

# **ACADEMIC AGENDA AND PUBLICATIONS: A BIBLIOGRAPHY**

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## **A. Current Works-in-Progress**

*Rebellious Knowledge Production, Academic Activism and Outsider Democracy: From Principles to Practices in LatCrit Theory, Praxis and Community, 1995-2008* (this article, based on the Annual Lecture during the LatCrit/SALT Junior Faculty Development Workshop held in Fall 2008, sets forth the key hallmarks of the LatCrit jurisprudential experiment since its inception in 1995)

*No Coincidence: Mapping the Construction of a Race-Based "Class" System—A Case Study from the North American Heartland* (this article examines the social and legal history of Denver, Colorado to trace the legal and structural linkage of race and class as a matter of policy in a concrete sociopolitical setting)

*Passion and Prejudice, Democracy and Policy: A Constitutional Primer for the Conscientious Citizen-Lawmaker* (this essay examines the roles and dangers of direct democracy under the Federal Constitution and its core commitment to representative/deliberative democracy in the policy context of marriage equality and recent anti-equality state referenda)

*Theory as Location: The Oral Histories Project* ([www.latcrit.org](http://www.latcrit.org)) (this project aims to establish a substantive set of materials for the historical, intellectual and programmatic development of Critical Outsider Jurisprudence during the past twenty years as a research resource for future scholars interested in the emergence of this literature since the 1980's)

*Beyond the Casebook: The Syllabi Bank Project* ([www.latcrit.org](http://www.latcrit.org)) (this project compiles course syllabi for both mainstream and "boutique" courses/seminars to showcase different pedagogies and support teaching innovations by law faculty across the country)

PROGRESISMO JURÍDICO Y TEORÍA CRÍTICA (a translated selection of my published works)

## **B. Completed Book Projects**

CROSSROADS, DIRECTIONS AND A NEW CRITICAL RACE THEORY (Francisco Valdes, Jerome McCristal Culp, Jr., & Angela P. Harris eds. 2002)

## **C. Law Review and Book/Chapter Publications**

*Queering Sexual Orientation: A Call to Theory as Praxis*, in STRANGE BEDFELLOWS: QUEER AND FEMINIST LEGAL THEORIES (Martha Fineman et al eds. forthcoming 2009)

*Foreword—Interruptions and Intersections: Journeys to the Center of the Americas*, 4 TENN. J.L. & POL'Y 167 (2008)

*Afterword—“Latinas/os” and Latina/o Legal Studies: A Critical Review of Legal Knowledge-Production Models*, 4 FLA. INT'L U.L. REV. \_\_\_ (forthcoming 2008) [with Margaret Montoya]

*Procedure, Policy and Power: Class Actions and Social Justice in Historical and Comparative Perspective*, 24 GA. ST. L. REV. 627 (2008)

*“Latinas/os” and the Politics of Knowledge Production: LatCrit Theory and Academic Activism as Social Justice Action*, 83 IND. L.J. 1197 (2008) [with Margaret Montoya]

*What's The Fuss?: Originalism, Internationalism and Constitutional Law*, 3 FLA. INT'L U.L. REV. 1 (2007)

*The Constitution of Terror: Big Lies, Backlash Jurisprudence and the Rule of Law*, 7 NEV. L.J. 973 (2007)

*Afterword—Beyond the First Decade: A Forward-Looking History of LatCrit Theory, Community and Praxis*, 17 BERKELEY LA RAZA L. REV. 169 (2006) (in Symposium, LatCrit at Ten: Critical Approaches to Economic In/justice) [with Angel Harris & Berta Hernandez]

*Spain Gazing: One LatCrit's Queer View of Hispanic Essentialisms and Neocolonial Legacies*, 17 FL. J. INT'L L. 495 (2006)

*Legal Reform and Social Justice: An Introduction to LatCrit Theory, Praxis and Community*, 14 GRIFFITH L. REV. 148 (2005)

*Afterword—Culture by Law: Backlash as Jurisprudence*, 50 VILLANOVA L. REV. 1135 (2005) (in Symposium, Countering Kulturkampf Politics Through Critique and Justice Pedagogy, Part A)

*Afterword—“We Are Now of the View”: Backlash, Jurisprudence and the Kulturkampf to Resurrect Old Deals*, 35 SETON HALL L. REV. 1401 (2005) (in Symposium, Countering Kulturkampf Politics Through Critique and Justice Pedagogy, Part B)

*Foreword—City and Citizen: Community-Making as Legal Theory and Social Struggle*, 52 CLEVELAND-MARSHALL L. REV. 1 (2005) (in Symposium, City and Citizen: Operations of Power, Strategies of Resistance)

*Law and Consequence: Cuban Hopes, Human Rights, Dueling Elites*, in *ENCYCLOPEDIA OF LATINOS AND LATINAS IN THE UNITED STATES* (Deena J. Gonzalez & Suzanne Oboler eds. 2005)

*Anomalies, Warts and All: Four Score of Liberty, Privacy and Equality*, 65 *OHIO ST. L.J.* 1341 (2004)

*Recalling Race, Gender and Sexuality: OutCrit Reflections on Legal Education, Social Identities and the "Rule of Law" – A Call Toward Collective Insurrections*, 5 *GEO. J. GENDER & L.* 881 (2004)

*Life as Praxis, Praxis as Life*, 7 *LEGAL ETHICS* 117 (2004)

*Subject Unrest*, 55 *STAN. L. REV.* 2435 (2003) [with Jerome Culp & Angela Harris]

*Outsider Jurisprudence, Critical Pedagogy and Social Justice Activism: Marking the Stirrings of Critical Legal Education* 10 *ASIAN L.J.* 65 (2003)

*Culture, "Kulturkampf" and Beyond: The Antidiscrimination Principle Under the Jurisprudence of Backlash*, in *THE BLACKWELL COMPANION TO LAW AND SOCIETY* (Austin Sarat ed. 2003)

*Diaspora and Deadlock, Miami and Havana: Coming to Terms with Dreams and Dogmas*, 55 *FLA. L. REV.* 283 (2003)

*Identity Maneuvers in Law and Society: Vignettes of a Euro-American Heteropatriarchy*, 71 *UMKC L. REV.* 377 (2002)

*Mapping the Patterns of Particularities: Queering the Geographies of Identity*, 34 *ANTIPODE* 974 (2002)

*Barely at the Margins: Race and Ethnicity in Legal Education – A Curricular Study with LatCritical Commentary*, 13 *LA RAZA L.J.* 119 (2002)

*Sexualidad y Limite: Democracia o Dictadura?*, in *DEBATE PAIS 2001* (Government of Chile, Ministry of Education, Division of Culture ed. 2002) (in Spanish)

*Afterword—LatCrit at Five: Institutionalizing a Postsubordination Future*, 78 *DENVER U. L. REV.* 1249 (2001) (in Symposium, Class in LatCrit: Theory and Praxis in a World of Economic Inequality) [with Elizabeth M. Iglesias]

*Insisting on Critical Theory in Legal Education: Making Do While Making Waves*, 12 *LA RAZA L. J.* 137 (2001)

*NeoColonial Encounters in the PostPinochet Era: Spain, Latinas/os and LatCrit Theory in the Development of International Human Rights Norms*, 9 *U. MIAMI INT'L. & COMP. L. REV.* 189 (2000-2001)

*Race, Ethnicity and Hispanismo in Triangular Perspective: The "Essential Latina/o" and LatCrit Theory*, 48 *UCLA L. REV.* 305 (2000)

*Introduction—Expanding Directions, Exploding Parameters: Culture and Nation in LatCrit Coalitional Imagination*, 33 *U. MICH. J. L. REFORM* 203, 5 *MICH. J. RACE & L.* 787 (2000) (in Symposium, Culture, Language, Sexuality and Law: LatCrit Theory and the Construction of the Nation) [with Elizabeth M. Iglesias]

*Introduction—Piercing Webs of Power: Identity, Resistance and Hope in LatCrit Theory, Praxis and Community*, 33 U.C. DAVIS L. REV. 897 (2000) (in Symposium, Rotating Centers, Expanding Frontiers: LatCrit Theory and Marginal Intersections)

*Outsider Scholars, Legal Theory and OutCrit Perspectivity: Postsubordination Vision as Jurisprudential Method*, 49 DEPAUL L. REV. 101 (2000) (reprinted in RACE AND RACES: CASES AND MATERIALS, Richard Delgado, Angela P. Harris, Juan Perea & Stephanie Wildman eds. 2000; reprinted in CROSSROADS, DIRECTIONS AND A NEW CRITICAL RACE THEORY, Francisco Valdes, Jerome McCristal Culp, Jr. & Angela P. Harris eds. 2002)

*Afterword—Theorizing "OutCrit" Theories: Coalitional Method and Comparative Jurisprudential Experience – RaceCrits, QueerCrits, LatCrits*, 53 U. MIAMI L. REV. 1265 (1999) (in Symposium, Comparative Latinas/os: Beyond Hispanic and Anglo Normativities in LatCrit Theory)

*The LatCrit Experiment in Critical Outsider Jurisprudence: A Conceptual Overview* (1999)

*Solomon's Shames: Law as Might and Inequality*, 23 THURGOOD MARSHALL L. REV. 352 (1998)

*Afterword—Beyond Sexual Orientation in Queer Legal Theory: Majoritarianism, Multidimensionality and Responsibility in Social Justice Scholarship – Or, Legal Scholars as Cultural Warriors*, 75 DENVER U. L. REV. 1409 (1998) (in Symposium, InterSEXionality: Interdisciplinary Perspectives on Queering Legal Theory)

*Afterword—Religion, Gender, Sexuality, Race and Class in Coalitional Theory: A Critical and Self-Critical Analysis of LatCrit Social Justice Agendas*, 19 UCLA CHICANO-LATINO L. REV. 503 (1998) (in Symposium, Difference, Solidarity and Law: Building Latina/o Communities Through LatCrit Theory) [with Elizabeth M. Iglesias]

*Notes on the Conflation of Sex, Gender and Sexual Orientation: A QueerCrit and LatCrit Perspective*, in THE LATINO/A CONDITION 539 (Richard Delgado & Jean Stefancic eds. 1998)

*Queer Margins, Queer Ethics: A Call to Account for Race and Ethnicity in the Law, Theory and Politics of "Sexual Orientation"*, 48 HASTINGS L.J. 1193 (1997)

*Foreword—Under Construction: LatCrit Consciousness, Community and Theory*, 85 CAL. L. REV. 1089 (1997) (in Symposium, Latinas/os, LatCrit Theory and the Law)

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*Foreword—Poised at the Cusp: LatCrit Theory, Outsider Jurisprudence and Latina/o Self-Empowerment*, 2 HARV. LATINO L. REV. 1 (1997) (in Symposium, LatCrit Theory: Naming and Launching a New Discourse of Critical Legal Scholarship)

*Foreword—Latina/o Ethnicities, Critical Race Theory and Post-Identity Politics in Postmodern Legal Discourses: From Practices to Possibilities*, 9 LA RAZA L.J. 1 (1996) (in Symposium, Representing Latina/o Communities: Critical Race Theory and Practice)

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*Coming Out and Stepping Up: Queer Legal Theory & Connectivity*, 1 NAT. J. SEX. ORIENT. L. 1 (1994)

*Sexual Minorities in the Military: Charting the Constitutional Frontiers of Status and Conduct*, 27 CREIGHTON L. REV. 381 (1994) (reprinted in SOCIAL JUSTICE: PROFESSIONALS, COMMUNITIES AND LAW, MARTHA MAHONEY, JOHN O. CALMORE & STEPHANIE WILDMAN eds. 2003)

*Diversity and Discrimination in Our Midst: Musings on Constitutional Schizophrenia, Cultural Conflict, and "Interculturalism" at the Threshold of a Century*, 5 ST. THOMAS L. REV. 293 (1993)

*The Status/Conduct Distinction and Sexual Orientation: Exploring a Constitutional Conundrum*, 50 THE GUILD PRACTITIONER 65 (1993) (lead article in Special Issue, Homophobia: A Practitioner's Arsenal for Combatting Fear of Sexual Minorities)

Chapter, *Recovery of Damages in Contract*, including forms of jury instructions, FLORIDA LITIGATION MANUAL (Matthew Bender & Co. 1990)

*Accountability By Contract: A Proposal to Remedy the Harm of Substandard Schooling and to Promote Equal Educational Opportunity*, FL. BAR J., May 1984

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