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Engaged Intellectuals: Comments on the Crisis of the Latina/o Public Intellectual

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ENGAGED INTELLECTUALS: COMMENTS ON THE CRISIS OF THE LATINA/O PUBLIC INTELLECTUAL

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I. INTRODUCTION

In this brief contribution, my interest is to expand upon the debate on the Latina/o public intellectual presented in the roundtable entitled “The Crisis of the Latino/a Public Intellectual.”¹ The approaches that I have in mind bring insight to this issue without addressing, for example, who is the quintessential figure of the Latina/o intellectual world, or who should be considered part of the constellation of Latina/o public intellectuals. Moreover, the roundtable did an excellent job describing and analyzing the many and variegated differences among public intellectuals. The roundtable discussed this issue through a gender perspective, within the American and hemispheric contexts, and inside and outside the mainstream media. Inspired by this roundtable, I am proposing a theoretical commentary on the condition of public intellectuals, focusing particularly

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1. Yanira Reyes Gil, Marc-Tizoc González, Esq., Hugo Rojas, Frank Valdes & César Cuauhtémoc García Hernández, *The Crisis of the Latina/o Intellectual, Roundtable Remarks at the 14th Annual Latina/o Critical Legal Theory, Inc. Conference, Outsiders Inside: Critical Outsider Theory and Praxis in the Policymaking of the New American Regime* (Oct. 2, 2009).

on Latina/o public, legal intellectuals in the context of LatCrit theory and praxis.²

More concretely, I argue that given the current state of the public sphere(s), adding to the dissonant exercise of media figures alone does not help disenfranchised communities but, instead, reproduces the status quo. In this scenario, the LatCrit community strives, with strong principles such as anti-essentialism and anti-subordination, to counteract the idea that public intellectuals “capture the voice” of a community. Instead of finding Latinas and/or Latinos who articulate the ideas of a community in the media, LatCrit is better situated to remain at the grassroots level, where horizontal collaborations are closer to the communities in need. However, this is not an either/or scenario. If public intellectuals engaged in their communities have access to the media and if this access achieves community goals, this is even better. Admittedly, I have rather simplified the options in this article, but this end product is largely due to the current economic and social crisis. A situated conversation, like the one this roundtable offered, exposes the scarcity of resources among minority communities that otherwise would propel and prioritize action to help those in dire need.

This article is divided into three parts. First, I attempt to answer the following questions: what is the public arena in which public intellectuals act, and what does it look like?³ I start by looking at the complexities that a mainstream public sphere brings for minorities. Second, I articulate the concept of anti-essentialism, central to LatCrit theory, to analyze the idea of a Latina/o public intellectual.⁴ Third, I propose to look at the distinction, advanced by Antonio Gramsci, between the traditional and organic intellectual, in order to explore the possibilities of a different kind of public intellectual and public sphere.⁵ This is a perspective that envisions a public intellectual closer to communities in need than to the media and its requirements.

II. WHAT PUBLIC SPHERE(S)?

In April 1996, *Harper's Magazine* published a debate between Cornel

2. See generally PUBLIC INTELLECTUALS: AN ENDANGERED SPECIES? (Amitai Etzioni & Alyssa Bowdich eds., 2006) [hereinafter PUBLIC INTELLECTUALS] (problematizing, analyzing, and critiquing the concept, role, functions, and types of public intellectuals from many different perspectives).

3. See *infra* Part II (contextualizing the public sphere as a pre-established site of social, cultural, and political struggle).

4. See *infra* Part III (arguing that, from the perspective of LatCrit, anti-essentialism places a tension upon emerging public intellectuals).

5. See *infra* Part IV (articulating the divergences that appear in LatCrit theory and praxis, as opposed to its social theoretical counterparts).

West and Jorge Klor de Alva on a suggestive topic: *The Uneasiness Between Blacks and Latinos*.⁶ This debate, moderated by Earl Shorris, dwelled on the topic of race relations in the aftermath of the O.J. Simpson trial.⁷ Although this is a very important issue, what I found interesting about this debate was not its content, but its presentation. More important than the issues of the public intellectual⁸ is how the setting and presentation revealed a serious problem of the public sphere. Before West and Klor de Alva had their discussion, the editor introduced the discussion in these terms:

In fifteen years, Latinos (known to the U.S. Census as Hispanics) will outnumber blacks, as they already do in twenty-one states. Each group constitutes an ever greater percentage of the total population; each is large enough to swing a presidential election. But do they vote with or against each other, and do they hold the same views of a white America that they have different reasons to distrust? Knowing that questions of power and ethnicity are no longer black-and-white, *Harper's Magazine* invited three observers—a black, a Latino, and a white moderator—to open the debate.⁹

The problem is not who represents the Latina/o population in this or any other debate; the problem inheres in the format of the debate. It is not too farfetched for one to see the unstable triangle that appears the moment Latinas/os enter the racial/ethnic map of the United States. In the *Harper's* debate, the discussion on race is no longer a binary of black/white; Latinas/os enter the scene at the same moment in which whiteness steps aside and the discussion becomes one among colors. Admittedly, in this particular example, *Harper's* wanted to discuss the “new” player in racial terms. The editors explained this setting:

The angry and confused discourse about American race relations that followed the O. J. Simpson trial may have been passionate, but it blindly

6. See Colloquy, *Our Next Race Question: The Uneasiness Between Blacks and Latinos*, HARPER'S MAG., Apr. 1996, at 55 [hereinafter *Our Next Race Question*] (presenting a debate on the issue of racial tensions between black and Latino Americans, focusing on questions of power and ethnicity).

7. See Eduardo Mendieta, *What Can Latinas/os Learn from Cornel West? The Latino Postcolonial Intellectual in the Age of the Exhaustion of Public Spheres*, 4 NEPANTLA 213, 216-17 (2003) (relying on the debate for inspiration in his argument on the necessity of finding a model for the Latina/o public intellectual in the work of Cornel West); see also Sidney I. Dorbin, *Race and the Public Intellectual: A Conversation with Michael Eric Dyson*, in PUBLIC INTELLECTUALS, *supra* note 2, at 111, 132-34 (discussing Michael Eric Dyson's response to the *Harper's Magazine* debate).

8. See *Our Next Race Question*, *supra* note 6, at 55 (couching the ensuing debate between Cornel West and Klor de Alva as a discussion of their personal racial differences and perceptions on the changing populations of Latinos and blacks in the United States).

9. *Id.*

assumed (as if the year were 1963 or 1861) that the only major axis of racial division in America was black-white. Strangely ignored in the media backwash was the incipient tension between the country's largest historical minority, blacks, and its largest future one, Latinos.¹⁰

Media constraints, such as presentation and framing, effectively install whiteness as the necessary moderator of the debate instead of inviting all racial categories to the table as equals. Notably, Native Americans and Asian Americans are not present at all. The dominant culture sets the rules for media's framing and, therefore, for the public sphere as well.

This example raises the first point I would like to make. Before discussing the role of the Latina/o intellectual, or whether or not this role is in crisis, it is important to understand the positioning of the public intellectual generally in the public sphere. As the *Harper's* debate poignantly illustrates, the public sphere is always immersed in power structures. Whether it is the media, civil society, the third sector, or the Habermasian space in between the state and the economy,¹¹ the idealized public sphere of an idealized public intellectual rests on concrete and existing power structures signaled by race, class, gender, sexual orientation, and language (among other social categories).¹² In this context, the question is not: who is the model for a Latina/o public intellectual? Rather the questions are: how and where do Latina/o intellectuals make public their ideas and opinions? Is the role of the Latina/o intellectual to appear as a political pundit on cable television? To fill the time twenty-four-hour news cycles need to fill? To engage in endless blogging, creating a different or mainstream perspective on national and international issues? Moreover, is it the place of the Latina/o public intellectual to participate in public spaces enabled by and from places of power—such as media corporations or academic bodies—to bring a “different” perspective or to legitimize mainstream ideas?

These are some of the questions that start to accumulate once the public sphere stops being an idealized state and turns into a concrete place of contention, torn by individual and corporate interests. Latina/o communities across the United States suffer a complex articulation of disenfranchisements, the least of which are embedded in language barriers and cultural differences. Once the public sphere takes the shape of the

10. *Id.*

11. See JÜRGEN HABERMAS, *BETWEEN FACTS AND NORMS* 374 (William Rehg trans., MIT Press 1996) (providing a definition of the public sphere that situates it at an intermediate level between the private sectors and the public sectors, in the local, national, and international context).

12. See, e.g., Craig Calhoun, *Introduction: Habermas and the Public Sphere*, in *HABERMAS AND THE PUBLIC SPHERE* 1, 2-3 (Craig Calhoun ed., 1992) (presenting a discourse on Habermas's definition of the public sphere as fueled by the transformation of the public sphere and its internal truth).

Harper's debate, it is not so difficult to foresee the result that it holds for minorities. The basic question that emerges from this discussion is whether or not minorities should forge their own public spheres to avoid these problems. In part, the answer to that is another question: what constitutes a public sphere? In the context of liberal democracies, it might be a segregated space or the aggregate of multiple public spheres, but it is always a pre-established site of social, cultural, and political struggle with defined boundaries.

I would like to turn now to the larger discussion of anti-essentialism, a principle of LatCrit that illuminates how problematic it is to think in terms of public intellectuals from the LatCrit perspective.

III. ESSENTIALISM AND ANTI-ESSENTIALISM: THE POSSIBILITY OF A LATINA/O PUBLIC INTELLECTUAL

A second point to make in this contribution is that latent essentialism is lurking behind any public intellectual's position.¹³ For LatCrit theory, the binary essentialism/anti-essentialism is an issue of singular importance.¹⁴ Systematically, LatCrit had, on more than one occasion, emphasized the dangers of essentialist perspectives within minorities. A clear perspective on essentialism is embedded in feminist theory, and in particular, Black Feminist Thought.¹⁵ Its articulation within legal theory is presented by Angela Harris in her essay, *Race and Essentialism in Feminist Legal Theory*.¹⁶ Describing the anti-essentialist position within feminist theory and confronting the *essential* woman behind Katherine MacKinnon's work, Harris explains: "[t]he notion that there is a monolithic 'women's

13. See Jane Juffer, *In Search of the Latino Public Sphere: Everywhere and Nowhere*, 4 NEPANTLA 263, 267 (2003) (making an observation similar to the essentialist perspective regarding Mendieta's predisposition to embrace religion, in particular a form of Christianity, to forge a Latina/o public intellectual).

14. See Dorothy E. Roberts, *BlackCrit Theory and the Problem of Essentialism*, 53 U. MIAMI L. REV. 855, 855-56 (1999) (exploring whether BlackCrit's essentialism threatens to encompass all non-white persons into the white-black paradigm); Francisco Valdes, *Legal Reform and Social Justice: An Introduction to LatCrit Theory, Praxis and Community* 9 (June 2003), <http://www.law.du.edu/latcrit/publications/monographs/lcfvenglish.pdf> (noting that LatCrit analysis's embrace of anti-essentialism allows an examination of the effect of interconnected systems on different social groups); see also Sumi Cho & Robert Westley, *Critical Race Coalitions: Key Movements that Performed the Theory*, 33 U.C. DAVIS L. REV. 1377, 1413 (2000) (explaining that critical race theory's adoption of anti-essentialism was out of a hope to empower ethnic minorities).

15. See Patricia Hill Collins, *Defining Black Feminist Thought*, in THE SECOND WAVE: A READER IN FEMINIST THEORY 241, 241-42 (Linda Nicholson ed., 1997) (discussing the convergence of two distinct, although interrelated perspectives of black feminists: as the experience of all African American women, and as a distinct group of women with a concrete consciousness grounded in a particular experience).

16. See generally Angela P. Harris, *Race and Essentialism in Feminist Legal Theory*, 42 STAN. L. REV. 581 (1990).

experience' that can be described independent of other facets of experience like race, class, and sexual orientation is one I refer to in this essay as 'gender essentialism.'"¹⁷ Harris goes on to describe the richness of identities embedded in multiple experiences and how essentialist perspectives tear these experiences apart: "[t]hus, in an essentialist world, black women's experience will always be forcibly fragmented before being subjected to analysis, as those who are 'only interested in race' and those who are 'only interested in gender' take their separate slices of our lives."¹⁸

The problem of essentialism is intertwined with the problem of representation, and both converge in the idea of the public intellectual. While it may be the reality of many public interventions, the reductionist perspective, which claims to encapsulate the multiple experiences of Latinas/os across the United States or the perspective of those who claim to speak on behalf of such populations, does not fit so easily with LatCrit theory. The fragmentary effect that Harris denounces is a constant experience of many whose voices are not heard. In the particular case of Latinas/os, this is a basic problem. The Latina/o identity is imagined as a monolithic ethnic group, when in fact it is composed of multiple ethnicities, races, national origins, languages, religions, and other sub-groups. Due to the unruly character of ethnicity, finding public intellectual spokespersons becomes even more complex when it is unclear for whom they are speaking.

Always a camp of struggle for LatCrit, essentialist and anti-essentialist perspectives reveal the benefits of a reflexive praxis. In the essay *Religion, Gender, Sexuality, Race and Class in Coalitional Theory: A Critical and Self-Critical Analysis of LatCrit Social Justice Agendas*,¹⁹ Elizabeth Iglesias and Frank Valdes explain how the concept of anti-essentialism operates within critical legal perspectives. Introducing a series of essays on religion, Iglesias and Valdez assert:

Anti-essentialist approaches in critical legal scholarship are closely related to anti-subordination principles because anti-essentialism has been a means of securing discursive space for voices and interests that mainstream preferences and projects tend to overlook or marginalize; this claim to space and visibility, in turn, allows outgroups to conceive, articulate, and organize anti-subordination projects. To benefit from preceding outsider advances, LatCrit theorists must apply critical, anti-essentialist lessons to ensure that religion is in fact an anti-subordination force in everyday life—or, alternatively, to aid mobilization of resistance

17. *Id.* at 588.

18. *Id.* at 588-89.

19. See generally Elizabeth M. Iglesias & Francisco Valdes, *Religion, Gender, Sexuality, Race and Class in Coalitional Theory: A Critical and Self-Critical Analysis of LatCrit Social Justice Agendas*, 19 CHICANO L. REV. 503 (1998).

against any imposition of subordination in the name of any religion or any other construct.²⁰

Several observations can be made from this paragraph. First, anti-essentialist perspectives allow discursive spaces for marginalized voices. In other words, an anti-essentialist perspective is the precondition for a plural public sphere, or a multiplicity of spheres. Second, anti-essentialist approaches are the precondition to imagine an anti-subordination space; they allow emancipatory projects to emerge. Third, seen in this way, anti-essentialist perspectives have the capacity to enlarge the political arena, and therefore bring about change in the status quo. In other words, anti-essentialist approaches reveal the fertility and plurality hidden in reductionist approaches such as organized religions or identity-based descriptions of otherwise rich and complex subjects.

Although this is a rather forward perspective, for LatCrit, essentialism and anti-essentialism are theorized more as strategies of resistance and anti-subordination to mainstream trends than rigid perspectives. Because these are abstract concepts, their application does not always answer the theoretical preoccupations. Iglesias and Valdes express the problem like this:

A danger already noted is the potential for—or actuality of—majoritarian forces friendly with White and other forms of privilege to turn the complexities and uncertainties adduced through outgroup antiessentialism against LatCrit and RaceCrit theorists and our communities, and also to the detriment of antisubordination goals. Examples range from backlash academic discourse that decries critical analysis as “political correctness” to judicial proclamations that squash affirmative action programs on the ground, effectively, that they essentialize race.²¹

Seen in this way, anti-essentialism is not the property of a particular disadvantaged group or of an emancipatory perspective. It is in fact up for grabs, a political tool that can be articulated for any purpose. It is for this reason that reflexivity aids against divisive anti-essentialism. Reflexivity is needed to understand the limits of concepts such as identity or community. While for Iglesias and Valdez the problem is that anti-essentialism reveals its political side, for Margaret Montoya, it also reveals the internal conflicts of community building.

Montoya makes use of reflexivity to further frame the problem of anti-essentialist perspectives. In the introduction to the Fifth LatCrit Symposium, *Class in LatCrit: Theory and Praxis in a World of Economic*

20. *Id.* at 514.

21. Elizabeth M. Iglesias & Francisco Valdes, *Expanding Directions, Exploding Parameters: Culture and Nation in LatCrit Coalitional Imagination*, 5 MICH. J. RACE & L. 787, 811-812 (2000).

Inequality,²² Montoya recalls the first LatCrit meeting, which highlighted the necessity of carving out a space for Latina law professors: “[w]hen we convened, we sat in a circle, introduced ourselves and reflected on the fact that here we were . . . some seventeen or so Latina law professors in one room at one time. It was a magic moment.”²³ Although this is an important moment to emphasize, it is the footnote to this comment that caught my attention. Explaining the reticence to embrace wholeheartedly the idea of anti-essentialism, Montoya explains:

In my opinion LatCrit’s anti-essentialism ideal has, at times and for me, made it harder to understand how the law impacts Latinas or Chicanas. Expanding the viewpoints and the participants in order to understand the complexity of identities is critically important and LatCrit’s work on developing mechanisms for doing so is a significant accomplishment. The LatCrit project can rightly take credit for this innovation, insight and intervention. However, I think it’s a serious mistake not to allow time and space for Latinas (with or without other women, of color and white) to meet and interact at LatCrit meetings.²⁴

Several points emerge from this paragraph. First, it is not necessarily the case that anti-essentialist perspectives undermine community building, as they did in the community Montoya describes. If anti-essentialism does so, it is counterproductive to LatCrit in the first place. The task of critical reflexivity is to figure out how to cultivate community without isolation, and without the separatism that essentialist perspectives produce. Second, the tension Montoya describes is real and helps us to understand the complexities of critical perspectives, in other words, how to foster communities without imploding. Third and most importantly, the tension Montoya identifies further accomplishes the task of critical reflexivity. To point out these differences and apprehensions is primarily the everydayness of critical theory; otherwise the risk of separatism, isolationism, and individualism, for minority communities, is always around the corner.²⁵

This analysis creates a better understanding of what anti-essentialism means for LatCrit theory and the tension it reveals between fostering the unique experiences of minorities and creating separatism and isolationism. I now turn to the search for a public intellectual that understands the complexities of the public sphere and the imminent trap of spokespersons

22. See generally Margaret Montoya, *Foreword to Symposium, LatCrit V: Class in LatCrit: Theory and Praxis in a World of Economic Inequality*, 78 DENV. U. L. REV. 467 (2001).

23. *Id.* at 494.

24. *Id.* at 494 n.176.

25. See Cho & Westley, *supra* note 14, at 1416 (articulating the potential for minority isolation with LatCrit theory and the essentialist/anti-essentialist debate at large).

and essentialist perspectives.

IV. INTELLECTUALS FROM BELOW

Under the suggestive title *Is Jorge Klor de Alva White?*, Harper's editors gathered several letters to the editor in response to the debate they had organized and published between Cornel West and Jorge Klor de Alva three months earlier.²⁶ These responses highlight the crisis of the public intellectual. The letters reflected discontent with the debate's insistence on naming and categorizing. Naming and categorizing is a singular problem for academics, as the debate showed, although judging from the letters, it seemed of little interest to the readers answering the debate. One reader in particular captured the discontent with the academic discourse: "[Klor de Alva's] overly academic attitude fails to recognize that in the real world, many Latinos, especially inner-city youth, view themselves more closely aligned with blacks in matters of politics, culture, and power than with any other ethnic group."²⁷ Another reader blamed both scholars for the obscurity of the discussion: "[t]he two intellectuals were so enraptured by their monolithic theories that they lost their common sense."²⁸ These readers' responses signaled, among other issues, the discontinuity between public intellectuals and the public they address.²⁹ This is part of the crisis of the public intellectual in general. Moreover, this is what Antonio Gramsci explains by sorting the character of intellectuals into two distinct categories, traditional and organic.

The work of Gramsci is important for this discussion and for the type of critical legal theory that LatCrit embraces for several reasons.³⁰ First, Gramsci is part and parcel of the left's political and cultural struggle in the twentieth century and thus serves as an important model for a progressive, alternative public life. Second, Gramsci successfully developed a comprehensive theory of the intellectual.³¹ His theory helps us to understand why it is necessary to avoid the liberal ideas of the public

26. See *Is Jorge Klor de Alva White?*, HARPER'S MAG., Aug. 1996, at 4 (containing letters expressing the view that the public intellectual is too far removed from the complex reality of the race and class debate in America).

27. *Id.* at 7.

28. *Id.*

29. See *id.* (noting that intellectuals ignore the realities of the public for whom they claim to speak).

30. See Ellen Cushman, *The Public Intellectual, Service Learning, and Activist Research*, in PUBLIC INTELLECTUALS, *supra* note 2, at 101-02 (exploring concrete examples of engaged public intellectuals who combine research, teaching, and service efforts to address important social issues in under-served neighborhoods).

31. See ANTONIO GRAMSCI, SELECTIONS FROM THE PRISON NOTEBOOKS 3-4 (Quintin Hoare & Geoffrey Nowell-Smith eds. & trans., Lawrence & Wishart 1971) (describing Gramsci's theory and particularly his perspective on intellectuals).

sphere if the public intellectual wants to remain close to the communities from where she emerged. This latter point is central for the ongoing discussion begun in the LatCrit roundtable.

Quintin Hoare and Geoffrey Nowell Smith discuss the topic of intellectuals in *Selections from the Prison Notebooks of Antonio Gramsci*, where they assert that “[t]he central argument of Gramsci’s essay on the formation of the intellectuals is simple. The notion of ‘the intellectuals’ as a distinct social category independent of class is a myth.”³² For Gramsci, as the editors suggest, there are the two types of intellectuals: traditional and organic. The main difference between these two is that while the former is the expert on arts and sciences, the latter’s expertise is rooted in the conditions of the social class’s origin and belonging, either bourgeois or working class.³³

Against a common taxonomy,³⁴ Gramsci declares the mistake of classifying intellectuals by their area of expertise instead of correctly looking for the “ensemble of the system of relations in which these activities (and therefore the intellectual groups who personify them) have their place within the general complex of social relations.”³⁵ In other words, one needs to view the intellectual not by her expertise as a technical matter but by her expertise as a situated and positioned member of a particular social arrangement. Furthermore, it is important to mention the fact that for Gramsci, everyone is an intellectual in the sense that every human being utilizes her intellect in one way or another. The difference between those catalogued as intellectuals as opposed to other kinds of workers is influenced by the social and cultural differentiation between types of labor. In this sense, one can begin to appreciate Gramsci’s notion of the public intellectual.

Although anyone can be an intellectual, only few are properly understood as such. Moreover, the importance of differentiating between the two types of intellectuals reveals what constitutes an organic intellectual. In comparing new intellectualism with traditional forms, Gramsci, in a rather encrypted paragraph, says, “[t]he mode of being of the new intellectual can no longer consist in eloquence, which is an exterior and momentary mover of feelings and passions, but in active participation

32. *Id.* at 3.

33. *See id.* (noting that these classifications affect all aspects of Gramsci’s thought, including his ideas regarding the class character of the formation of intellectuals through education).

34. *See* Theodore Draper, *Intellectuals in Politics*, in PUBLIC INTELLECTUALS, *supra* note 2, at 217-21 (providing examples of different types of public intellectuals); RICHARD POSNER, PUBLIC INTELLECTUALS: A STUDY OF DECLINE (2001) (applying an economic analysis to the study of academic intellectuals).

35. GRAMSCI, *supra* note 31, at 8.

in practical life, as constructor, organizer, ‘permanent persuader’ and not just a simple orator.”³⁶ In this passage, recognized also by the editors as “extremely condensed and elliptical” because it contains main Gramscian ideas, Gramsci provides some cues to understand the idea behind a particular model of organic intellectual.³⁷ Concepts such as practical life, participation, and construction are imagined in opposition to concepts such as orator, eloquence, and feelings, with these former concepts constituting the new intellectual. The type of intellectual more akin to the politician or the spokesperson is left behind for the advancement of another, who resembles the activist, the social or grassroots organizer.

What do LatCrit in particular, and Latinas/os in general, take from Gramsci’s ideas? Certainly there are assumptions in Gramsci’s perspectives that are beyond the scope of LatCrit theory or any critical legal perspective, particularly, the understanding that legal institutions reinforce the status quo and remain incapable of solving the structural inequalities of capitalist societies.³⁸ Moreover, traveling from social theories, like Gramsci’s, to legal theories, such as LatCrit, is also problematic in more than one way. The disciplinary barriers, the cultural differences, and the political scenarios prevent easy or readymade articulations³⁹ between one and the other.

Furthermore, it is not the intention of this intervention to model a particular kind of Latina/o public intellectual, or to prescribe one for LatCrit as an organization of professors of law and other disciplines. No pan-identity is possible under the premises of anti-essentialist perspectives and no overarching description of LatCrit is possible amidst the diversity it encompasses. Nevertheless, LatCrit is a community; but as a community, it is closer to a horizontal arrangement than to a vertical one. The term LatCrit uses for this is “the rotation of centers.”⁴⁰ This analytical strategy prevents the emergence of spokespersons, those who speak on behalf of someone else, or those who crystallize some power-enabling center. Instead, the intention of this article is to provide some coordinates to the discussion of the crisis of the Latina/o public intellectual. In this aspect,

36. *Id.* at 10.

37. *Id.*

38. *See id.* at 12 (arguing that the state’s coercive power is imposed on groups who do not consent, thus reinforcing a power hierarchy).

39. Legal theories center their attention primarily, although not exclusively, on legal decisions, actors, and institutions that directly or indirectly affect the social milieu in which they act. In contrast, social theories, such as Gramsci’s, directly focus their attention on social problems, revealing the gap that movements like LatCrit strive to overcome.

40. *See* Valdes, *supra* note 14, at 12 (explaining the practice of shifting focus and perspective regularly in such a way that lines of inquiry do not cover topics such as gender and sexuality in isolation).

Gramsci's ideas can help. His perspectives on what makes an intellectual and how to understand the different types of intellectuals beyond domains of knowledge can help to focus the discussion. The difference that Gramsci noticed between organic and traditional intellectuals does not position the former to the detriment of the latter. On the contrary, it is important to resist the reification of the organic intellectual. Organic intellectuals are to be found in any social class, and they differ primarily from traditional intellectuals in the fact that they can emerge from oppressed or working classes. Gramsci's ideas can serve to improve the discussion concerning the Latino/a public intellectual and to reveal what exactly is in crisis. One must stop looking up to traditional intellectuals. This is concomitant with the LatCrit principle of "looking to the bottom."⁴¹ One might look to Valdes to see how this technique communicates with the Gramscian notion of the organic intellectual:

Throughout this time, we therefore have insisted on recognizing the legal academy itself as an important site of power, and thus of anti-subordination struggle. We have sought to link in common cause with community activists "on the streets"—as well as with critical scholars in other disciplines and agents of social transformation around the world—because we remain keenly aware that we are the representatives of traditionally subordinated communities within the privileged corridors of (legal) academia. We are critically aware of the opportunity and responsibility to combat systems and patterns of subordination within the structures of academia, as well as throughout the general society that they serve.⁴²

LatCrit envisions a public sphere radically different from the one offered by the media and academic settings. This public sphere is inhabited by agents of social transformation, in and out of the academy, in the corridors of law schools and in the courts; it is inhabited by policymakers and activists in the disenfranchised communities from which LatCrit theory and praxis emerged.

V. CONCLUSION

The question of the crisis of the Latina/o intellectual posed by this roundtable should not be understood in the abstract. On the contrary, minorities, in particular African Americans and Latinas/os, are experiencing the social and economic crisis as much and, according to some studies, even more than other populations.⁴³ If there is a crisis of the

41. *See id.* at 10 (explaining that this anti-subordination insight promotes intersectionality by demanding alignment with those at the bottom of social hierarchies).

42. *Id.* at 14.

43. *See* Michael Powell & Janet Roberts, *Minorities Affected Most as New York*

role of the Latina/o public intellectual, this crisis is inserted into the bigger social and economic crisis that the United States is experiencing at all levels. Under these conditions, it is extremely important to find engaged intellectuals. In the legal arena, the need is more pronounced, as minorities fill courtrooms and prison cells. Socially engaged lawyers and community organizers have much work to do to help endangered communities.

This article does not recommend a particular intellectual, or even a concrete prototype; it simply provides signposts. The critique of the public sphere, the anti-essentialism/essentialism tension, and the Gramscian perspective on the role of the intellectual are just three of the many components the roundtable addressed. If voices are found in the media, such as on radio shows, cable news channels, blogs, and other forms of public engagement, I am not suggesting that the existence or expression of such voices is inherently wrong or counterproductive to the enfranchisement of communities. On the contrary, what I am suggesting in this article is that what makes a public intellectual is not merely participation in those forums or mastery of a particular body of knowledge; instead, what makes a public intellectual transcends particular types of knowledge, positions, or media visibility. It is the intensity and extensity of engagement at the community level that should define a Latina/o public legal intellectual.

Foreclosures Rise, N.Y. TIMES, May 16, 2009, at A1 (determining that the neighborhoods that are most affected by the recession have a majority of black and Latino homeowners); see also Nikitra S. Bailey, *Financial Apartheid: Subprime Mortgage Lending and the Failed Promise of Sustainable Homeownership for People of Color*, NAACP THE ADVOCATE, SPECIAL EDITION (July-Aug. 2007), available at http://www.naacp.org/advocacy/theadvocate/rat_sped/july_07/lending/index.htm (reporting on the unequal treatment of people of color throughout the subprime mortgage crisis).