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# Introduction

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## Introduction

# Lat Crit Theory and the Problematics of Internal/External Oppression: A Comparison of Forms of Oppression and InterGroup/ IntraGroup Solidarity

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When asked to write this preface, I approached the task with enthusiasm and a certain amount of trepidation. My enthusiasm was clearly connected to the esteem with which I regard Latina/o Critical Theory (hereinafter “Lat Crit”). I have participated in each of the Lat Crit annual conferences since its inception in Puerto Rico, and I support this group’s commitment to antisubordination and inclusive critical engagement of oppression within the Latina/o community. My sense of trepidation was harder to locate. For even though I have been a participant and an observer at Lat Crit conferences, I have done so as a Black American who does not claim Latino identity. Part of what is exciting to me about Lat Crit is the extent to which the group is willing to both assert and problematize Latina/o identity. Indeed, this cluster of essays appears under the heading: Inter-Group Solidarity: Mapping the Internal/External Dynamics of Oppression. As a Black American, however, I can problematize, but not assert, Latino identity. Thus, my own subject position inevitably colors my reactions to this provocative set of writings. On the one hand, I feel the lure of dialogic engagement that they provoke; on the other hand, reticence enters the picture in the face of the limits of form and analogic reasoning.

Sticking to the task at hand meant that it was necessary to defer certain exchanges. But the incitement to critical dialogue represented by these writings, I believe, is a general feature of this collection. In *Social and Legal Repercussions of Latinos’ Colonized Mentality*, Laura M. Padilla argues, for example, that internalized racism and oppression explains the support by some Latinas/os of repressive anti-Latino policies and anti-Black social behavior. Backed up by compelling examples, her argument is nonetheless complicated by the critical race theory of hegemony and its relationship to racial domination.<sup>1</sup> As critical race

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1. See Kimberlé Crenshaw, *Race, Reform, and Retrenchment: Transformation and*

theorist Kimberlé Crenshaw explains, the concept of hegemony has been used to account for “the continued legitimacy of American society by revealing how legal consciousness induces people to accept or consent to their own oppression.”<sup>2</sup> But in relating the concept of hegemony to the dynamics of racial oppression, Crenshaw finds that coercion rather than consent better explains the way in which people of color are drawn into the ideology of the dominant class.<sup>3</sup>

This reworking of the Du Boisian double consciousness thesis emphasizes the historical ways in which people of color resist rather than give in to their own oppression but are faced by a lack of options. Padilla picks up on the psychological dimensions of internalized oppression and racism among Latinas/os to examine the political and social consequences of giving in to the master narrative according to which being a white English-speaker is better than being a Latina/o bilingual or Spanish-speaker. In Padilla’s psychological exploration, the concept of hegemony implicitly re-emerges at the level of the sociopolitical consciousness of some Latinas/os who fail to resist dominant ideology, not through lack of options, but through social conditioning and defaulting to majority rhetoric.

The re-emergence of neo-Marxian hegemony analysis in its pristine critical legal studies form,<sup>4</sup> as Padilla recognizes, leads to the reconstructive paradox: If identification with domination entails self-deprecating criticism and a discriminatory mentality along the axis of “light” and “dark,” then how is it possible to reverse the polarity of racial valuation? Put differently, where being dark-skinned or black is the color of subjugation among those who are raced as Latina/o, how is it possible for the Latina/o community to reclaim and embrace its own African and indigenous elements? Thus, the problem of self-hatred within the Latina/o community presents a dilemma of both intra-group and inter-group transformation. Transformation seems to require identification with subordinated elements within the Latina/o community while at the same time rejecting subordination, whereas identification with domination involves rejection of the subordinated themselves and acceptance of subordination. The paradox lies not only in the inability to see oneself among the excluded but also in the belief that such exclusion is legiti-

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*Legitimation in Antidiscrimination Law*, in CRITICAL RACE THEORY: THE KEY WRITINGS THAT FORMED THE MOVEMENT (hereinafter “THE KEY WRITINGS”) 103, 108-10 (1995).

2. *Id.* at 108.

3. *Id.* at 110.

4. See Robert Gordon, *New Developments in Legal Theory*, in THE POLITICS OF LAW: A PROGRESSIVE CRITIQUE 286 (D. Kairys, ed.1982). See also Gabel & Kennedy, *Roll Over Beethoven*, 36 STAN. L. REV. 1 (1984) (arguing that belief in political abstractions such as “rights” reflects hegemonic social relations).

mate or necessary. The pervasive confirmation of the aims and values of domination implied by hegemony analysis makes it seem impossible to depart the enchanted circle of internalized racism and oppression.<sup>5</sup>

There is no easy solution to this paradox, although part of the solution would certainly entail analysis and rejection of white racism. The belief that to be light or white is intrinsically and aesthetically better than to be dark or black is a dynamic that reflects white normativity and leads to internalized oppression within communities of color.<sup>6</sup> Adherence to color hierarchies, as a retrograde acquiescence to the imperatives of Anglo supremacy, inhibits the formation of solidarity among and between Latina/os and other communities of color. Thus, critiquing the construction of whiteness as normative seems integral to the project of reconstituting Latina/os and other communities of color in solidarity. However, the critique of white racism may only be an initial stage in the process of eliminating internalized oppression.

For her part, Padilla views the problem of reconstructing antiracist political consciousness as a matter of defining the Latina/o community in terms of self-analysis and solidarity. Starting at the group level, Padilla suggests that sustained development of critical alliances within the Latina/o community is an important first step in overcoming internalized oppression. Through solidarity with others who are critical of status quo racism, Padilla believes that an ethic of community acceptance can be nurtured. At the individual level, Padilla suggests that introspection on the meaning of being Latina/o can bring about reevaluation of self and community. The subordinated when they identify with domination identify with their own stereotype, foreclosing an encounter with the self as belonging to a community of persons united by a unique experience of oppression. Self-analysis, it is proposed, fosters the insight among individuals that stereotypes of Latinas/os serve to operationalize their oppression.

To the extent that it raises the problematic of Latina/o self-hatred from an intracommunity standpoint, Padilla's is a privileged critique in reference to which those defined as outside the community may only obtain secondhand access. By contrast, in *BlackCrit Theory and The Problem of Essentialism*, Dorothy E. Roberts takes on the more open-textured issue of racial particularization implied by Lat Crit, and questions whether it would be essentialist to speak of "Black Crit" where the

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5. Crenshaw notes that the critical legal studies solution to the no-exit problem of hegemony analysis is to "trash" legal ideology. See Crenshaw, *supra* note 2, at 110.

6. See, e.g., KATHY RUSSELL, ET AL., *THE COLOR COMPLEX: THE POLITICS OF SKIN COLOR AMONG AFRICAN AMERICANS* 41 (1992) (noting that lighter skin is valued above darker skin in race-stratified societies).

focus of analysis is on Black women's experience. Roberts reminds us of the importance of the derivation of the antiessentialism critique and posits that her use of the title "women of color" is intended as an antiessentialist gesture, even though the subject of analysis is in fact Black women. For Roberts, essentialism pertains to the treatment of intra-group realities as uniform and universal. Thus, the resort to racial particularity is not intrinsically essentialist so long as occupation of the center of analysis remains open to the articulation of intergroup commonalities and differences, as well as the occasional decentering of particular racial subjects.

The matter of decentering the Black subject in particular has garnered special attention and importance in Lat Crit discourse under the rubric of the Black-White paradigm.<sup>7</sup> The Black-White paradigm refers to the tendency in mainstream discussions of race to treat race as a binary opposition between Black and White. This racial lens, of course, leaves those who are nonBlack and nonwhite out of the picture and on the margins. Lat Crit itself can be seen as in part an attempt to shift the central focus of analysis away from the monotony of Black-White relations and onto the Latina/o community. The Black-White paradigm critique challenges the marginalization of nonBlack/nonWhite racial experience. However, the Black-White paradigm critique is fraught with its own dangers of excess and mischaracterization of race relations. For her part, Roberts poses the question troublesome to the Black-White paradigm critique of who should take responsibility for the Black-White paradigm.

Critique of the Black-White paradigm should hold Whites accountable for the manifold ways in which the problem of racism in dominant discourse is characterized exclusively as a problem of antiBlack racism, thus marginalizing the racial oppression of nonBlack, nonwhites. In other words, the critique of the Black-White paradigm should not be used as an instrument for castigating Blacks who focus their efforts on resistance to antiBlack racism; rather, it should occasion a broader analysis of and opposition to the racisms that affect various communities of color, including Latina/os. Recognizing that the Black-White paradigm is a shorthand expression for obsessive attentiveness to antiBlack racism does not make attentiveness to antiBlack racism a critical blindspot, nor should it imply that Blacks and Whites are co-equal partners in the nar-

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7. See Juan F. Perea, *The Black/White Binary Paradigm of Race*, in *THE LATINO/A CONDITION: A CRITICAL READER* (hereinafter "THE LATINO/A CONDITION") 359 (Richard Delgado & Jean Stefancic eds., 1998). See also Richard Delgado, *The Black/White Binary: How Does It Work?* in *THE LATINO/A CONDITION* 369; Elizabeth Martinez, *Beyond Black/White: The Racisms of Our Time*, in *THE LATINO/A CONDITION* 466; and, Deborah A. Ramirez, *It's Not Just Black and White Anymore*, in *THE LATINO/A CONDITION* 478.

rative exclusion of nonBlack nonWhites from the story of racial oppression. Indeed, the paradigm itself must be seen as a measure of the extent to which an antiBlack sociopolitical environment generates the idealization of Blacks as the racial group most necessary for Whites to avoid.

Roberts is concerned that avoidance of Blacks in an antiBlack sociopolitical context is dangerous. She argues, for instance, that the Black-White paradigm, rather than benefitting Blacks, instead benefits whites in the market for reproduction assistance and adoption. The paradigm, which undoubtedly exists, is thus seen as the locus of negative white obsession with the avoidance of Blacks, an avoidance that may get repeated within minority Black-White paradigm critiques. Echoing Padilla's point about antiBlack social behavior among some Latinas/os, Roberts believes that the Black-White paradigm actually inhibits recognition and formation of political identities that embrace Blackness as an element of its community self-definition. Therefore, it seems likely that inclusive recognition of multiple and overlapping community identifications, such as that which may be embodied by the black Latina/o, may help to alleviate the binarism of dominant racial discourse.

Taking a different approach to the binarism of racial discourse, Alice G. Abreu in *Lessons from Lat Crit: Insiders and Outsiders, All at the Same Time*, addresses the question of Latina/o identity through the cipher of her experience as a white, middle class, bilingual, Cuban emigre who has kept her Cuban surname and has chosen tax law as her area of specialization. Like Roberts, Abreu also rejects the Black-White paradigm as an inhibitory structure, but this time on the ground of human complexity and ethnic difference. She recalls the process by which her matriculation into American society successively included and excluded her with respect to the category of Hispanic, and how this process enveloped her in a practice of "minoritization."<sup>8</sup> Abreu believes that Hispanic categorization represents a no-win situation. Inclusion within the Hispanic category homogenizes ethnicity, but exclusion from the Hispanic category marginalizes ethnicity. Moreover, the practice of minoritization, Abreu believes, leads to intra-Latina/o conflict, while for the specifically white Cuban it leads to the dilemma of "passing"—which for her means being unmasked as nonwhite on the basis of Latina identity.<sup>9</sup> Thus, for Abreu the most useful methodological innovation espoused by *Lat Crit* is intersectional analysis used as a de-essentializing device.<sup>10</sup>

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8. Abreu attributes the term "minoritization" to Professor Celina Romany.

9. For an alternative view of what it means to "pass" for white, see Robert Westley, *First-Time Encounters: "Passing" Revisited and Demystification As a Critical Practice* (unpublished article on file with author).

10. Intersectional analysis is derived from the work of critical race theorist Kimberlé

Abreu associates her minoritization with the revelation of her nonwhiteness as a ethno-cultural matter which followed on the heels of her belief in her whiteness as a biological matter, and the refusal by others to apply the Hispanic category to her because Cubans were seen as lacking the need for remedial efforts that the term Hispanic implies. As a Cuban emigre, however, Abreu appeals to the "Cuban master narrative" to explain her own strategy of resistance to the practice of minoritization. Within the Cuban master narrative, Abreu explains, Cuban emigres, regardless of naturalization status, reject a hyphenated identity as Cuban-American. Instead, Cuban emigres retain and cultivate a consciousness of themselves as semi-permanent sojourners, as self-conscious outsiders to American cultural formations, yet insiders to their own Cuban cultural formations. Thus, Abreu recounts a personal history in which "Cuban" consciousness both shielded her from the racial slights aimed at "Hispanics" and encouraged an outlook of gratitude rather than entitlement in relation to the hospitality of American hosts.

Consciousness as both an outsider and an insider at the same time enables Abreu to perform an intersectional analysis that reclaims the inside as a locus of strength, consolation, and challenge. She challenges Lat Crit participants, for instance, to recognize the many ways in which we are all outsiders and insiders at the same time. She calls attention to the fact that her professional specialization in tax law made her an outsider at Lat Crit gatherings where other Latinas/os could coalesce around professional as well as cultural synergies. Thus, Abreu seeks to raise the stakes on critical scholarship that merely emphasizes outsider status.

However, Abreu's challenge to own up to insider status provokes a series of questions that might usefully be addressed in future Lat Crit gatherings and scholarship. How does the class position of the Latina/o scholar influence her/his racial experience? How do nationalist affinities and identities within the Latino community alter the experience of racism? What are the politics of naming the Latina/o? What are the politics of Latina/o "passing"? How should Lat Crit scholars reconcile the interest in acknowledging individual difference while pursuing group goals of solidarity and community building? Does the existential equation of insider with strength and consolation, rather than anxiety and alienation, bear scrutiny? These questions are co-implicated in Abreu's challenge to own up to insider status.

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Crenshaw writing about the need to account for both race and gender in order to understand and address the experience of women of color. See Kimberlé Williams Crenshaw, *Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color*, in THE KEY WRITINGS, *supra* note 2, at 357.

Alternatively, Siegfried Wiessner in *¡Esa India! LatCrit Theory and the Place of Indigenous Peoples Within Latina/o Communities*, challenges us to reclaim the Latina/o relationship to indigenous peoples, not merely as an element of Latina/o identity, but also as genuine solidarity with surviving Indian communities. Again echoing concerns raised by Padilla, Wiessner postulates that internalized racism explains the rejection by some Latinas/os of the Indian element of Latina/o identity, and the consequent lack of solidarity with Indian justice struggles. Through examples drawn from Central and South America, Weissner argues that the ethnocide of indigenous peoples and the colonization of their lands has not been total, but nonetheless these processes continue with little or no attempt at justification and in violation of existing law.

He notes, for instance, an especially disturbing irony in the treatment of the indigenous peoples of Ecuador, namely the use of *mestizaje* to underreport the Indian population and consequently invisibilize their presence and negate their justice claims.<sup>11</sup> The use of a generalized ethnic category like *mestizaje* to count population in order to invisibilize a subgroup reflects the use in some Latin American countries of generalized nationalist or middle-tier racial categories to accomplish the same goal.<sup>12</sup> Thus, the deployment of *mestizaje* in this fashion represents regressive rather than progressive politics. It is also the politics of the multiracial category movement in the United States: namely, the evisceration of the official capacity to take account of minority subpopulations through the inane redundancy of a "multiracial" census category that supposedly accounts for racial mixture.<sup>13</sup>

According to Wiessner, common threads of oppression and hope that apply to all indigenous peoples of the Americas include 1) the relegation of Indians to the bottom of the social hierarchy with continuing threats to their physical and cultural survival; 2) a current trend toward recognition of indigenous rights; 3) the denial of sovereignty to indigenous peoples mixed with uneven concessions to autonomy; and, 4) the perception that recent gains in rights and autonomy are too significant to

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11. *Mestizaje* refers to the culture of persons of Latin origin who have ancestry mixed with indigenous peoples. See Martha Menchaca, *Chicano Indianism*, in *THE LATINO/A CONDITION*, *supra* note 7, at 389.

12. See Tanya Katerí Hernández, "Multiracial" Discourse: Racial Classifications in an Era of Color-Blind Jurisprudence, 57 MARYLAND L. REV. 97, 121-34 (1998) (describing the use of "mulattoes" in much of Latin America as buffer class between elite whites and economically exploited Blacks in order to promote a whitening of these societies and undermine race-based justice claims).

13. Since the vast majority of Blacks in the United States are of mixed ancestry, the demand for a multiracial census category is redundant for the Black population. See JON MICHAEL SPENCER, *THE NEW COLORED PEOPLE: THE MIXED RACE MOVEMENT IN AMERICA* 70-71 (1997) (estimating that 70 percent of the Black community has multiracial ancestry).

turn back the clock. Significantly, Wiessner points out that in Mexico Indians have taken up arms to gain justice from the national government, a development that may forever alter the status and perception of Indians in that country. It cannot be ignored that the use of violence in social justice movements is frequently linked to revolution. Even when unsuccessful at gaining control of the state, independence, or regional autonomy, resort to violence in the context of a mass movement for social justice raises questions of legitimacy on an international and domestic level in a manner difficult to ignore or suppress for the state that purports to claim authority over resistant populations. The fact that states typically respond to such violent resistance with violence ensures that it will be a last resort. But in order to maintain legitimacy, state violence will need to be followed by explanations for its treatment of resisters and some measures of redress for long-standing grievances.

Finally, Wiessner posits that international norms may help to cement recent gains in social justice for indigenous peoples. Thus, he exhorts *Lat Crit* to join in the development and enforcement of such norms in recognition of the fact that oppression and discrimination transcend the borders of the nation-state. His aspiration is that the establishment of a universal public order of human dignity will not exclude from its compass the human and self-determination rights of indigenous peoples. The antisubordination principle of *Lat Crit* theorizing, and the willingness of its participants to confront and examine difficult and controversial issues of racism, both internal and external, well suits *Lat Crit* scholarship to meet the challenge of this aspiration.

[Because] *Lat Crit* seeks, based on both principle and the nurturance of personal relationships among a diverse group of devoted scholars, to reach out to outsider communities, it is a venue for action for social justice in which I, as a Black American, can find solidarity and purpose, even without the subtle psychological comforts of being an insider to the Latina/o experience. Most appealing to me is the notion that the center of critical engagement should shift from time to time, since none of us has a monopoly on the experience of oppression, although its dynamics seem to follow a well-worn pattern. Indeed, as these essays demonstrate, *Lat Crit* has as much to offer those on the outside as to those whose subject position makes them insiders to the Latina/o condition.