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Coalescing Communities, Discourses and Practices: Synergies in the Anti-subordination Project

Barbara J. Cox*

As a law professor, I feel that I have to make my requisite three remarks. First, I want to trade roles from the one that I had yesterday as the official welcomer from California Western School of Law and thank you for welcoming me to share this conversation with you. As a non-latino white, I appreciate the opportunity to listen and join in this discussion and your graciousness in not holding my Anglo-Saxon ancestry against me, by not excluding me from this conference, nor my mono-linguism against me, by mainly speaking in English. On the geneological note, I will just say that my ancestors are heavily Anglo-Saxon, English or Scottish. I am also a first-generation lesbian born of heterosexual parents.

To briefly answer Sumi Cho's question about what my community gets from perpetuation of the black/white paradigm would be impossible, although I am not sure from which of the many communities to which I belong that I should speak. As a white person, it seems clear to me that maintaining the black/white paradigm keeps me in a position of privilege and proves the unimportance of all people of colors because "we" tend to say that all of "you" are interchangeable and that we seek to maintain distance from you. As a lesbian, my community includes people of all races and ethnicities, and focusing on the black/white paradigm, I think, helps to promote the invisibility of heterosexism.

Second, I want to compare some of the themes of this conference with conversations that Frank Valdes and I have had

* Professor of Law, California Western School of Law. I want to thank Frank Valdes, Gloria Sandrino, and Laura Padilla for inviting me to speak at the First Annual LatCrit Conference.

about his presentations at various lesbian legal theory panels on his claim that he is a lesbian. Professor Valdes¹ makes this claim of being a lesbian for two reasons. First, he wants to encourage lesbians to talk about intersections and coalescing of communities. Second, he wants us not to separate too far from helping to develop queer, as opposed to only lesbian, legal theory. This conference convinces me once again that Frank really does believe in intersectionality, including recognizing both the need for particular communities to speak among themselves without “outsiders” present which must be balanced with the need for diverse communities to speak to and build coalitions with one another. I argued with Frank about this after a conference we attended in Portland in which he was the only man on a panel during a discussion about lesbian legal theory.² While what he had to say and to offer was provocative and did push us to discuss how lesbian legal theory and queer legal theory need to connect and help each other to develop, there remains enough lesbian separatist in me to tell him that I was not particularly thrilled he was there. I wanted to enjoy the small time that “we” had (only four hours in a three-day conference) to discuss lesbian legal theory with lesbians – not with men who claim to be lesbian. That conversation continued at the first “Lesbian Issues and the Law” symposium at USC³ where we both spoke again, and I again questioned whether there was room for him to be there. In this same way, I think you should question whether there is room

1 As colleagues at California Western, Frank and I have had numerous conversations about identity, intersectionality, and maintaining “women-only space” and “people of color-only space” in conferences. These discussions have been informative, provocative, and close to my heart.

2 That was at the Lavender Law Conference in October, 1994. The Lavender Law Conference is held every two years as a place for gay, lesbian, bi, and transgendered attorneys, law professors, law students, and legal workers to meet together.

3 The proceedings of that conference, sponsored by the Southern California Review of Law and Women’s Studies, were published in *Symposium: Lesbians in the Law*, 5 S.CAL.REV.L.& WOMEN’S STUD. 7 (1995).

for me to be here.

It seems interesting to me, however, that Frank has now helped organize this first annual LatCrit conference, separate and different from the race conferences. Perhaps it is that he listens to me. More likely, he and the rest of you are claiming the space that I spoke of wanting on those two previous occasions. From the conversations I have listened to already in the last two days, it sounds clear that most of the people here also want that space. But he, and again it sounds like most of you, also see the need for coalescing of communities by asking me to speak -- not as a non-Latino white, but if possible as a Latina. So I too have changed places from the position I held earlier when having these discussions with Frank. My conversations with Frank have led me to understand why his question is so important. For while it is important for you to question whether I can be Latina, just as I questioned whether Frank can be lesbian, it is also important for me to consider what it would mean for me to be Latina and to give up my Anglo-Saxon privilege. Similarly, it is important for Frank and other gay men to consider what it would mean for them to be lesbian and to give up their male privilege. As it is important for the lesbian community to include in our conversations those who are wanting to build coalition with us, it is important for the Latino/Latina community to include, as you have done with this conference, those of us who want to learn from and build coalition with you. Perhaps my conversations with Frank and the conversations at this conference make clear the need both for a LatCrit conference and the need for LatCrits to continue their work at RaceCrit and other Crit conferences.

Third, I want to ask all of us to coalesce our communities on an even broader scale. Not only is it important that I do RaceCrit and LatCrit and FemCrit and QueerCrit and LesbianCrit work, but I also ask that all of you do those too. For example, as a hope for continuing change in the legal academy and its hopefully increasing space for more Latina scholars and support for their scholarship, perhaps at the second LatCrit conference a woman will be one of the keynote speakers.

Perhaps before that next conference, I can also get more involved in opposing the English-only movement and the California Civil Rights Initiative ("CCRI") that is trying to abolish affirmative action. It seems clear to me, since moving to San Diego from the midwest, that the English-only movement is not just a regressive, organized, conservative political movement. My partner, Peg Habetler, who is a non-Latino white, works at Home Depot in Imperial Beach, which is the first beach town this side of the border. She is in the vast minority among both the employees and the customers as a non-Latina white. She struggles daily with the result of the English-only movement from her educational years in the 1950s and 1960s in Wisconsin. There was no organized movement against the Spanish language, as far as I know; I saw no references to it in Juan Perea's article anyway. The result of the English-only movement can be seen from the absence of anyone explaining the importance to learn a language that is the second most widely spoken language in this country and the absence of much opportunity to do so. The result, however, is the same that the English-only movement wants. Customers and other employees who want to communicate with her must do so in English, for that is all her monolingualism permits. As for the CCRI, I could argue that the reason I have not gotten involved results from the anger I feel that gay men and lesbians are such "others" that we are not even included in the affirmative action debates. Virtually everyone seems to believe that sexual orientation affirmative action has no right to even be discussed. But while that anger is quite justified, it should not keep me from working against an initiative that would gut existing civil rights laws, since I know of their importance to our community fight against racism, sexism, and ethnic discrimination.

Perhaps before the next conference I can also ask you to get more involved in opposing the anti-gay initiatives and the bills cropping up in legislatures around the country opposing marriages by same-sex couples. I asked Lambda Legal Defense and Education Fund, with whom I am writing a book on recognition of same-sex marriages on a state-by-state basis, to let me know which people of

color organizations had signed Lambda's "marriage resolution." The marriage resolution states that because marriage is a basic human right and an individual personal choice, it is resolved the state should not interfere with same-gender couples who choose to marry and share fully and equally in the rights, responsibilities and commitment of civil marriage. Of the 110 people of color organizations contacted, only 12 have signed the resolution. All 12 of those organizations are lesbian or gay people of color organizations. This is surprising because inter-racial and inter-ethnic couples were the victims of the latest and most insidious discrimination seen in marriage discrimination, but those communities on the whole have not entered the fight on the right of helping to obtain the right to marry for same-sex couples. Asking why and working to push those communities to organize around this issue, as well as the many other pressing issues facing them, is needed.

In closing, it is important that we do work within our communities, such as the conversation that is going on at this conference, to make us strong, conversant, and aware of the issues particular to those communities alone. It is also important that, as our communities grow in strength and understanding, we coalesce with the other communities around us to fight the forces that threaten our very existence. Thanks again for making space for me at this conference.

