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Latina/o (Public/Legal) Intellectuals, Social Crises, and Contemporary Social Movements

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LATINA/O (PUBLIC/LEGAL) INTELLECTUALS, SOCIAL CRISES, AND CONTEMPORARY SOCIAL MOVEMENTS

MARC-TIZOC GONZÁLEZ*

I. Introduction	787
II. Historicizing Inquiries About Latina/o Intellectuals.....	789
A. Agents, Actors, and Subjects of History	791
B. <i>Gente de corazón – activistas y intelectuales</i>	794
1. Latina Labor Leaders.....	795
2. Latino Journalists.....	797
III. Conclusion	799

I. INTRODUCTION

In October 2008, at the Thirteenth Annual Latina/o Critical Legal Theory (“LatCrit”) Conference in Seattle, Washington, César Cuatémoc García Hernández started an important conversation when he asked the LatCrit community to respond to his unpublished work-in-progress, “An Insurgent Model of Latina/o Legal Intellectualism.”¹ Margaret Montoya was the assigned Commentator and an exciting group of Latina and Latino activists and scholars, including, inter alia, Mercedes Castillo, Lindsay Pérez Huber,

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1. See LATINA AND LATINO CRITICAL RACE THEORY, INC., PROGRAM SCHEDULE FOR THE THIRTEENTH ANNUAL LATCRIT CONFERENCE (AND RELATED EVENTS) 8 (2008), <http://www.law.du.edu/latcrit/documents/latCrit-xiii-conference-program.pdf> [hereinafter LATCRIT XIII PROGRAM SCHEDULE]; César Cuatémoc García Hernández, *Invisible or Non-Existent?: The Story of Latina/o Legal Intellectuals; Or, Is It Possible to Be a Geek, an Activist, and a Lawyer?* (unpublished manuscript, on file with the *American University Journal of Gender, Social Policy & the Law*).

Yanira Reyes, Hugo Rojas, and Francisco Valdes filled the room.

For me, the moment felt exciting precisely because the people in the room seemed to manifest and accord with the issues that César raised and Margaret analyzed. Feeling the power of that stimulating conversation, many of those present that day agreed to correspond about developing manuscripts to submit to the LatCrit XIII symposium. While no publication resulted that year, in the following year, further correspondence resulted in the roundtable discussion, “The Crisis of the Latina/o Intellectual,” at the Fourteenth Annual LatCrit Conference in Washington, D.C., and several of us contributed symposium essays on this subject.²

This year’s roundtable surpassed the excitement of last year’s work-in-progress session. Many more activists and scholars filled the room, and our conversation resulted in several attendees stating that the roundtable felt like one of the most intellectually engaging in which they had participated. The next day featured a similar and complementary roundtable, organized principally by Rachel Anderson, entitled “Public Intellectuals, Critical Theory, and Legal Education.”³ Coordinated by friends and colleagues across several dimensions of identity and difference, together these roundtables manifested and furthered the epistemic and critical coalitional aspirations of LatCrit theory.⁴ Moreover, they constituted a stream of programming that successfully rotated the center of inquiry, offering diverse perspectives on questions of activism, identity, public engagement, scholarship, and other intellectual work.

In this Essay, I seek to contribute briefly to this nascent (and renewed) discourse about the social relevance and action potential of critical sociolegal scholars—in particular those who affiliate with the LatCrit community/political project. In Part II, I explain why I chose to eschew reporting on my research into the intellectual history of the public intellectual or the abstracted definitional exercise of “being an

2. See LATINA AND LATINO CRITICAL RACE THEORY, INC., PROGRAM SCHEDULE FOR THE FOURTEENTH ANNUAL LATCRIT CONFERENCE AND RELATED EVENTS 13 (2009), <http://law.du.edu/latCrit/AnnualConferences/ACXIV/LatCrit-XIV-Conference-Schedule-revised-final-version.pdf> [hereinafter LATCRIT XIV PROGRAM SCHEDULE]. See generally F.E. Guerra-Pujol, Confessions of a Latino Law Professor (Jan. 27, 2010) (unpublished manuscript, on file with the *American University Journal of Gender, Social Policy & the Law*); Martin Saavedra, *Engaged Intellectuals: Comments on the Crisis of the Latina/o Public Intellectual*, 18 AM. U. J. GENDER SOC. POL’Y & L. (forthcoming fall 2010).

3. See LATCRIT XIV PROGRAM SCHEDULE, *supra* note 2, at 18.

4. See generally Francisco Valdes, *Outsider Scholars, Critical Race Theory, and “Outcrit” Perspectivity: Postsubordination Vision as Jurisprudential Method*, in CROSSROADS, DIRECTIONS, AND A NEW CRITICAL RACE THEORY 399 (Francisco Valdes et al. eds., 2002); George A. Martinez, *African-Americans, Latinos, and the Construction of Race: Toward an Epistemic Coalition*, 19 CHICANO-LATINO L. REV. 213 (1998).

intellectual.”⁵ Further, I discuss why I chose to problematize the subject by historicizing it via brief evocations and vignettes about particular individuals who arguably “were” Latina/o intellectuals. Some of these Latina/o intellectuals were legally educated, and all engaged particular segments of the public as agents, actors and subjects of history.⁶ I then describe these individuals, highlighting their social contexts (especially the social movements that they engaged in) and citing to Chicana/Latino Studies literature that other critical sociolegal scholars may wish to consider.

I conclude the Essay in Part III, asking the LatCrit community not to limit prematurely our inquiry about Latina/o intellectuals to sociolegal scholars. I suggest that we focus less on who might be usefully characterized as a Latina/o intellectual and more on studying and teaching about people who respond to particular situations in ways that combine critical theory with organized social change activities.⁷

In particular, I ask activists, scholars, students and others who affiliate with LatCrit theory to reflect on how their (our) intellectual work aids local community struggles and the larger social crises of our times. For example, where are we (including those who might be Latina/o intellectuals) in the struggle to reform immigration law and policy in 2010? Where are we (activists, scholars, and intellectuals of any outgroup) in the defense and organizing of impoverished people to obtain and preserve “substantive security” in a time of worldwide economic recession and disaster capitalism?⁸

II. HISTORICIZING INQUIRIES ABOUT LATINA/O INTELLECTUALS

Both César Cuahtémoc García Hernández’s original draft manuscript

5. See *infra* Part II (discussing the need to understand people from history in order to frame what constitutes a Latina/o intellectual).

6. MICHEL-ROLPH TROUILLOT, SILENCING THE PAST: POWER AND THE PRODUCTION OF HISTORY 23-24 (1995) (discussing history “as social process, [which] involves peoples in three distinct capacities: 1) as *agents*, or occupants of structural positions; 2) as *actors* in constant interface with a context; and 3) as *subjects*, that is, as voices aware of their vocality”).

7. See *infra* Part III.

8. See Valdes, *supra* note 4, at 399 (defining substantive security as an “outgroup attainment of safe, secure, and continuous access to the basic rights, goods, and services that are substantially necessary to human well-being). He continues, “the overall state of affairs that is possible only after outgroups *qua* outgroups finally accrue and enjoy the ‘three generations’ of civil and political, economic, social and cultural, and group rights that international covenants already recognize and promise to us all.” *Id.* By outgroups, Valdes means those people who are socially “outsiders” such as “people of color, women, sexual minorities, and other traditionally subordinated groups.” *Id.*; see also NAOMI KLEIN, THE SHOCK DOCTRINE: THE RISE OF DISASTER CAPITALISM 6 (2007) (explaining “disaster capitalism” and reporting on twentieth century political economies).

and Martín Saavedra's contribution to this symposium highlight the salience of Antonio Gramsci's famous distinction between traditional and organic intellectuals to an inquiry about Latina/o (public/legal) intellectuals.⁹ For my contribution to the LatCrit XIV roundtable, I considered reporting on my research into the intellectual history of the notion of the public intellectual, similarly basing my understanding on Gramsci's influential prison notes. However, I soon decided not to engage in abstracted theoretical/definitional work about "what constitutes an intellectual."

I made this decision for several reasons, including the fact that numerous individuals have already recorded their reflections, theories, and prescriptions regarding the ideal personal commitments and social functions of intellectuals, ranging from Gramsci's germinal notes to classic sociologists like C. Wright Mills to postcolonial scholars like Edward Said or lesbian Chicana feminist philosophers like Gloria Anzaldúa.¹⁰ Also, much recent scholarship purports to synthesize a compelling new definition or at least heuristic typologies or taxonomies of intellectuals.¹¹

For me, however, the more I read about the notion of an intellectual, and particularly the idea of the "public intellectual," the less I found abstract definitions useful to the kind of contribution I hoped to make at a LatCrit roundtable discussion.¹² I was particularly troubled with how abstracted theorizing about intellectuals could aid the contemporary Latina/o-identified social struggle over immigrant rights, law, and policy. For example, while I found Edward Said's reflections on representations of the intellectual engaging (because of the stories he told about various people he

9. See García Hernández, *supra* note 1; Saavedra, *supra* note 2, at 2; see also SELECTIONS FROM THE PRISON NOTEBOOKS OF ANTONIO GRAMSCI, 3-23 (Quintin Hoare & Geoffrey Nowell Smith trans., eds., 1971) [hereinafter PRISON NOTEBOOKS]; ANTONIO GRAMSCI READER: SELECTED WRITINGS 1916-1935 300-11 (David Forgacs ed., New York University Press 1988) [hereinafter THE ANTONIO GRAMSCI READER].

10. See PRISON NOTEBOOKS, *supra* note 9; ANTONIO GRAMSCI READER, *supra* note 9; C. WRIGHT MILLS, THE SOCIOLOGICAL IMAGINATION 195-26 (Oxford University Press 1970) (1959). See generally GLORIA ANZALDÚA, BORDERLANDS: LA FRONTERA THE NEW MESTIZA (3d ed. 2007); EDWARD SAID, REPRESENTATIONS OF THE INTELLECTUAL (1994).

11. See generally THE CHANGING ROLE OF THE PUBLIC INTELLECTUAL (Dolan Cummings, ed., 2005); THE PUBLIC INTELLECTUAL: BETWEEN PHILOSOPHY AND POLITICS (Arthur Melzer et al. eds., 2003) [hereinafter PUBLIC INTELLECTUAL]; THE PUBLIC INTELLECTUAL (Helen Small ed., 2002); THE TOP 100 PUBLIC INTELLECTUALS, FOREIGN POLICY (2007), available at <http://www.infoplease.com/spot/topintellectuals.html>.

12. See, e.g., Stefan Collini, "Every Fruit-juice Drinker, Nudist, Sandal-wearer. . .": Intellectuals as Other People, in PUBLIC INTELLECTUAL, *supra* note 11, at 210 (defining the use in the United States of the term "public intellectual" as "someone who, from an academic or creative base, addresses a non-specialist public on matters of general concern, often . . . policy matters").

represented as intellectuals), the authoritativeness of Prospect/Foreign Policy's *The Top 100 Intellectuals* (which pronounced a list without much attention paid to narrating or historicizing these individuals), the apparent (to me) political distance between these sources, and (most importantly) both works' omission of Latinas/os in the United States, suggested that the notion of a public intellectual lends itself to eliding the existence of Latinas/os in the United States. Or, stated more precisely, people (whether intellectuals or elite print journalists) who have discussed public intellectuals (in English) have tended to omit Latinas/os (even if inadvertently) and thereby have furthered the selective erasure of the multiple diversities of Latinas/os, as well as the social issues that implicate most of them (us), e.g., immigration.¹³

A. Agents, Actors, and Subjects of History

In contrast to mainstream discourse about public intellectuals, numerous Chicana/Latino Studies texts uncover and detail the oft-hidden histories of Latinas/os in the United States.¹⁴ Additionally, several collections of primary texts from social activists and intellectuals like Cesar Chavez, Dolores Huerta, Gloria Anzaldúa, and Ricardo Flores Magón have recently been published.¹⁵ As I read about these individuals and others like Carey McWilliams, Ernesto Galarza, Luisa Moreno, and Josephine Fierro de Bright, I came to believe increasingly that historicizing the inquiry could powerfully address César's original questions about the existence of

13. See Juan F. Perea, *Los Olvidados: On the Making of Invisible People*, 70 N.Y.U. L. REV. 965, 966 (1995); see also Berta Esperanza Hernández-Truyol, *Gendered in Justice/Gendered Injustice: Latinas, Fronteras, and the Law*, 1 J. GENDER RACE & JUST. 353, 355 (1998). For an important explanation of the U.S. government's view on the contemporary immigration situation, see BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT, U.S. DEP'T OF HOMELAND SECURITY, ENDGAME OFFICE OF DETENTION AND REMOVAL STRATEGIC PLAN, 2003-2012: DETENTION AND REMOVAL STRATEGY FOR A SECURE HOMELAND (2003).

14. See generally KENNETH C. BURT, *THE SEARCH FOR A CIVIC VOICE: CALIFORNIA LATINO POLITICS* (2007) (discussing milestone appointments of Latino politicians in California); ELIZABETH "BETITA" MARTÍNEZ, *500 YEARS OF CHICANA WOMEN'S HISTORY* (bilingual ed., 2008) (tracing landmark moments in Chicana history through visual images); VICKI L. RUIZ, *FROM OUT OF THE SHADOWS: MEXICAN WOMEN IN TWENTIETH CENTURY AMERICA* (1998) (studying the history of Mexican-American women through interviews and personal narratives).

15. See generally BLACK PANTHER: THE REVOLUTIONARY ART OF EMORY DOUGLAS (Sam Durant ed., 2007) [hereinafter BLACK PANTHER]; CESAR CHAVEZ, AN ORGANIZER'S TALE: SPEECHES (Ilan Stavans ed., 2008) [hereinafter CESAR CHAVEZ] (chronicling Chavez's civil activism through his notable speeches); DREAMS OF FREEDOM: A RICARDO FLORES MAGÓN READER (Chaz Bufe & Mitchell Cowen Verter eds., 2005) [hereinafter DREAMS OF FREEDOM] (recounting Magon's literary activism during the Diaz regime); THE GLORIA ANZALDÚA READER (AnaLouise Keating ed., 2009) (compiling poetry, autobiographical excerpts, and fictional writings from Anzaldúa on Chicana/o and lesbian/queer theories).

Latina/o legal intellectuals.¹⁶ I also found myself broadening my inquiry beyond people whose work focuses on the written word to include artists—particularly printmakers—both dead and alive.¹⁷

Whether or not they were “really” Latina/o in a biologicistic or other essentialist understanding, and whether or not they were legally educated, the more that I learned about these individuals and their efforts to build historic Left-Liberal-Labor-Latino-Black-Jewish coalitions to effect concrete, socially just change, the better I was able to perceive correspondences between them and the contemporary social struggles in which they engaged. Moreover, I better understood people who are alive today who engage in *latinidad*, intellectual work, interracial justice, and other social struggles with the law—people like Betita Martínez and Dolores Huerta; law professors like Cruz Reynoso, Margaret Montoya, Kevin Johnson, Mary Romero, Francisco Valdes, and Richard Delgado; and Latina/o lawyers like María Blanco, José Padilla, Tom Saenz, plus a host of relatively new lawyers who are my friends and *compañeras/os* through organizations like The United People of Color Caucus of the National Lawyers Guild (“TUPOCC”) or the Alumni Advisory Council of the National Latina/o Law Student Association (“NLLSA”).

Ultimately, historicizing an inquiry about particular individuals who arguably “were” or “are” Latina/o (public/legal) intellectuals feels compelling to me principally because I self-identify with these identities. I understand myself in a genealogy of social struggle—both literally within my own family and more broadly/figuratively in relation to the numerous Latina/o lawyers and others whom I know and with whom I engage on several fronts of a broad-based movement against subordination and for human flourishing, substantive security, and the realization of post-subordination societies.¹⁸

16. See García Hernández, *supra* note 1 (theorizing about how to end the public invisibility of Latina/o lawyers and legal intellectuals); see also CESAR CHAVEZ, *supra* note 15, at 211-12 (testifying to the power of public education for the “Asians and Hispanics and African Americans [who] are the future in California”).

17. See generally ROBERTO BERDECIO & STANLEY APPELBAUM, POSADA’S POPULAR MEXICAN PRINTS (1972) [hereinafter POSADA’S POPULAR MEXICAN PRINTS] (providing examples of famous Mexican print makers); BLACK PANTHER, *supra* note 15; DEBORAH CAPLOW, LEOPOLDO MÉNDEZ: REVOLUTIONARY ART AND THE MEXICAN PRINT (2007) [hereinafter LEOPOLDO MÉNDEZ]; JUST ANOTHER POSTER?: CHICANO GRAPHIC ARTS IN CALIFORNIA (Chon A. Noriega ed., 2001); LOUIS E. V. NEVAER & ELAINE SENDYK, PROTEST GRAFFITI MEXICO: OAXACA (2009). For examples of contemporary Chicana/Latino radical screen print artists, see Dignidad Rebelde, <http://dignidadrebelde.com/section/view/about-us> (last visited February 1, 2010); Taller Tupac Amaru: About Us, <http://tallertupacamaru.com/index.php?s=14> (last visited February 1, 2010); Favianna.com, <http://www.favianna.com/> (last visited February 1, 2010).

18. For background on my self-identification in relation to law student activism, see Rachel Anderson, et al., *Toward a New Student Insurgency: A Critical Epistolary*, 94 CAL. L. REV. 1879, 1900-05 (2006).

While some readers may find these ideas presumptuous or absurd, understanding myself and others (*compañeras/os* both real and imagined) in relation to past social struggles (and the countless individuals who constituted them) profoundly shapes my perspective on the social activism, community lawyering, and organizing of lawyers, law students and other legal workers that I engage in today. Whether I have recently heard stories from my father's cousin regarding the Community Service Organization, or read a recently written genealogy of my mother's family, which stretches back before 1840, this knowledge frames my understanding of the local community struggles that I engage in daily—like the effort to implement a municipal identification card program in Oakland, California, the struggle to stop Alameda County from arbitrarily reducing poor people's welfare benefits, or the legal defense of student activists charged with trespassing for protesting university policies in response to state disinvestment in public education.¹⁹ I bring a similar consciousness of familial commitments to intergenerational justice to my engagement with the LatCrit community and to the Chicana/Latino/Raza Studies classes that I teach at UC Berkeley and San Francisco State University.

In sum, I hold that all of us can be usefully understood as agents, actors, and subjects of history.²⁰ Moreover, an inquiry about Latina/o (public/legal) intellectuals can gain much from learning about particular individuals who are seen in their social contexts, most especially the social movements that they engage(d).

Therefore, in this Essay I discuss briefly several individuals whom I think the LatCrit community and others interested in the subjects described above might find useful to consider when imagining answers to the questions that I posed at LatCrit XIV: whom do you (we) imagine in response to the phrase, "Latina/o Intellectual?" Who is a Latina/o intellectual? Who is a Latina/o public intellectual? Who is a legally educated intellectual? Are you one? If so, what publics do you serve? Why?

By discussing particular individuals and the social movements that they engage(d), I seek to historicize and concretize the inquiry and call upon

19. See JESSIE NEWMARK ET AL., OAKLAND CITY ID CARD PROPOSAL 3-5 (Apr. 29, 2009) <http://oaklandcityidcard.files.wordpress.com/2009/04/oakland-city-id-card-proposal-april-final.pdf> (outlining the proposal of a city identification card intended to integrate and serve the needs of Oakland's diverse population); Charles Burress, *Welfare Changes Blocked While Committee Reviews Plan*, S.F. CHRON., June 26, 2008, at B3 (describing the establishment of a committee to review the contested reform of welfare benefits in Alameda County); University of California, Davis, UC Strike – News and Events, <http://www.ucstrike.com/news.php> (last visited Apr. 5, 2010) (expressing the viewpoints of student demonstrators promoting solidarity in the face of fee increases).

20. See TROUILLOT, *supra* note 6, at 23-24 (defining these concepts of historiography).

others interested in this subject to adopt a similar method of describing particular individuals and social struggles as we collectively think about Latinas/os, publics, intellectuals—and most importantly—how we can increase our engagement with contemporary community struggles for socially just change.

B. Gente de corazón – activistas y intelectuales

Since becoming educated in the law at the University of California, Berkeley and deepening my *educación sobre justicia* from activist student organizations like the *Berkeley La Raza Law Journal*, La Raza Law Students Association, and the Coalition for Diversity, I have come to think of people like those described below as *gente de corazón* (people of heart, connoting courage, compassion, emotional intelligence, and generosity).²¹ The notion plays on the distinctions in nineteenth century California between *gente de razón* and *gente sin razón*, or the land-owning, *ranchero* upper-class, with its claimed European (Spanish) ancestry, and the “dark complexioned, mestizo population (the ‘greasers’ or *gente sin razón*—literally ‘people without reason’).”²²

My genesis of this concept also derives from listening repeatedly to former California Supreme Court Justice and emeritus law professor Cruz Reynoso at various events organized by Latina/o law student and lawyer organizations since 2002. One of Don Cruz’s abiding themes is the difference he perceives from an earlier time, when the relatively few Chicana/Latino lawyers in California were all (or almost all) deeply engaged in community struggles, and today, when the significantly larger number of Latina/o lawyers seems to participate in a relatively anemic level of community engagement. I mention this genesis because as I reflect on Don Cruz’s concerns and exhortations for increased community engagement by Latina/o-identified lawyers, they resonate strongly with the issues that César has raised. Indeed, Don Cruz’s influence has in part motivated me to call for a statewide caucus of progressive Latina/o lawyers (and friends to our community) in 2010.²³

21. See Anderson et al., *supra* note 18, at 1942 (expanding on the notion of *gente de corazón* in relation to the Bush Administration’s use of the term “coalition”).

22. See, e.g., TOMÁS ALMAGUER, RACIAL FAULT LINES: THE HISTORICAL ORIGINS OF WHITE SUPREMACY IN CALIFORNIA 46, 55 (1994) (distinguishing between *gente de razón* and *gente sin razón* while exploring the etymological origins of the word ‘white’).

23. See Memorandum from Marc-Tizoc González on Organizing a Statewide Caucus of Progressive Latina/o Lawyers, Law Students and Other Legal Workers (and Our Friends) to Establish a Statewide Plan for Immigrant Rights and Economic Justice by Way of Impact Litigation, Community Organizing and Voter Registration (Aug. 12, 2009) (on file with the *American University Journal of Gender, Social Policy & the Law*).

The individuals I discuss below transcend their various professions and social roles. They include lawyers and legal scholars, activists and organizers, artists and entertainers, journalists, novelists, and even politicians, television news anchors, and radio disc jockeys. Whether a brief evocation or more detailed treatment, I discuss these individuals within their larger sociohistorical context—particularly in the context of the contemporaneous social movements in which they consciously engaged.

1. Latina Labor Leaders

Consider Dolores Huerta, the legendary United Farm Workers leader, whose famous farm worker organizing and labor negotiations are matched only by her ongoing life's work for women's rights and community organizing.²⁴ Would you not consider her to be an intellectual? Would you prefer to categorize her as an organizer and thereby distinguish her from the world of intellectuals? If so, why, and would the distinction be different if she had an advanced degree or occupied an academic position? In the MIT Communications Forum, Alan Lightman distinguishes between scholars and intellectuals, characterizing the former as highly trained experts or specialists versus those who engage "the public" with profound ideas, regardless of training.²⁵ In contrast, Antonio Gramsci discussed intellectuals in terms of those who help instruct an essential social group or class in its own interests.²⁶

Returning to Dolores Huerta, her impact on the segment of the population that values social justice for farm workers is beyond dispute. Moreover, the LatCrit XIV conference materials featured Huerta, noting that she originated the famous *¡Sí, se puede!* ("Yes, we can!") rallying cry and slogan that presidential candidate Barack Obama adopted to attain the White House.²⁷ Of course, that slogan is not the sum of her intellectual

24. See A DOLORES HUERTA READER xv (Mario T. García, ed. 2008) [hereinafter DOLORES HUERTA] (describing Huerta's persistent commitment to feminist and labor issues); Dolores Huerta Foundation, <http://www.doloreshuerta.org/> (last visited Apr. 10, 2010) (describing an organization devoted to Huerta's causes).

25. See Alan Lightman, *The Role of the Public Intellectual*, MIT COMMUNICATIONS FORUM, <http://web.mit.edu/comm-forum/papers/lightman.html> (last visited Apr. 10, 2010) (referring to Ralph Waldo Emerson's and Edward Said's definitions of "intellectual" to arrive at this distinction between the modern scholar and intellectual).

26. See PRISON NOTEBOOKS, *supra* note 9, at 3 (describing Gramsci's proposition that all men can potentially be intellectuals in either the organic or traditional sense); THE ANTONIO GRAMSCI READER, *supra* note 9, at 300 (crediting Gramsci with redefining the term "intellectual" to encompass a broader group of individuals whose primary function in society is to educate others).

27. See LATINA AND LATINO CRITICAL RACE THEORY, INC., LATCRIT XIV: FOURTEENTH ANNUAL LATCRIT CALL FOR PAPERS 1 (2009),

contributions to public discourse about organizing people for farm laborer and women's rights and dignity.²⁸ However, one interested in Latina/o intellectuals should pause to appreciate the renewed national impact of Dolores Huerta's intellectual contributions, distilled in the quintessentially popular form of the slogan. While some might judge slogans or sloganeering as "beneath" the work of a "true" intellectual, "[a]ll men [sic] are intellectuals," as Gramsci opined.²⁹ It is remarkable and noteworthy that a former schoolteacher and lifelong labor/community organizer, a Chicana from New Mexico with a lifetime in California, functioned as an intellectual from the very class that Gramsci asserted "does not elaborate its own 'organic' intellectuals, nor does it 'assimilate' any stratum of 'traditional' intellectuals, although it is from the peasantry that other social groups draw many of their intellectuals and a high proportion of traditional intellectuals are of peasant origin."³⁰

Appreciating Dolores Huerta's intellectual impact on the U.S. public and understanding that her intellect evolved throughout a life dedicated to organizing farm workers and other subordinated social groups does much more than pay homage to a romanticized memory of La Causa.³¹ Rather, foregrounding Dolores Huerta in a consideration of Latina/o (public/legal) intellectuals calls our attention to the critical insight that Latina/o intellectuals are not isolated from a particular situation, but instead, may be identified and said to exist only within a particular sociohistorical context. Additionally, as Chicano historian Mario T. García explains, "[w]hile Huerta is an atypical labor leader, she is also part of a tradition of strong Chicana/Latina labor and community leaders of the twentieth century."³² García names others of that tradition, including Luisa Moreno, "a key organizer for UCAPAWA (United Cannery, Agricultural, Packing, and Allied Workers of America);" Josefina Fierro, "a protégé of Moreno . . . and [a] significant civil rights leader in Los Angeles . . . as the executive secretary of the National Congress of Spanish-Speaking Peoples (El Congreso);" and Emma Tenayuca, who "successfully organized Mexican

http://www.law.du.edu/latcrit/documents/LatCrit_XIV_Call_for_Papers_and_Panels_final_March9.pdf [hereinafter LATCRIT XIV, CALL FOR PAPERS] (crediting Huerta for coining the phrase "*¡Sí, se puede!*" during her leadership of the United Farm Workers movement).

28. See DOLORES HUERTA, *supra* note 24, at xi (summarizing Huerta's contributions to Chicano civil rights and feminism, and her founding of the then National Farm Worker's Association with César Chávez).

29. PRISON NOTEBOOKS, *supra* note 9, at 9.

30. *Id.* at 6.

31. See DOLORES HUERTA, *supra* note 24, at 126 (describing Huerta's influence as a public figure for social change among Hispanics).

32. *Id.* at xxi.

American pecan shellers in San Antonio.”³³

Remembering and learning about women like these inspires me deeply. Within that inspiration, I perceive that *los de abajo* (“those below”) constitute critical publics for any aspiring Latina/o (public/legal) intellectual. While some may hold that women, farm workers, or other working people are too marginal to matter to the work of a public intellectual, I contend that such a judgment is of little to no value for the LatCrit project. Rather, learning and teaching about Latina intellectuals like Dolores Huerta, Luisa Moreno, Josephina Fierro, and others grounds the notion of a Latina/o (public/legal) intellectual in a substantial history that reaches to the early decades of the twentieth century, a time that historian and labor leader, Kenneth C. Burt, labels the birth of California Latino politics.³⁴

2. Latino Journalists

Consider another historical figure, Rubén Salazar, the Mexican American journalist whose reporting on the Chicano Movement activism of the 1960s in Los Angeles led to his targeting and vilification by Los Angeles law enforcement.³⁵ Salazar was killed during the Chicano Moratorium riot of 1970, when Los Angeles sheriffs fired multiple tear gas canisters at close range into the door of the Silver Dollar Saloon where he and others were taking refuge from the police oppression.³⁶

While Salazar was not legally educated, his contributions to the Chicano Movement were highly significant in that his social position as an established journalist enabled the publication of numerous newstories about the Chicano Movement in mainstream publications such as the L.A. Times.³⁷ His journalism can be usefully understood as intellectual work and is illuminated by considering the work of earlier Mexican journalists

33. *Id.*; see also BURT, *supra* note 14, at 7-28 (highlighting Moreno and Fierro’s roles in the founding of El Congreso); RUIZ, *supra* note 14, at 79, 94-97 (discussing Moreno, Fierro, and Tenayuca). See generally Vicki L. Ruiz, *Una Mujer sin Fronteras: Luisa Moreno and Latina Labor Activism*, 73 PAC. HIST. REV. 1 (2004) (elaborating on Moreno’s commitment to social justice).

34. See BURT, *supra* note 14, at 1 (describing the increase of potential Latino voters and attention to Latino politics).

35. See IAN F. HANEY LÓPEZ, *RACISM ON TRIAL: THE CHICANO FIGHT FOR JUSTICE* 163 (2003).

36. See *id.* at 194-95 (noting that Salazar and fellow reporters had toured the riot area on foot before entering the Silver Dollar). See generally RUBEN SALAZAR, *BORDER CORRESPONDENT, SELECTED WRITINGS, 1955-1970* (Mario T. García ed., 1995).

37. See SALAZAR, *supra* note 36, at 6, 8-12 (describing Salazar as, above all, a journalist whose support of the Chicano movement and association with the *Times* allowed him to report on the drastic social and political change that characterized the 1960s and 70s).

and graphic artists like José Guadalupe Posada, Leopoldo Méndez, and Ricardo Flores Magón.³⁸

Perhaps the most famous Mexican graphic artist for U.S. audiences, Posada may be most familiar because of the many *calaveras* (skeletons) that he designed and printed.³⁹ Leopoldo Méndez, the twentieth century artist and activist, was similarly impactful, though not only because of his artwork, but also because of his engagement in the Stridentist Movement of the 1920s and the arts organizations that he co-founded in the 1930s, “the *Liga de Escritores y Artistas Revolucionarios* (League of Revolutionary Artists and Writers, LEAR), and the *Taller de Gráfica Popular* (Popular Graphic Art Workshop or People’s Graphic Art Workshop, TGP).”⁴⁰ Additionally, activist, journalist, and publisher Ricardo Flores Magón called for revolution against the dictatorship of Porfirio Díaz through his newspaper, *Regeneración*, which comprised an important venue for the discourse of the “*Junta Organizadora del Partido Liberal Mexicano* (Organizing Junta of the Mexican Liberal Party), or PLM.”⁴¹

I only briefly evoke these people in order to contextualize my comments about contemporary journalists and graphic artists whose work today has much potential import for an inquiry about Latina/o (public/legal) intellectuals. Starting with a mainstream manifestation, CNN’s special report “Latino in America” and its correspondent and news anchor, Soledad O’Brien, demonstrate a significant intervention into the public discourse around Latinas/os, immigration and the changing demography of the United States.⁴² However, rather than engage the content of this special report and accompanying book, what seems more important to the present inquiry is the recent resignation of another CNN anchor, Lou Dobbs, after the BastaDobbs campaign organized by the online advocacy group, *presente.org*.⁴³ According to its website, “[m]ore than 100,000 people joined our BastaDobbs campaign, signing petitions, uploading photos, and attending local actions.”⁴⁴

38. See generally DREAMS OF FREEDOM, *supra* note 15; LEOPOLDO MÉNDEZ, *supra* note 17; POSADA’S POPULAR MEXICAN PRINTS, *supra* note 17.

39. See POSADA’S POPULAR MEXICAN PRINTS, *supra* note 17, at vii, xvii (describing Posada’s prints as a reflection of Mexico’s past and present, political and social climate, and the daily life of the average Mexican citizen).

40. See LEOPOLDO MÉNDEZ, *supra* note 17, at 1.

41. See DREAMS OF FREEDOM, *supra* note 15, at 32-46.

42. See CNN.com, *Latino in America*, <http://www.cnn.com/SPECIALS/2009/latino.in.america/> (last visited Apr. 10, 2010). See generally SOLEDAD O’BRIEN, *LATINO IN AMERICA* (2009) (chronicling the experiences and hardships of individual Latinos/as living in various parts of America).

43. See *Presente.org*, <http://presente.org/> (last visited Apr. 10, 2010); Basta Dobbs, <http://bastadobbs.com/> (last visited Apr. 10, 2010); see also Roberto Lovato, *Justicia Poetica*, THE NATION, Nov. 13, 2009, <http://www.thenation.com/doc/20091130/lovato>.

44. *Presente.org*, About Us, http://presente.org/campaigns/dobbs_resignation (last

Together, these recent interventions into the public discourse around Latinas/os and U.S. immigration law and policy suggest that anyone interested in questions about Latina/o intellectuals would do well not to overlook artists, journalists, writers, and other media makers. Indeed, for people honestly interested in understanding contemporary social crises and the potential power of Latina/o (public/legal) intellectuals, it is necessary to go beyond English. Consider for example, El Piolín, a.k.a. Eddie Sotelo, the Spanish radio disc jockey whom many credited (and criticized) in 2006 for using his Los Angeles based radio show to encourage what became the largest May 1st marches and rallies in U.S. history.⁴⁵ More recently, el Piolín visited the White House and interviewed President Barack Obama, making a point to ask about comprehensive immigration reform and the impact of the mortgage crisis on homeowners.⁴⁶ One should also contemplate Jorge Ramos, the famous Univision anchor, whose reporting and social commentary make him one of the most influential presences for the millions of people that watch Spanish language television.⁴⁷

While some may eschew Spanish for reasons of preference or lack of literacy, seriously considering Latina/o intellectuals requires engagement across linguistic lines and even forays into mass media. If LatCrit scholars refuse to embrace this task, other professionals, who likely do not share principled commitments to anti-subordination, multidimensional analysis, and strategic essentialism will fill the gap. Indeed, Hispanic (and other ethnic) marketing professionals already comprise a significant class of “corporate intellectuals.”⁴⁸

III. CONCLUSION

In this brief Essay, I have evoked a handful of historic and contemporary people across a number of professions and social roles. To contribute

visited Apr. 5, 2010). One of the Presente.org organizers is the New York-based writer Roberto Lovato, who delivered a keynote speech at LatCrit XI. *See generally* Postings of Robert Lovato to Of América: Roberto Lovato on Dreaming Beyond the Walls of “Civilization,” <http://ofamerica.wordpress.com/> (last visited Apr. 5, 2010). Another of Presente.org’s founders is Favianna Rodríguez, an eminent printmaker and digital artist based in Oakland, California. *See generally* Favianna.com, *supra* note 17.

45. *See generally* Univision.com, Eddie “Piolín” Sotelo, Piolín por la Mañana, <http://www.univision.com/content/content.jhtml?cid=346583> (last visited Sept. 26, 2010) (reporting on how this radio personality fought for the Latino cause).

46. *See* Telephone Interview with Barack Obama, President, United States (Feb. 18, 2009), *available at* <http://standing-firm.com/2009/02/18/el-piolin-interviews-president-obama/>.

47. *See* Jorge Ramos, official homepage, <http://www.jorgeramos.com/> (last visited Apr. 10, 2010).

48. *See generally* ARLENE DÁVILA, LATINOS, INC.: THE MARKETING AND MAKING OF A PEOPLE (2001) (analyzing the U.S. advertising industry with respect to its marketing towards Latinos and its effect on Latina/o identities).

meaningfully to a discussion about Latina/o (public/legal) intellectuals, I suggest that we look to past and present individuals whom we understand to engage in *latinidad*, intellectual work (broadly defined), particular publics, and the law. A growing corpus of Chicana/Latino Studies texts constitutes a significant archive for LatCrit scholars to engage with. Similarly, Spanish-language mainstream media and the efforts of other social groups constitute other important sources of texts for our collective investigation into understanding the liberatory potential of intellectuals.⁴⁹

As we engage the study of Latina/o intellectuals more rigorously, I suspect that we will begin seeing substantial gaps in the literature about legally educated Latina/o intellectuals. Despite the substantial work organized by the LatCrit movement, from my initial research, I believe that many important legal histories of Latinas/os, and in particular social and organizational histories, have yet to be written.⁵⁰ One of my commitments, based upon familial and political affiliations, is to research the organizational history of Chicano/Latina legal organizations in Northern California. As I have begun audio-recording interviews with various founders of La Raza Lawyers Association and the several *centros legales de la raza* (people's legal services centers) of the San Francisco Bay Area, I have yet to find a single text that centers this subject for inquiry. Indeed, much of the work of assembling the primary sources in people's offices, garages, storage, etc., seems as yet undone.

Therefore, as we think about Latina/o intellectuals and any crises that they (we) might face, I urge us to think carefully about the myriad social identities that Latinas/os might inhabit. I also ask us to represent carefully how these social identities relate to particular social movements, whether writ large like the immigrant rights movement, or, perhaps more usefully, concrete, local, and grassroots campaigns for social justice like that of the Oakland City ID Card Coalition.⁵¹

49. See generally MARI J. MATSUDA, *WHERE IS YOUR BODY?: AND OTHER ESSAYS ON RACE, GENDER AND THE LAW* (1997) (espousing critical race theory in explicitly radical and politically left terms with specific focus on the Asian identity in America from a female perspective); Christopher Laich, *A Special Supplement: The Trouble with Black Power*, 50 N.Y. REV. OF BOOKS (1968) (reviewing HAROLD CRUSE, *THE CRISIS OF THE NEGRO INTELLECTUAL* (1967)) (arguing that American black intellectuals from the 1920s through the late 1960s misunderstood American racism and should have advocated building a self-sufficient American black society, in constant competition with the rest of America).

50. But see "COLORED MEN" AND "HOMBRES AQUÍ": HERNANDEZ V. TEXAS AND THE EMERGENCE OF MEXICAN-AMERICAN LAWYERING (Michael A. Olivas ed., 2006) (detailing the first U.S. Supreme Court case to be tried by Mexican-American lawyers who successfully argued that constitutional equal protection extends to Mexican-Americans).

51. See NEWMARK ET AL., *supra* note 19, at 3. Like San Francisco, California and New Haven, Connecticut, the City of Oakland, California, has determined to establish a municipal ID card program in order to build unity among city residents by officially

For me then, César's inquiry opens the door for a reflexive praxis that resonates strongly with the principles and commitments espoused by LatCrit theory, praxis, and community.⁵² As I go about my days and nights lawyering, organizing, and engaging local community struggles, I am increasingly thinking and reading about historic Latinas/os who may or may not have been legally educated, but who always lived to engage the struggles of their (our) times.

As the old slogan goes, “¡La lucha continúa!”⁵³

recognizing and thereby valuing the presence of those who tend to be socially marginalized. This program, voted on by the Oakland City Council in June 2009, was imagined and designed by a community coalition called for by Centro Legal de la Raza in March 2008. Numerous actors have been involved in this project of interracial justice. Whether any of them might be considered Latina/o intellectuals seems less important to me than what they (we) have accomplished to date and the capacity we have built to engage further struggles for social justice in our locale and region.

52. See generally Francisco Valdes, *Rebellious Knowledge Production, Academic Activism and Outsider Democracy: From Principles to Practices in LatCrit Theory, 1995 to 2008*, 8 SEATTLE J. SOC. JUST. 131 (2009).

53. “The struggle continues!” or “The fight goes on!”