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**AFTERWORD:** LatCrit VI, Outsider Jurisprudence and Looking Beyond Imagined Borders

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**BIO:**

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**SUMMARY:** ... The goals of the conference were to explore the ties that bind Latinas/os residing in the United States to their homeland's societies and cultures, and to examine the impact of globalization on critical jurisprudential discourse. ... The broader progression of the movement is perhaps the inevitable response to one of its founder's questions during the movement's formative years; namely, can scholars of this movement maintain the momentum of their scholarly experiment? Specifically, Professor Frank Valdes' query centered on whether, as a progressive, outsider, scholar-driven effort, the LatCrit struggle could continue to consolidate, progress, and sustain its undertaking. ... As Professors Johnson, Valdes, and Romero observed at earlier conferences, the LatCrit movement is more than a means to theorize about how law affects Latinas/os, it is an antiessentialist antistatist effort by progressive, often-times younger, legal scholars of color, to: (1) produce critical knowledge as a means to approach greater social justice; (2) challenge perceptions of reality concerning the identity of Latinas/os; and (3) cultivate coalition-

building among Latinas/os, African Americans, Asian Americans, indigenous peoples, feminists, queers, and other OutCrits. ... This innovative critique has wide applicability that is applicable to global critiques of the dominant gaze. ... Indeed, greater LatCrit institutional involvement in the application of theory is necessary to promote the goal of progressive change. ...

**HIGHLIGHT:** "The white man ... desires the world and wants it for himself alone. He considers himself predestined to rule the world. He has made it useful to himself. But there are values which do not submit to his rule."

-Frantz Fanon n1

"If God were black my friend, everything would change, it would be our race, my friend, which would have the power."

The President would be Black and the Governor Black.

The Lawyer would be Black and the Doctor Black, my friend.

The Pope would be Black and the Minister Black.

The Angels would be Black and Jesus Christ Black."

-Roberto Anglero n2

[\*1156]

I. Introduction

The Sixth Annual LatCrit Conference (LatCrit VI) titled "Latinas/os and the Americas: Centering North-South Frameworks in LatCrit Theory," was the latest installment of the leading progressive scholarly movement addressing nonwhite critical jurisprudence. n3 The goals of the conference were to explore the ties that bind Latinas/os residing in the United States to their homeland's societies and cultures, and to examine the impact of globalization on critical jurisprudential discourse. n4 The conference was attended predominately by straight and gay law professors of color, including Latinas/os, African Americans, Asian Americans, and indigenous persons, most of whom describe themselves as LatCrits or more whimsically, LatCritters. Other participants included White colleagues, members of other disciplines including historians, sociologists, and anthropologists, as well as

students and other friends. They all came together to continue an academic endeavor that examines, challenges, and at times attacks traditional Anglocentric American legal jurisprudence. n5 The educational, ethnic, racial, gender, social, and class diversity of this multicultural group contributed significantly to the excitement and the variety of the discourse and exchange.

The LatCrit movement is an experiment of outsider scholarship that seeks to unmask the modalities of modernity, which has in turn led to the systematic institutional subordination of Latinas/os and other marginalized groups. Self-reflection of the Latina/o condition and examination of identity politics has been a hallmark of the [\*1157] undertaking from its inception. n6 The movement's central aspirations are to develop coalitions of like-minded progressives, enhance theoretical discourse, and conceive of and engage in antisubordination praxis. n7 Scholars within the group have grappled with the tension of advancing and developing postmodern multicultural theory while at the same time implementing progressive praxis. n8

While, by its very name, LatCrit was intended to focus on the plight of Latinas/os without the limiting factor of constructed borders of the nation-state, the primary inquiry of the scholarly undertakings has, to a considerable extent, examined the effect of racism within the United States. n9 Notwithstanding this fact, the movement has made great strides in promoting global critiques by, among other things, holding conferences specifically focusing on international issues, inviting renowned international scholars and activists of color, and holding scores of plenary and concurrent panels on transnational concerns.

LatCrit VI also situated the movement to explore beyond imagined sovereign or parochial domestic constraints. LatCrit VI sought to examine the ties that "bind Latina/o Communities in the United States to their homeland societies, cultures and economies." n10 As its title suggests, the focal discourse of the gathering had a broader emphasis than just an exploration of the impact of U.S. laws on domestic issues. n11 In other words, the effort was to undertake a comparative study of domestic issues concerning Latinas/os and comparable concerns throughout the Americas. n12 This transnational emphasis was a stated agenda for the conference, which encouraged inquiry into ways that illuminate and elucidate the north-south character of Latina/o transnationality, n13 or pan-ethnicity. n14 This [\*1158] emphasis is also a product of the efforts by members of this group to expand outsider critical jurisprudential movements. n15 The emphasis appreciates the anomalous status that encapsulates Latina/o identity in the United States.

That status is characterized by attributes of citizenship or belonging to the United States, yet at the same time being branded with the social perception of an alien n16 or foreigner n17 - hence the existence within the alien-citizen paradox. n18

The broader progression of the movement is perhaps the inevitable response to one of its founder's questions during the movement's formative years; namely, can scholars of this movement maintain the momentum of their scholarly experiment? Specifically, Professor Frank Valdes' query centered on whether, as a progressive, outsider, scholar-driven effort, the LatCrit struggle could continue to consolidate, progress, and sustain its undertaking. n19 One way to answer this query may involve looking beyond our imagined nation-state borders and addressing the subordination of Latinas/os globally, n20 which in turn will likely promote coalition building with like-minded critical thinkers and those from different schools of thought situated throughout the world. This Afterword, in addition to examining LatCrit in general, and the works submitted for the LatCrit VI Symposium, specifically suggests a blueprint for institutionalizing an international and comparative component to all LatCrit Symposia. Perhaps prophetically, the very first LatCrit gathering, even before it had its name, stemmed from a Hispanic National Bar Conference held abroad in the United States colony of Puerto Rico. n21

Before further addressing this transnational trajectory, a brief reflection on the movement may provide a blueprint for the [\*1159] uninitiated or unconverted. As Professors Johnson, n22 Valdes, n23 and Romero n24 observed at earlier conferences, the LatCrit movement is more than a means to theorize about how law affects Latinas/os, it is an antiessentialist antisubordination effort by progressive, often-times younger, legal scholars of color, to: (1) produce critical knowledge as a means to approach greater social justice; (2) challenge perceptions of reality concerning the identity of Latinas/os; and (3) cultivate coalition-building among Latinas/os, African Americans, Asian Americans, indigenous peoples, feminists, queers, and other OutCrits. n25 As these objectives illustrate, central to the discourse is an effort to question as well as situate Latina/o racial and ethnic identity. n26 Irrespective of whether particular LatCrit writings have focused on issues of gender, n27 ethnicity, n28 sexual orientation, n29 or race, n30 a central theme of this movement is self-reflection by its members in their writings, n31 as well as an examination of contemporary issues pertaining to questions of the marginalized and stigmatized identity of Latinas/os in the Anglocentric heteropatriarchal American Legal framework. Part of the Latina/o identity focus is an

attempt to reconstruct the dominant perception of all subordinate and subjugated groups in America.

LatCrit VI aptly addressed the above lofty aspirations in [\*1160] addition to raising a number of broader provocative global themes. This conference produced knowledge, with central themes of the international, particularly by centering renewed paths towards theoretical examinations of the United States' domination or undue influence in Latin American and Caribbean cultural, social, legal, and political frameworks. n32 By continuing examinations of identity pertaining to race, gender, and sexuality, and promoting new thematic directions towards areas such as economics and interdisciplinary studies, as well as renewed emphasis on previously touched areas such as criminal law, the movement continues to challenge dominant visions of reality and is ensuring the longevity and malleability of the intellectual endeavor. As for the third primary aspirational focus - the coalition building goal - it was not only visible in the familial gathering and social interaction, it thrived as a result of the scholarly effort to expand the movement by inviting interdisciplinary participation and promoting broader global theoretical discourses.

This Afterword, in addition to providing a brief analysis of several topics raised at the conference, will attempt to look beyond the present and immediate future of LatCrit. As part of an effort to incite debate, reflection, and perhaps controversy, this Afterword seeks to promote dialogue concerning Latina/o identity politics, as well as where LatCrit is now and where it will be in the future. It will also attempt to provide one outsider's vision to situate LatCrit at a place where it will continue to be first and foremost "Lat," both within and beyond the United States, and at the same time continue its multicultural, postmodern "Crit" tendencies.

## II. Beyond "The America"

When addressing issues affecting Latinas/os, LatCrit scholars have taken a global perspective. n33 As my colleague, Guadalupe Luna, persuasively highlights, n34 globalization, including international trade pacts such as NAFTA, n35 the Caribbean Basin Initiative, n36 and the [\*1161] proposed Free Trade Area of the Americas, n37 has universal economic and political ramifications. Globalization's inevitable effects on the lives of Latinas/os and other people of color throughout the world is indisputable. This international phenomenon is an area of increasing importance in traditional scholarship, n38 though it has received little critical examination. n39 Consequently, globalization needs to be an area of increased focus for critical scholars of color. This movement towards the

international, which has begun with efforts by several LatCrits, n40 is in its infancy. It is, however, perhaps the genesis of renewed vibrancy of an already significant theoretical undertaking. Resulting from the impetus of its initiators, LatCrit is well situated to be a leading voice in the global theoretical debate. The so-called New World Order will gray demarcations of nationality, sovereignty, and identity in general. Because this global shift will transcend our own national border and identities, both within the United States and in our homeland societies, progressive outsider scholars should engage in the discourse, which purportedly searches for insights to, and solutions for, common global problems. n41 Globalization will also affect, among other things, immigration, economic dependency and development, democratic reform, self-determination, human rights, and minority rights within existing sovereigns. As such, globalization may very well have the hegemonic effect of furthering the [\*1162] Americanization or "Westernizing," so to speak, of the world. These consequences alone pose the danger of further silencing the marginalized and thus also of decreasing traditional academic inquiry into the lives of Latinas/os and other marginalized groups, unless progressive leaders engage the traditionalists.

The consequences of first-world globalization on people of color will often be pernicious and will not only affect the lives of Latinas/os in the Americas, the Caribbean, and other areas, but it will have an indirect impact on these groups within the United States. Latina/o communities within this country are pan-ethnic, with ties here and to their homelands. n42 These groups directly affect, and are affected by Latinas/os throughout the world. This reality, among others, demonstrates that Latinas/os residing in this country exist, in many respects, in a transnational status "typically retaining strong material connections to, and cultural identifications with, their homelands' traditions, issues, concerns, hopes and aspirations." n43 These characteristics have global effects that are not limited to trade, which includes the movement of capital to and from transnational regions and the migration of thousands of individuals, it will also affect perceptions of identity, nationality, and democracy. In addition to globalization and the western support of it, the United States' related, omnipresent influence in world affairs will continue to have an enormous impact.

Even prior to becoming the world's sole superpower, the United States' policies and laws often negatively affected Latinas/os. n44 These policies, even when masked as addressing local, national, or domestic matters, had a much broader impact. n45 Before the word LatCrit was mentioned, leading Latina/o scholars

appreciated the fallacy of the domestic domain. Professor Olivas, for instance, in addition to demonstrating the similarities in the oppression of the Mexicans, Native Americans, and Chinese Americans, revealed the international impact of laws allegedly geared to address domestic matters. n46 For example, during the United States' Great Depression, Los Angeles was targeted for massive deportation for those who [\*1163] looked Mexican or had Spanish-sounding names. n47 During the period of 1929-1935, over 80,000 Mexicans were deported, even though many of them had the legal right to be in this country or were citizens of the U.S., because they did not have the ability to prove they belonged in the United States. n48 Over half a million Mexican and United States citizens, some of whom had never even been to Mexico, were also "voluntarily" repatriated to their purported homeland. n49 These are American stories that progressive scholars, such as LatCrits, have explored. These are also international stories of oppression that should be part of a global LatCrit examination. These are also ongoing stories. For instance, when one thinks of the United States military bombings in Vieques, Puerto Rico, n50 the violent political oppression in Latin America, n51 or the repatriation of Haitians off the shores of Miami, Florida, n52 we are reminded that oppression and discrimination thrives today. These facts also can be LatCrit rallying points. As the movement has already appreciated, it would be shortsighted for any endeavor advancing the interest of subordinate groups not to focus its inquiry on existing global, political, and economic shifts. Globalization is a phenomenon that is causing such a shift, and LatCrits must continue to respond accordingly.

LatCrit is situated to continue its examination of the realities facing Latinas/os in Latin America and in other regions. The movement, consistent with its prior efforts, will likely continue to explore issues concerning group identity, and critique legal, political, and economic structures with an eye towards achieving true social justice. Latina/o communities within the United States, as well as Latin America, are multiethnic, multilingual, multicultural, and multiracial. n53 LatCrit has appreciated this intergroup and intragroup diversity, n54 a diversity that includes educational background, language, history of conquest and subjugation, color, class, gender, and sexual orientation. Accordingly, LatCrit has understandably explored global concerns affecting Latinas/os.

[\*1164]

### III. The LatCrit Trajectory

As the above discussion suggests, LatCrit VI initiated and produced an impressive body of international work. LatCrit VI has done well in achieving the aspiration of producing knowledge and challenging Anglocentric perceptions of reality. In addition to the workshops, works-in-progress presentations, and keynote presentations of the eight clusters of essays resulting from the conference, at least five of these groupings engaged in a comparative analysis between domestic and international Latina/o issues. With themes such as the "North-South Frameworks," "Cubans Without Borders," "Migration and Citizenship," and "Cultural and Postcolonial Critiques," the conference engaged in a critical discourse beyond classic western constructions. The stimulating discourse engaged in by these groups touched upon the multidimensional and multicultural nature of Latinas/os, particularly when examining the intersections between gender, gender relations, race, class, and the transnationality of Latinas/os.

In the North-South Frameworks cluster, for instance, the authors not only explored Latin American legal systems, but also engaged in interdisciplinary transnational examinations of identity as reflected by the law. In an effort to unmask systematic bias and propose reform geared towards social justice, contributors to LatCrit VI championed progressive structural change. As these works illustrate, there is significant need for outsider scholars to examine the depth of the plight of Latinas/os in the Americas. Such an inquiry will unmask the similarities, perhaps with an appreciation for the daunting extent of Latin American oppression, in the struggles of Latinas/os in the entire region.

Not unlike the outsider critiques of the United States' democratic experiment, there is considerable room for similar critiques in Latin America. For instance, a review of Latin American history would reveal the shortcomings of that region's democratic restructuring. The end of the twentieth century witnessed the return of democratic rule to many in Latin America, yet relations between governments and the poor and otherwise marginalized members of their societies were characterized by the illegal and arbitrary use of power. n55 The return to democratic reform did little to eradicate the authoritarian practices of the state. n56 Not unlike the history of the treatment of people of color in the United States, brutal violence and [\*1165] gross human rights violations of ethnic minorities, in particular, of indigenous peoples, is common in Latin America. n57 Much like the bigoted rationale justifying the enslavement of African Americans as witnessed in *Scott v. Sanford*, n58 or the theft and annexation of Mexican lands as witnessed in the Treaty of Guadalupe Hidalgo, n59 change in Masters

for Puerto Rico, Guam, and the Philippines in the 1898 Treaty of Paris, n60 and the Insular Cases, n61 the violations of indigenous peoples' rights in Latin America is justified because they are perceived to be "undesirable" or somehow "subhuman." n62

Not unlike the dearth of United States legal scholarship concerning the democratic problems of South America, there is relatively little traditional or progressive legal scholarship on Central America. This is a region where the United States has supported dictators, whose acts in turn led to civil wars and mass migration of Salvadorans, Guatemalans, and Nicaraguans to the United States. n63 These groups have, in turn, become some of the fastest growing immigrant groups in the United States, again illustrating a link between international issues and domestic issues.

The LatCrit VI presenters undertook comparative critiques and introduced critical progressive proposals. For instance, Professor Rojas proposed a multicultural-state framework for the legal and political system of Chile. n64 The proposal included identity frameworks in terms of rights of self-determination for indigenous peoples, particularly cultural identity rights and the right to governmental representation. n65 Despite its transformative goal, questions may nevertheless remain concerning whether the new multicultural state will lead to substantive changes in the lives of these marginalized groups. Using a world historical perspective, Professor Scafidi, not unlike previous Critical Race Theory and LatCrit examinations of recent racial constructions, examined, without much reference to Critical Race Theory or LatCrit, how colonizers used Eurocentric [\*1166] constructions to marginalize and classify indigenous peoples. n66 Professor Esquirol, in a thoughtful methodological piece, reassessed basic understanding of how national law is viewed in Latin America. n67 He explained how early western strategies, used to promote change in the region, actually consolidated a mode of thinking and structural approach that ultimately made progressive reform difficult. n68 This critique demonstrates how traditional scholars and policymakers parochially used Western constructions to explain shortcomings in Latin American legal and economic development. n69

Similarly the "Cubans Without Borders" cluster looked beyond Western demarcations of the sovereign, examining identity constructions of Latinas/os in the Caribbean and the United States. Professor Valdes, in a thoughtful, timely, and innovative work, examined how mean-spirited Cuban elitists in both Havana and Miami have effectively used their respective narratives to betray their noble rhetoric in order to preserve a "win at all costs" attitude. n70 Valdes persuasively demonstrated that by manipulating power and bias,

these two groups have sustained racist, sexist, and homophobic vehicles of subordination. n71 Professor Hernandez-Truyol similarly examined the two identities of Cuba - the one in Cuba and the other in Miami - and the divergent narratives that emerge from each. n72 Professor Hernandez went beyond the domestic to capture the little-known story of "Cubanas" in Cuban history, and examined their transformative efforts within Cuba's social structure. n73 Similarly, Professor Mendible spoke of the two identities of Cuba. n74 An important question raised by these impressive works concerns their characterization of the exile community in the United States and the extent to which that community's respect for freedom of speech also allows them, at least, to tolerate critical political speech.

Likewise, the cluster on "Migrations, Citizens and Latinas/os" involved an Inter-American critique. Professor Romero's thorough [\*1167] work on the Child Citizenship and Family Reunification Act examined immigration issues within and without the United States by paying particular attention to the deportation of individuals who are parents of U.S. citizen children. n75 Other works touched on analyses that have global implications. For instance, in his work on "crossing the borders" to explore immigrant status in terms of group identity, Ruben Garcia acknowledged the broader implications of the issue. Though his analysis focused on U.S. labor doctrine regarding immigrants, n76 the work nonetheless contains substantial cross-border implications. n77

The final cluster of the conference was, by its own terms, primarily theoretical, comparative, and international. Professor Santos provided a thoughtful analytical piece examining globalization as a form of Western, particularly North American, hegemony. n78 Professor Inniss provided a law and literature (or film) critique arguing that science fiction may be a vehicle for the exploration of legal themes and the unmasking of cultural myths. n79 This innovative critique has wide applicability that is applicable to global critiques of the dominant gaze. Professor Wing, one of the leaders of Critical Race Feminist Theory, n80 explored the controversial issue, at least from the United States' perspective, of sovereignty and human rights for Palestinians. n81

Several other clusters also analyzed the international. n82 For instance, in his work on the need for critical "raced" economics, Professor Pouncy provided a sophisticated analysis of, and potential [\*1168] direction for, critical scholars. n83 In an era with considerable controversy concerning the goals and impact of globalization and harmonization of institutions such as the World Bank, the World Trade

Organization, and the European Union, Professor Pouncy's suggestion for an economic critique should be well-received and followed. n84 Professor Schutte, likewise, looked beyond our borders to examine indigenous issues and LatCrit Theory. n85 In the cluster examining criminality, Professor Mirande, in a controversial, yet thought-provoking piece, addressed the apparent "Mexican Exception" to the Fourth Amendment. n86

As this perhaps exceedingly brief overview illustrates, LatCrit VI is a fine example of a primary goal of the movement - producing critical knowledge with an eye towards approaching social justice. This goal was achieved in part by the conference's distinctively international and comparative focus. In the same vein, this thematic undertaking accomplished the goal of challenging perceptions of reality concerning Latinas/os. This broader focus is instrumental to the maintenance of the vibrancy and momentum initiated by the movement's founders. n87 The prior literature of the movement acknowledges the importance of a broader critique, and the movement is likely prepared to take that journey.

The following is a proposal to institutionalize and perpetuate a thematic international and comparative structure at future LatCrit conferences and the works stemming from them. While the structure and focus of the conferences have, at times, centered on the global, the themes for the conferences have followed the inclusionary goal of responding to expressions of interest by its members. While this approach has been wildly successful in developing a dynamic conceptual movement and diverse exchanges within the movement, it has not always achieved a structural progression or contemporary [\*1169] global emphasis. n88 For instance, the anniversaries of consequential events in Latina/o history have recently occurred, such as the 150th anniversary of the signing of the Treaty of Guadalupe-Hidalgo n89 affecting Mexicans and the 100th anniversary of the Treaty of Paris n90 affecting Puerto Ricans, Guamanians, Cubans, and Filipinos. While past LatCrit symposia examined these important events, the movement arguably did not focus on them. n91 A thematic international and homeland emphasis that is a co-theme of every conference may facilitate ensuring a "Lat" global perspective. It may also promote interdisciplinary involvement and encourage reaching out to Latina/o communities. n92 For instance, conferences could, in part, be structured to engage in a comparative analysis of domestic and regional or specific country inquiries. A comparative Latin American n93 focus as a part of every conference is manageable and perhaps, warranted. A concerted ongoing effort that seeks to link international and

homeland issues, while comparing and contrasting each, may assist in engaging historical, contemporary, and regional specific dialogues at each conference. n94 Related to this point, an international focus is tied to the LatCrit goal of building coalitions, recognizing that LatCrit Scholars are multicultural, and a broader focus will highlight that diversity as well as promote interdisciplinary participation. Too often the above topics are separated into panels of their own, and opportunities to engage in more comparative engagements and [\*1170] perspectives are missed. n95

The third goal of the movement - coalition-building - is one that LatCrits have spent a great deal of time addressing in one fashion or another. n96 As was addressed early on in the movement, "LatCrit Theory self-consciously endeavors both the creation of scholarship through community and the creation of community through scholarship." n97 This goal has been instrumental in the professional development of young scholars and in educating all participants. This has been an incredibly savvy and fruitful undertaking. The conferences are not only challenging, but at some level they are even intimidating because of the impressive gathering of so many intellectual leaders in academia. The gatherings also have a positive consequence of maintaining a feeling of something akin to a family reunion of sorts. n98 This is truly an amazing accomplishment in light of the number of powerful and accomplished participants.

Now, for perhaps some more controversial constructive comments. The movement from its beginning has focused much of its literature on praxis, n99 or the connection between theory and practice, geared toward actually transforming social institutions. n100 While great scholarly efforts have focused on this goal, past n101 and upcoming conference n102 agendas have also focused on social justice [\*1171] movements; n103 thus it is unclear how much praxis has been achieved beyond the scholarly engagement. Perhaps to many law professors, because in part of the nature of the beast, the theoretical transformation or challenge is praxis or at least the most influential component of the profession. But the question that remains is whether the theoretical discourse is enough? n104 As addressed in previous LatCrit works, praxis is diverse and LatCrits should explore more ways to move beyond traditional means of dialogue. n105 Related to the question of the limits of scholarship is the concern over whether LatCrit scholars emulate the imperial scholars, n106 well-recognized scholars who largely speak to each other, because of the hierarchal structure of academia. What concrete actions do progressive academic scholars undertake collectively? In other words, are LatCrits, as progressive scholars,

sufficiently effecting dominant culture as well as engaging Latina/o communities? As Professor Backer recently observed, scholars of color often end up having little more than interior dialogues. n107 "Dominant groups remain outside this outsider discourse and substantially unaffected by it." n108 If these observations by Professor Backer are true, how can LatCrit evolve to promote social change more forcefully? Does the movement want to undertake this engagement and is it prepared to do so? These questions concerning praxis have no easy answers but merit further discussion.

One possibility is to take from the corporate world and diversify the energies of LatCrit leadership. For instance, the LatCrit board could become more active and committees could be created to engage in plans of action. There could be litigation and legislative committees that could work on amicus briefs or significant litigation on such matters as affirmative action. n109 These committees could also be involved in the public debate by making resources available for editorials, petitions, and other pro-active legislative lobbying engagements. Another committee could specifically focus on global engagements and interdisciplinary outreach. This may assist in keeping LatCrit growing and working on influencing social institutions. Yet another committee could engage in concerted [\*1172] education efforts to develop plans and work product to assist other progressives in their efforts to affect socialization of future lawyers and the means in which law is taught and practiced. These are just a few suggestions for a more community-involved LatCrit movement. While it is likely the case that most LatCrits are individually true forces for change in their respective localities, can LatCrit evolve to undertake more collective efforts? Few would likely question that collective efforts would be greater than the efforts of an individual; likewise, the efforts of many in unison are often greater than the efforts of many working separately.

Related to this notion of reaching out to communities of color and the viability of the movement, a series of additional questions come to mind. Is the movement effectively maintaining the involvement of more senior Critical Race scholars? This is not necessarily an attack on the movement, but a challenge or plea to senior Critical Race statespersons, and LatCrit members or former members, to continue their leadership role in a collective, progressive scholarly arena. As many progressive scholars as possible are needed to maintain, as well as advance, the prestige, vibrancy, and leadership of critical jurisprudential efforts. In addition, such increased visibility will likely increase the interest and participation by younger

scholars. Otherwise, a lack of new blood may lead to stagnation by default. n110

Are LatCrits and other progressive scholars "leaving their home turf" and engaging in visible challenges to mainstream scholars? This is a question that can be answered fairly easily in the affirmative, particularly when examining the international law arena with works of Professors Hernandez-Truyol and Gott, including their work with the American Society of International Law. n111 Professor Johnson has similarly attempted to integrate race and race theory into mainstream immigration scholarship and has faced reluctance by traditionalists. n112 This question is posed because it should be part of ongoing self-reflection by LatCrits. Can LatCrits or subversives, such as outside scholars, expect to reap the rewards of traditionalists? n113 While the answer appears fairly obvious, as Professors Delgado n114 and [\*1173] MacKinnon n115 demonstrated, outsiders can affect the dominant gaze and consequently, its legal structure. Perhaps, LatCrits and other RaceCrits should follow Roberto Anglero's suggestion and never stop challenging the perceived racial construction of the Almighty. n116

Related to efforts at scholarly advancement, are LatCrits sufficiently supporting each other in their scholarship and other professional endeavors outside the conferences? n117 While these simple and perhaps paternalistic and disturbing questions are applicable to all law professors, LatCrit, as a movement, aspires to a higher goal of coalition-building. In that vein, do LatCrits sufficiently read each other's work and provide non-conference scholarly support? n118 This goal is essential to building the body and quality of literature in the movement, as well as promoting broader interdisciplinary involvement and exposure. Do LatCrit scholars cite each other when working on similar projects? n119 In addition, LatCrit scholars should embrace related interdisciplinary works. n120 Likewise, interdisciplinary scholars engaging in the LatCrit effort should familiarize themselves with prior LatCrit and Critical Race Theory efforts. n121 A review of the interdisciplinary works submitted for this symposium issue often illustrated a lack of familiarity with Critical Race Theory, in general, or LatCrit works, specifically. Perhaps, the LatCrit board or conference organizers could create an initial reviewing body to review submissions and provide suggestions to [\*1174] interested authors. This in turn would ensure the quality and development of LatCrit and interdisciplinary scholarship affecting LatCrit. Working in this vein will likely assist the LatCrit effort in deconstructing false norms in the traditional jurisprudential paradigm.

## IV. Conclusion

While the questions raised in this Essay may trouble some, they are honest thoughts from a LatCrit that is proud to be part of a group that owes much to the energies of its founders and to their Critical Race Theory predecessors. LatCrit is changing as well as challenging scholarship and academia. If its energy and momentum can be maintained, it will continue to promote a progressive agenda aimed at procuring social justice. Praxis is obviously essential to this goal. Indeed, greater LatCrit institutional involvement in the application of theory is necessary to promote the goal of progressive change. This point is not lost to the movement and is a reason why LatCrit VII, held in Spring 2002, engaged some of these questions and focused on social movements. Implementing what is learned here and perhaps what was suggested there may effectuate further change.

Despite the challenges facing LatCrit and this self-examination, the LatCrit endeavor, as a whole, is impressive and successful, particularly in its first two primary goals, because its members' collective energies and intellect make it a truly unique and potentially transformative group. These are the thoughts of a not-so-new member of LatCrit. n122

**FOOTNOTE-1:**

n1. Janheinz Jahn, Muntu: An Outline of the New African Culture 23 (Marjorie Grene trans., 1961) (1958) (exploring the primary assumptions and principles upon which African world-view and culture are based) (quoting Frantz Fanon).

n2. Roberto Anglero, Si Dios Fuera Negro, on Tierra Negra: Si Dios Fuera Negro (Southern Music Publishing Co. (ASCAP), 1979) (English Translation).

n3. See generally Symposium, Comparative Latinas/os: Identity, Law and Policy in LatCrit Theory, [53 U. Miami L. Rev. 575 \(1999\)](#); Symposium, Difference, Solidarity and Law: Building Latina/o Communities Through LatCrit Theory, [19 Chicano-Latino L. Rev. 1 \(1998\)](#); Colloquium, International Law, Human Rights and LatCrit Theory, [28 U. Miami Inter-Am. L. Rev. 177 \(1996\)](#); Symposium, LatCrit: Latinas/os and the Law, [85 Cal. L. Rev. 1087 \(1997\)](#), reprinted in [10 La Raza L.J. 1 \(1998\)](#); Symposium, LatCrit Theory: Naming and Launching a New Discourse of Critical Legal Scholarship, [2 Harv. Latino L. Rev.](#)

[1 \(1997\)](#); Colloquium, Representing Latina/o Communities: Critical Race Theory and Practice, 9 La Raza L.J. 1 (1996).

n4. The Sixth Annual LatCrit Conference, Substantive Program Outline, available at <http://personal.law.miami.edu/~fvaldes/latcrit/lcvidocs/lcvisubstantiveprogram.html> [hereinafter Substantive Program Outline]. Also available at [www.LatCrit.org](http://www.LatCrit.org).

n5. Enormous credit must be given to the movement's founders, Professors Elizabeth Iglesias, Francisco Valdes, Berta Esperanza Hernandez-Truyol, Selena Romary, and others for their vision, tireless work ethic, and skills at coalition building. Without them not only would there not be a movement, but also many of its members, including this author, would not reach their professional and educational development.

n6. See generally Francisco Valdes, Afterword: Theorizing "OutCrit" Theories: Coalitional Method and Comparative Jurisprudential Experience - RaceCrits, QueerCrits and Latcrits, [53 U. Miami L. Rev. 1265 \(1999\)](#).

n7. See Berta Esperanza Hernandez-Truyol, LatIndia II - Latinas/os, Natives, and Mestizajes - A LatCrit Navigation of Nuevos Mundos, Nuevas Fronteras, and Nuevas Teorias, [33 U.C. Davis L. Rev. 851, 851 \(2000\)](#).

n8. See generally id. (addressing the complexities of and tensions arising at LatCrit conferences).

n9. See, e.g., Mary Romero, Afterword: Historicizing and Symbolizing a Racial Ethnic Identity: Lessons For Coalition Building With a Social Justice Agenda, [33 U.C. Davis L. Rev. 1599 \(2000\)](#); Valdes, supra note 6, at 1302.

n10. Substantive Program Outline, supra note 4.

n11. Id.

n12. Id.

n13. Id.

n14. See, e.g., Ediberto Roman, Common Ground: Perspectives on Latino-Latina

Diversity, [2 Harv. Latino L. Rev. 483 \(1997\)](#).

n15. See, e.g., Jorge L. Esquirol, The Fictions of Latin American Law (Part I), [1997 Utah L. Rev. 425](#); Mario Martinez, Property As An Instrument of Power in Nicaragua, [53 U. Miami L. Rev. 907 \(1999\)](#); Ediberto Roman, Reconstructing Self-Determination: The Role of Critical Theory in the Positivist International Law Paradigm, [53 U. Miami L. Rev. 943 \(1999\)](#).

n16. See generally Ediberto Roman, The Alien-Citizen Paradox and Other Consequences of U.S. Colonialism, [26 Fla. St. U. L. Rev. 1 \(1998\)](#).

n17. See Kevin R. Johnson, Racial Hierarchy, Asian Americans and Latinos as "Foreigners," and Social Change: Is Law the Way to Go?, [76 Or. L. Rev. 347, 358-62 \(1997\)](#).

n18. See generally Roman, supra note 16.

n19. See generally Valdes, supra note 6.

n20. See, e.g., Elvia R. Arriola, LatCrit Theory, International Human Rights, Popular Culture, and the Faces of Despair In INS Raids, [28 U. Miami Inter-Am. L. Rev. 245 \(1996\)](#).

n21. Substantive Program Outline, supra note 4.

n22. See generally Kevin R. Johnson, Foreword: Celebrating LatCrit Theory: What do We do When the Music Stops?, [33 U.C. Davis L. Rev. 753 \(2000\)](#).

n23. See Valdes, supra note 6, at 1302.

n24. See generally Romero, supra note 9.

n25. See Johnson, supra note 22, at 754-55; Valdes, supra note 6, at 1302; see generally Romero, supra note 9.

n26. See, e.g., Romero, supra note 9.

n27. See, e.g., Berta Esperanza Hernandez-Truyol, Las Olvidadas-Gendered in Justice/ Gendered Injustice: Latinas, Fronteras and the Law, 1 J. Gender, Race & Just. 353 (1998); Margaret E. Montoya, Mascaras, Trenzas, y Greñas: Un/Masking the Self While Un/Braiding Latina Stories and Legal Discourse, [17 Harv. Women's L.J. 185 \(1994\)](#).

n28. See, e.g., Berta Esperanza Hernandez-Truyol, Indivisible Identities: Culture Clashes Confused Constructs and Reality Checks, [2 Harv. Latino L. Rev. 199 \(1997\)](#).

n29. See 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 \(1995\)](#); see also Beverly A. Greene, Heterosexism and Internalized Racism Among African Americans: The Connections and Considerations for African American Lesbians and Bisexual Women, [54 Rutgers L. Rev. 931](#); Josephine Ross, The Sexualization of Difference: A Comparison of Mixed-Race and Same-Gender Marriage, [54 Rutgers L. Rev. 999](#).

n30. See generally Juan F. Perea, The Black/White Binary Paradigm of Race: The "Normal Science" of American Racial Thought, [85 Cal. L. Rev. 1213 \(1997\)](#); cf. Betty W. Taylor, A History of Race and Gender at the University of Florida Levin College of Law 1909-2001, [54 Fla. L. Rev. 495 \(2002\)](#).

n31. See Valdes, supra note 6, at 1268-69 n.15 (stating that "LatCrits should be proactive about nurturing a self-critical evolution of our collective endeavors").

n32. See Substantive Program Outline, supra note 4.

n33. See generally Ediberto Roman, Globalization or Global Subordination?: How LatCrit Links the Local to Global and the Global to the Local: A Rare Approach to International Law (RAIL): Is There a Need for Yet Another Critique of International Law?, [33 U.C. Davis L. Rev. 1519 \(2000\)](#).

n34. Guadalupe T. Luna, Foreword: LatCrit VI, America Latina and Jurisprudential Associationss, [54 Rutgers L. Rev. 803](#).

n35. See North American Free Trade Agreement, Pub. L. No. 103-182, 107 Stat. 2057 (1993).

n36. See Caribbean Basin Economic Recovery Act, Pub. L. No. 98-67, 97 Stat. 384 (1983) (codified in scattered sections

of titles 19, 26, and 33 of the U.S. Code of 1988).

n37. See Free Trade Area of the Americas (FTAA), available at <http://www.ftaa-alca.org>.

n38. Indeed, the importance of globalism is recognized as the cutting-edge of legal education with law schools such as American University, New York University, and the University of Arizona committing themselves to incorporating current global restructuring into their curriculum. The new public law school in Miami, Florida, Florida International University, has gone one step further, making international law a core component of its curriculum, which includes a required first year course in international and comparative law. The institution has also established International and Comparative Law programs, and has hired a founding faculty with a commitment to the scholarly examination of global issues. See, e.g., M.C. Mirow, *Globalizing Property: Incorporating Comparative and International Aspects into First-Year Property Classes* (work in progress) (copy of manuscript with the Law Review).

n39. See, e.g., Alfred C. Aman, Jr., *Feminism and Globalization: The Impact of the Global Economy on Women and Feminist Theory*, [4 Ind. J. Global Legal Stud. 1 \(1996\)](#); Adelle Blackett, *Globalization and Its Ambiguities: Implications for Law School Curricular Reform*, [37 Colum. J. Transnat'l L. 57 \(1998\)](#); David P. Fidler, *The Globalization of Public Health: Emerging Infectious Diseases and International Relations*, [5 Ind. J. Global Legal Stud. 11 \(1997\)](#); Nancy L. Kaszak, *Practicing Law in the Global Economy*, [22 N. Ill. U. L. Rev. 1 \(2001\)](#). But see Lucy Taylor, *Globalization and Civil Society-Continuities, Ambiguities, and Realities in Latin America*, [7 Ind. J. Global Legal Stud. 269 \(1999\)](#); Eisuke Suzuki, *The Fallacy of Globalism and the Protection of National Economies*, [26 Yale J. Int'l L. 319 \(2001\)](#).

n40. See, e.g., Roman, *supra* note 33.

n41. Eden E. Torres, *Power, Politics, and Pleasure: Class Differences and the Law*, [54 Rutgers L. Rev. 853](#).

n42. See generally Roman, *supra* note 14 (noting the pan-ethnicity of Latinas/os).

n43. Substantive Program Outline, *supra* note 4.

n44. See, e.g., Ian Haney-Lopez, *White By Law: The Legal Construction of Race* (1996) (examining the racialized nature of U.S. immigration and citizenship law).

n45. See generally *id.*

n46. See generally Michael A. Olivas, *The Chronicles, My Grandfather's Stories, and Immigration Law: The Slave Traders Chronicle as Racial History*, [34 St. Louis U. L.J. 425 \(1990\)](#).

n47. *Id.* at 437.

n48. *Id.*

n49. *Id.*

n50. James Anderson, *Vieques Vigil A Quagmire*, *Miami Herald*, Oct. 18, 1999, at 4A.

n51. See, e.g., Nunca Mas: *The Report of the Argentine Commission on the Disappeared* (1986); *Report on the National Commission on Truth and Reconciliation* (1993) (Chile); North American Congress on Latin America: *Preserving Hegemony, National Security Doctrine in the Post-Cold War Era* (2000)

n52. World Conference Against Racism, available at <http://www.antiracismnet.org/arn/worldconf/haiti1.htm>.

n53. Substantive Program Outline, *supra* note 4.

n54. Roman, *supra* note 42, at 483.

n55. Juan E. Mendez et al., *The (Un)Rule of Law and the Underprivileged in Latin America 1* (1999).

n56. *Id.* at 3; see also Mark Ungar, *Elusive Reform: Democracy and the Rule of Law in Latin America 1* (2002).

n57. See Ungar, *supra* note 56, at 7.

n58. [60 U.S. 393 \(1856\)](#).

n59. *Treaty of Peace, Friendship, Limits and Settlement with the Republic of Mexico*, Feb. 2, 1848, U.S.-Mex., 9 Stat. 922.

- n60. Treaty of Paris, Dec. 10, 1898, U.S.-Spain, T.S. No. 343.
- n61. See, e.g., [Armstrong v. United States](#), 182 U.S. 243 (1901); [De Lima v. Bidwell](#), 182 U.S. 1 (1901); [Downes v. Bidwell](#), 182 U.S. 244 (1901); [Dooley v. United States](#), 182 U.S. 222 (1901); [Goetze v. United States](#), 182 U.S. 221 (1901).
- n62. [Downes](#), 182 U.S. at 244.
- n63. Much thanks goes to Professor Kevin Johnson for his discussions on this subject.
- n64. See generally Hugo Rojas, Stop Cultural Exclusions (In Chile)!: Reflections on the Principle of Multiculturalism, [55 Fla. L. Rev. 121 \(2003\)](#).
- n65. See id.
- n66. See generally Susan Scafidi, Old Law and the New World: Solorzano and the Analogical Construction of Legal Identity, [55 Fla. L. Rev. 191 \(2003\)](#).
- n67. See generally Jorge Esquirol, Continuing Fictions of Latin American Law, [55 Fla. L. Rev. 41 \(2003\)](#).
- n68. See id.
- n69. See id.
- n70. See generally Frank Valdes, Diaspora and Deadlock, Miami and Havana: Coming to Terms with Dreams and Dogma, [55 Fla. L. Rev. 283 \(2003\)](#).
- n71. See id.
- n72. See generally Berta Esperanza Hernandez-Truyol, Building Bridges V - Cubans Without Borders: Mujeres Unidas Por Su Historia, [55 Fla. L. Rev. 225 \(2003\)](#).
- n73. See id.
- n74. See generally Myra Mendible, Paradise Lost, Paradise Found: Oral Histories and the Formation of Cuban Identities, [55 Fla. L. Rev. 269 \(2003\)](#).
- n75. See generally Victor Romero, The Child Citizenship Act and the Family Reunification Act: Valuing the Citizen Child as Well as the Citizen Parent, [55 Fla. L. Rev. 490 \(2003\)](#).
- n76. See generally Ruben J. Garcia, Across the Borders: Immigrant Status and Identity in Law and LatCrit Theory, [55 Fla. L. Rev. 511 \(2003\)](#).
- n77. See id.
- n78. See Boaventura de Sousa Santos, Reinventing a Subaltern Paradigm of Recognition and Redistribution, 18 Theory, Culture & Society 185-217 (2001).
- n79. See generally Lolita Buckner Inniss, Bicentennial Man - The New Millennium Assimilationism and the Foreigner Among Us, [54 Rutgers L. Rev. 1101](#).
- n80. See, e.g., Critical Race Feminism: A Reader (Adrien Wing ed., 1997).
- n81. See generally Adrien K. Wing, Healing Spirit Injuries: Human Rights in the Palestinian Basic Law, [54 Rutgers L. Rev. 1087](#).
- n82. See, e.g., Elvia R. Arriola, Comparative and Co-Constituent, Construction of Identities, [55 Fla. L. Rev. 413 \(2003\)](#); Manuel J. Caro, Tying Racism in El Ejido to Spanish and European Politics, [54 Rutgers L. Rev. 893](#); Claire Moore Dickerson, Culture and Trans-border Effects: Northern Individualism Meets Third Generation Human Rights, [54 Rutgers L. Rev. 865](#); Michael Wallace Gordon, Legal Cultures of Latin America And the United States: Conflict or Merger, [55 Fla. L. Rev. 115 \(2003\)](#); Camille A. Nelson, Carriers of Globalization: Loss of Home and Self Within the African Diaspora, [55 Fla. L. Rev. 539 \(2003\)](#).
- n83. See generally Charles Pouncy, Institutional Economics and Critical Race/LatCrit Theory: The Need for a Critical "Raced" Economics, [54 Rutgers L. Rev. 841](#).
- n84. Id.
- n85. See generally Ofelia Schutte, Indigenous Issues and Ethics of Dialogue in LatCrit Theory, [54 Rutgers L. Rev. 1021](#).
- n86. See generally Alfredo Mirande, Is There a "Mexican Exception" to the Fourth Amendment, [55 Fla. L. Rev. 365 \(2003\)](#). Other works explored the affect of being Latina/o in the criminal law arena. See Kevin R. Johnson, The Case for African American and Latina/o Cooperation In

Challenging Racial Profiling in Law Enforcement, [55 Fla. L. Rev. 341 \(2003\)](#); Christopher Slobogin, The Poverty Exception to the Fourth Amendment, [55 Fla. L. Rev. 391 \(2003\)](#).

n87. See generally Elizabeth M. Iglesias, International Law, Human Rights, and LatCrit Theory, [28 U. Miami Inter-Am. L. Rev. 177 \(1997\)](#).

n88. For instance, in 1997, LatCrit held an International Law and Human Rights Colloquium. In 2000, LatCrit IV focused on expanding frontiers and marginal intersections. LatCrit V similarly examined Praxis in World Economic Inequality. For a further discussion, see <http://lnersp.nerdc.ufl.edu/2malavet/latcrit/archives/articles.htm>.

n89. Treaty of Peace between the United States of America and the Kingdom of Spain, Dec. 10, 1989, U.S.-Spain, 30 Stat. 1754.

n90. See generally The Legacy of the Mexican and Spanish-american Wars: Legal, Literary, and Historical Perspectives (Gary D. Keller & Cordelia Candelaria eds., 2000) [hereinafter Historical Perspectives].

n91. Indeed some LatCrit theorists, in part because of the LatCrit neglect in this area, participated in other conferences that recognized the significance of these historical milestones. See *id.* Symposium, Understanding the Treaty of Guadalupe Hidalgo on Its 150th Anniversary, 5 S. J. L. & Trade Am. 5 (1998).

n92. Efforts to reach out to other fields and engage traditionalists does not come without caution. LatCrit must be prepared to take criticism from different fronts, even if some might consider them paternalistic. See, e.g., Siegfried Weissner, !Esa India! LatCrit Theory and the Place of Indigenous Peoples with Latina/o Communities, [53 U. Miami L. Rev. 831 \(1999\)](#).

n93. This includes the Caribbean, Central America, and South America.

n94. See, e.g., Johnson, *supra* note 17; George A. Martinez, African-Americans, Latinos, and the Construction of Race: Toward an Epistemic Coalition, [19](#)

[Chicano-Latino L. Rev. 213 \(1998\)](#); Valdes, *supra* note 6.

n95. Thanks again to Mary Romero for our discussions related to this point.

n96. See *supra* note 94.

n97. Valdes, *supra* note 6, at 1300.

n98. While conflicts may exist among LatCrit scholars concerning a host of matters, including the importance of certain scholarly pursuits, LatCrit theorists must continue to work on building communities in, at times, competitive environments or the movement may run the risk of some of the troubles faced by Critical Race Theory. See Valdes, *supra* note 6, at 1310.

n99. See, e.g., Elizabeth M. Iglesias, Foreword: Identity, Democracy, Communicative Power, Inter/National Labor Rights and the Evolution of LatCrit Theory and Community, [53 U. Miami L. Rev. 575 \(1999\)](#); Pedro A. Malavet, Literature and the Arts as Antisubordination Praxis: LatCrit Theory and Cultural Production: The Confessions of an Accidental Crit, [33 U.C. Davis L. Rev. 1293 \(2000\)](#); Francisco Valdes, Foreword: Under Construction-LatCrit Consciousness, Community, and Theory, [85 Cal. L. Rev. 1087 \(1997\)](#); Eric K. Yamamoto, Critical Race Praxis: Race Theory and Political Lawyering Practice in Post-Civil Rights America, [95 Mich. L. Rev. 821 \(1997\)](#); Eric K. Yamamoto, Rethinking Alliances: Agency, Responsibility and Interracial Justice, 3 Asian Pac. Am. L.J. 33 (1995).

n100. See, e.g., Critical Race Theory: The Cutting Edge 571 (Richard Delgado & Jean Stefancy eds. 2d ed., 2000).

n101. See Margaret E. Montoya, LatCrit V Symposium, Class in LatCrit: Theory and Praxis in a World of Economic Inequality, [78 Denv. U. L. Rev. 467 \(2001\)](#).

n102. LatCrit VII, Substantive Program Outline, Coalitional Theory and Praxis: Social Justice Movements and LatCrit Community, available at <http://www.latcrit.org>.

n103. See Montoya, *supra* note 101.

n104. See Roman, *supra* note 14, at 491-92 (arguing that theoretical movements must not lose sight of affecting their communities).

n105. See *id.* at 492.

n106. See Richard Delgado, *The Imperial Scholar: Reflections on a Review of Civil Rights Literature*, [132 U. Pa. L. Rev. 561 \(1984\)](#).

n107. Larry Cata Backer, *Measuring the Penetration of Outsider Scholarship Into the Courts: Indifference, Hostility, Engagement*, [33 U.C. Davis. L. Rev. 1173, 1216 \(2000\)](#).

n108. *Id.*

n109. See, e.g., [Hopwood v. Texas, 84 F.3d 720 \(5th Cir. 1996\)](#).

n110. See generally Kevin R. Johnson, *Race Matters: Immigration Law and Policy Scholarship, Law in the Ivory Tower, and the Legal Indifference of the Race Critique*, [2000 U. Ill. L. Rev. 525](#).

n111. See, e.g., 93rd Annual Proceedings of the American Society of International Law (1998).

n112. See generally Johnson, *supra* note 110.

n113. See, e.g., Backer, *supra* note 107, at 1173-74.

n114. See *The Price We Pay: The Case Against Racist Speech, Hate Propaganda, and Pornography 4-5* (Laura J. Lederer & Richard Delgado eds., 1995); Richard Delgado, *Words That Wound: A Tort Action for Racial Insults, Epithets, and Name-Calling*, 17 *Harv. C.R.-C.L. L. Rev.* 133 (1982).

n115. See generally Catherine A. MacKinnon, *Sexual Harassment of Working Women: A Case of Sex Discrimination* (1978).

n116. Though an outsider who perhaps too often feels his writings pass with little notice, I recognize that I am blessed and am so happy to have recaptured faith.

n117. While the list of the failure of more senior scholars to acknowledge or even recognize other progressives is long,

community quells any effort at more pointed criticism.

n118. Compare the following articles that touch upon similar themes but do not build on each other. Juan Perea, *Killing Me Softly, With His Song: Anglocentrism and Celebrating Nouveaux Latinas/os*, [55 Fla. L. Rev. 441 \(2003\)](#); Steven W. Bender, *Will the Wolf Survive?: Latino/a Pop Music in the Cultural Mainstream*, [78 Denv. U. L. Rev. 719 \(2001\)](#); Ediberto Roman, *Who Exactly Is Living La Vida Loca?: The Legal and Political Consequences of Latino-Latina Ethnic and Racial Stereotypes in Film and Other Media*, [4 J. Gender Race & Just. 37 \(2000\)](#).

n119. Professor Kevin Johnson is one to be emulated. An extremely well-respected scholar who has always supported much younger scholars like myself; his works and efforts are a model for all of us. Thanks Kevin.

n120. See Alejandro Covarrubias & Anita Tijerina Revilla, *Agencies of Transformational Resistance*, [55 Fla. L. Rev. 459 \(2003\)](#); Ellen Pader, *Space of Hate, Ethnicity, Architecture and Housing Discrimination*, [54 Rutgers L. Rev. 881](#).

n121. Joe Feagin, *White Supremacy and Mexican Americans: Rethinking the "Black-White Paradigm,"* [54 Rutgers L. Rev. 959](#); Mauricio Garcia-Villegas, *Symbolic Power Without Symbolic Violence?*, [55 Fla. L. Rev. 157 \(2003\)](#); Felipe Lopez, *The Construction of Mexican Identity*, [54 Rutgers L. Rev. 989](#).

n122. Cf. Roman, *Diversity*, *supra* note 14, at 494 ("These are the views of a newcomer.").

