Latinas and Latinos. [FN15] The elevation of Cesar Chávez to an icon status among educators and politicians is a prominent example. While honors are given to his union-organizing efforts, other unions

are crushed and face continuing reports of abusive working conditions toward farm workers. Public attention is focused on the heroic characteristics of a man rather than the collective action of many farmworkers who struggled to unionize agricultural workers, as well as a number of college and high school students and citizens who mobilized efforts to assist in boycotts. The significance of highlighting the "saint-like" characteristics of Cesar Chávez's non-violent tactics not only serves to delegitimize more aggressive strategies in the Chicano Movement but also functions to reinforce American values of rugged individualism, independence and autonomy rather than collective action and interdependency. Celebration of the success of Cesar Chávez as the founder of the United Farm Workers erases from our collective memory the organizing between Filipino and Mexican farm workers prior to Chávez's arrival. [FN16] Accounts of individual successes and failures, whether in the popular media or the writings of critical theorists, do not necessarily assist Latinas and Latinos in comprehending the troubles they endure. They may be even less useful in showing how to change institutions, as well as our social, economic and political circumstances. As scholars, we are in a position to provide context in terms of historical change and institutional contradiction. [FN17]

Using personal stories to give visibility and legitimacy to the Latino experience is an important goal. Nevertheless, we must do more than simply demystify the stereotypes of popular culture, or counter color-blind scripts that normalize the expectations and practices of privilege. Without a sociological imagination, they can easily leave the reader in awe of the storyteller or seeking to identify facts, but unable to connect personal troubles to larger public issues and social inequalities. Critical narratives avoid the pitfall of focusing on individual experiences and, instead, explain *930 the conditions of exclusion and connect the legal system to economic, political and social structures. [FN18] Rather than relying solely on personal accounts or creative fiction, I argue that LatCrit analysis is strengthened when we step outside our safe and privileged positions as academics and allow the voices of the less privileged in our communities speak for themselves and then use our skills to connect these accounts to larger social forces. [FN19] The realities of injustices experienced by persons less privileged than academics are more raw and painful than most of our stories. These everyday injustices are abundant and need to gain visibility.

We must also consider the implication of popular use of narratives coinciding with the emergence of therapeutic conceptual frameworks that implicate notions of self-esteem, empowerment and resiliency. An example of giving voice through narrative is Lucie White's work on women's volunteer and work experience in Head Start programs in South Central Los Angeles. [FN20] She analyzes the significance of caring relationships and argues the need for workplace policies that nurture a caring culture to encourage emotional well-being and facilitate the personal development of workers. Here, we are given individual stories that document individual transformation without the connection to society, history and social change, not simply individual transformation. In her book, Hard Work: Life in Low-Pay Britain, Guardian journalist, Polly Toynbee, makes a pertinent point related to the emphasis on personal transformation of subordinated groups. [FN21] She wrote, "[i]t is strange that it is always the people with fewest resources, struggling the hardest against the odds, who are the ones who are expected to galvanize themselves into heroic acts of citizenship." [FN22] Later, she reflected, "[i]t is expecting a lot of people who already work so hard to take on the task of trying to organise union recognition in their workplace." [FN23]

If we move our analysis away from identity formation, healing and transformation, the historical, political and economic solutions become more apparent. We can help name and explain the pattern of injustice. As progressive scholars, our commitment should be to linking the biography *931 to history, identifying the causes of subordination and developing anti-subordination praxes. I argue that this cannot occur if we limit ourselves to the psychological understanding of the oppressor, or the injured psyche,

empowerment or self-esteem of those marginalized. Drawing from sociological scholarship provides a broader understanding than psychological approaches of who, why, where and when groups are marginalized. A sociological imagination is also more consistent with LatCrit's commitment to inclusiveness by linking individual biography to social, political and economic historical context. More importantly, a sociological imagination is more likely to support and encourage coalition building, community organizing and political activism than psychological approaches advocating self-empowerment and self-esteem.

IV. Recognizing Pitfalls in Telling Stories

While postmodern critics, like Philippe Bourgois, have revealed some of the serious flaws in social science methodology, their alternative is not the answer:

Deconstructionist "politics" usually confine themselves to hermetically sealed academic discourses on the "poetics" of social interaction, or on clichés developed to explore the relationship between self and other. Although postmodern ethnographers often claim to be subversive, their contestation of authority focuses on hyperliterate critiques of form through evocative vocabularies, playful syntaxes, and polyphonous voices, rather than on engaging with tangible daily struggles. [FN24]

Influenced by postmodern projects, some in Chicana/o and Latina/o studies have relied heavily upon the humanities and have generated a range of metaphors and tropes to illustrate positionality and intersectionality. The most dominant is "border" --the most overused metaphor employed *932 to describe any and all forms of subordination. [FN25] "Border" now obscures more than it reveals. Thus the danger, risk and desperation of undocumented immigrants crossing the United States-Mexican border is dissolved into another--and all-- group boundary crossing. As Scott Michaelsen and David E. Johnson note in their edited collection of critiques of border theory, "[t]he idea of the 'border' or 'borderlands' has also been expanded to include nearly every psychic or geographic space about which one can thematize problems of boundary or limits." [FN26] Similar historical metaphors that obscure more than they reveal include Aztlán, mestizaje and machismo.

Critical sociologists have long engaged in qualitative research, and this body of literature is not immune from critique. They include narratives in the form of life stories, ethnographies, biographies, oral histories and interviews. In telling tales, we are faced with the challenge of writing detailed examinations of social marginalization while avoiding stereotypes and countering traditional moralistic bias and middle-class hostility. Using interviews, first-hand accounts and other narrative devices, the author's descriptive accounts of poor people have the potential to solicit empathy that may generate political action and legislative change. Alternately, these descriptions may simply titillate the prurient interest of the middle-class accustomed to viewing the poor and people of color as "other." Personal accounts and rich details can sometimes leave the reader engrossed by the drama of human life without an equally vivid comprehension of the larger forces at work. The politics of representation have sidestepped the necessity to interface structural oppression and individual action in the call for self-conscious reflexivity. Balancing agency and individual autonomy with political economic understanding of the experiences of persistent social marginalization calls for writing against the dominant discourse on poverty, crime, immigration and inequality.

The power of ethnography to illuminate the goals and values of the poor can produce counter-images of the poor as people who are no different than the middle-class. Such constructions do nothing to erode the myth of meritocracy-- that an individual's hard

work and drive are enough to eliminate poverty. In the end, ethnographic counter-images simply *933 demonstrate that the behavior of the poor is rational and no different from the non-poor. This is multiplied by the other tendency of ethnography to portray the oppressed as agents who "resist" by choosing nonconformist behavior and at times, overcoming social and economic constraints. Sidestepping traditional moralistic biases and middle-class hostility toward the poor is difficult to accomplish while simultaneously portraying the frustration, suffering and downfalls surrounding a life of poverty. [FN27] The post-structuralist focus on agency has moved researchers away from viewing the poor as products of oppression and toward viewing all forms of action as resistance, subversion or double consciousness, rather than linking self-defeating actions to the structural conditions of poverty.

V. Unconscious/Common Sense Racism v. Institutional Racism

Charles R. Lawrence's germinal analysis of unconscious racism, which drew on psychoanalytic theory and cognitive theory, influenced critical race scholars with his argument that everyday racism resulted from practices that appeared to be facially race-neutral. [FN28] Lawrence stated, "[i]n other words, a large part of the behavior that produces racial discrimination is influenced by unconscious racial motivation." [FN29] Unlike racism in the past that clearly indicated motive, everyday racism is now so underground and subtle that the act of racism is unconscious to the perpetrator. Consequently, Lawrence provided the following argument:

> [D]ecisions about racial matters are influenced in large part by factors that can be characterized as neither intentional--in the sense that certain outcomes are self-consciously sought--nor unintentional--in the sense that the outcomes are random, fortuitous, and uninfluenced by the decisionmaker's beliefs, desires, and wishes. [FN30]

Building on his use of Freudian psychology, critical race scholars have turned their attention away from institutional racism and toward interrogating stereotypes and cognitive processing that reveal and illuminate unconscious racism. This shift in critical race legal discourse turned scholars' interests towards attitudinal studies measuring the prevalence of stereotypes, different opinions and feelings between racial groups, and acceptance *934 of integration and interracial institutions (i.e., marriage, schools, neighborhood, etcetera). [FN31]

An updated version of unconscious racism appears in Ian Haney López's conceptualization of "common sense." [FN32] In Lopez's analysis of two court cases (known as the "East L.A. Thirteen" and the "Biltmore Six") and the challenges posed by the decision to use an Equal Protection defense in order to expose judicial bias, he applied the concept of "common sense" to explain the judges' exclusion of Mexican Americans from grand juries. [FN33] He also used "common sense" racism to explain police violence and Mexican American activists who redefined themselves as Chicanos, brown and victims of racism. Drawing from Peter Berger and Thomas Luckmann's work, [FN34] López argued that "[common sense racism] evokes the ordinariness, pervasiveness, and legitimacy of much social knowledge," [FN35] which are used by judges in selecting grand juries from their circle of friends and acquaintances. [FN36] Much like unconscious racism, the judge's actions were taken-for-granted solutions that were entrenched, scripted responses without intent to discriminate. [FN37] Three implications are: (1) "racism is ubiquitous;" (2) racism can occur even in the purest of intentions; and (3) "racism is highly intractable." [FN38] Unlike his use of institutional racism in his earlier work to explain the intractable and ubiquitous nature of everyday racism, López argued that institutional racism fails *935 as a theory of social behavior because it is only applicable to purposeful discrimination. [FN39]

Stokely Carmichael and Charles Hamilton recognized both overt and covert racism in their introduction of institutional racism:

> Racism is both overt and covert. It takes two, closely related forms: individual whites acting against individual blacks, and acts by the total white community against the black community. We call these individual racism and institutional racism . . . . When white terrorists bomb a black church and kill five black children, that is an act of individual racism, widely deplored by most segments of the society. But when in that same city-- Birmingham, Alabama--five hundred black babies die each year because of the lack of proper food, shelter and medical facilities . . . that is a function of institutional racism. [FN40]

Rather than exploring individual psychology and cognitive processes of racism, Carmichael and Hamilton as critical sociologists who devoted their work to the study of institutional racism, directed their analysis toward understanding the link between everyday life and the political economic structure. [FN41]

In his study of organizations, Alberto Guerreiro Ramos noted the significance of linking cognitive systems to organizations or institutions. [FN42]

Behavior continues to be a category acknowledging conformity, a fact that is generally overlooked because conformity to socially given criteria of gregariousness has been transformed into the *936 standards of human morality in general. Men and women no longer live in communities where a substantive common sense determines the course of their actions. They belong instead to societies in which they do little more than respond to organized inducements. The individual has become a behaving creature. [FN43]

The weakness of "unconscious racism" or the "common sense" framework is that racial beliefs and practices do not become part of the unconscious or common sense without a political economy that rewards, legitimates and reproduces a particular social reality. Questions essential to the analysis are: whose "common sense" knowledge or "unconsciousness" gets represented and legitimated in the courtroom; whose "common sense" knowledge or "unconsciousness" is missing or absent from the debate; and how are all these ways of knowing related to issues of power and privilege? Conceptualizing racism as unconscious or common sense erases the individual agency of persons and the choices they make to construct their social reality. [FN44] Furthermore, the individual psychological approaches deny the choices that white people, who fought for racial equality, have made during times that others were engaged in unconscious racism. Focusing on "unconscious racism," instead of on institutional racism, separates the individual from the larger legal system.

Framing racism as "unconscious" or as "common sense" has implications for developing strategies and race politics. So, do we focus our efforts on changing the hearts and minds of white folk or on changing laws, schools and culture? [FN45] The movement toward multicultural and diversity training and workshops focuses on changing attitudes and developing racial etiquette and sensitivity to "difference." By sidestepping issues of power, we are left with a therapeutic model (or a medical model if you accept that the idea that racism is a disease [FN46]) that continues to unearth *937 stereotypes, resulting in "unintentional racism." This therapeutic model, however, does little to address racial inequalities in business, schools and neighborhoods. Institutional racism brings us back to the central issues of power and privilege. I argue that

institutional racism is an absolutely crucial concept that moves analysis away from the hearts and minds of white folks and rivets attention on the consequences of bureaucratic and other everyday practices that transcend hateful attitudes and individual racist acts.

Institutional racism gets us out of the psychological swamp of white guilt and lets us focus on the irrationalities built into supposedly rational institutions. The significance of the concept of institutional racism is precisely crits's argument that racism can be, and is, generated with or without "intent." [FN47]

VI. Summary

Mills's outline of the political task of social scientist tied the important connection between power and knowledge:

> To those with power and with awareness of it, he imputes varying measures of responsibility for such structural consequences as he finds by his work to be decisively influenced by their decisions and their lack of decisions.

To those whose actions have such consequences, but who do not seem to be aware of them, he directs whatever he has found out about those consequences. He attempts to educate and then, again, he imputes responsibility.

To those who are regularly without such power and whose awareness is confined to their everyday milieux, he reveals by his work the meaning of structural trends and decisions for these milieux, the ways in which personal troubles are connected with public issues; in the course of these efforts, he states what he has found out concerning the actions of the more powerful. [FN48]

Building on a sociological imagination rather than psychological approach to questions of anti-subordination is more compatible with the critical and activist role set by LatCrit. Three areas in which sociological imagination can assist the LatCrit project are:

> (1) We need to draw less from our own stories and more from the inclusion of ethnographic research, which retains a structural analysis into the everyday lives of Latinas and Latinos.

> *938 (2) We need to do what only the scholar can do--establish the connections between the micro level of personal narratives, the institutional structures and historical circumstances. We must identify patterns of subordination within which the individual story makes sense.

> (3) Similarly, we need to ground discourse analysis and popular culture studies in institutional structure, discussing ideology and hegemony. We must maintain focus on the connection between ideas and material existence.

**Footnotes:**

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[FN1]. See C. Wright Mills, The Sociological Imagination 3 (1959).

[FN2]. See generally id.

[FN3]. See id.

[FN4]. See id.

[FN5]. See Margaret E. Montoya, Celebrating Racialized Legal Narratives, in Crossroads, Directions, and a New Critical Race Theory 243 (Francisco Valdes et al. eds., 2002).

[FN6]. See Mills, supra note 1, at 3-4.

[FN7]. See id. at 5.

[FN8]. Lee Rainwater pointed out these tendencies in psychological studies of the poor. See Lee Rainwater, Neutralizing the Poor and Disinherited: Some Psychological Aspects of Understanding the Poor, in Psychological Factors in Poverty 9 (Vernon L. Allen ed., 1970) (noting that minorities are not included in what is commonly referred to as "real society").

[FN9]. An example is Lucie White's study of women's volunteer and work experience in Head Start programs in South Central Los Angeles. The entire focus of her analysis is on identifying the significance of caring relationships. Rather than targeting workplace policies that would impact the financial and physical well-being of poor women, her analysis highlights policies that nurture a caring culture that encourages emotional well-being and facilitates the personal development of workers. See generally Lucie E. White, Raced Histories, Mother Relationships, and the Power of Care: Conversations with Women in Project Head Start, 76 Chi. Kent L. Rev. 1559 (2001).

[FN10]. Joel F. Handler cautioned researchers who aimed to understand issues from the victim's perspective against romanticization:
In the celebration of the struggles and apparent successes, are we forgetting that when the day is over, the poor still are trying to cope under severe conditions, they remain in poverty, and despite acts of resistance, they continue to be very dependent? The worry is that in the celebrations, we go overboard in believing that change will come from the bottom, and that we do not pay sufficient attention to difficulties of empowerment.
Joel F. Handler, Quiescence: The Scylla and Charybdis of Empowerment, in Laboring Below the Line: The New Ethnography of Poverty, Low-Wage Work, and Survival in the Global Economy 271, 272 (Frank Munger ed., 2002).

[FN11]. See Elijah Anderson, Code of the Street: Decency, Violence, and the Moral Life of the Inner City 9 (1999) (detailing interpersonal violence "between and among inner-city youths"); Elijah Anderson, Streetwise: Race, Class, and Change in an Urban Community 97-102, 138-45, 190-98 (1990) (discussing plight of black men in white-dominated society); see also Philippe Bourgois, In Search of Respect: Selling Crack in El Barrio (1995) (discussing marginalization and alienation of minorities); James Diego Vigil, Barrio Gangs: Street Life and Identity in Southern California 170-71 (1988) (discussing plight of Mexican-American barrios).

[FN12]. Robin D.G. Kelley makes this point:
The vast and rich ethnographic documentation collected by these scholars is extremely valuable because it captures the responses and survival strategies hidden from economic indices and illuminates the human aspects of poverty. Of course, these materials must be used with caution since most ethnographies do not pay much attention to historical and structural transformations. Instead, they describe and interpret a particular community during a brief moment in time. The practice of giving many of these communities fictitious names only compounds the problem and presumes that region, political economy, and history have no bearing on opportunity structures, oppositional strategies, or culture.
Robin D.G. Kelley, Yo' Mama's Dysfunctional!: Fighting the Culture Wars in Urban America 184 n.12 (1997).

[FN13]. See Angela P. Harris, Foreword: The Jurisprudence of Reconstruction, 82 Cal. L. Rev. 741, 757-59 (1994) (reviewing and critiquing critical race theory narratives, postmodernism and modernism).

[FN14]. See Chris Burbach, California Sues School's Founder: Daniel Gossai's Alternative High School Is Accused of Duping Latino Immigrants in the Midlands, Omaha World-Herald, Aug. 16, 2004, at B5 (discussing sham education given to Latinos); Bob Egelko, Hanford School District Sued Over At-Large Elections; Latino Voters Are at a Disadvantage, Advocates Say, S.F. Chron., July 16, 2004, at B3 (reporting method used to elect trustees to school board prevents Latinos from being elected); Steve Hymon & Regine Labossiere, Landmark East L.A. Hospital Is Closed by Bankruptcy Judge; Shutdown of Facility with $10 Million in Debt Raises Fears of Impact on Weakened Emergency Care, L.A. Times, Aug. 14, 2004, at B1 (reporting on closure of landmark hospital known for treating Latino immigrants); Bart Jones, Out of Time and Money; Created Partly to Aid Day Laborers, Facility May Close Next Month if Backers Can't Raise Funds to Pay the Bills, Newsday, Sept. 1, 2004, at A6 (discussing plight of Latino immigrant day laborers); Rebecca Trounson, SAT Verbal Scores Rise in State, Math Stays the Same; Nationally, Men Outpace Women While Native Americans and Latinos Show Small Gain, L.A. Times, Sept. 1, 2004, at A16 (noting small gain in Native Americans and Latinos in SAT scores); Lornet Turnbull & Florangela Davila, Rumors Fuel Immigrant Fear: Deportations Shake Latino Community; Illegal Residents Hiding Out to Avoid Being Sent Home, Seattle Times, July 25, 2004, at B1 (reporting on deportations of illegal Latino immigrants); Anthony York, Editorial, Latinos in Legislature Run a Risk; Their Support for Driver's License Bill Threatens to Revive Ethnic-War Imagery, L.A. Times, Sept. 12, 2004, at M2 (discussing bill that allows undocumented immigrants valid drivers' licenses).

[FN15]. Success stories frequently feature entertainers and failure stories appear in code language of "gang" death.

[FN16]. As an icon, who was commemorated on a stamp, Chávez, like Malcolm X, has been sanitized for public consumption. We no longer remember that Corky Gonzalez and others pressured him to identify with the Chicano Movement, nor do we remember the struggle to get the United Farm Workers to include undocumented workers in their organizing efforts. And we never ever mention the sweetheart contract signed with teamsters, or agreements to purge the United Farmworkers of Marxists, radicals or Communists including many black, brown and white college students. See The Cesar E. Chávez Foundation, An American Hero, available at http://chavezfoundation.org/Default.aspx?pi=33 (giving biography of Cesar Chávez) (last visited June 10, 2005).

[FN17]. For instance, identifying the struggle to gain national recognition for Cesar Chávez is not linked to any specific action to improve the working conditions of migrant laborers in the United States. Attention, however, to the politicization of celebrating one individual erases our collective memory of the usefulness of boycotts and marches, as well as the political participation of college students. See id.

[FN18]. See France Winddance Twine, Racial Ideologies and Racial Methodologies, in Racing Research, Researching Race: Methodological Dilemmas in Critical Race Studies 1, 22-27 (France Winddance Twine & Jonathan W. Warren. eds., 2000) (addressing problems faced in representing subordinate communities and challenges against constructing racial tropes).

[FN19]. This strategy seems more consistent with the mission to examine legal issues from the victim's perspective.

[FN20]. See generally Lucie E. White, Care at Work, in Laboring Below the Line: The New

Ethnography of Poverty, Low-Wage Work, and Survival in the Global Economy 213 (Frank Munger ed., 2002) (detailing research on Head Start program in South Central Los Angeles); White, supra note 9 (discussing power of nurturing children from their youth).

[FN21]. See generally Polly Toynbee, Hard Work: Life in Low-Pay Britain (2003).

[FN22]. Id. at 129.

[FN23]. Id. at 202.

[FN24]. See Bourgois, supra note 11, at 14. Michael Frisch also sums up the situation quite well:
A new generation of cultural studies and social history has centered on the complex social construction of identities, on the culturally embodied intersections of race, class, and gender, on the complexity of social memory, and on understanding the profound tensions between hegemony and agency. Yet we have paid a heavy price for these insights, mainly in the form of a scholarly discourse so relentlessly theorized as to lose touch with the people and narrative realities it deals with, much less with a wider readership. The emerging consensus is that for all its accomplishments, contemporary scholarship has effected what could be called a discursive disconnect from the very people, issues, and interests it presumes to interpret. More prosaically, such scholarship is at serious risk of a terminal case of "paralysis from the analysis."
Michael Frisch, Taking Dialogue Seriously, in Laboring Below the Line: The New Ethnography of Poverty, Low-Wage Work, and Survival in the Global Economy 281, 282 (Frank Munger ed., 2002).

[FN25]. See, e.g., Gloria Anzaldúa, Borderlands/La Frontera: The New Mestiza (1987) (discussing Texas-U.S. Southwest/Mexican border); Ruth Behar, Translated Woman: Crossing the Border with Esperanza's Story 231-37 (1993) (noting differences of minorities' lives compared with Americans); D. Emily Hicks, Border Writing: The Multidimensional Text 1-10 (1991) (noting border-culture of Latinos); Renato Rosaldo, Culture and Truth: The Remaking of Social Analysis 198-203 (1989) (discussing cultural invisibility of minorities); Sonia Saldivar-Hull, Feminism on the Border: From Gender Politics To Geopolitics, in Criticism in the Borderlands 203, 212-13 (Héctor Calderón & José David Saldívar eds., 1991) (discussing borderland culture).

[FN26]. Scott Michaelsen & David E. Johnson, Introduction to Border Theory: The Limits of Cultural Politics 1-2 (Scott Michaelsen & David E. Johnson eds., 1997).

[FN27]. See Frank Munger, Introduction, in Laboring Below the Line: The New Ethnography of Poverty, Low-Wage Work, and Survival in the Global Economy 1-25 (Frank Munger ed., 2002) (discussing politics in poverty research using ethnography).

[FN28]. See Charles R. Lawrence, III, The Id, the Ego, and Equal Protection: Reckoning with Unconscious Racism, 39 Stan. L. Rev. 317, 339-44 (1987) (describing everyday racism as unconscious).

[FN29]. Id. at 322.

[FN30]. Id.

[FN31]. An exception is R.A. Lenhardt's use of Lawrence's work by grounding the issues raised in unconscious racism in Erving Goffman's theory of stigma. See R.A. Lenhardt, Understanding the Mark: Race, Stigma, and Equality in Context, 79 N.Y.U. L. Rev. 803, 809 (2004) (presenting his argument that racial stigma, not unconscious racism, is true source of racial injury in United States).

[FN32]. See Ian F. Haney López, Racism on Trial: The Chicano Fight for Justice 127-30 (2003) (" [R]acism is action arising out of racial common sense and enforcing racial hierarchy."). Although López acknowledges similarities to unconscious racism, he points out that, rather than attributing common sense racism to individual psychology, he focuses on group interaction that constructs racial common sense. See id. at 131 (concluding that group interaction generates racial common sense).

[FN33]. See id. at 1-12 (introducing notion of race as common sense to answer why Mexican Americans were excluded from grand juries).

[FN34]. See Peter L. Berger & Thomas Luckmann, The Social Construction of Reality: A Treatise in the Sociology of Knowledge 19-20 (1966) (describing relationship between reality of everyday life and common sense).

[FN35]. López, supra note 32, at 110.

[FN36]. See id. at 108 (noting that judges unintentionally discriminate because they select their own friends for grand juries).

[FN37]. López argues that the significance of understanding racism as common sense is that most racism is action stemming from taken-for-granted racial beliefs that reinforce racial hierarchy but do not necessarily intend to discriminate. See id. at 103-08 (discussing whether racism in grand jury selection is intentional).

[FN38]. See id. at 128-29 (listing three important implications in understanding common sense racism).

[FN39]. See id. at 132 (noting that common sense racism occurs when individuals act to establish racial hierarchy, not to discriminate purposefully). For a more detailed critique of López's use of common sense racism, see Mary Romero, Brown is Beautiful, 39 Law & Soc'y Rev. 211 (2005) (reviewing Ian F. Haney López, Racism on Trial: The Chicano Fight for Justice (2003)).

[FN40]. Stokely Carmichael & Charles V. Hamilton, Black Power: The Politics of Liberation in America 4 (1967).

[FN41]. The politics of knowledge is evident among sociologists influenced by Peter Berger and Thomas Luckmann and the later development of ethno-methodology and symbolic interaction. While Marxist, feminist and other critical theorists found ethno-methods useful in uncovering the common sense reality of everyday life, its failure to link everyday life to the political economic structure was rejected. See, e.g., Michael Burawoy et al., Ethnography Unbound: Power and Resistance in the Modern Metropolis 4-6 (1991) (discussing ethnographical methods); Dorothy E. Smith, The Conceptual Practices of Power: A Feminist Sociology of Knowledge 52 (1990) (noting that analyzing political economy differs from interpreting everyday life); Dorothy E. Smith, Texts, Facts, and Femininity: Exploring the Relations of Ruling 99 (1990) (discussing relationship between political economy and sociology); Dorothy E. Smith, The Everyday World as Problematic: A Feminist Sociology 90 (1987) (distinguishing between everyday world as problematic and as phenomenon).

[FN42]. See Alberto Guerreiro Ramos, The New Science of Organizations: A Reconceptualization of the Wealth of Nations 44 (1981) (providing analytical explanation of psychological groundwork of current organizational theory).

[FN43]. Id. at 45.

[FN44]. For instance, in Philip Moss and Chris Tilly's study of racial discrimination in the labor market, they conducted a survey of employers in Atlanta, Boston, Detroit and Los Angeles to investigate the types of jobs employers offer, the skills required, and the recruitment, screening and hiring procedures used to fill them. See Philip Moss & Chris Tilly, Stories Employers Tell: Race, Skill, and Hiring in America 17-42 (2001) (discussing scope of study). As a follow-up to these interviews, employers revealed the attitudes, motives and rationale behind their hiring decisions, selection of business sites and promotion. See id. at 43-208 (discussing skills employers seek, employer perceptions of race and skill, and employer view of inner city). By conducting interviews among employers and human resource personnel, Moss and Tilly demonstrated how individual attitudes are linked to the labor market inequalities. See id. at 215-25 (noting how racism affects hiring); see also Deirdre A. Royster, Race and the Invisible Hand: How White Networks Exclude Black Men from Blue-Collar Jobs 16-36 (2003) (explaining different employment outcomes among blacks and whites).

[FN45]. This is particularly important in responding to rational choice theorists and the obsession of studying racial attitudes over unraveling social dynamics, which maintain and perpetuate racial inequality.

[FN46]. See Lawrence, supra note 28, at 329-31 (discussing racism as public health problem).

[FN47]. Romero, supra note 39, at 224-25.

[FN48]. Mills, supra note 1, at 185.