

seem to make law--except where I vicariously connected with those acted upon, with the antagonists: the convicted, the evicted, the dispossessed and the repossessed.

The kernel of that feeling I first associated with Josephine Chavez, that scrim of silence, remains within me. It is still my experience that issues of race, ethnicity, gender or class are invisible to my white and/or male colleagues. I still make conscious choices about when to speak of the connection of such issues to the topic at hand and when to remain silent. I'm still unclear about strategies and tactics, about being frontal or oblique.

Issues of race or gender are never trivial or banal from my perspective, and it is still hard to know how to assert them effectively when others react with hostility, boredom or weariness. This can be a "crazy-making" endeavor. Sometimes it seems that every interaction requires that I overlook the terms of the discourse or that I affirmatively redefine them.

I have no memory of ever speaking out again to sort out facts from my perspective as I had done in Criminal Law. There was to be only one Latina, only one Josephine. While I was at Harvard, my voice was not heard again in the classroom examining, exploring or explaining the life situations of either defendants or victims.

Speaking out assumes prerogative. Speaking out is an exercise of privilege. Speaking out takes practice.

Silence ensures invisibility. Silence provides protection. Silence masks.