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**LENGTH:** 4654 words**FOREWORD:** **LATCRIT AT TEN YEARS****NAME:** Margaret **Montoya** <sup>n1</sup>**SUMMARY:**

... LatCrit's origin story may begin with this event or a year later with the first official LatCrit Annual Conference, held in La Jolla, California. ... At annual conferences and through the different organizational projects, LatCrits have taken research and publishing and modified these academic tasks in important ways in order to accomplish the objective of producing innovative race-based scholarship. ... Despite the economic prosperity enjoyed by the privileged classes (which, by income if not wealth, include LatCrit law professors), inequality is at an all time high and the prevailing feeling among workers is one of economic unrest. ... To borrow a by-now over-used marketing term, this "branding" process has created LatCrit into a label of organizational and individual identity challenging narrow notions of ethnic identity. ... LatCrit X's announced objective was "to nurture the development of a 'new' law and economics legal scholarship" and invited scholarship reflecting the conference theme of "Economic In/Justice." ... These four categories focus the papers along certain dimensions - LatCrit/CRT content, critical methodologies, their use of narratives, and traditional areas of law or related subjects to which they relate. ... May god bless you with discomfort at easy answers, half-truths and superficial relationships, so that you will live deep in your heart. ...

**TEXT:**

[\*1]

De dicho ha hecho hay gran trecho.

There's a lot of space and time between naming something and making it an incorporated, UN-recognized NGO. <sup>n2</sup>

Un refran Mexicano/

An updated Mexican saying.

## Glancing Back in Time

The first colloquium convening scholars with an interest in Latino legal issues was held in Puerto Rico in 1995. LatCrit's origin story may begin with this event or a year later with the first official LatCrit Annual Conference, held in La Jolla, California. Regardless of how we date its birth, LatCrit has developed into a cohesive community of critical intellectuals who reveal and voice legal issues and analyze them by applying progressive principles and perspectives based on an ethos of anti-subordination and a strategic anti-essentialism. At annual conferences and through the different organizational projects, LatCrits have taken research and publishing and modified these academic tasks in important ways in order to accomplish the objective of producing innovative race-based scholarship. For example, in undertaking the law professor's task of grappling with legal and policy issues and testing discursive, normative and doctrinal boundaries, LatCrits pay close attention to centers and margins, zeniths and nadirs, insides and outsides in order to expose relations of power and privilege. <sup>n3</sup> Thus, LatCrit conferences have become a [\*2] respected venue to debate aspects of legal issues that more traditional legal discussions do not engage.

LatCrit projects have also been acutely attentive to process, employing prescribed and labor-intensive methods for its organizational functions, such as the planning and execution of its annual meetings. <sup>n4</sup> LatCrit regulars (some would

say "insiders") have used the forewords, afterwards and the cluster introductions of the published proceedings to describe and analyze the group's substantive goals and the reasons for its detailed procedural methods.<sup>55</sup>

As we glance back in time, we can't help but notice that the world today is very different from what it was a decade ago.<sup>56</sup> [\*3] Since the mid 1990s, the national political climate has experienced a sea of change resulting in a society that is divided by politics, culture, religion, individual well being, and expectations. Despite the economic prosperity enjoyed by the privileged classes (which, by income if not wealth, include LatCrit law professors), inequality is at an all time high and the prevailing feeling among workers is one of economic unrest. The Bush Administration's effective implementation of a philosophy of radical conservatism structuring consumption, pollution, imperialism, war, labor relations, health care, education, and fiscal policy is a principal cause for this social divisiveness.<sup>57</sup>

At the international level, acts of terrorism in Manhattan, Madrid, Bali, etc. have intensified debates about an allegedly new type of war fought by extra-national, multi-dressed combatants whose success depends on horrific attacks on non-military targets. The military responses by the U.S. to the 9-11 attacks, e.g., the unfinished Afghanistan war, the Iraqi occupation, the Guantanamo military prison, and the use of torture as an interrogation and detention tool, raise claims about executive power unchecked by Congress or the media and have been met with almost universal opprobrium. Demands for a fortified border [\*4] with Mexico and draconian measures against undocumented workers have made immigration a domestic issue that has united and given inchoate political power to Latinos and many others who identify as or with immigrants. The need for a rigorous legal analysis of the issues facing communities of color has never been greater.

Rapid changes have occurred in the larger society as well as within the legal academy and the LatCrit world. Affirmative action is the mechanism responsible for opening the doors of educational opportunity for most of us who are now professors of color. The mid-90's witnessed a series of federal and state constitutional challenges or proposed or actual emendations. These culminated with the U.S. Supreme Court's decisions in the Michigan cases affirming the Bakke<sup>58</sup> result by allowing narrowly constructed forms of race-conscious student admission policies.<sup>59</sup> An important consequence of this litigation was a sustained national debate about the salience of race as a force that continues to structure opportunity and relations within this society, a debate that is LatCrit's *raison d'etre*.<sup>60</sup>

Ten years ago most of the participants at the Puerto Rico colloquium were not tenured. Today conference participants include an intergenerational group: faculty who are tenured and leaders of the legal professoriate, others who are securely on their way to tenure, too many who come with stories of rejection and discrimination, some hope to garner support and gain tenure, others hope to share their painful stories as they exit the academy, and a small but steady number are just entering the profession. The process of organizing successful conferences, providing scholars with a venue to present papers, socialize, mentor or be mentored, and publish in established law journals has turned LatCrit into a recognized and desirable academic community. LatCrit has been carefully publicized ("constructed") as a caring, inclusive, hard-working, and hard-playing group of law professors. To borrow a by-now over-used marketing term, this "branding" process has created LatCrit into a label of organizational and individual identity challenging narrow notions of ethnic [\*5] identity.<sup>61</sup> For some, however, the LatCrit name has provoked confusion as they understandably ask why, if LatCrit is diverse by design, the organizational name isn't more racially/ethnically inclusive?

Since its inception, LatCrit has developed into a significant enterprise that includes an impressive number of inter-related projects: a well-attended annual conference that culminates with the publication of a law review volume gathering some of the works presented at the conference; *Clave* - a peer-reviewed on-line journal; a summer abroad program for law students, a faculty exchange program, and most recently LatCrit, Inc. gained recognition by the United Nations as an NGO, a non-governmental organization, allowing entry and participation in international human rights events.<sup>62</sup> Although LatCrit has been a locus of activity for a core group that has remained involved from the earliest conferences, new members have joined and now form part of the central leadership structure. Some long time members have left the LatCrit community because of personal conflicts and irreconcilable differences over organizational decisions. Sadly, some LatCrit members have passed on. In this group we recall Jerome Culp, an inspiration to all of us because of his brilliant mind, his captivating spirit, and his generous soul.

#### LatCrit X: Conference Themes and StandingGuideposts

Each LatCrit conference begins with a Call for Papers and Panel Proposals, a document crafted with attention to the long term project of developing a coherent body of LatCrit scholarship as well as a short term goal of attracting conference participants who are alert and informed about the conference theme. LatCrit X's announced objective was "to nurture the development of a 'new' law and economics legal scholarship" and invited scholarship reflecting the conference

theme of "Economic In/Justice." The Call for Papers offered "the following four Standing Guideposts as possible points of reference for re-evaluating familiar themes (e.g., affirmative action and bilingual education) and encouraging critical forays into additional substantive areas (e.g., communication and corporate law):"

[\*6]

1) The multidimensionality of Latina/o identity and its relationship to current legal, political and cultural regimes and practices.

2) The salience of the Caribbean region, the site for the LatCrit X conference, in understanding how local particularities produce (inter)national patterns of privilege and subordination.

3) Cross-group histories or experiences with law and power, such as those based on the intersections of class, gender, race, sexuality and religion, elucidating intra-Latina/o diversities and contextualizing Latina/o experience within inter-group frameworks and Euro-Heteropatriarchy.

4) Connections or contrasts of LatCrit to other genres of scholarship.

Table 1 shows how the papers in this volume "fit" within this conceptual scheme of the Conference Theme and the Standing Guideposts.

[\*7]

Table 1

Conference  
Theme:  
Standing  
Guideposts

Author	Economic In/ Justice	I Latina/o Identities	II Local Spaces: The Caribbean	III Cross- group Histories	IV Other Genres of Critical Theory Race-based Jurisprudence
Christopher Bracey <sup>n13</sup>	Material Equality: Land, Wages, Wealth.			Racial Minorities	
Mary Romero <sup>n14</sup>	Intra-group Class Conflict	Las Gorras Blancas, Local leaders	Northern New Mexico		Chicano Studies
Tom Romero <sup>n15</sup>	1960s War on Poverty	Color on Color Dynamics Internalized Racism	Denver	Becoming "People of Color" School Racism	Civil Rights Jurisprudence CRT in Education
Perez- Huber, et al. <sup>n16</sup>	Racial Inequality				
David Garcia <sup>n17</sup>	Community Displacement	Cultural Practices: CRT satire	East Los Angeles	Chicanas as Leaders Women lawyers	Chicano Theatre Feminism
Marina Angel <sup>n18</sup>	Employment Inequality	Indigenous Social Protests	Law schools Chile	Mapuche people	Latin American Studies
Contesse- Singh <sup>n19</sup>	Forced Assimilation				
Michele	Immigrants		Gulf	African	CRT:

Alexandre <sup>n20</sup>	as "Others"	Coast after Katrina Pakistan	Americans, immigrants	interest convergence
Tayyab <sup>n21</sup> Mahmud	Critique of "civil society" concept		Post- colonial experiences	Law & Society and International Law

[\*8] Classification schemes inevitably enforce over-simplification on what is complex and boundary-defying. I have undertaken this process of classifying the articles because the development of the conference theme involves hours of collaboration among experienced LatCrits, and the articulation of the Standing Guideposts has been an ongoing effort over eight or nine years. I have paid attention to the conference materials out of a sense of deference to a deliberate planning process and as a gesture of respect to the experience and knowledge of the conference organizers.

Upon reading the Standing Guideposts in the Call for Papers, the reader can reasonably consider them a claim of (or perhaps a cry for) coherence made by the LatCrit collective about the scholarship published under the LatCrit rubric. Therefore, I have used a matrix to array the papers and show how each develops some or all of the Standing Guideposts. Hopefully, this classification, which admittedly reduces complex discussions to one or two phrases, does not force the papers into these categories. Most importantly, my intention is to make this set of papers more transparent to those who are uninitiated in this genre of legal scholarship by showing explicitly how these papers fit together within these particular Guideposts.

The four key concepts reflected in the Standing Guideposts, namely, the heterogeneity of Latina/o identities, experiences and narratives, the conference location as a site for analysis, the dis/connections with other subordinated groups, and the linkages with other genres of critical scholarship, concepts elaborated upon by the contributors to this symposium are part of a longer conversation that has been sustained by the those who have been habitues of LatCrit functions. Over the years those of us who have been regular contributors to the conferences and the symposia have repeatedly engaged these and related concepts. <sup>n22</sup> However, because these concepts are a declaration about important features of LatCrit jurisprudence and can, therefore, structure how newcomers and outsiders think about subordination and privilege, they deserve scrutiny.

[\*9] What do we learn from arraying the papers in this classification format? For one, the Guideposts allow us to make connections among the analyses, narratives, and proposals that can otherwise appear disjointed. This visual display also allows us to see at a glance how the Conference Theme of Economic In/Justice has been given specific meaning by each of the contributors and shows how the several papers explore the Standing Guideposts identified for this symposium.

Closer scrutiny also prompts us to ask if there are key LatCrit concepts that are missing from this set of Standing Guideposts. For example, I propose that adding a Guidepost about praxis where the conference theme interrogates the topic "Economic In/Equality" might focus our attention on whether and how critical theorizing improves the material wellbeing of real people, particularly for persons of color with limited resources, political/social voice and visibility, and/or educational opportunities.

With this objective in mind, of enhancing the utility of this symposium to new or uninitiated readers of LatCrit scholarship, in Table 2, I have used a second set of categories to compare and contrast the nine articles in this volume. My objective is to give the hurried, quickly browsing reader a method for finding information or links that will entice her/him to read the articles thoroughly. These four categories focus the papers along certain dimensions - LatCrit/CRT content, critical methodologies, their use of narratives, and traditional areas of law or related subjects to which they relate.

I apologize ahead of time to the authors if I have done damage to their analysis or presentation by reducing long and precise arguments, histories, and proposals to a series of short phrases. As we are bombarded and overloaded with information, our task is to find mechanisms for sorting and managing it efficiently. Because I consider this scholarship so important and urgent, I have searched for ways to make it more accessible and transparent, especially for LatCrit novices, students, and community activists and intellectuals.

[\*10] [vcr(90)]

[dr r1,lg1,2][dr r2,cg2,2][dr r3,cg3,2][dr r4,cg4,2][dr r5,cg5,2][dr r6,cg6,2][hrhl 2,r1,r6] Author	LatCrit/CRT Concepts	Critical Methods	Narratives	Areas of Law/Public policy/ Socio- legal theory *K-12 Education, *Racial formation/ inequality
Perez- Huber, et al.	*Defining race & racism *Exposing internalized racism *Giving voice to students	*Cross- disciplinary: law, education, psychology; *Using visual arts - poster done by 7th graders	Classroom story about students	*Immigration law and practices *Post 9/11 laws. *Globalization
Alexandre	*Applying interest convergence *Exposing how subordination re-emerges Color on color dynamics	Special intersections: local, national, international: Caribbean focus - Haitians	*Current events: Katrina's effects in Gulf Coast * Rev. Danticat story - Haitians as "aliens"	Workplace inequality
Angel	*Using race & gender-based data. *Tracing the reproduction of racial hierarchies	*Using "local" knowledge *Examining legal institutions	*Feminism's personal as political *CRT's personal as collective	Race jurisprudence
Bracey	*Analysis of Dignity: as traditional value, as trope and as instrumentally related to material goods - land, wages, wealth *"Dignity" re- emerges in Sen's theory on "capabilities"	*Re-centering racial inequality (to eradicate it) *Developing alternative to conventional race-conscious theory. *Anticipating objections: 1) positive/ negative rights, 2) merit, an	Work as constitutive of identity	Law and Society

	needed for equality under capitalism *Promoting equality	illusory ideal w/ o baseline equality, 3) alleged stigma of material transfers		
[hrhl 2,r1,r6;.4] Contesse- Singh	*"Mestizo" nation-state's relation to indigenous citizens *Forced assimilation of Mapuche by Chilean state *Constitutional inclusion of indigenous	*Interpreting social protest and political movements *Comparing social transformation Discourse analysis (electoral promises)	The nation-state and its history and memory: Chile's presidential election (1989-90, agreements (Nueva Imperial Agreement) commissions, and statutes (the Indigenous Act)...and more and more parlamentos	*Democracy in Latin American *Critique of neo-liberal policies *Nation building
Garcia	*Gendered resistance to land takeovers *Defining CRT, CRT storytelling, majoritarian storytelling Performing racial/ ethnic identity	*Composite counter-storytelling *Defining CR theater *Creating a conceptual model for CR theater *Rasquachismo- an aesthetic of imaginative resourcesfulness (bottom-up cultural capital creation) *English/Spanish code switching	Re-membering: local memory and collective history Culture Clash's Chavez Ravine - a story about East L.A. Chicana/o communities resisting urban development and land grabs	*Land use *Administrative/ Agency law Performance art
Mahmud	*LatCrit applied: Spacial intersections - local (Pakistan), national, international, Distribution models of rights and identities Privileging the voices of	Unpacking "civil society" as a concept Exposing reproduction and obfuscation of subordination through neo-liberal concepts. Geneological analysis Subaltern studies	Origin story of a concept: "civil society"	*Post-colonial rule *Islamic theocracies Nation-building

	subordinated *Eurocentricism and modernity as its colonizing force and face			
[hrhl 2,r1,r6;.4] Mary Romero	*Heterogeneity of racial/ ethnic groups *Counter/ Hegemonic analysis *Identifying one model of local Latino leadership *Armed resistance *Intra-group class conflict - Los ricos vs. la gente pobre	Historical analysis Intersections among class, land ownership, nationality, race, ethnicity, religion English/Spanish code switching Border metaphors	Applications of Treaty of Guadalupe Hidalgo Local Stories/ Memories/ Histories: Las Gorras Blancas, San Miguel County, NM, 1889	Property Law Land ownership & usage Spanish land grant Law and society
Tom Romero	Color on color conflict: Mexican- Americans vs. African Americans Understanding Newer Claims of Non-Whiteness Intersections between Race and Class	Historical analysis Unpacking the concept of "color line"	History: War on Poverty in Denver, 1960s	Identity politics Interracial conflict and alliances Civil rights

**[\*13]** [vc 1,26] From the beginning LatCrit was conceived as a community-building project focused on creating a vibrant space in which progressive scholars could and would engage in a race-conscious legal analysis of our personal reality and the multiple worlds in which we live, love, and work. LatCrit has provided us with a shared idiom to study Law and how Law manifests or masks justice, injustice, and the ambiguities in between. For many of us, LatCrit gatherings have been an island to which we retreat to be healed, haled, and humored. At LatCrit we participate in an educational process of our own making, where we can recognize and sometimes confound ourselves in the faces, choices, and expressions of those around us, hear stories that deepen and titillate our levels of consciousness, and marvel at the creativity, beauty, humor, eloquence, knowledge and wisdom of friends and colleagues.

Milestones, like LatCrit's ten-year anniversary, present a moment to reflect on achievements, but such moments also offer the opportunity to ask probing questions and ponder our future:

. What more, if anything, needs to be done to lessen the gap between theory and activism or between theory as activism and material outcomes that affect the lives of folks of color?

. How would local communities of color evaluate LatCrit efforts and outputs?

. Is LatCrit work contributing to structural and institutional rearrangements of power aside from getting some of us high paying, high status jobs?

. What does the LatCrit name connote to outsiders? Has the name acquired negative or narrow resonances that need to be corrected?

. To what do we aspire as an academic community for the coming decade? What has to happen over the next ten years for us to feel that we have been collectively successful?

. What have we learned from conflict, struggle, and success?

These times call on LatCrits to wield the tools of academic power with courage and boldness on behalf of those who lack voice, vote, or volition. Our ancestral communities rightly expect and wait for us to return the social investment that each of us represents by engaging, resisting and overcoming the forces that continue to exploit, diminish and ultimately discard large numbers of lower income students, workers, the ill, the young and the infirm.

Allow me to end, in a somewhat uncharacteristic way, with a prayer (said by a rebellious ex-Catholic who remains wistful that there is a primal supernatural force that "hears" our rants and urgent pleas), here's a "prayer-lite" that, I think, captures elements of LatCrit's mission. (Years ago, I found these words [\*14] printed on a small blue card in a church pew; the card had no identifying information.)

May god bless you with discomfort at easy answers, half-truths and superficial relationships, so that you will live deep in your heart.

May god bless you with anger at injustice, oppression, and exploitation of people and the earth so that you will work for justice, equity, and peace.

May god bless you with tears to shed for those who suffer so you will reach out your hands to comfort them and change their pain into joy.

And may god bless you with the foolishness to think that you can make a difference in the world, so you can do the things which others say cannot be done.

### **Legal Topics:**

For related research and practice materials, see the following legal topics:

Civil Procedure Venue General Overview Governments Public Lands Land Grants International Law Sovereign States & Individuals Human Rights Torture

### **FOOTNOTES:**

n1. Professor of Law, University of New Mexico School of Law.

n2. On July 21, 2006 the United Nations informed Professor Francisco Valdes, as Co-Chair of LatCrit, Inc., that "the Economic and Social Council, at its Substantive Session of July 2006, decided to grant Special consultative status to the organization 'LatCrit.'" This status formally names LatCrit as an NGO, allows LatCrit to designate official representatives to the U.N. in New York, Geneva, and Vienna, and participate in activities with the Council. Letter on file with author.

n3. See Mari J. Matsuda, Looking to the Bottom: Critical Legal Studies and Reparations, 22 Harv. C.R.-C.L. L. Rev. 323 (1987); Athena D. Mutua, Shifting Bottoms and Rotating Centers: Reflections on LatCrit III and the Black/White Paradigm, 53 U. Miami L. Rev. 1177 (1999).



n4. Materials describing the LatCrit annual meetings are available on the LatCrit website and show how conference themes and activities are constructed, implemented, publicized, and documented. See <http://personal.law.miami.edu/fvaldes/latcrit/latcrit/index.html> (last visited on Aug. 9, 2006).

n5. See Symposium, LatCrit Theory: Naming and Launching a New Discourse of Critical Legal Scholarship, 2 Harv. Latino L. Rev. 1 (1997) (LATCRIT I); Colloquium, International Law, Human Rights and LatCrit Theory, 28 U. Miami Inter-Am. L. Rev. 177 (1997) (publishing the proceedings of the first LatCrit colloquium focused on international law); Symposium, Difference, Solidarity and Law: Building Latina/o Communities Through LatCrit Theory, 19 Chicano-Latino L. Rev. 1 (1998) (LATCRIT II); Symposium, Comparative Latinas/os: Identity, Law and Policy in LatCrit Theory, 53 U. Miami L. Rev. 575 (1999) (LATCRIT III); Symposium, Rotating Centers, Expanding Frontiers: LatCrit Theory and Marginal Intersections, 33 U.C. Davis L. Rev. 751 (2000) (LATCRIT IV); Colloquium, Spain, The Americas and Latino/as: International and Comparative Law in Triangular Perspective, 9 U. Miami Int'l. & Comp. L. Rev. 1 (2000-01) (publishing the proceedings of the first and second colloquia held in Malaga, Spain on LatCrit theory and international and comparative law); Symposium, Class in LatCrit: Theory and Praxis in a World of Economic Inequality, 78 Denv. U. L. Rev. 467 (2001) (LATCRIT V); Symposium, Latinas/os and the Americas: Centering North-South Frameworks in LatCrit Theory, 55 Fla. L. Rev. 1 (2003), 54 Rutgers L. Rev. (2002) (LATCRIT VI); Symposium, Coalitional Theory and Praxis: Social Justice Movements and LatCrit Community, 13 La Raza L.J. 113 (2002), 81 U. Or. L. Rev. (2003) (LATCRIT VII). In addition, two joint symposia have been published during this time. See Joint Symposium, LatCrit Theory: Latinas/os and the Law, 85 Cal. L. Rev. 1087 (1997), 10 La Raza L.J. 1 (1998); Joint Symposium, Culture, Language, Sexuality and Law: LatCrit Theory and the Construction of the Nation, 5 Mich. J. Race & L. 787, 33 U. Mich. J.L. Reform 203 (2000). The information in this footnote has been adapted from footnote 7 in Francisco Valdes' Conceptual Overview found at <http://personal.law.miami.edu/fvaldes/latcrit/overview.html> (last visited on Aug. 9, 2006).

n6. In 1995, President Bill Clinton was "triangulating" his policy agenda in response to the 1994 mid-term election that gave Congress to the Republicans and the governorship in Texas to George W. Bush. Developed by the political consultant Dick Morris, "triangulation" was a strategy for dealing with Republicans and Democrats by making them both Clinton's political rivals - a Hegelian synthesis. Previous citation refers to the following material: In 1995, Hussein Kamel, Saddam Hussein's weapons chief (and son-in-law), defected from Iraq and informed the U.N. and CIA intelligence services, inter alia, that Iraq possessed no weapons of mass destruction. He returned to Iraq but was murdered in 1996. See Missing From ABC's WMD "Scoop," FAIR, Feb. 17, 2006, <http://www.fair.org/index.php?page=2825>. Other major events in 1995 included the Oklahoma City bombing in April, O.J. Simpson's acquittal in October, Israeli Prime Minister Rabin's assassination in November, and the end of fighting in Bosnia by December. In Mexico, the Zapatistas had gained international attention by analyzing and rejecting neoliberal reforms, including NAFTA. In 1995, the Rock 'n Roll Hall of Fame was born, and the Grateful Dead's Jerry Garcia died. 1996 saw the release of several notable films including Fargo, The English Patient, and Lone Star, a personal favorite of mine, and the rapper Tupak Shakur was killed at age 25.

n7. In "Bush is Not Incompetent" George Lakoff and his collaborators describe the success of the radical conservatives in implementing their agenda during the Bush presidency. They write: "consider the following (incomplete) list of major initiatives the Bush administration, with a loyal conservative Congress, has accomplished:

- . Centralizing power within the executive branch to an unprecedented degree
  - . Starting two major wars, one started with questionable intelligence and in a manner with which the military disagreed
  - . Placing on the Supreme Court two far-right justices, and stacking the lower federal courts with many more
  - . Cutting taxes during wartime, an unprecedented event
  - . Passing a number of controversial bills such as the PATRIOT Act, the No Child Left Behind Act, the Medicare Drug bill, the Bankruptcy bill, and a number of massive tax cuts
  - . Rolling back and refusing to enforce a host of basic regulatory protections
  - . Appointing industry officials to oversee regulatory agencies
  - . Establishing a greater role for religion through faith-based initiatives
  - . Passing Orwellian-titled legislation assaulting the environment - "The Healthy Forests Act" and the "Clear Skies Initiative" - to deforest public lands, and put more pollution in our skies
  - . Winning re-election and solidifying his party's grip on Congress."

George Lakoff, et al., *Bush Is Not Incompetent*, The Rockridge Institute, 2006, <http://www.rockridgeinstitute.org/research/lakoff/incompetent>.

n8. *Regents of Univ. of Cal. v. Bakke*, 438 U.S. 265 (1978).

n9. *Gratz v. Bollinger*, 539 U.S. 244 (2003); *Grutter v. Bollinger*, 539 U.S. 306 (2003).

n10. I have recently re-read Michael Omi and Howard Winant's classic book and find their definitions and analysis profound. I'm paraphrasing here: "race" is an unstable set of social meanings constantly being transformed by political struggle; this social conflict is symbolized by referring to different types of human bodies. Racial categories are created, inhabited, transformed and destroyed by a sociohistorical process called "racial formation." Michael Omi & Howard Winant, *Racial Formation in the United States: From the 1960s to the 1990s* 55 (2d ed. 1994).

n11. Dave Dunn, *Branding: The 6 Easy Steps*, Preface (undated), available at <http://www.e-agency.com/pdf/branding/branding-preface-intro.pdf>.

n12. For a complete listing and description of current and past organizational activities, see <http://personal.law.miami.edu/fvaldes/latcrit/projects.html> (last visited on Aug. 9, 2006).

n13. Christopher Bracey, *Getting Back to Basics: Some Thoughts on Dignity, Materialism, and a Culture of Racial Equality*

n14. Mary Romero, *Class Struggle and Resistance Against the Transformation of Land Ownership and Usage in Northern New Mexico: The Case of Las Gorras Blancas*

n15. Tom Romero, *War of a Much Different Kind: Poverty and the Possessive Investment in Color in the Multiracial 1960 United States*

n16. Lindsay Perez Huber, Robin N. Johnson, and Rita Kohli, *Naming Racism: A Conceptual Look at Internalized Racism in U.S. Schools*

n17. David Garcia, *Remembering Chavez Ravine: Culture Clash and Critical Race Theater*

n18. Marina Angel, *Women Lawyers of All Colors Steered to Contingent Positions in Law Schools and Law Firms*

n19. Jorge Contesse-Singh, *The Rebel Democracy: A Look into the Relationship Between the Mapuche People and the Chilean State*

n20. Michele Alexandre, *At the Intersection Of Post-911 Immigration Practices And Domestic Policies: Can Katrina Serve As A Catalyst For Change?*

n21. Tayab Mahmud, *Postcoloniality and Mythologies of Civil(ized) Society*

n22. This formulation of the Standing Guideposts written by Professor Francisco Valdes is available on the LatCrit website, available at <http://personal.law.miami.edu/fvaldes/latcrit/overview.html>. These are the four functions of LatCrit theory (and similar efforts) posited early on: (1) the production of knowledge; (2) the advancement of social transformation; (3) the expansion and connection of antiracism struggles; and (4) the cultivation of community and coalition, both within and beyond the confines of legal academia in the United States. For further discussion of these four functions and their relationship to LatCrit theory, see Francisco Valdes, Foreword - Under Construction: LatCrit Consciousness, Community and Theory, 85 Cal. L. Rev. 1087, 1093-94 (1997) [hereinafter Under Construction].