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LatCrit Theory and the Post-Identity Era: Transcending the Legacies of Color and Coalescing a Politics of Consciousness

Mary Coombs*

As others have done, I provide a context for my remarks by placing myself autobiographically. Those facts about me that seem relevant here are complex and multiple. For example, I am in both the dominant position of being tenured and simultaneously a "biased radical feminist," a combination that occasionally allows one to undermine the dominance hierarchies at the margin. Autobiography is at least in part a matter of locating oneself within and around a set of preexisting identity categories. In that regard, I begin with Jerome Culp's reminder that there are two different, although not wholly distinct, aspects of identity -- as others see us and as we construct ourselves. As others see me, I am fairly obviously white, and, at least here, equally obviously not Latina. One example of the power of context is that in Miami, where much of the population is Latino and many of them are blue-eyed and blond, strangers not infrequently think I am Latina and begin speaking to me in rapid Cuban-Spanish. Unfortunately for me, I am neither Latina nor fluent in Spanish -- two only imperfectly related categories -- and can only respond apologetically, "no hablo Español." Whatever the frustrations of its politics, Miami is culturally a wonderfully rich, complex, confusing town, in which I can be mistaken for Latina while Frank Valdes has been mistaken for Anglo in a Cuban coffee shop. *Quién sabe?*

As for my background and family history, i.e., my self-identity, to the best of my knowledge I am also neither Black nor Latina.

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One focal point of the discussion here has been the complex relationship between those perceptions of our own identity and the identity of others, crosscut with questions of the appropriate sources for identity categories: race, ethnicity, language, and also political definitions. As Juan Perea, Ian Haney López and Berta Hernández-Truyol have pointed out, one of the key contributions LatCrit can make to the larger progressive politics of identity is its problematization of the black/white continuum and thus of race itself. When we see the multiple aspects that help construct Latino/a identity, it becomes impossible to have a simplistic view of Black identity or white identity. LatCrit serves not only as an analogy, but as a complication of racial identity as well, for one can construct Latino both as a third option (Black or white or Latino) and as a crosscutting category (Black and Latino or white and Latino).

One example may clarify the complexities. In Miami a few years ago, they nominated a man for one of the many citizen boards to which city commissioners appoint people. Ordinarily the process is uncontroversial or handled through backdoor negotiations among the commissioners. This one, however, erupted into the headlines. The commission has always been ethnically split; Hispanics were in the process of replacing Anglos as the dominant political force, while Blacks remained at the bottom. Miller Dawkins, who was then the "Black" city commissioner, objected to the appointment because the man would take what he understood to be the "Black" seat on that particular board. The potential appointee was far darker in skin color than Dawkins himself, but he was also Costa Rican. Dawkins understood the seat to be quite literally *African-American*. It required a genealogical link to the historical oppression of Blacks in the United States. The appointment of what appeared to be a Black Hispanic would reflect a shift in the balance of power that Dawkins resisted. Because the appointee was Hispanic, he could not be Black. But how then would he consider a Jamaican or Haitian Black? They are almost surely no more Hispanic than I am. Yet on the criteria applied by Dawkins, they are not African-

American either. What becomes increasingly clear is that the multiple bases of identity and the contextuality and politics of determining their salience is as true for Blacks and whites as for Latinos/as. The historical power of the black/white continuum, however, has obscured that complexity and, in particular, the political aspects of racialized identities.

The politics of identity is a theme that has been implicit throughout this conference. I want to highlight it a little, because it raises the question of the role of an intellectual-political vanguard; what Gramsci calls organic intellectuals,¹ such as the group gathered in this room. The question is what the relationship is -- or relationships are -- between that group and the larger group with whom they are organically related. The problem I want to raise -- another aspect of the complexity of identity -- is the disjunction between the two groups.

The issue is particularly apparent if we think about its concretization in language. Across many categories of identity -- race, ethnicity, gender, sexual orientation -- we have different words for, on the one hand, the group that shares the ascribed characteristic and, on the other, the group of people who consciously inhabit and explore that identity. The clearest example is "woman" and "feminist." In other categories, as we develop new terms to reflect a more politically conscious identity, older language takes on a more conservative, less politicized connotation. Consider the shifts from Negro to Black and, though less clearly at this point, from Black to African-American. Likewise, the word homosexual is used as an ascriptive term to describe a category of people who have a particular sexual orientation; the terms gay or lesbian suggest a more conscious assuming of an identity and the term queer is still more consciously political. The distinctions are apparent if one considers "outing." One could perhaps be outed as a homosexual.

1 See Margaret E. Montoya, *Academic Mestizaje: Re/Producing Clinical Teaching and Re/Framing Wills as Latina Praxis*, 2 Harv. Latino L. Rev. 349, 367 (1997).

It is conceptually impossible, however, to imagine outing someone as queer. If one is closeted, one simply is not queer.

Finally, my sense is that the terms Hispanic and Latino have a similar relationship. People in this room would think of themselves as Latino/Latina. Many of my Cuban students -- who would be appalled (regardless of their skin tone) at being considered people of color -- would self-identify as Cubano/Cubana or, perhaps, as Hispanic. Yet, as Jerome Culp would no doubt remind us, the refusal of the name does not save them from the nativist fervor of those for whom, whether Hispanic or Latino/a, they are all simply foreigners to the Anglo body of America.

The relationship between the two categories is complex. Consider some of the distinctions between those who are members of a category by ascription and those for whom it is (also) a category of conscious choice. The latter experience their membership as at least partly chosen. They feel it as more salient; for example, they are more likely to mention it and mention it sooner if asked to talk about "who you are." They are likely to experience it as a far more pervasive aspect of their identity and as relevant to far more of the other aspects of their lives, from the culture to which they feel they belong, to the boundaries of their sense of family, to the foods that feel like home, to the issues upon which their politics turn. They are more likely to view others' membership or nonmembership in that identity category as significant when choosing life partners or political leaders. Thus, for example, one could predict that a person who identified as Latino rather than Hispanic might be more likely to vote for the Spanish-surnamed Morales for Texas Senator and against Prop. 187 in California. Obviously, all this is complex and more accurately viewed as arrayed along a continuum -- or series of continua -- but the dichotomous language of women and feminists or homosexuals and queers, used with caution, reminds us of real differences.

Those of us who self-identify as queer, as feminists, as LatCrits, are different in some way from the larger group. We are, in a sense, vanguards. We think most and care most passionately about

the social, cultural and political well-being of the group. Such people tend to be the leaders of identity-inflected groups, both political and, as with this conference, academic. If we were simply like the larger group that identifies with -- or is identified with -- the corresponding demographic group, only more intensely so, that leadership would be unproblematic. But we are not. As Shane Phelan argues, identity is in part the *result* of political actions.² As we think about and act on our understanding of what it means to be, for example, queer, our sense of our own queerness changes. Our assessment of the interests of the group and the salience of those interests is sometimes quite distinct from that of people who are "merely" homosexual. In effect, organic intellectuals grow, in part, in a different soil.

This disjuncture inevitably raises questions of both authenticity and representation. Sometimes, we feel obliged to decide who is a legitimate member of the underlying community. Twila Perry says, for example, that

any claim to black authenticity -- beyond being the potential object of racist abuse and heir to a grand tradition of black struggle -- is contingent on one's political definition of black interest and one's ethical understanding of how this interest relates to individuals and communities in and outside black America. In short, blackness is a political and ethical construct.³

In effect, Perry asserts that true group identity requires a commitment to something more than the "ethnic festival" model of identity. On that view, Clarence Thomas is not merely an oreo, he

2 See SHANE PHELAN, *GETTING SPECIFIC: POSTMODERN LESBIAN POLITICS* (1994).

3 Twila L. Perry, *The Transracial Adoption Controversy: An Analysis of Discourse and Subordination*, 21 N.Y.U. REV. L. & SOC. CHANGE 33, 108 (1993-1994).

is not Black (or perhaps merely "passing as Black"). Similarly, Linda Chavez travels under false colors if she claims to speak as a Latina.

We must also, however, problematize our own often implicit claims of representational authority. In doing that self-critical work we can and should draw upon work done in other contexts. The problem of representational legitimacy is a pervasive and central problem in the theory of non-direct democracy. Lawyers, like political leaders, struggle with the question, especially when they act on behalf of clients who cannot readily or coherently communicate their own desires, whether that client be a class, a child, or a corporation. The rich literature of political theory and of legal ethics are important resources as we consider when and how we can claim to speak "for" Hispanics or homosexuals or Black people. Too often, I fear, we either assume away the problem of our own limited ability to act as representatives or read those who do not agree with us out of the group. We are not always sufficiently clear whether we are speaking for the needs of the group as *we* have sought to understand them or for the interests of the group as *they* understand them. To the extent we do the former but purport to be doing the latter, we create ethical problems, epistemological problems and, insofar as our critics raise such questions, political problems.

I want to end by describing two specific issues that raise for me these dilemmas of representation and authority, growing out of two contexts in which I would like to think of myself as in the vanguard. First, as a woman and a feminist, I believe strongly in choice and that affects my politics. Yet I have to recognize that when I applauded Clinton's veto of the late-term abortion bill, I cannot claim to represent the *views* of women though I may plausibly claim that I represent their interests as women in the autonomy to make their own decisions when confronted with an abortion dilemma. Even on issues like sexual harassment, on which there is no arguable moral countervailing interest, not every woman would take my articulated feminist position. It is too simple to write off the

supporters of Katie Roiphe⁴ as victims of false consciousness. To do so is to shut my eyes to the hard political work that needs to be done. If I am to succeed in making my vision of women's needs and rights politically viable, I must talk to those women, listen to them, seek to persuade them. and even recognize the possibility of being persuaded by them.

My sense of myself also encompasses an identity as queer, both in the traditional non-sexualized sense of the word and in the newer sense as well. In my personal life, I am "virtually normal,"⁵ which may simply be an artifact of coming out as lesbian at an age when one's sexual attractiveness and sex drive are in decline, regardless of one's orientation. Queer theory's analysis of the pervasiveness of queer themes in high and popular culture fascinates me intellectually. But I suspect there are many homosexuals, particularly those who do not live in centers of gay and lesbian culture, who want to and for most purposes do live their lives as "Ozzie and Harry." They do not march in gay pride parades, and they would not do so even if it were politically safe. They are not the sort of folks who march in parades at all. They are a little appalled by the pictures of Dykes on Bikes and the Sisters of Perpetual Indulgence that are media highlights of Gay Pride parades. In a word, they do not want to be queer. But the meaning of queer, like the meaning of gay and lesbian and the meaning of homosexual, are as contestable as the allocation of individuals among these categories. If I claim to speak for the 10 percent of the population that is homosexual, I cannot do that honestly if I am demanding the enactment of a radical queer agenda.

Focusing directly on politics and refusing the question of category definition can also sometimes elide the question of

4 See KATIE ROIPHE, *THE MORNING AFTER: SEX, FEAR AND FEMINISM ON CAMPUS* (1993). Roiphe and her cohorts argue that claims of harm from date rape, sexual harassment, pornography and other forms of sexual exploitation only harm women who should instead claim equality on male terms.

5 See ANDREW SULLIVAN, *VIRTUALLY NORMAL: AN ARGUMENT ABOUT HOMOSEXUALITY* (1995).

representation. Queerness in one of its aspects seeks to do so, by claiming to be not an identity but a place from which to understand the various forms of sexual subordination and exclusion that operate in our society. Similarly, "people of color" is a political category that grows out of but is not identical with the various nonwhite racial-ethnic identities, whose subordination people of color come together to understand, oppose and ultimately overthrow. The LatCrit movement is a vital part of that grouping. The conference has helped explore where and how LatCrits can form alliances within and across the various peoples of color movements. It also has the task, however, of exploring what its relationship will be with those people who think of themselves as Hispanic, with the 25% of that population who voted for Prop. 187, with those for whom a socially conservative Catholic identity is most salient, i.e., with those who lack, in general or on specific issues, the progressive politics that animate this symposium, yet whom others perceive as Latino.

One means of helping us reach out to such potential allies is by being contingent and specific in our coalition building. We are often wise to focus on mid-level rather than grand theory.⁶ We can concentrate our analysis and our political work on concrete issues, such as the failures of the educational system to serve the needs of Latino youth, so eloquently described by Rene Nuñez, or the attempts by Congress to deny benefits even to legal immigrants. We can then use such issues to build alliances with what I might call non-Latino/Latina Hispanics.

One last point, if I may. I suggested here the importance of recognizing that being Hispanic, i.e., Spanish surnamed or genealogically linked to people who lived in Latin America, is not a prerequisite to being Latino. I also hope that there may be a place

6 See Martha Fineman, *Challenging Law, Establishing Difference: The Future of Feminist Legal Scholarship*, 42 U. FLA. L. REV. 25 (1990).

in the movement for those of us who are not born Latino/Latina.⁷ If so, I hope that I can develop the empathy, the concern, and the knowledge to claim such a place.

⁷ At the conference, Catherine Wells proposed the wonderful term, "Latino-connected forces" for non-Hispanics who are concerned with the success of LatCrit and of the larger movement. I hereby adopt it.