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ESSAY: DISTURBING THE PEACE

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BIO:

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SUMMARY: ... We were gathered in one of the three large meeting rooms in what used to be the Marianist sisters' retreat center, now the Center for Legal and Social Justice of St. Mary's University School of Law. ... Barbara Aldave had not thought about such a job, and the new President of St. Mary's, John Moder, had not known what taking this brilliant woman's dedication to Catholic action on social justice seriously might mean. ... They ignored the affirmation by the Church of basic economic rights, the need for social justice, and the deeply problematic nature of our treatment of our poorer neighbors. ... Most of the energy of those ruminating on Catholic higher education has been directed precisely at critique, pluralism, and social justice. ... We share politics, jokes, commitments to social justice, intersections with Barbara Aldave - and we share La Virgen, Mass in the faculty building, and saying the rosary in times of crisis. ...

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We were gathered in one of the three large meeting rooms in what used to be the Marianist sisters' retreat center, now the Center for Legal and Social Justice of St. Mary's University School of Law. I came in late, as someone was responding to one of the "out" gay Latinos' moving story of his tormented Catholic adolescence, and my colleague Yvonne Cherena-Pacheco explained how we had arrived at such a tense, deep pitch, so early in the day. An Asian-American woman had spoken of how offended she was to be in a room with Catholic imagery, and the former Catholic had responded with his story. Both initial speakers narrated the damage that Catholicism can and does inflict - in their cases, damage due to orientation and race, but, in my experience, there is no one whom the Church has not hurt, one way or another.

But I do not know anyone whom relationship with God has not hurt - or human love has not hurt, or the Good, or any intimation of human aspiration with a name. That is not to cancel out the Church's sins (I use that word as I understand it, coming from the Hebrew word that is an archery term, and means missing the mark), but it is to move the frame of reference from a demand for perfection for the Church to which I belong. I have said often that the one truly irrational thing I do for God is stay in that Church, from which I was free for fifteen years. My belonging is not a matter of reasoned calculation. It is not a matter of calibrating the virtue quotient of the Church, or rating it in some hierarchy of plausible spiritual homes. And it does involve, as I later told the man who had told so movingly of wanting to kill himself as an adolescent, the potential acceptance of responsibility for the things that the Church does that horrify me. That responsibility is not hung around my neck, but is chosen (when it is) because it is part of the mystery of community, of the Communion of Saints, of the Mystical Body - a Body I feel deeply includes all sorts of bodies and their lived intimacies. Where there is love, God is.

It was hard to sort out what hurt most. One was our seeming failure to communicate hospitality to all. One was an acute sense of [*480] not knowing what I was doing there myself. One was the presumption

indulged by non-Catholics in judging both the Church and us as uncritical of that Church. One was the hostility that I sensed, and then confirmed, directed against my invaluable colleague Beto Juarez.

Beto had seemed officious to some of the attendees; I knew that he had been merely nervous and trying to fill space, being the "good host" chatting away. He subsequently walked into the dilemmas around gender that had arisen the year before at LatCrit I, but by the time he was called on that Saturday morning to do something he could have done (respond to women's requests that he join them in being seated rather than speaking from a "higher" standing posture), the complications were too thick for communication. Beto was initially too pained by the seeming rejection of what was our necessary ground for social justice at St. Mary's - Catholic social justice teaching - to hear why another agenda (one to which I can testify he is usually excruciatingly sensitive) justified the call to sit.

Yet another level of conversation was the spiritual/political role of La Virgen de Guadalupe, a role that varies among communities of Latino/as (she is not the same for Cuban Americans as for Tejano/as, nor again for Puerto Ricans).ⁿ¹ In south Texas, La Virgen is crucial, even to newly converted Pentecostal Tejano/as. Among the religious art on the walls of the Center, was a virgin, as well as a multi-racial set of disciples; the Virgin of Guadalupe, La Guadalupana, is the central figure at the Center.

Yet to be at the "center of the margins" promises complexity. That was evident in the richness of the talk that morning. Many women spoke as Latinas, for example, but each spoke differently. One, a lesbian scholar, spoke of the tradition's strengths, but also of how it dictated to her mother a rejection of her. She noted the oval of La Virgen's image, the radical femaleness of the icons to Her, the power of that spirit, and the number of people who had chosen to bring (as their "personal thing of meaning" suggested for the conference) images of Her. La Guadalupana inhabited that discussion that Saturday morning, multiple, and moving, still moving.ⁿ² Another woman of color, the first speaker, responded at the break to my thanks for her speech (because I had been trying to connect with her since I saw her disaffection the first night, and I had not succeeded) by private conversation in which she shared the threat to her sense of family by the Church, her former husband's church. She [*481] elicited from me the tears of pain and frustration of not being able to convey how much Beto, seen as insensitive, had been my sanity-saver in deeply sexist settings. We all kept talking.

Back in the full gathering, I spoke to thank the speakers for the difficult things they said, including their raising the question of who belonged at the gathering. I talked about the book I had brought that day to give to Beto, and held up the cover, describing the icon of the very dark, indigenous man (Juan Diego) over whose body and heart was the very dark Madonna. Although the book, *Guadalupe: Mother Of The New Creation*,ⁿ³ was by a cleric, Virgilio Elizondo, I noted, he was a writer for the poor, the dispossessed, the undocumented. Everyone, every statement, and every image seemed suddenly fractured, scattered, too complex, too simple.

In the talk, metaphors of family kept surfacing. One of the scheduled presenters talked about how he had hosted his family reunion once, a role that was costly in monetary terms, but only once, because the cost in terms of ingratitude was too high. Several people spoke about their families' faith traditions, about the role of the Madonna in the United Farmworkers' movement, about the mutations of family faith bequest and individual divergences. Cecelia Espinoza said she was not elite enough to be, as many said they were, a lapsed Catholic. Differentiations among those from Cuban or Puerto Rican ancestry surfaced, multiplied, proliferated like a Mandelbrot set into unpredictable, but beautiful, patterns. Strands of tension remained, were pulled, resounded. It was hard to be in the presence of so much anger and pain elicited by the memories of the Church, the very Church in which we from St. Mary's felt ourselves strangely rooted (or re-routed). Yet everyone seemed to be able to affirm the importance of the conversation, and its very value for having broken from expectations, schedules, formats. There was passion, precision, narrative, revelation, risk, and an acceptance of the breaking of the frame, even as the nature of what the frame had been was under interrogation.

A few days later, after we who were left at St. Mary's talked about the difficulties, the remaining dislocations, we began to experience that the wonder of it was that people felt safe to say such things. Although none of us managed some absolute stance of universal respect, under the things that could be approached critically, was the reality of the gift of stories of what the Church had failed yet to heal. For those of us in the church explicitly, that constitutes an invitation to engage in the work of healing, what rabbinical Judaism calls *tikkun olam*, "to mend the world". n4

[*482] I marvel at the remembrance of Center staff member Marilyn Llanes, standing to speak amid the static and stories, to re-issue an invitation of hospitality. She spoke words of concern, welcome, and an ongoing attention, and asked that people consider her a resource for whatever they might need as the day went on... her presence seemed to me stronger even than her calm words, manifesting her reception of all who were in the room. She invoked and performed responsibility for a hospitable space, with a clear acceptance of the difficulties of the conversation. To my eyes, she was living the reality that her calling was based in spirit, and her understanding of her job as ministry.

It is not surprising that it was not one of the faculty who maintained such clarity of consciousness. Rather, it was a Latina who could hear the different accents, having served in San Antonio but come from Cuba, having been in the convent, but now experiencing her vocation in the mixed world of a law school struggling to embody the best of the Catholic tradition. She was her own unique instance of intersections, *mestizaje*, including the most mysterious mix of all, that of spirit and law.

That so many law professors were so perturbed by the images that the Marianist sisters considered holy, is a sign of the times. That it happened in a conference called on the theme of the Latina, meant that the salient face of the Divine was of the dark Madonna. And She is a powerful force in ways Anglo Catholics are only now learning.

We should have already known who She was. I remember hearing Her story, even back in 1950's Virginia, in a "missionary diocese" staffed by Philadelphia nuns. Those Pdoxes in veils and wimples knew Her power, and told the story of Her apparition with glee, savoring the part about how dense the Bishop was. From the most immediate source of Church authority, the rulers (ahem) of the classroom, choir and "Father Gallagher's grass" (on which one NEVER walked), the subversive story began. Each year, it was repeated with greater relish when the subordinated one was proved right by the Queen of Heaven. The nuns, by and large, knew race was important; they said that Juan Diego was the "despised" of the "scorned" (although, for mixed reasons I am sure, the portrait of Mexicans in our geography lessons was quite positive, the nuns portrayed them as a poor nation, and the indigenous as the poorest of the poor). The European at the top of the Church hierarchy in colonial Mexico did not, as the nuns told the story, know what he was talking about. The "uneducated" indio did, and it was a secret [*483] between him and La Guadalupana, a secret Sister Blanche passed on to those who had ears to hear.

My husband and I are currently building a house in the south hill country outside San Antonio, and on its west side is the portrait of La Virgen, in tiles we bought in Monterrey, Mexico. Only after the light above it was installed, did I realize what had happened to Her on the side of our house. She is caught in the shadow, a soft line of darkness across her face, darkening it into the shade that the Woman in Aztec garb illuminates most credibly, for me. It is the reiteration of the image of Notre Dame I encountered when I first visited Her campus in South Bend, - face in shadow, depth of obscurity that outshines mere, facile, "clarity" as we have known it.

The movement beyond false clarity is what the complexity of that conversation the last day of LatCrit II meant for me. It resists a single theme, a formulation, a neat recapitulation. It exceeds categories. It overflows the abundance of "Latina" and "LatCrit" and even "Catholic" and "catholic" - overflows into what we are becoming and cannot yet articulate.

What is the relation between an excess of signifiers, to use the LatCrit vocabulary, and a Catholic university? The first thing to come to my mind is the quotation that I found in Robert Rodes' essay, *Catholic Universities and the New Pluralism*.⁵ I received the book in which the essay appears in a deeply ironic way, as a gift from Tom Shaffer as he tried to steer me away from something I was called to address as an issue, sexual abuse by clergy. I got the book and read what Tom recommended, but because I would not pledge not to mention the issue, I was disinvented from the conference to which Tom had invited me. In retrospect, I believe that our uncanny collision was not our wish but was about the business of a mysterious God, whose spirit blows where it listeth. Part of its listing, was toward Rodes' striking essay. Rodes quoted *Gaudium et Spes* for the notion that the reign of God is "already present in mystery" and that the Church is to express it to the world.⁶ We are to read the signs of the times, the encyclical continues⁷ and Rodes carries it forward:

Because the kingdom is now present in mystery, the work of furthering it is mysterious work. We cannot limit our Aspirations to what our methodologies tell us is possible. If the church is to be a sign and safeguard of transcendence, then when we cannot be safeguard, we must still be sign.⁸

[*484] Part of that movement beyond safeguard, out into the abyss of being sign, Rodes predicts: we are to provide an intellectual foundation for the mission of the church (the preferential option for the poor), which will bring down the economic, social and cultural structures which sustain our comfortable academic lives.

Read directly, Rodes is not promising tenure and a chaired professorship to the denizen of a truly Catholic university. He is promising dislocation and radical change. He is not exempting those prescient enough to be at the leading margin from the costs of being sign, from the costs of such decentering. But he is inviting us to a faithful role of leadership, a dangerous vocation.

This promise of danger is not always fulfilled, even for those who preach it. Rodes and another who urges law professors to be prophets, Tom Shaffer,⁹ were at the time of the paper described below, tenured, chaired professors at Notre Dame Law School. Shaffer has since "retired" into the clinic at Notre Dame, giving substance to his advocacy of service to the poor, and Rodes recognized the difficult story I was trying to tell in the paper. Shaffer concludes that lawyers do their best work despite their profession¹⁰ and suggests that the Church and its communities (including universities) are at their best when they are out of conformity with the conventions of society.

With such an iconoclastic view of the Catholic university, how could the considerable discomfort of that Saturday morning discussion be other than gift? And even the extremely difficult path of conversation with Tom Shaffer, begins to reveal its gift more fully. For the paper I read, citing Rodes' recognition of the need to be sign, when I was later invited by someone else at Notre Dame Law School to give a paper, was about *La Virgen and Notre Dame*. I drew on the differences, the patrician French Lady encircled by Irish (now mostly upper-middle class, as Notre Dame is an elite institution, in the difficult sense of the word elite), versus the Santa Maria of the poor, the previously "invisible"¹¹ brown people, the borderlands. But what my paper recalled was the power of my first prayer at Notre Dame's main chapel, because (presumably due to a burned out light bulb) Herself was half in darkness when I went in, and She created in me a truly holy terror.

[*485] One aspect of that terror is (the "terrible beauty" of)¹² darkness, the dark Madonna, the unknown - and another is the unknowing of silence. Mary has few lines in the Gospels; her job is mostly to "ponder in her heart" and to be present. But now it is time for the divine feminine to speak. I think her first words might well be ones of welcome, of acceptance, of hospitality. That is why I am so grateful to Marilyn Llanes.

I am also grateful to the community of which Marilyn is a part - the community of spirit-centered people who have been gathered at St. Mary's. We came because an uncanny little old man, gimpy and bearded with pockets full of newspaper clippings and Catholic Worker protests, Spike Zywicki, nominated a woman he had met at protest gatherings in Washington, to be the law school dean. Barbara Aldave had not thought about such a job, and the new President of St. Mary's, John Moder, had not known what taking this brilliant woman's dedication to Catholic action on social justice seriously might mean. But for at least this time and place, the forces have brought together a stunning community of commitment, prayer, action and scholarship.

Into such a congruence, came those with negative relationships with the Church. These were not protests against the Bishops' pastoral on the economy, the Mass in the vernacular, or the other egalitarian scandals of Vatican II. These were experiences of the Church's judgmentalism, its intolerance, its narrowness, its slowness to learn. I wish the speakers had been able to recognize more complexity n13 themselves, but I am glad they came, willy-nilly as they could, and spoke as they did.

And then the other side of this difficult gift. I experienced some speakers' willingness to eat and talk through others' prayer, their assertions of oppression by a Catholic university's being what it is, the stance of "more critical than thou" and the willingness to reduce another's religion to anthropology, as offensive. I find the inability to recognize the redemptive sides of the Church, whose social teachings are nothing less than revolutionary, sad. n14

[*486] A number of speakers rushed into judgment, lacking either the very critical distance they invoke or the respect for another's experience of the sacred (much less the reasonable, respectful assumption that the Catholics in the room had themselves already considered the critical aspects of their own tradition). They ignored the affirmation by the Church of basic economic rights, the need for social justice, and the deeply problematic nature of our treatment of our poorer neighbors. They recapitulated what many commentators have identified as anti-Catholicism, apparently without consciousness of that phenomenon (had much of what has been written or said been written or spoken of Judaism, for instance, the implications would be rather immediate). Preaching pluralism, they did not manage to practice it in their address to the Catholics. That is not surprising, but it does have consequences, and they are important to note.

One face of those unintended consequences came to me when I was at the march on Washington in April of 1993, the march in support of gays, lesbians and bi-sexuals. I went with Quaker friends and we gathered among the numerous religious groups. Sitting among banners for "Queer Catholics" and the like, we were assaulted by one speaker in particular, who boomed out an explicit, hate-filled diatribe on Christianity. The speaker, and many of those who speak their pain, at the ignorance of mainstream Christianity for many years, are understandable. But they do not acknowledge that there are many ways of being despised, and anti-Catholicism has a long, secure history in the United States and the world. When I was growing up in southern Virginia, I was told that KKK stood for Ku Klux Klan and for Koons, Kikes and Catholics. It was frightening, as any hatred of one's deepest sense of self and God must be.

It was also frightening to see the pain on the faces of my brothers and sisters who had come to the 1993 march with joy and solidarity, and had not expected to have the most pervasive aspect of their consciences met with such indiscriminating condemnation. They truly thought they were coming to a uniquely safe and rich space in which they could be who they were with an unprecedented openness, and found that they were not so safe. The careless denunciations did not deter their basic message, however, and we marched under the chant "we're here; we're queer; we're Quaker, and we love you."

Similarly, the considerable pain caused by some of the judgments brandished during that Saturday morning discussion is not the end of the conversation.

[*487] For me, continuing conversation starts with the irony that most of us in the world of Catholic universities are much more focused, in general, on the critique of the Church, than on its authority. The

discussions I hear and read are mainly concerned with the Vatican's rather heavy hand on issues of theological academic freedom, not with how we can become more like the Pope. Just as the North American bishops have issued critiques of the current economic injustice in the United States and exhortations to treat same-sex relationships with love (giving the one Latina speaker an avenue to explore with her mother: "Mom, the Church says to love me first"),ⁿ¹⁵ so also have they resisted the intellectual/theological hegemony of the Roman magisterium. For almost seven years, the United States bishops have been trying to get the Vatican to accept an effective modificationⁿ¹⁶ of *Ex corde Ecclesiae* ["from the heart of the Church"], the Pope's 1990 Apostolic Constitution on Higher Education that restricts the freedom of those in Catholic institutions of higher education. Canon 812 of *Ex corde Ecclesiae* directs that "Those who teach theological subjects in any institute of higher studies must have a mandate from," in effect, the local bishop. The United States Bishops, in their proposed adaptation of the Papal document to the United States, tried to maneuver around the barriers that Canon 812 might have posed: the Vatican responded by rejecting the proposed draft, approved by the Bishops by a vote of 224-6 in November 1996.ⁿ¹⁷ Most of the energy of those ruminating on Catholic higher education has been directed precisely at critique, pluralism, and social justice. Most of the reflection by those of us living in that set of issues, has been similarly directed. Thus, the most astonishing aspect of the conversation at St. Mary's that Saturday was the unconsciousness of those who complained, about the reality of the Catholicism that had shaped, named and inspirited the space into which they had been invited. The underlying assumption was that those of us who were Catholics would take any of what they said as news about the Church. The necessary assumption was that we were less, rather than more, critical than they.

[*488] How very strange, to me. Having left the Church, left God, left all that I had believed, and wandered in doubt for years, I am acutely aware of every wart and wrinkle of the Church that has been mentioned in my hearing or spawned by my own perpetual skepticism. I have stood up and left in the middle of homilies; I have refused to attend churches; I have spoken directly to priests and bishops of their abridged notion of God. I have not bothered much with priests and bishops because to me the Church is not primarily about the hierarchy. I have included in my scholarship the grave incongruity of my belonging to the same Church with a man who thinks my genitals make me not in Christ's image.ⁿ¹⁸ I suspect I have thought at least as much, read as much, challenged as much and suffered as much, about the Catholic Church, than was apparent among the most vocal nay-sayers. This does not make me right or superior - but it does entitle me to some key voice in saying what my Church is. Some of the voices that morning seemed to talk as if they could position themselves as anthropologists of religion, could recite the Church's history, tell its (sole) story, pronounce judgment on it. The stories they told were not confined to their lived experience, the experiences about which they had true authority and that were invaluable. Beyond that valid stance, their stories trespassed; they did not leave room for the rest of us, and most particularly for those of us who count the Church as dysfunctional, obnoxious, sinful, holy, functional - and Home. We had 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. The Catholic Church has a colonial legacy in this hemisphere along with its progressive teachings - more concretely, however, it has living, faithful, resistant members, many of whom had already testified to their faith openly at the conference.

One source of this relapse into judgmentalism, I believe, is the strange, unconscious hubris of secular academics. The people who spoke carelessly, did not speak primarily as members of any community of faith. Slipping into pseudo-objectivism, they sounded for all the world like the posturing I saw a few months later from Richard Rorty. Debating at, of all places, a Catholic university (St. Thomas in St. Paul, Minnesota), Rorty and John Searle gave a demonstration of the hubris of the academy, not the least of which was Rorty's nearly off-hand conclusion that "all civilizations are not equal - some, like the Aztec, are clearly inferior."ⁿ¹⁹ The moderator **[*489]** did not read my question to him about just how they were inferior to those of us who in our orthodox version believe we eat the genuine flesh and drink the genuine blood of an executed Palestinian Jew, but did condescend to refer to another I wrote, about what the

conversation would be if there IS a God. And, frankly, neither Searle or Rorty could answer that, because for all their posturing, they are unable to live up to their epistemic stories. n20 Similarly, to tell stories of having been oppressed by the Church is one, extraordinarily rich, thing; to engage in sweeping judgments of another's ground of faith is something very, very different.

At this point, perhaps the most constructive thing I can offer is the unanticipated joy that the conference offered me. I had expected to be stretched, to feel awkward, to realize more and more of my ignorance; I had not expected to be so deeply affirmed in the reality of why I am at St. Mary's. I am here because I am a Catholic. I grew up in Virginia, knowing much of what Southern racism against African-Americans meant, living in its texture. My experience of Latino/as was mediated through a few books; if there were any in our community, my culture hid them from me. After college in Pennsylvania, where blacks were "an issue," but "browns" were barely visible in my restricted world, I lived in Wisconsin and Nebraska, both of which had minuscule minority populations. Now I live where I am a minority, and it is a life laced with newness, disorientation, and the unexpected. I find myself deeply bonded with my Latino/a colleagues, but the bond is, most of all, one of Spirit. We share politics, jokes, commitments to social justice, intersections with Barbara Aldave - and we share La Virgen, Mass in the faculty building, and saying the rosary in times of crisis.

The building which some found so conflicted, had been blessed with holy water just months before. It had held Helen Prejean at the [*490] feast day Mass of Our Lady of Guadalupe, saying that on that day, there was no place else in the world she would rather be. It holds brown women, indigent, undocumented, battered, and their children, every day. It is full of ex-nuns and current nuns and zany old men like Spike. In it we have fiestas and tamaladas and tears and prayers. And so we had more tears, and hard stories, and ragged judgments and movements to reconciliation, at LatCrit II. And we who are left here, still rejoice in it.

As witness to that rejoicing, I want to convey the letter that one of our administrators, Elise Garcia, sent to the president of the university last week. It is a pean to the function that the Center, the very place so difficult for some of those at LatCrit II, plays in the community of South Texas, the borderlands.

Elise wrote of a battered, immigrant woman named "Sylvia," who due to the efforts of students, faculty and staff at the Center, was released from a Laredo detention center in December 1997. "At the age of fifteen, Sylvia was captured and tortured by an elite, U.S.-trained battalion in her native El Salvador. It was the same battalion that had committed the massacre of El Mozote and murdered the Jesuit priests. She was held prisoners in the women's political wing of the Ilopango prison in San Salvador for nearly two years. After being released in a general amnesty, Sylvia returned home and tried to resume her previous life. Her peace was short-lived, however. On receiving numerous death threats, Sylvia fled to Mexico where she managed to stay for a year before the authorities caught up with her and began to initiate deportation proceedings. Again, she fled - this time to the United States.

Sylvia had the misfortune of meeting and marrying, under Texas common law, a U.S. citizen (a middle-school teacher!) who continually beat and abused her." After more misadventures with the law, Sylvia was to lose her children and be sent back to her country. "While in detention, Sylvia had found a piece of paper with the name and phone number of the Center for Justice. When she placed the call on September 1, Sylvia reached Liz Garcia, the receptionist/intake worker. Liz was so moved by her story that she immediately contacted Monica Schurtman and begged her to take on this seemingly hopeless case." Monica, the co-director of the Immigration and Human Rights Clinic, and Cathleen Culhane, a clinic student spent outrageous hours (and bus time, for Cathleen, who had no car with which to drive the nearly three hours to the Laredo detention center) finding the legal tangles in which they could wrap Sylvia for protection. She was finally released, and even got to see [*491] her children. It was a remarkable saga, and, as Elise concluded, a wonderful Christmas story. n22

This is one story from our "Center for the marginal" staffed primarily by Latino/as, women, people of color. Now is the time to tell such stories. It might have made our academic story different had those who revealed their wounds listened for the Center's story, or heard it as it had been celebrated during LatCrit II. But the story is always changing from what it might have been into what we make it and we make of the difficulties that Saturday morning, an ongoing conversation. Always a party to that conversation, is a mysterious woman of color whose Nahuatl name, Tlecuauhtlacupeuh, sounded to the Spaniards like "Guadalupe." She is controversial and always subject to attempts at political manipulation, but she is also "A Radical Figure for All Time,"ⁿ²³ one who would have been (was) both present and ironically active in gatherings of those who attend to the dispossessed, critique the powers that be, and value stories. Saturday morning, with its tears and offenses, could not have happened without Her.

FOOTNOTE-1:

n1. Ada Maria Isasi-Diaz & Yolanda Tarango, *Hispanic Women: Prophetic Voice In The Church* 17 (1992).

n2. The multiplicity, movement and contingency of one in such a milieu is richly presented in Elvia R. Arriola, *Law and the Gendered Politics of Identity: Who Owns the Label "Lesbian?,"* 8 *Hastings Women's L.J.* 1 (1997).

n3. Virgilio Elizondo, *Guadalupe: Mother of the New Creation* (1997).

n4. The journal that chooses to use TIKKUN for its name translates it on its back cover as "to heal, repair and transform the world." *Tikkun: A Bimonthly Jewish Critique of Politics, Culture & Society.*

n5. Robert Rodes, *Catholic Universities and the New Pluralism, in The Challenge and Promise of a Catholic University* (Theodore M. Hesburgh ed., 1994).

n6. *Id.* at 308.

n7. *Id.* at 309.

n8. *Id.* at 310.

n9. See generally Tom Shaffer, *On Being A Christian and A Lawyer* (1981). Shaffer even suggests that lawyers are to be the "lepers" of their communities. *Id.* at 217.

n10. *Id.* at 219.

n11. Juan Perea, *Los Olvidados: On the Making of Invisible People*, [70 N.Y.U. L. Rev. 965 \(1995\)](#).

n12. This is not patriarchal darkness, the repository of the symbolic evil, but the darkness of the aporia, the rich ground of mystery, the miracle of the empty tomb. The fecundity of the "dark" abyss is explored in phenomenological texts like those of Emanuel Levinas, *Ethics and Infinity* (1985) and the theological texts like Henri Nouwen, *Lifesigns* (1986), as well as the many feminist theologians such as China Gallant, *Tara and the Dark Madonna* (1990) and Mary E. Giles, *Take Back the Night, in The Feminist Mystic* (Mary E. Giles ed., 1987).

n13. An argument and demonstration of the complexity of the Latina in the LatCrit world appear in Berta Esperanza Hernandez-Truyol, *Borders (En)gendered: Normativities, Latinas, and a Latcrit Paradigm*, [72 N.Y.U. L. Rev. 882 \(1997\)](#).

n14. In addition to the sexual orientation pronouncements of the U.S. bishops cited below, recent examples include the Statement of the U.S. Bishops Committee on Migration (1995) and the Pope's recent comments about the immorality of the United States' exclusion of non-citizens (both here and across the border) from access to jobs.

n15. The bishops composed a Pastoral Letter entitled "Always Our Children" in which they stress that the primary goal of parents should be maintaining a loving relationship with their children, that homosexuals should be welcomed in parishes, and the issue surrounding sexual orientation should be openly discussed. David Briggs, Bishops Tell Parents to Put Gay Kids First, San Antonio Express-News, Oct. 1, 1997, at A1.

n16. The United States Bishops proposed a relationship of trust between Bishops and institutions rather than "a legalistic approach" and so reduced the content of Canon 812 to mention in a footnote. U.S. Bishops Endorse Papal Statement on Catholic Colleges, Chron. Higher Ed., Nov. 22, 1996.

n17. Pamela Schaeffer, Back to the Drawing Board on Ex Corde Ecclesiae: U.S. Bishops Must Revise Their Standards for U.S. Colleges and Universities Based on Vatican Document, Nat. Cath. Rep. 31, June 6, 1997.

n18. This is in contrast to the more advanced practice of, for example, the Aztecs, who had women priests. See *infra* note 19, at 100.

n19. A more pragmatic, reasoned account would be akin to that in Pierre et Janine Soisson, *Life Of The Aztecs In Ancient Mexico* (1978), which explores the extensive writing, architecture, and civic organization in Aztec culture though not ignoring the sacrifice and other practices that offend current sensibilities of those who live in a country (the United States) that Europeans now consider barbaric in its deliberate electrocution, hanging and poisoning of its citizens after elaborate rituals in ornate chambers presided upon by robed figures with wooden mallets.

n20. The difficulty they faced is hardly novel; for a reflection on such multiple epistemic standpoints, see Joseph Raz, *Facing Diversity: The Case of Epistemic Abstinence*, 19 *Phil. & Pub. Aff.* 3 (1990).

n21. Ironically, in a commentary on Rorty's claim of Aztec inferiority, the usually acute Joan Williams herself seems to miss the point. Although concluding that Rorty is right to remind us of the necessarily historical nature of reality, she deals with his account of "our" revulsion with "Aztec sacrifice" by presuming what the "some variant of a quite different vision" than "ours" the Aztec must have held, rather than investigating their view. Joan C. Williams, *Rorty, Radicalism, Romanticism: The Politics of the Gaze*, [1992 *Wis. L. Rev.* 131, 137](#). Similar elisions of history took place in nineteenth century Texas based on a similarly ignorant view of the extraordinarily complex Aztec culture. Arnoldo DeLeon, *They Called Them Greasers: Anglo Attitudes Toward Mexicans In Texas, 1821-1900*, 65-66, 123 n.17 (1983).

n22. The full letter is on file with the author; the parties involved in the letter, including "Sylvia," have agreed to its disclosure.

n23. An editorial commentary by that name appeared in Gilberto Hinojosa, *Editorial, A Radical Figure For All Time*, San Antonio Express-News, Dec. 12, 1997, available in 1997 WL 13217085.