# Multinational or Multidimensional?

#### Decades ago, I heard life was simple and it was so Where there was need, a hand would help Where there was a tear, a heart would ache Willing hands and hearts would meet the lack Charity they called it, for it was so Now an industry of sorts – an insult to the poor

#### Now in my day I see things do change Experts have risen who have not been poor Whose studies and surveys bring no change Whose experiments and pilots insult the poor Whose terms and concepts, tools always change An industry of sorts – an insult to the poor

#### What greater insult could there be When a fellow man calls me just a beneficiary When our pictures of desperation are used for marketing When our dignity is insulted just for fundraising When trainings and awareness are imposed on us When the life of another is planned by another When the gift we got is never disclosed When overheads are deducted before we know When we smile for pictures we never see When our children seek to change our ways When we waste our lives responding to assessments Indeed an industry sorts – an insult to the poor\*

#### The institutions of civil society are already captured by the economic forces of exploitation and the unidimensional analysis of identity which excludes Latinx folk. This exclusion has led to the repeated coercion and otherizing of Latinx folk that are used as tools in advancing the same society that excluded them in the first place. But this ontological violence gave birth to LatCrit, a pedagogical approach to social issues that uses the hybrid perspective of the Latinx to produce new solutions.

Hernandez-Truyol et al., 06. Professor, University of Florida College of Law; Harris, Professor, University of California at Berkeley School of Law; Valdés, Professor, University of Miami School of Law (Berta, Angela, Francisco. 17 Berkeley La Raza L.J. 169 2006. Pg. 212-213. 7/2/13. KJ)

Wright suggests that the forms of socialist economy that thus emerged in the Soviet Union and China should really be renamed statism. In contrast, a truly "socialist" economy would put the power to control the economy not in the hands of a central state, but directly in the hands of "society": in institutions and practices dominated neither by market institutions nor by government institutions, but by voluntary associations. This, in Wright's view, would be true "socialism": "an economy organized in such a way as to serve the needs and aspirations of ordinary people, not elites."1 74 Such an economy would, he notes, be truly democratic, meaning ruled by the people subject to the principle of egalitarianism. Wright concludes: "If 'Democracy' is the label for the subordination of state power to social power, 'socialism' is the term for the subordination of economic power to social power.' 175 This vision of socialism responds to some of the deep liberal values of contemporary Western political philosophy. Liberal political philosophers like "civil society" because it is not based on coercion but on freedom. No one is forced by the need to survive or the fear of death or prison to participate in the "voluntary" associations and institutions (we will come back to the scare quotes later). Instead, the whole idea of civil society is the idea that there, people voluntarily join with one another to engage in collective action that furthers their desires and dreams. Moreover, civil society, in some formulations, is not only an expression of liberty but a school for liberty. The process of coming together and working cooperatively with others inculcates "civic virtues." From this perspective, civil society is where adults go to relearn the basic rules of human life first introduced in preschool: you must share, and share nicely; no hitting, kicking, or biting other people; you must respect other people who want things that are different from what you want; take turns; you can learn from people who are different from you; and what you make together can even be better than what you would have made on your own. Civil society, lacking mechanisms of coercion other than those inherent in human relations themselves (e.g., if you are mean, nobody will play with you anymore) is therefore a school for egalitarian political relations. So what might a truly "socialist," in this sense, economy look like? How would it operate? Wright concludes that a pure socialist economy is probably unachievable in a large complex society. Even attempts to create pure "free-market" or pure "statist" economies always involve some mix of regulation and control by state, market, and civil society institutions. Nevertheless, Wright's taxonomy is useful. By identifying socialism with power rooted in "the social" and with democracy, Wright's taxonomy helps us think about the ideal society and about ways of getting there, as well as helping us analyze the many mixed forms of governance currently in existence. Wright tells us that "'Social power' is power rooted in the capacity to mobilize people for cooperative, voluntary collective actions of various sorts in civil society."' 76 But his work does not have a lot to say about what social power looks like, or what the obstacles to an egalitarian civil society might be. Indeed, he does not even talk very much about what "civil society" means or what institutions it consists of. In contrast, LatCrit/CRT's approach to thinking about economic practices and institutions is rooted in problems and issues that provide a much more detailed look at the problem of inequality within "the social." From its inception, LatCrit/CRT has been focused on the problem of subordination: that is, unjust power relations in liberal societies that are both more subtle and more pervasive than outright slavery or political repression. These unjust forms of power-for example, racism, heteropatriarchy, and imperialism-regularly pervade state and economic practices and institutions, but in contemporary times they are centrally reproduced in civil society as well. Any society that wants to move toward a more socialist economy must challenge these forms of subordination if it wants to foster democracy. LatCrit/CRT, like other intellectual movements drawing on the past generation of "theory" in the academy, has been focused on the problem of identifying and criticizing these unjust forms of power, including those that lie in wait in seemingly unproblematic concepts like "voluntariness." LatCrit/CRT's other contribution to a new socialist theory is its focus on law. Although law is popularly identified with state power, it has been a commonplace at least since American Legal Realism that law shapes the "private" as well as the "public." In contemporary liberal societies, law provides a framework for distinguishing "state" from "market" from "civil society," and sets the ground rules for the major practices and institutions in each of these realms. LatCrit/CRT has taken off from these basic observations to detail how law works sometimes in conjunction with and sometimes in conflict with other forms of power. Finally, law in the modem era has provided the major institutional and philosophical framework for thinking about and striving for "justice." People who seek (public) justice seek it through law. And people thinking about what justice means start with law (though they may not end there).

#### Dominant paradigms of economic and legal analysis are unidimensional, but Latinx identity is multidimensional. The Latinx encounter with the law and economics is thus one of vivisection and violence.

HERNANDEZ-TRUYOL 97 [72 N.Y.U. L. Rev. 882 (1997), BORDERS (EN)GENDERED: NORMATIVITIES, LATINAS, AND A LATCRIT PARADIGM]

Latinas/os do a lot of world traveling, with Latinas additionally journeying through the mundos of gender inequality.4 We travel be- tween our various and varied multiple worlds, psychic and physicalfrom casa y familia to calle y trabajo; from espafiol to ingles to espanglish; from tta to lawyer; from hija to profesora; from normadva to outsider. We weave our way, as we weave our hair, in and out of passages that we inhabit, being a little alien everywhere.5 As a Latina law professor,6 I am used to traversing mundos, yet rarely do they so visually, physically, intellectually, and emotionally converge/collide as they did at a recent meeting of Latina/o lawyers, students, and law professors that took place in Miami, Florida-iome to much of my familia, including mami y papi. My multidimensional identity, the complicated pathway between/among my mundos-pathways that constantly intersect, flow, and clash-is the channel for this Essay. Such world traveling is not unique to me. Rather, it is a common daily experience for all Latinas/os in the United States by virtue of our status as Latinas/os. We are the interdependent intersections of our race, gender, color, ethnicity, nationality, ancestry, culture, and language. Our multilingualism is defined not by the languages we literally speak (in fact, many of us speak only Spanish or only English) but instead by virtue of the worlds we inhabit, the journeys we take. This multidimensionality of Latinas/os is in tension with the dominant legal paradigms that take a single-attribute, analytical approach to identity. The dominant model, for example, presupposes a monolithic racial or sexual identity "that can be described independent of other facets of experience."'7 Such essentializing of identity is inap- propriate for Latinas/os whose multidimensionality is central to their personhood. Because this existing methodology vivisects and atomizes the Latina/ o identity, it is necessary for Latinas/os to deconstruct the normative paradigm/rule of law, expose its limitations in re/presenting Latinas/os, and reject it for its flawed foundation that misapprehends the Latina/o. Latinas/os must also create nuevas teorfas (new theories) that understand, penetrate, define, and elucidate the content and meaning of our multidimensional identities and develop, expand, and transform the construct in such a way that translates, incorporates, and realizes Latinas'/os' worldviews. The promise of a LatCrit theoretical model lies in its ability to debunk the ineffectual dominant model, as applied specifically to the Latina/o position and condition under "American" 9 law and within "American" society, and to create nuevas teor(as. This Essay, developed in a prologue and three parts, adopts Latinas'/ os' world traveling as a metaphor for Latina/o multidimensionality and as a springboard for LatCrit theorizing. The Prologue is a brief diary entry of unfin de semana viajando mundos-a weekend of actual traveling between New York and Miami; law and familia; profesora and learner; colleague and hija; espafiol and English; norte y sur; normativa and other; indigenous and alien. This abbreviated record of a Latina's life reveals, exposes, and unveils Latinas'/os' daily crossdressing simply by virtue of their latinidad. This Prologue thus serves as a concrete backdrop for the analytical, political, and theoretical points addressed in the remaining parts of this Essay which explores two sets of relationships vis-A-vis their significance to and impact on the development of LatCrit theory. The first link is the external relationship of Latinas/os to NLW10 normativity; the second is the internal relationship of Latinas to Latino normativity. Both of these relationships are central to a LatCrit paradigm, as the "othering" effects of NLW normativity on all of La- tinas/os and of Latino normativity on Latinas must be confronted, deconstructed, and eliminated before a nonessentialist, inclusive theoretical model can be advanced. Part I uses narrative to compare and contrast NLW and Latina/o normativities of race, ethnicity, nationhood, and language. It exposes the race, color, ethnicity, gender, nationality, culture, and language fronteras Latinas/os must cross-the "othering" we experience-while traversing the world as defined by the dominant culture. This comparing and contrasting of Latina/o and "American" normativities in Part I defines the need for a LatCrit theoretical model that does not subordinate the Latina/o experience. In Part II this Essay exposes how Latinas' assorted deviations from the normative male prototype, combined with gendered Latino norms, including the gendered nature of the Spanish language adding to these internal boundaries and confines, multiplies their fronteras and complicates their journeys. The borderlands created for Latinas by the overlapping gender biases of the external "American" and internal Latino normativities, exacerbated by gendered cultural norms, underscore the need for the development of teortas that specifically will recognize, embrace, and espouse Latinas' identities, interests, and issues. LatCrit is a teoria that can address the concerns of Latinas in light of both our internal and external relationships in and with the worlds that have marginalized us. Finally, in Part II this Essay proposes a LatCrit theoretical model that uses Latina/o panethnicity, representative of race, gender, nationality, color, language, ethnicity, and cultural diversity, to stimulate and inspire the construction of a LatCrit matrix that places multidimensionality at the center of paradigm formation by plaiting a multicultural, multilingual, multiethnic fabric into its philosophy, construction, and logic. This model is important because it will recognize the multidimensionality of Latinas/os and the particular position of Latinas' dual relationship with the internal comunidad Latina and the external "American" culture in developing a discourse which incorporates our realities and identities. This proposal suggests that LatCrit theory adopt a construct based on indivisibility, inviolability, and interdependence of rights and identities. This model rejects the identity-as-atomized approach, adopting instead an approach that re/constructs, develops, expands, and transforms the existing dominant legal paradigm in an interpretation that accepts, incorporates, embraces, and enables Latina/o multidimensionality. This Essay concludes that such an aspirational LatCrit paradigm can transfigure the status of Latinas/os in the United States from marginal actors to protagonists in legal theorizing.

#### It has to come from here, right this instance, my cry into the world. The past is only a shadow emerging from nowhere. Life was somewhere forgotten and sought refuge in depths of tears and sorrows; over this vast empire of solitude and darkness. Where is the voice of freedom, freedom to laugh, to move without the heavy phantom of despair? Where is the form of beauty unshaken in its veil, simple and pure? Where is the warmth of heaven pouring its dreams of love in broken spirits? It has to be from here, right this instance, my cry into the world. My cry that is no more mine, but hers and his forever, the comrades of my silence, the phantoms of my grave. It has to be from here, forgotten but unshaken, among comrades of silence deep into Welfare Island my farewell to the world.\*\*

#### Current discourse centered around development of otherized nations constantly paints those in the non-wealthy nations as deficient or inferior beings. The discursive norms centered around development theories are often ignored, but the AC won’t allow that to continue.

**Gordon 2006-** (Ruth, professor at Villanova Law School, “Contemplating the WTO from the Margins,” Berkeley La Raza Law Journal, Volume 17, Issue 1, pg 95-116 FG)

We rarely question development, but perhaps we should. I have more fully appraised development elsewhere, and so only a few thoughts are offered here. By definition, development supposes some deficiency that must be corrected, and presumes inferiority and being substandard to the other that is developed. It also assumes that a particular kind of modernization is the inevitable course that all nations and peoples must pursue, for there is no question that it is preferable, superior and indeed the only path; no other way of life or being is even worthy of discussion. All those who cannot reach this promised land, must somehow be inept, undeveloped, inadequate, and in need of betterment by the West, now termed the international community which comes in the guise of international financial institutions such as the World Bank, the International Monetary Fund and now the WTO. Although development is posited as universal and almost natural and intrinsic, it is very much a part of western ideology and can thus be contested and critically appraised. Indeed, there has been resistance to development, although it is sometimes characterized as incompetence and an inability to comprehend. The most impoverished, or those who are now termed the 'least developed,' are the ultimate 'other' that is almost always colored, powerless and whose prospects are unmistakably bleak. Depending upon ones perspective, these communities are regarded almost as if they were errant children that one should pity, rescue, ignore or at the other end of the political spectrum, perhaps just turn out of the house and leave to their own sorry devices. To eradicate their desperate poverty, it seems that there is no burden that can be imposed (upon them, of course) that is too great. Poverty reduction provides a rational for the kind of imposition, the kind of thought processes we would find reprehensible, perhaps unbearable if they were applied to the rich and prosperous West, indeed even to the impoverished colored West. The presumption is the West knows what is best for all peoples. Indeed, there is a presumptive privilege, in fact an obligation, to order and change lives at will and to prescribe how societies and indeed life itself should be ordered. Often, this is done with the best of intentions, but that does not necessarily make it permissible.

#### The AC uses Latinx perspective to challenge these problematic notions of development through the deployment of counter- pedagogy

#### Deployment of Latinidad scholarship ruptures binary constructions of identity; injecting hybrid identity into discourses of race is key to break down the black-white binary and explode dualisms.

Valdivia 04 Angharad N. Valdivia, Spring-xx-2004, Ph.D., Department Head of Media and Cinema Studies, Interim Director of Institute of Communications Research, Research Professor of Communications, Professor of Media Studies, Professor of Latina/o Studies, Professor in the Unit for Criticism and Interpretive Theory, Professor in the Gender and Women's Studies Program @ University of Illinois, “Latinas as Radical Hybrid: Transnationally gendered traces in mainstream media,” <http://lass.purduecal.edu/cca/gmj/sp04/gmj-sp04-valdivia.htm>

Yet the presence of Latinas and Latinidad also speaks to broader epistemological issues of ethnic studies. Whereas concepts of ethnicity, in relation to concepts of race, speak to cultural markers of identity, they still attempt to locate ethnic difference as a marker of difference. Shohat’s "ethnicities in relation" approach (1991) posits ethnicities, especially as represented in film and other mass media, as dynamic and unstable, gaining meaning something only in terms of the representation of other ethnicities within a given textual context. Latinas, of course, can be examined in this relational framework. Fitting somewhere between black and whiteness in the national imaginary (Davis, 2000), Latinas as a constructed category gain meaning by virtue of their supposed location as an in between ethnicity, not white yet not black. Yet this is not a simple process as the fact is Latinas are not uniformly brown. To further explore this category and its implications for media and popular culture representation we must turn to theories of hybridity. The concept of hybridity is extremely useful to communications scholars for a number of reasons yet remains to be fully utilized by our interdiscipline (Kraidy, 1999, 2002; Murphy and Kraidy, 2003). Kraidy (2002: 317) proposes that we foreground this concept as it: "needs to be understood as a communicative practice constitutive of, and constituted by, sociopolitical and economic arrangements" that are "complex, processual, and dynamic." Scholars from many disciplinary backgrounds have been seriously engaged in the potential of the concept of hybridity (e.g. Avtar and Coombs, 2000; Joseph and Fink, 1999; Werbner and Modood, 1997) within the humanities and social sciences.[i] Beyond its merely descriptive uses, hybridity also opens up the space for the study of cultural negotiations, conflicts, and struggles against the backdrop of contemporary globalization (Shome and Hegde, 2002a; 2002b). The concept is foremost a rejection of essentialist notions, either of gender or of ethnicity and race, as well as an acknowledgement that there is no purity to be found either at the level of culture, the body, blood, or DNA. Kraniaskaus (2000) differentiates between García Canclini’s (1995) socio-cultural hybridity and Bhabha’s (1994) more literary and psychoanalytic approach. Yet both Canclini and Bhabha counter more simplistic versions of globalization studies where a celebratory mish mash of people and cultures are offered, and all difference is erased. To some hybridity might suggest a playful space, where one can try on different identities. Indeed studies of contemporary ethnicity (Dávila, 2001; Halter, 2000; Moorti, 2003) suggest that hybrid traces are very useful for commodification purposes and the marketing of ethnicity. In fact ethnic ambiguity is a most useful strategy as it has the potential of speaking to different segments of the audience with one economical image or set of images. As such hybridity and its accompanying strategy, representational ambiguity, certainly have their uses within late capitalism.

#### Nontraditional forms of discussion are necessary to fight the injustice of oppressive legal systems. Only through embracing the “taboo” of debate can LatCrit ideology attempt to persuade the masses. The action of reading the affirmative begins this fight right here in this room.

González et. al 12 Marc-Tizoc González et. al, 2012, J.D. University of California Berkeley and Assistant Professor of Law at St. Thomas University School of Law, Seattle Journal for Social Justice, “Afterword: Change and Continuity: An Introduction to the LatCrit Taskforce Recommendations” http://digitalcommons.law.seattleu.edu/sjsj/vol8/iss1/12/

In the Coming Insurrection, the Invisible Committee reminds us that it is useless to wait for a catastrophe or the collapse of civilization to do something. The social and political catastrophe and the collapse of civilization is here, all that remains is for us to choose sides.41 For more than thirteen years, LatCrit has created a critical space that enables scholars and activists alike to choose sides against a longstanding legacy of oppression and exploitation. LatCrit has created a vibrant alternative space that offers the possibility for renewed community and coalition-building projects to continue to challenge the status quo. Today, we invite a collective dialogue that is also anchored on self-critical contributions. We invite a transparent debate, where nothing remains as “taboo,” and where we are all willing to assume principled responsibility over our actions. We also invite participants in this dialogue to engage in honest and transparent dialogue with the goal of contributing to the building of stronger communities and coalitions that can help us take sides against the tyrannical legacies of oppressive regimes and subordinating traditions. We invite participants to help us perpetuate a space where community and coalition building make it possible to take sides against oppression and exploitation. This invitation is also premised on a shared belief that critical coalitions need to move beyond the narrow confines of the legal academy and the ideological constraints presented by legal institutions. We invite participants to explore forms of praxis that draw upon local activists and community members, from the intersection of other disciplinary epistemologies, and from global sources that transgress nationalist ideologies. We invite current and future board members to consider the possibility of transgressing tradition and stepping into a fragile, fragmented, and strange future. We invite all participants in the LatCrit project to consider new possibilities and new directions for future projects.

#### LatCrit helps to unlock systems of oppression that blur the lines between discursive and material, thus producing the most beneficial environment for knowledge production.

Valdes 12 (Francisco Valdes, Professor of Law and Co-Director, Center for Hispanic and Caribbean Legal Studies, University of Miami School of Law, 4-16-2012, Seattle Journal for Social Justice, Volume 8, Issue 1Fall/Winter 2009 Article 7, “Rebellious Knowledge Production, Academic Activism, & Outsider Democracy: From Principles to Practices in LatCrit Theory, 1995 to 2008”, http://digitalcommons.law.seattleu.edu/sjsj/vol8/iss1/7/, Accessed 7/2/13’, NC)

Finally, the fifth basic contribution in this brief sketch would be the collective or programmatic insistence that “class” and “identity” are not oppositional categories of analysis and action, and instead must be understood as “different” dimensions of the interlocking systems of oppression always under interrogation.91 This approach, in other words, emphasizes that “class” is itself an axis of sociolegal identity and that, as such, it must be incorporated into multidimensional analyses of power in law and society. This approach has tempered the influence of dichotomies between “discursive” and “material” aspects of power based on identity politics92 and has positioned us to better understand how class and other forms of identity are mutually constitutive and mutually reinforcing, both in law and in society. These five sets of contributions, I recognize, delve into areas that have occupied the attention of antisubordination scholars of many stripes. I recognize, also, that these contributions accumulate in the form both of individual texts and of collective or programmatic actions.93 But I hope you will notice in the brief account above that, during the past dozen years, we have carefully crafted a distinctive approach to programmatic, collective knowledge production projects. During these past dozen years, we have programmatically refined previous breakthroughs, even as we organized our work around our own developing sense of democratic ethics and approaches regarding knowledge production and the four interrelated functions of theory mentioned earlier.94 In other words, apart from a straightforward, substantive application of OutCrit tools and concepts to new social or legal terrains, we have reassembled and cohered a legacy we inherited into a distinctive model of critical outsider jurisprudence and praxis. This distinctive model is organized around democratic conceptions and egalitarian practices, and thus we may usefully refer to it as a kind of “outsider democracy” in legal knowledge production.95 However, as with everything else that we do, we did not invent democratic knowledge production. As with everything else that we do, we have striven to learn from past efforts, including those of the Society of American Law Teachers (SALT) and the Law & Society Association (LSA), to mix and match the best from each and then add our own distinctive elements.96

#### Thus the role of the ballot is to vote for the debater that best integrates LatCrit pedagogy into development discourse

#### Thus I advocate for an insurgence of the Latinx into the discourse of the resolution as a method of critically interrogating the conceptualization of development assistance provided by the resolution.

#### Totalizing nationalism continually silences the Latinx voice and confines identity to rigid and problematic notions of being a citizen. Resisting nationalism through narratives of Latinx insurgence is particularly key to destroying normative notions of identity. By embracing the model proposed by the affirmative, we begin deconstructing the problematic structures that dominate homogenized undimensional discourse.

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Reconsidering insurgent nationalism also facilitates a more complete historical, cultural, and social understanding of the development of oppositional consciousness in Latina/o communities. Because the nation mediates (in part) how we experience our identities, it is possible to understand the necessity of asserting national consciousness in firstperson personal narratives. As Puri further notes, the nation serves as an indispensible category for combating the homogenizing forces of globalization and discourses of celebratory hybridity: “Caribbean discourses . . . undo the generalized claim that hybridity and the nation- state are opposed to one another and enable a broader questioning of invocations of a ‘global village’ and the death of the nation- state” (6). Puri makes a useful distinction between transnationalisms, which are devoted to aspects of human societies that cannot be contained within the boundaries of a singular nation- state, and “postnationalism,” which effectively argues that the nation as a political and analytical category is dead. I agree with Puri’s argument that those who celebrate the triumph of the global and transnational by declaring the death of the nation overlook the important ways disempowered communities invoke the nation (as an imagined community, rather than a nation- state) as a strategy for empowerment. While this might be a risky move at a time when many theoretical currents within Latina/o studies are oriented around the transnational, I concur with Puri that reexamining cultural nationalism through current critical and theoretical tools facilitates a better understanding of cultural nationalism as a force that was and may still be productive for aggrieved communities of color in their searches for social justice.18 While Puri’s observations relate to the complex cultural and historical milieu of the Caribbean, I extend her analysis to U.S. Latina/os for several reasons. First— and perhaps most obviously— the history and culture of Dominicans, Puerto Ricans, and Cubans in the United States is rooted in the Caribbean. Further, as Juan Flores (2009) has recently pointed out, social and regional belonging in Caribbean, Latin American, and other diasporic communities in the United States is more accurately characterized by streams and counterstreams of migration and return rather than by discrete movements of people from the home space to the United States. Perhaps most important for my interests, Latina/os continue to deploy nationalism as a strategy for political empowerment, even in the wake of the North American Free Trade Agreement (NAFTA) and the forces of globalization that shape migration, immigration, and the flow of transnational capital. Triangulations thus pays careful attention to how the rhetoric of insurgent nationalism continues to influence how opposition is conceived during the last third of the twentieth century.

#### Insurgency of the Latinx voice is key to breaking down problematic civil discourse

\* “Aid Work: An Insult to the Poor” Admiral Ncube (Director at the Shared Value Institute, writer, and scholar with focus on Sociology, Social Sciences, and International Relations) February 9th 2016 <https://www.theguardian.com/global-development-professionals-network/2016/feb/19/the-ngo-sector-an-insult-to-the-poor-poetry> DOA:11.15.17

\*\* “Farewell from Welfare Island” Julia de Burgos (a poet from Puerto Rico. As an advocate of Puerto Rican independence, she served as Secretary General of the Daughters of Freedom, the women's branch of the Puerto Rican Nationalist Party) <https://allpoetry.com/Farewell-from-Welfare-Island> DOA:11.15.17 BAO