

# SPOTLIGHT ON MICHAEL NAVA: WRITING THE WRONGS FOR ALL

By María Lucero Ortiz\*



Courtesy Stathis Orphanos

Most students studying for the California bar could not imagine writing a novel, but Michael Nava was unlike most law students. Late one night, after graduating from Stanford University Law School, he began to write The Little Death, the first of his seven-volume, critically acclaimed, legal mystery series. His fictional

protagonist, Henry Rios, is an openly gay, Latino criminal defense attorney. In a recent interview with *The Modern American*, Nava explained his motives for creating Henry by citing a comment from Toni Morrison: “She once said that she wrote the kind of books she wished she could have had to read when she was growing up as an African American. I wish that I had read books with characters like Henry Rios when I was growing up as a gay Latino.”

Professionally, Nava has dedicated the majority of his career to the government sector, working as one of the few Latino appellate lawyers. Personally, Nava has created support systems for minority communities. This spotlight focuses on Nava's contributions to social justice as an author and an attorney, in and out of the limelight, and the lessons to be learned from his achievements.

Nava grew up in a predominately working-class Mexican neighborhood in Sacramento, California, where his maternal family settled in 1920 after escaping the Mexican Revolution. His grandmother was an influential force whose piety and humility were highlighted by her Catholic beliefs. As a precocious child, Nava constantly read. He was the first person in his family to attend college, where he excelled and acquired a special affinity for literature and writing. He fondly remembers debating the merits of one poet over another with his friends until the early hours of the morning.

After graduating from Colorado College *cum laude*, he was awarded a Thomas Watson Fellowship to study abroad. He spent the next year in Buenos Aires and Madrid working on translations of the great Spanish American poet Ruben Dario (1867-1916). Returning home, he decided to go to law school after briefly contemplating a graduate degree in English or History. Law school was a difficult experience for psychological

rather than academic, reasons. “I felt like such an outsider,” he remembers, “I was no longer part of the working-class brown community where I grew up, but I would never be a part of the upper middle-class white society of my classmates, many of whom had been groomed for law school from a young age. I think many of us from working-class minority backgrounds suffer this kind of culture shock when we enter professional schools and the emotional energy required to adjust to the culture of that environment can take a toll academically.”

He continued to write during law school, winning awards for his poetry. Eventually, he turned to fiction and specifically, to the mystery genre, to express his own history while giving life to Henry Rios. During Nava's youth, society considered homosexuals as sick, sinners, or criminals. The only gay person he encountered as a child was a drag queen uncle. Nava could not identify with these stereotypes. Enter Henry Rios, a dynamic character who, as a recovering alcoholic, deals with loving and losing his lover to AIDS, being an openly gay Latino in California, and finding a balance between what is morally right and what is legally just.

Nava described the process of writing his first book as a “lark,” for which he had modest expectations. The Little Death was rejected by thirteen publishers before Alyson Books, an independent gay publisher, brought it out in 1986 and encouraged him to write a follow-up. His hard work paid off when his second book, Goldenboy, was critically acclaimed by the New York Times, which described him as a brilliant storyteller. Over the next thirteen years, Nava wrote five more novels, received six Lambda Literary awards, and was awarded the Whitehead

Award for Lifetime Achievement by a gay or lesbian writer. He also received a grant in creative writing from the California Arts Council and an honorary degree as a Doctor of Humane Letters from his alma mater, Colorado College. His books have been translated into to French, German, Japanese,

and Spanish. In addition, he also co-authored Created Equal: Why Gay Rights Matter to America.

The last of the Henry Rios novels, Rag & Bone, was published in 2001 with widespread acclaim. For many of his readers, Nava's decision to end the series was a personal loss because they had come to regard Henry Rios as a friend. Despite the series ending, Nava continues to write, working on a novel based loosely on the early life of Mexican silent film star Ramon Navarro (1899-1969).

At the beginning of his literary career, Nava was viewed largely as a gay writer, but he is now recognized as an important

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Latino writer, too. Each novel explores Henry's psychological struggles and the complex lives of "ordinary" people. Nava portrays very honest and explicit accounts of gay love and sex and the intimate tensions of an upwardly-mobile, educated Latino. "Henry isn't me, but I borrowed from my psychological experience to describe his character, especially the challenges he faces as an educated Latino from a working-class family. In my personal experience, being educated was more alienating than being gay in terms of dealing with my family. I think many Latinos and Latinas who entered the professions also face this challenge."

Outside the limelight of his literary celebrity, Nava dedicated his legal career to pursuing social justice through the government sector. Nava insisted that, "attorneys of color need to be everywhere. From corporate counsel to the bench and the human rights organizations, we have to be in a position to institutionalize the diversification of the legal profession that has begun with my generation of lawyers. This is the special challenge for law students of color – to build on what we began in the 70s and 80s." He also stated that attorneys of color have a responsibility to work directly or through philanthropic activities to expand access to justice for marginalized communities. In his free time, Nava is an active member of the Most Holy Redeemer, a largely gay and lesbian Catholic parish in San Francisco with a deep tradition of social justice activism. He heads a project in the parish to fund education for children in Africa orphaned by AIDS. He is also a role model and a benefactor for a charter school that sets high educational standards for first-generation, college bound Latino students. He contributes a percentage of his annual income to charitable and cultural institutions. "We have to learn to become philanthropists," he says, "however modest our contributions may be."

While practicing appellate law at a firm, a former Stanford classmate encouraged Nava to apply for a judicial position with Justice Arleigh Woods, the first African American woman appointed to the California Court of Appeals. After ten years with Justice Woods, he was invited to apply for his current position by a former colleague in the city attorney's office. "Judicial attorneys and law clerks can have a huge influence in shaping the direction of the law, but there are very few attorneys of color in those positions because they are mostly filled through the Old Boys Network. We need to establish our own network." This kind of diversification among judicial attorneys and law clerks

will result in more inclusive and fair results in the cases that come before the appellate judiciary. He advises law students and practicing attorneys to perfect their legal writing skills and to seek judicial clerkships to break into the profession as a judicial attorney.

In his current position as a judicial attorney, Nava works for Justice Carlos R. Moreno in the California Supreme Court. Justice Carlos R. Moreno is only the third Latino to sit on the California high court. Nava deals with complex legal issues in every area of civil and criminal law on one of the country's most active and well-respected courts. He is aware that his personal beliefs and his professional responsibilities do not always mesh. For example, while he is personally opposed to the death penalty, he has worked on death penalty cases in which the court has affirmed the death sentence. "Once an attorney takes the oath to uphold the law, he agrees to set aside some of his personal beliefs regarding the wisdom of those laws," Nava explains, "Of course, you can become an advocate to change the laws but I view my work within the appellate court system to be important enough that I trade off my personal feelings about some of the cases I work on in order to have some influence in other crucial cases."

As an author, Nava utilizes the written word to create a vision that did not exist when he was a youth; as a lawyer, he wields the written word to advocate for justice; and as a concerned citizen, he empowers others to pass on the knowledge they have acquired through their legal and life experience. Nava is an inspiration for all law students to write the wrongs.

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