

Copyright (c) 1999 University of Miami Law Review

University of Miami

July, 1999

**LENGTH:** 2662 words

**MAPPING INTELLECTUAL/POLITICAL FOUNDATIONS AND FUTURE SELF CRITICAL DIRECTIONS: Reflections of LatCrit III: Finding "Family"**

Victoria Ortiz \* & Jennifer Elrod \*\*

**BIO:**

\* Victoria Ortiz is the Dean of Students at Boalt Hall School of Law. She is an independent scholar, lawyer, teacher, and social activist. She is currently writing a social and cultural history of Sojourner Truth's encounters with the 19 century legal system, New York University Press, forthcoming.

\*\* Jennifer Elrod is a teacher, social activist, and lawyer. She is a doctoral candidate at Columbia Law School, specializing in the First Amendment.

**SUMMARY:** ... We arrived in Miami on May 7, 1998, feeling emotionally exhausted from the events of the past several months that had reinforced for the two of us the centrality and primacy of family, kinship, and belonging. ... Other members of Camilo's extended family in the Bay Area - Renee, Demain, Christina, Jimmy, Deedee, Jim, and Johnny Wray - had reached the hospital and were conferring with the emergency room doctors and staff. ... All of the multiple kinship groups and familial bonds that were so visible and so much a part of the discussion sessions, the meals, and the informal gatherings, were important signifiers that LatCrit was about more than just challenging intellectual conversations and discussions. ... Our lives as family members, members of an extended family, a kinship group, or a community are disconnected from whatever we have chosen as our job. ... Celina Romany believes we can change the status quo and broaden our power base by seeking support from outside the law school and other academic environments. ... In part, it was the very comforting feeling that here at LatCrit III, we had found a kinship group, an extended family filled with people who were willing to act as academic, intellectual parents; people who were brothers and sisters in the struggle against the dominant hierarchy; people who were committed to building networks and bridges to the community of LatCrits. ...

[\*1257]

We arrived in Miami on May 7, 1998, feeling emotionally exhausted from the events of the past several months that had reinforced for the two of us the centrality and primacy of family, kinship, and belonging. We were curious about what awaited us at our first LatCrit Conference (LatCrit III). We were excited at the prospect of seeing old friends and making new ones. Yet we wondered, as we so often do before attending academic and political conferences, whether we, as women, Lesbians, mothers, an interracial couple, and an interracial family, would find ourselves in the mix of panel discussions and plenary sessions.

We were concerned about finding a welcoming place because our lives had been on an emotional roller coaster for several months. The integrity and security of our family had been seriously threatened beginning December 22, 1997. We were finishing dinner and chatting excitedly about our son Camilo's arrival on the "red-eye" from San Francisco the next morning. We hadn't seen him in more than two months and we were anxious to embrace him, to hear about his life (living on his own), and to share the holiday season

with him. And we looked forward to showing Camilo the piece we were writing: a story about the two of us, and him - the three of us - our Queer family. n1

The phone rang. It was Camilo's downstairs neighbor, Renee. Camilo had been beaten about the head and torso by two assailants, the extent of his injuries was unknown but he was - miraculously - still conscious. She had called the police, Camilo had been placed on a stretcher by the emergency medical technicians.

We later learned that Camilo had been attacked by two young men who pushed their way into his apartment as he was preparing to leave [\*1258] for the airport. The two assailants hit him with the lead pipes they were carrying. Somehow, Camilo escaped from the apartment, stumbling and tumbling down the exterior staircase while his attackers chased him and continued to strike him with their lead weapons. Luckily, the commotion of Camilo's struggle and his shouts for help alerted Renee and her son, Demian. Their appearance at their front door scared off the two assailants. After calling the police and alerting us, Renee and Demian followed Camilo's ambulance to the hospital.

There were many anxious hours for the two of us as we waited to hear from the hospital about the extent of Camilo's injuries. The first reports were frightening: a possible concussion, serious head lacerations, and unknown internal injuries to his chest. We waited anxiously. Time seemed to move at a snail's pace. Then the phone rang. Other members of Camilo's extended family in the Bay Area - Renee, Demain, Christina, Jimmy, Deedee, Jim, and Johnny Wray - had reached the hospital and were conferring with the emergency room doctors and staff. Camilo was awake but was experiencing intense pain and discomfort. He had been examined, x-rayed, sutured, and bandaged. We received other phone calls from friends in the Bay Area who had heard the horrifying news and wanted to know what they could do for Camilo and for us.

We arrived in San Francisco within fifteen hours of learning of the attempt on Camilo's life. Incredibly, he had survived the attack with only internal bruising, external contusions, and several serious lacerations to his head. His hands and arms were bruised and swollen from defending his face and body. His fingers were so battered that he was unable to bend them. We were so relieved that Camilo was alive, that his physical injuries would heal over time. However, the psychic trauma - for the three of us and our family - would take longer to heal.

Although Camilo identified one of his two assailants in a police photo array within ten days of the attempted murder, the police have made no arrest to date. The detective in charge of the case told Camilo that the assailant he had recognized was a known member of a gang operating in the East Bay area.

When we returned home from California, we began again to edit and revise our story about our Queer family, which is a product of our three lives and of our presentation at the Critical Race Theory Conference at Yale in the Fall of 1997. Completing this project became an important part of our healing process because it reinforced for us the importance of family as a unit of resistance, a kinship group that can stand together and weather adversity - both physically and psychologically. [\*1259] Additionally, our story was a doorway through which we entered into LatCrit.

Francisco ("Frank") Valdes has been an integral part of our entry into LatCrit. Through Frank's own writings n2 and his work with us on our essay, we found an ally, in both intellectual and emotional terms. From the earliest stages of our drafting, Frank provided thoughtful and rigorous suggestions on how we might improve and clarify our analysis. We also discussed the LatCrit III conference with Frank. He described to us the work that he and Elizabeth ("Lisa") Igelsias had done to organize and facilitate the conference and its themes. Although we had already read a number of the articles from the two previous conferences, we now reread them. n3 The more we read and the more we talked with Frank, the more committed we became to attending LatCrit III.

When we arrived in Miami, we were seeking an intellectual and political home - a kinship with others who shared our viewpoints. What we discovered over the course of our three days there was much more than an

intellectual niche: we found an emotional haven and we developed an extended kinship by reacquainting ourselves with old friends and meeting new ones.

Our experience in many of our previous academic and political activities had taught us that we were welcome as individuals (but not usually as a Lesbian couple), that we were welcome as women (but usually gender was not a key or relevant factor), that we sometimes were welcome as mothers (but usually not as Lesbian Mothers), that families were sometimes discussed (but usually not Queer families), that as a woman of color and as a woman of white n4 we might be welcome as two individual women (but usually not as an interracial couple), and that we might be welcome as a woman of color raising a son of color (but usually not as a woman of color and woman of white raising a son of color together). As a result, we frequently experienced the fragmentation and compartmentalization of our multiple identities.

[\*1260] We were delighted that LatCrit III was so welcoming to us in all the ways which we find important and valuable - as women, as Lesbians, as mothers, as a couple, as activists, as scholars, and as lawyers. From the moment we entered the conference, we had the sense that we were a part of a large, inviting group composed of many different races, religions, ethnicities, ages, political views, and backgrounds - a group committed to creating a safe space in which to explore a multitude of important and sensitive issues - a safe haven in which to discuss, to disagree, to learn, to grow and to stretch, intellectually, politically, and socially.

For us, LatCrit III was filled with significant moments. There were instances infused with humor, pathos, tension, recollections, reflections, intellectual curiosity, information, and resolution. Participants raised issues that resonated in our individual and our shared professional experiences and personal lives. For example, in the opening session entitled Critical Recollections: Reclaiming Latina/o Experiences with the Legal Academy of the United States, participants recounted their experiences of isolation as Latinas/os in the law school setting as teachers, administrators, and students. n5 They spoke of the difficulty of being isolated, of feeling disempowered, of not fitting in, of having fragmented identities, and of being the outsider, the other. At the same time, other participants shared the view that we must reach beyond the walls of the law school, to build coalitions and networks which change the status quo, and revise the agenda so that it fulfills our needs rather than those of the dominant group.

Another significant component of LatCrit III was the children. A number of parents brought their children to the conference. The children, their laughter, their voices, their chattering, their games, were always present in the room or in the background. As they often do, the kids quickly bonded with one another, forming - perhaps - a future generation of LatCrits. Without regard to age, color, ethnicity, or gender, the children formed a series of groups, small and large. There were pre-teen and teen-aged children playing with one another. There were small babies in the arms of their parents, who cooed and nestled them while participating in various formal and informal discussions. There were grandparents, friends, and acquaintances who took on the temporary tasks of coddling, feeding, and changing these small babies. There were husbands, wives, lovers, life partners, and close friends.

[\*1261] All of the multiple kinship groups and familial bonds that were so visible and so much a part of the discussion sessions, the meals, and the informal gatherings, were important signifiers that LatCrit was about more than just challenging intellectual conversations and discussions. For us, LatCrit was also about the kinship between and among its participants and attendees. And with kinship comes the deepening of friendships, the richer possibilities of cross-cultural, cross-identity, cross-ethnicity, cross-religious, and cross-political collaboration, and the greater the likelihood of clearer understandings between and among peoples. Uniting diverse peoples and forging a community of intellectuals, teachers, organizers, and activists who can resist, challenge, and subvert the dominant group and/or its institutions, is both the purpose and goal of LatCrit.

There were many moments at LatCrit that reinforced once more for us that the personal and the professional are so interlocked that it is difficult to distinguish the borders between the two. What so often

happens to us and to others is that the personal and professional are bifurcated. We often split ourselves into two or more personas: the vocation becomes distinct and distant from the personal. Our lives as family members, members of an extended family, a kinship group, or a community are disconnected from whatever we have chosen as our job. LatCrit III discussions frequently reminded us of the intertwined nature of our lives and work. We listened to Cecilia Espinosa speak of our friend Elvia Arriola and her absence from the conference because of the recent death of her mother. For many, Elvia's spirit was a strong, almost palpable, presence throughout the conference. The theme of the intersections of woman, Latina, mother, daughter became evident as many participants and attendees referred to Latinas in the academy as motherless daughters. Without a mother or a mentor, Latinas often do not advance within the academic setting. The same may be said of Latinos, Asians, Queers, Indigenous and Native peoples, African Americans, and the Disabled. We also are aware that all Outsiders are often isolated and insulated, often feel powerless or disempowered.

Berta Hernandez-Truyol urged us to consider that "La Familia" best describes the identity of Latinas. The convergences of gender, sexuality, sexual orientation, language, and culture are transmitted through a patriarchal system where heterosexuality is the "norm," where Latina lesbians are viewed as the agents of Anglo culture and as cultural outlaws, where gay Latino men are feminized, and where Catholicism is the last stronghold of "church-inspired" norms.

Another prominent theme of LatCrit III involved language issues and the renewed conservative push to "cleanse" public schools and governmental agencies of languages other than English. Propositions 187 and 209 in California were the focus of at least one panel discussion and many other spontaneous, informal conversations. Laura Padilla's description of the negative impact of such "popular" efforts to rid the dominant culture of the possibilities of other cultures reminded the two of us of the intertwined nature of oppression. The negative results of such language and cultural denial can be seen in the internalized oppression that causes one to turn upon one's self and upon one's racial and ethnic group. Such behavior encourages one to find fault, to criticize, to be divisive, to exclude, to generalize, and to attack members of one's own group. We see the effects of such negativity in the diminishing or erasing of culture and ethnicity, the emphasis of light over dark skin color, and the stereotyping of Latinos as lazy and/or docile.

As many speakers urged, such problems are not without solutions. Individuals and groups must make a concerted effort to deconstruct and dismantle narrow and negative stereotyping of Latinos, both on an individual and collective basis, by examining and naming all of the "isms" that infuse and inform all societal institutions. Destructive views of self and others must be replaced by constructive, positive images and viewpoints. In order to create permanent change, such reconstructive efforts must be sustained over time - not for a three-day conference, not for a week, but for all time.

Conference participants also discussed solutions to the problems one experiences in academic settings such as a law school - feeling isolated from academia by virtue of being an Outsider, an Other. Celina Romany believes we can change the status quo and broaden our power base by seeking support from outside the law school and other academic environments. By using strategic knowledge, creating linkages, and building community, we can shift, revise, or change the dominant structure.

We look back on those three extraordinary days at LatCrit III and know that we returned home enriched by the strong bonds of friendship we renewed and/or created. We were tremendously encouraged and energized by the three days we spent in Miami. In part, it was the extraordinary people with whom we talked, ate, and laughed, while engaging in both serious intellectual discussions and social banter. In part, it was the powerful sense of kinship and community which we experienced because the planners and participants of LatCrit III created a safe space in which to talk about significant issues. In part, it was the very comforting feeling that here at LatCrit III, we had found a kinship group, an extended family filled with people who were willing to act as academic, intellectual parents; people who were brothers and sisters

in [\*1263] the struggle against the dominant hierarchy; people who were committed to building networks and bridges to the community of LatCrits.

**FOOTNOTE-1:**

n1. See Victoria Ortiz & Jennifer Elrod, Construction Project: Color Me Queer <plus> Color Me Family <equal> Camilo's Story, in *Critical Race Theory: Histories, Crossroads, Directions* (Angela P. Harris, Jerome Culp, Francisco Valdes, eds., Yale University Press, forthcoming 1999).

n2. See Francisco Valdes, Queer Margins, Queer Ethics: A Call to Account for Race and Ethnicity in Law, Theory, and Politics of "Sexual Orientation," [48 \*Hastings L.J.\* 1293 \(1997\)](#); Francisco Valdes, Queers, Sissies, Dykes, and Tomboys: Deconstructing the Conflation of "Sex," "Gender," and "Sexual Orientation" in Euro-American Law and Society, [83 \*Cal. L. Rev.\* 1 \(1995\)](#); Francisco Valdes, Sex and Race in Queer Legal Culture: Ruminations on Identities & Interconnectivities, [5 \*S. Cal. Rev. L. & Women's Stud.\* 25 \(1995\)](#).

n3. See Symposium, LatCrit Theory: Latinas/os and the Law, [85 \*Cal. L. Rev.\* 1087 \(1997\)](#); Symposium, LatCrit Theory: Naming and Launching a New Discourse of Critical Legal Scholarship, [2 \*Harv. Latino L. Rev.\* 1 \(1997\)](#); Colloquium, International Law, Human Rights and LatCrit Theory, 28 *U. Miami L. Inter-Am. L. Rev.* 177 (1997); Colloquium, Representing Latina/o Communities: Critical Race Theory and Practice, 9 *La Raza L.J.* 1 (1996).

n4. We use the term "of white" to inscribe racial characteristics to persons with white skin-color privilege in order to disrupt the dominant view that "white" is a normative category against which all other skin colors are measured.

n5. Michael Olivas spoke about the gains and losses in terms of Latinas/os who teach and/or lead law schools. Jose Bahamonde-Gonzalez shared the perspective of a Latino administrator in a law school. Yvonne Cherena-Pacheco spoke of her dual roles as a teacher and administrator in a law school which had lost its progressive white, female Dean. Other participants also shared their experiences and views.