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HIS RACE AND MY RACE: FLUIDITY AND EXPANSION OF “RACE” IN A POST- COLONIAL SOCIETY VERSUS MODERN-DAY AMERICA

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I. INTRODUCTION

“Esa de racista está siendo una palabra confusa y hay que ponerla en claro” [“The word ‘racist’ is becoming a confused word, and its meaning should be made clear.”]¹ These are the words of Cuban theorist and activist Jose Marti. In the 1890s, Jose Marti was progressive in both social and political theology.² Most of his writings focused on the transgressions that the Cuban people faced at the hands of the Spanish. It is impossible to speak of the horrors they faced and leave race out of the conversation.³ He wrote this article to grapple with the arduous task of settling the meaning of “race” once and for all.⁴

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¹ Jose Marti, *Mi Raza*, PATRIA, (Apr. 16, 1893), https://edisciplinas.usp.br/pluginfile.php/5663259/mod_resource/content/2/%5BAULA%201%5D%20Mart%C3%AD%20-%20Mi%20raza.pdf.

² Dionisio Poey Baro, “Race” and Anti-Racism in Jose Marti’s “Mi Raza”, 12 J. OF AFR. & AFRO-AMERICAN STUD. 55 (1994).

³ *Id.*

⁴ *Id.*

As it is well known, that still hasn't happened and likely never will.⁵ Martí's works offer a unique insight into the mind of one of the most progressive thinkers of nineteenth-century Hispanic America. His analysis of race was well before his time, yet his views are flawed when applied in our modern-day society.

The world still remembers Martí as one of the greatest poets of the nineteenth century.⁶ "Versos Sencillos, 1891 [Simple Verses, 1891] is the most important and best-known book of poetry written by José Martí (1853–1895); it is his 'poetic testament.'"⁷ These poems "represent not only the most refined of Martí's art but also the culmination of his thought."⁸ Schools all over America and Europe still teach Martí's poems; but, to the Cuban people, he is much more than a poet.⁹ To the people of Cuba, he is known as "The Apostle of Cuban Independence" for the great deal of influence that his work has had, and still has, on the Cuban government.¹⁰ Furthermore, he has long been regarded as one of the most prominent revolutionaries of Hispanic American freedom; accordingly, his trials and tribulations led to his views on race.¹¹ He believed in a future where the people of Cuba would not see each other as black or white but simply as Cubans.¹²

Spain still controlled Cuba in the nineteenth century, and it, along with the United States, was responsible for most

⁵ See *id.*

⁶ *Id.*

⁷ Caridad Atencio, *Versos Sencillos (José Martí)*, GALE WORLD SCHOLAR (2012), https://worldscholar.gale.com/region/latin-america/ReferenceDetailsPage/ReferenceDetailsWindow?failOverType=&query=&prodId=LAC&windowstate=normal&contentModule=&mode=view&displayGroupName=Reference&limiter=&currPage=&disableHighlighting=false&displayGroups=&sortBy=&source=&search_within_results=&action=e&catId=&activityType=&scanId=&documentId=GALE%7CAA000206808&userGroupName=stu_main&jsid=8216d88b5ac4baafc8585caff76e96dd.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ Baro, *supra* note 2.

¹² *Id.*

of the slave trade in the West.¹³ Indeed, Cuba did not abolish slavery until 1886.¹⁴ As a result, the effects of slavery and its racial hierarchy set the scene for the Cuba that Jose Marti wrote about in his works.¹⁵ Though he wished for a world without race, he did not take a view of colorblindness. Instead, he took a view most akin to that of an “anti-racist.”¹⁶ However, in its “application,” one starts to see less anti-racism and more “Post-Racialism.”¹⁷

“Post-Racialism,” in the view of a Critical Race Theorist, is the belief that race does not and cannot explain the stories and statistics that have led to the struggles of black and brown people today, such as poverty, incarceration, medical issues, and unarmed police shootings.¹⁸ Jose Marti did not think that race had to matter and that it could be destructive in the long run.¹⁹ However, he believed there was a need to look at the problems caused by the application of race in both Cuba and North America.²⁰ Marti was under the impression that if race was removed altogether, it would be for the better.²¹ He promoted the idea of ‘mestizaje,’ which means racial mixture. He viewed this mixing as the cornerstone of Cuban national identity.²² By the 1890s, Cuba had already infused its culture with African, Spanish, and Native American ideologies.²³ The races had begun mixing, but there were still many racist practices and policies within Cuba. The Cuban people were “more than white, more than mulatto, [and] more than Negro.

¹³ Marial Iglesias Utset & Jorge Felipe Gonzalez, *Cuba and the United States in the Atlantic Slave Trade (1789–1820)*, HUTCHINS CTR. FOR AFR. & AFR. AM. RSCH., <https://hutchinscenter.fas.harvard.edu/cuba-us-slave-trade> (last visited Aug. 26, 2022).

¹⁴ John Fagg, *Spain and the Abolition of Slavery in Cuba, 1817-1886*, 49 HISP. AM. HIST. REV. 158 (1969).

¹⁵ See *id.*

¹⁶ Baro, *supra* note 2.

¹⁷ *Id.*

¹⁸ KHIARA M. BRIDGES, *CRITICAL RACE THEORY: A PRIMER* (2019).

¹⁹ Baro, *supra* note 2.

²⁰ *Id.*

²¹ *Id.*

²² *Id.*

²³ Jose Renteria, *Racial Theory: Jose Marti Jose Vasconelos, and the Beliefs that shaped Latin America*, 7 HIST. MAKING 9 (2014), <https://scholarworks.lib.csusb.edu/cgi/viewcontent.cgi?article=1113&context=history-in-the-making>.

On the battlefields of Cuba[,] white and black have died[,] and their Souls risen together in heaven."²⁴

"Listening as a young child to talk about the creation of man in God's image; seeing at the age of nine the hanging of a slave; knowing first-hand the vicissitudes of clandestine human cargo taken through inhospitable places, hidden from public view in the sugar plantations; working alongside and being lashed with slaves in the quarries."²⁵

He used this knowledge of the sociological effects of slavery to cultivate his own view of "race" and its effect on both Cubans and Hispanic America in general.²⁶

II. CUBA AND THE UNITED STATES

To truly understand Jose Marti's view on Cuban freedom and its relation to race and racism, it is essential to look at his relationship with the United States. Indeed, the United States' revolution directly influenced his views on Cuban independence from Spain.²⁷ To understand this relationship between the United States, Cuba, and race, it is important to look at both countries' roles in the slave trade.²⁸

a. SLAVERY IN CUBA

By 1893, the United States had been a sovereign Republic for over a hundred years while Cuba was still under the control of the Spanish.²⁹ The slave trade was vital in the success Cuban plantations enjoyed through the harvest of sugarcane and tobacco.³⁰ "Racial discrimination in the Spanish colony

²⁴ Marti, *supra* note 1.

²⁵ Baro, *supra* note 2.

²⁶ *Id.*

²⁷ See Renteria, *supra* note 23.

²⁸ Nancy Mirabal, *The Cuban Revolution and the Myth of Racial Inclusivity*, BLACK PERSPS. (Nov. 10, 2017), <https://www.aaihs.org/the-cuban-revolution-and-the-myth-of-racial-inclusivity/>.

²⁹ *Id.*

³⁰ *Cuba*, BRITANNICA, <https://www.britannica.com/place/Cuba/Sugarcane-and-the-growth-of-slavery> (last visited Sept. 27, 2022).

reinforced the institution of slavery and its impact throughout the region."³¹

The Spanish in the early 1700s could not sell slaves as efficiently as the British.³² For example, there was a 10-month period in 1762 in which the British controlled Havana and sold more slaves than the Spanish had in the previous twenty-one years.³³ However, from the mid-1700s to the mid-1800s, Cuba became the largest slave colony in all of Hispanic America.³⁴ It imported the highest number of enslaved persons and was the last Hispanic American colony to abolish slavery.³⁵ Specifically, Cuba imported around 800,000 enslaved people, twice the amount sent to the United States.³⁶ Cuba grew from a population of about 39,000 slaves to a staggering 800,000 slaves by the year 1820.³⁷ However, Britain and Spain agreed the year 1820 would mark the end of the slave trade in Hispanic America.³⁸ The number of slaves imported into the island dwindled until about 1865 as British and Spanish forces began to attack slave traders.³⁹ Though the importation of slaves ceased, Cuba would not outlaw the ownership of slaves until 1886.⁴⁰

From 1820-1886, slaves made up one-third of the Cuban population, and they were responsible for the most mechanized sugar industry in the world.⁴¹ The Cuban people were becoming "more than white, more than mulatto, [and] more than Negro."⁴² Like many Cubans today, their families were often largely mixed with extended and fictive family members.⁴³ For all the people of Cuba, life was hard compared to the rest of the world. At this time, there was also a recurring disease that plagued the population during the summer

³¹ Renteria, *supra* note 23.

³² BRITANNICA, *supra* note 30.

³³ *Id.*

³⁴ *Id.*

³⁵ *Id.*

³⁶ Utset & Gonzalez, *supra* note 13.

³⁷ BRITANNICA, *supra* note 30.

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² Marti, *supra* note 1.

⁴³ Baro, *supra* note 2, at 56.

months.⁴⁴ Even amongst poverty and oppression brought upon by the Spanish, there were still those in Cuba who remained loyal to their Spanish culture and racial roots.⁴⁵ For example, “the female perception in the province of Camaguey, for example, remained loyal to Spanish cultural and racial roots as they signed a public declaration in an effort to preserve White nationality.”⁴⁶ The Ten Years’ War (the first of three anti-colonial Cuban movements for independence) began in 1868 when the Spanish Government began to increase taxes and refuse to grant Cubans political autonomy.⁴⁷ A man by the name of Carlos Manuel de Cespedes freed his slaves and issued the “Grito de Yara [Cry of Yara] decree, in which he declared Cuban independence.”⁴⁸ The racial hierarchy created in Cuba would prove to be a major asset to the Spanish. Not only were the rebel recruits branded with racial labels, but many cities found that they did not want to fight with black and native soldiers, so they sided with Spain to preserve its “white nationality.”⁴⁹ Spain convinced many people in Cuba that there was a “Black threat,” which led to multiple factions surrendering. “Spain promised to reform the island’s political and economic system in the pact of Zanjón (1878), which ended the war.”⁵⁰

The “progressive and formidable tactician, [General Jose Antonio] Maceo[,] was second in command of the Cuban Army of Independence” and refused to sign the Pact.⁵¹ Maceo was an afro-indio and became a national symbol of the “possibility of a representationally diverse Cuba.”⁵² Martí considered Maceo to be a significant military leader in Cuba.⁵³ Martí used his ability

⁴⁴ BRITANNICA, *supra* note 30.

⁴⁵ *Id.*

⁴⁶ Renteria, *supra* note 23, at 3.

⁴⁷ BRITANNICA, *supra* note 30.

⁴⁸ BRITANNICA, *supra* note 30.

⁴⁹ See Webster W. Heath, *Racial Violence, American Imperialism, and Hybrid Futurism: An Examination of the Writings of W.E.B. Dubois and Jose Martí* (Dec. 15, 2018) (M.A. dissertation, Vanderbilt University),

<https://ir.vanderbilt.edu/bitstream/handle/1803/14528/HybridFuturism.pdf?sequence=1>.

⁵⁰ BRITANNICA, *supra* note 30.

⁵¹ Heath, *supra* note 49, at 5.

⁵² *Id.*

⁵³ *Id.*

of eloquent writing style to garner support both nationally and internationally for the preparation of another revolution.⁵⁴ Unfortunately, this support would cost Marti his citizenship as Cuba exiled him for printing pieces in the national newspaper that spoke ill of Spanish rule.⁵⁵

b. MARTI AND THE UNITED STATES

Exiled from Cuba by the Spanish, Marti traversed the United States, seeking support for the Cuban Liberation Movement.⁵⁶ He then wrote about social conditions in the United States for Mexico City's most esteemed newspaper at the time, "El Partido Liberal" and "New York's Patria."⁵⁷ Marti visited the United States at a strange time amidst the aftermath of the Civil War, an influx of immigration, and the exploration west, accompanied by the removal of Native Americans from their ancestral lands.⁵⁸ As this was happening, he wrote about much of it for newspapers.⁵⁹ Race was a huge part of that conversation.⁶⁰ He came from a country with a population of one-third slaves on an island less than half the size of the United States.⁶¹ Cuba was hard for all people, black, white, or mulatto, while the Spanish were the ones who profited.⁶² Thus, the people of Cuba and the United States shared a common goal. The United States had beaten its colonial oppressor over a hundred years ago, and Jose Marti saw what could unfold because of "race."⁶³ In his home country of Cuba, he knew if they did not handle their own racial issues, the day would come when they would have a civil war of their own.⁶⁴ Marti gets a more comprehensive view of what Cuba's new government should be by looking to

⁵⁴ *Id.*

⁵⁵ *Id.*

⁵⁶ Heath, *supra* note 49, at 5.

⁵⁷ *Id.*

⁵⁸ *See id.*

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² *Id.*

⁶³ *See id.*

⁶⁴ *See* Jose Marti, *Our America*, EL PARTIDO LIBERAL (MEXICO CITY) (Jan. 20, 1891), <https://misiones.cubaminrex.cu/en/articulo/our-america-jose-marti>.

Europe and the “Yankees,” not for what to do but rather what not to do.⁶⁵ He warns the people of Cuba that they must know what has happened in North America and learn from it.⁶⁶

Not only does Marti warn the Cuban people to fear the mistakes of North Americans but also not to trust them blindly when they reach out their hand for help.⁶⁷ A man named Joseph J. Dimock was an American who visited Cuba in 1859 and wrote of his travels. In his book, he stated, “Cubans do not possess the energy and independence of Northern races, but they are brave and generous, and only need an infusion of our Anglo-Saxon blood to make them stand equal to any nation.”⁶⁸ This quote shows most North Americans' general sentiments about Cubans and Hispanic America. What Jose Marti realized was even if the Cuban people disagreed on racial or cultural practices, to the rest of the world, they were deemed to be kind and generous people but uncivilized due to their “race.”⁶⁹ Dimock had the point of view that “notions of proper racial hierarchy had been cemented into acceptable forms of social order that justified racial discrimination.”⁷⁰ His sentiment showed that while Cubans may quibble and set up Spanish-induced racial hierarchies, the rest of the world was already under the impression that Cubans were but one race and less capable than that of European and “Yankee” descent.

III. HIS RACE

a. MARTI AND HIS VIEWS ON RACE

Jose Marti wrote the article, “My Race,” on April 16, 1893.⁷¹ He believed that the Cuban people, spread throughout the west, black or white, poor or rich, could all come together under the “solitary star of our flag, the formula for love triumphant.”⁷²

⁶⁵ *Id.*

⁶⁶ *Id.*

⁶⁷ *Id.*

⁶⁸ Renteria, *supra* note 23, at 2.

⁶⁹ *Id.*

⁷⁰ *Id.*

⁷¹ Marti, *supra* note 1.

⁷² Andrew Gomez, *Cubans and the Caribbean South: Race, Labor, and Cuban Identity in Southern Florida, 1868-1928* (2015) (Ph.D.).

He wished that the first law of his future Cuba would be reverence. Reverence “in every Cuban for the full dignity of man.”⁷³ He is most known worldwide for his poetry and public cry for Cuba’s freedom from the Spanish.⁷⁴ Personally, the poems he writes about a free Cuba bring tears to my eyes because I know that I will never see Cuba the way he envisioned. The saddest part is he never got to see it either.⁷⁵

Cuban citizens at that time were more likely to be friends with or related to an Afro-Cuban or Native American than someone from the “Southern” or even “Northern” part of the United States.⁷⁶ This is not to say that Afro-Cubans were treated as equals and that there was complete desegregation.⁷⁷ However, the thought of lynching someone in the town square was completely unheard of and considered murder.⁷⁸ When Jose Marti visited Florida, he experienced the life of an African American in the south and noted how disheartening it was.⁷⁹ Marti viewed lynching as “an egregious act against citizens that should be protected by the country.”⁸⁰

He described in one of his Articles the story of Ed Coy and used the opportunity to explain the shortcomings of the United States.⁸¹ Ed Coy was a thirty-two-year-old African American man who Julia Jewell accused of raping and assaulting her while her husband was out of town.⁸² An armed group apprehended Ed Coy, and he was tried and found guilty in a matter of hours.⁸³ The judge had initially sentenced Ed Coy to death by hanging. However, once they reached the town square, the mob members began to scream and shout that they should burn Ed Coy instead.⁸⁴ The mob of nearly 6,000 elected

dissertation, University of California, Los Angeles) (available at <https://escholarship.org/uc/item/8tq27711>).

⁷³ See *id.*

⁷⁴ See Baro, *supra* note 2.

⁷⁵ See *id.*

⁷⁶ BRITANNICA, *supra* note 30.

⁷⁷ See *id.*

⁷⁸ *Id.*

⁷⁹ Heath, *supra* note 49.

⁸⁰ *Id.*

⁸¹ *Id.*

⁸² *Id.*

⁸³ Heath, *supra* note 49.

⁸⁴ *Id.*

to move the biblical revelation scene to a more viewable part of town.⁸⁵ They doused Ed Coy with petroleum and handed the matches to Julia Jewell, who set the fire.⁸⁶

The story of Ed Coy showed Jose Marti how seemingly ordinary people could rationalize this violence in the name of racial fear.⁸⁷ He feared what would happen to his country if they did not adhere to the warnings of North America.⁸⁸ He used this horrific story and other stories about the treatment of Native Americans to set North America apart from Cuba and the rest of Latin America.⁸⁹ Marti knew that the hatred of African Americans in the United States was not something that would just simply go away.⁹⁰ In fact, he made it very clear that the United States may help free the Cuban people from Spanish rule.⁹¹ But, he also cautioned that the United States could be the next superpower to take over control of Cuba and Hispanic America.⁹² In other words, if Cuba did not exercise caution, the United States could assume Spain's role as the hegemon of Hispanic America.⁹³ Jose Marti felt that a superpower, like the United States, that has shown an evident inability to address its own multiculturalism problems would not be a good fit for bringing racial harmony.⁹⁴ Marti implores Hispanics to set aside their issues with each other and solve their problems without relying on help from European or "Yankee" ideals that poison what makes Hispanic Americans so unique.⁹⁵

b. THE SOCIAL EFFECTS OF CLAIMING A RACE OR POINTING OUT DIFFERENCES

Marti believed that "Whites who say, 'my race' commit the sin of redundancy; so do Blacks who say the same.⁹⁶ Everything that divides men, specifies, sets them apart, or

⁸⁵ *Id.*

⁸⁶ *Id.*

⁸⁷ *See id.*

⁸⁸ Marti, *supra* note 64.

⁸⁹ Heath, *supra* note 49.

⁹⁰ *Id.*

⁹¹ Marti, *supra* note 64.

⁹² *Id.*

⁹³ *Id.*

⁹⁴ Heath, *supra* note 49.

⁹⁵ Marti, *supra* note 64.

⁹⁶ Marti, *supra* note 1.

corners them, is a sin against humanity."⁹⁷ Marti realized that the racial issues in North America were already rooted in Cuba.⁹⁸ Multiple cities displayed this contention by signing proclamations that they were fighting for White Nationality.⁹⁹ Marti realized,

[r]ather than focus on the alleged lack of culture of the dark skin sector, [he] viewed it as necessary to reeducate everyone to participate fully in a free decolonized country, whether they were born in a wealthy house or in a slave barracks. If the deficiencies of the slave fall entirely upon the master, those who preach the 'elevation of the Black' also need reeducation.¹⁰⁰

When it came to this kind of reeducation, Marti wanted the Latin American individuals to be the ones that led this movement.¹⁰¹ He no longer wanted Latin people to abandon their homelands and be taught and influenced by those who didn't know their nation's struggles.¹⁰² He says,

[h]ow are universities to produce governors if there is no [Latin] American university where they teach the rudiments of the art of governance - which is the analysis of the particular characteristics of the [Hispanic] American peoples? The young go out in the world to discover these things with Yankee or French eyeglasses and aspire to govern a people they do not know.¹⁰³

Marti "considered the human individual to be a unity of matter and spirit and at the same time a collective of closely related individuals, with all one nature."¹⁰⁴ From this analysis, it seems that Marti viewed the importance of ethnicity and how influential culture is for Hispanic Americans to not only learn

⁹⁷ *Id.*

⁹⁸ *Id.*

⁹⁹ Renteria, *supra* note 23, at 3.

¹⁰⁰ Baro, *supra* note 2.

¹⁰¹ Marti, *supra* note 64.

¹⁰² *See id.*

¹⁰³ *Id.*

¹⁰⁴ Baro, *supra* note 2.

and embrace but also protect it from differing, potentially harmful, foreign ideologies.¹⁰⁵

IV. CRITICAL RACE THEORY'S VIEW OF RACE

Traditional civil rights discourse defined racism as discrete, easily identifiable, invariably intentional, always irrational acts perpetrated by "bad actors."¹⁰⁶ Essentially, racism derives from individually held bias or prejudice.¹⁰⁷ Peller explains in "Race Consciousness" that,

The mental side of racism is . . . represented as either "prejudice" - the prejudging of a person according to mythological stereotypes - or "bias" - the process of being influenced by subjective factors. The key image here is of irrationalism - the problem with prejudice is that it obscures the work of reason by clouding perception with beliefs rooted in superstition . . . [R]acism achieves social form when the distortion of prejudice in consciousness subsequently translates into practice. Here racism manifests itself in the practice of "discrimination," in the disparate treatment of whites and blacks that the irrational attribution of difference is supposed to justify.¹⁰⁸

Critical Race Theory suggests that the definition outlined in the civil rights era does not fully define racism in today's standards.¹⁰⁹ Critical Race Theorists also challenge the view that only "bad actors" commit racism or that those who commit racism do so intentionally.¹¹⁰ Instead, Critical Race Theorists proposed that racism can be unintentional.¹¹¹ They also say that people who commit racist acts can be "bad actors" the most common form of racism African Americans are

¹⁰⁵ *Id.*

¹⁰⁶ BRIDGES, *supra* note 18.

¹⁰⁷ *Id.*

¹⁰⁸ Gary Peller, *Race Consciousness*, 1990 DUKE L. J. 758, 762 (1990).

¹⁰⁹ BRIDGES, *supra* note 18.

¹¹⁰ *Id.* at 7.

¹¹¹ *Id.* at 24.

subjected to is the result of institutional, structural processes in the post-civil rights era.¹¹²

V. MARTI AND CRITICAL RACE THEORY

a. WHAT CRITICAL RACE THEORY HAS IN COMMON WITH MARTI'S VIEW

The definition of "Race" from the point of view of Jose Marti is not all that different from that of a Critical Race Theorist.¹¹³ Both agree that "race" is not biologically real but is socially constructed and socially significant.¹¹⁴ Both recognize that science refutes the idea of biological racial differences.¹¹⁵ Race is the product of social thought but carries great significance.¹¹⁶ "But there's the rub."¹¹⁷ They disagree as to the importance of what race means. Jose Marti considers the significance of claiming to be a part of a race is its ability to promote racism.¹¹⁸ He states:

The white man who, by reason of race, believes himself superior to the Negro, admits the idea of race and so authorizes the black racist. The Negro who proclaims his racial character, when perhaps the only thing he is proclaiming in this mistaken fashion is the spiritual identity of all races, authorizes and brings forth the white racist. Peace calls for the common rights of nature; differences in rights being contrary to nature, are enemies of peace. The white man who draws apart isolates the Negro. The Negro who draws apart drives the white man into isolation.¹¹⁹

Marti takes on the belief that this construction was used in a way to promote racist practices, and acknowledging race

¹¹² BRIDGES, *supra* note 18.

¹¹³ *Id.* at 25.

¹¹⁴ *Id.*

¹¹⁵ *Id.*

¹¹⁶ *Id.*

¹¹⁷ Mirabal, *supra* note 28.

¹¹⁸ Baro, *supra* note 2.

¹¹⁹ Marti, *supra* note 1.

encourages it.¹²⁰ However, Critical Race Theory looks at traditional civil rights discourse and expands upon it to include the views and thoughts of Americans in the post-civil rights era.¹²¹

VI. CUBA AND THE DESTRUCTION OF “RACISM”

The “1930’s Afrocubanista desire for a united Mulatto Cuba and its concomitant downplaying of existing racial inequalities and black and white differences partly stemmed from the desire for black and white unity.”¹²² During the early years of the first Cuban Republic, white elites re-formulated Jose Martí’s discourse into a myth of racial equality that allowed them to maintain existing racial hierarchies and silence Afro-American protests.¹²³

In 1959 when Fidel Castro took to overpower the government in Cuba, he vowed to eliminate racism.¹²⁴ In just two years, he claimed, “the successful elimination of racism and invited African Americans and other people of African Descent to the island to see the new ‘racial paradise.’”¹²⁵ Many Afro-Cubans found that this bold claim silenced any conversations about race and ongoing racist acts.¹²⁶ To mention these things would be counter-revolutionary and would be a punishable offense.¹²⁷ This social taboo made individuals and organizations, who attempted to name and challenge racism, enemies of the State.¹²⁸ In Cuba, the government denies race, adopting the notion of “[n]ot Blacks, but citizens.”¹²⁹

¹²⁰ Baro, *supra* note 2.

¹²¹ *Id.* at 7.

¹²² MIGUEL ARNEDO-GÓMEZ, UNITING BLACKS IN A RACELESS NATION: BLACKNESS, AFRO-CUBAN CULTURE, AND MESTIZAJE IN THE PROSE AND POETRY OF NICOLAS GUILLEN (2016).

¹²³ *Id.*

¹²⁴ Mirabal, *supra* note 28.

¹²⁵ *Id.*

¹²⁶ *Id.*

¹²⁷ *Id.*

¹²⁸ *Id.*

¹²⁹ *Id.*

a. POST-RACIALISM

Castro often claimed to be a proponent of inclusivity and progressivism, like Jose Marti.¹³⁰ It does not seem that these are the same “Anti-Racist” policies that Jose Marti mentions.¹³¹ Rather, it seems to be that of “Post-Racialism.”¹³² The viewpoint that ‘race’ is not an explanatory factor to health, incarceration, poverty, lack of resources, and education is consistent with Post-Racialism.¹³³ It denies that the nation of Cuba is in any critical way proximate to its racist past.¹³⁴ It speculates that persistent racial inequality is the effect of other forces.¹³⁵

b. THE LEGAL EFFECT OF POST-RACIALISM

The United States has rulings in its highest court that reflect post-racialist views.¹³⁶ In 1994, the Supreme Court held in *Adarand Constructors, Inc. v. Pena* that courts would be as skeptical of the constitutionality of laws that seek to benefit historically disadvantaged racial groups as they are of laws that seek to benefit white people, who have enjoyed significant advantages because of their race.¹³⁷ This holding essentially states that it is unconstitutional to consider race a factor in one’s place in life. It puts Affirmative Action laws on the same footing as Jim Crow laws.¹³⁸

Another case from the United States is *Parents Involved in Community Schools v. Seattle*; the court held two school districts’ plans to integrate schools unconstitutional due to residential segregation that created inadvertent racial segregation.¹³⁹ Chief Justice Roberts gave a plurality opinion that reflected his post-

¹³⁰ *Id.*

¹³¹ *Id.*

¹³² See BRIDGES, *supra* note 18.

¹³³ *Id.* at 5.

¹³⁴ See Mirabal, *supra* note 28.

¹³⁵ *Id.*

¹³⁶ BRIDGES, *supra* note 18.

¹³⁷ *Adarand Constructors, Inc. v. Pena*, 515 U.S. 200, 222-27 (1995).

¹³⁸ *Id.*

¹³⁹ *Parents Involved in Cmty. Sch. v. Seattle Sch. Dist. No.1*, 551 U.S. 701 (2007).

racialist view of thinking: “The way to stop discrimination on the basis of race is to stop discriminating on the basis of race.”¹⁴⁰

One last case from the United States is *Shelby County, Alabama v. Holder*, which struck down section 4(b) of the Voting Rights Act, which combated racial discrimination in voting.¹⁴¹ Congress determined that the requirements in the Voting Rights Act were still necessary to ensure equal voting rights to continue progress and prevent a return to discriminatory voting restrictions.¹⁴² As Justice Ginsburg pointed out in her dissent, the act’s success is being used to find it unconstitutional.¹⁴³ This case essentially stated that there was no longer a substantial disparity in voter registration or turnout between white and African American citizens in the United States, specifically in Alabama.¹⁴⁴ This decision essentially claims that racism has been defeated and adopts the post-racial view that race is insignificant.¹⁴⁵

VII. MY RACE

In my life, I have seen the 9/11 attacks and the somewhat understandable, yet highly regrettable, retaliation of a mourning nation.¹⁴⁶ I have seen the people of Flint, Michigan, predominately black, exposed to lead in the city’s drinking water. I have seen a man in broad daylight killed as a law enforcement officer knelt on his neck for 3 minutes as onlookers videoed in shock and horror.¹⁴⁷ I have seen the outcry of predominately black citizens calling for more access to voting stations and the accompanying outcry of voting fraud coming from predominately black jurisdictions.¹⁴⁸ These do not seem like practices and concerns of a nation that has closed the door on racism. Prisons that consist of over 37% black people when

¹⁴⁰ *Id.* at 748.

¹⁴¹ *Shelby Cty. v. Holder*, 570 U.S. 529, 557 (2013).

¹⁴² *Id.* at 559.

¹⁴³ *Id.* at 559.

¹⁴⁴ *Id.* at 558.

¹⁴⁵ See BRIDGES, *supra* note 18.

¹⁴⁶ *Id.*

¹⁴⁷ *Id.*

¹⁴⁸ *Id.*

they only make up 13% of the United States are undeniable evidence that race is highly significant.¹⁴⁹

a. WHERE DO WE GO FROM HERE?

It is hard to say where we should go from here. As is apparent above, the problem with race and racism is worldwide. How do we fix such issues engrained in almost every aspect of our society? Perhaps the reeducation of a nation is the solution. We should educate the children of America about the trials and tribulations of those that walked this nation before us. We should know of Columbus and his voyage, but we also should remember the evil he brought. We should remember Robert E. Lee for his love and passion for his home state of Virginia, without forgetting the slaves he owned and beat if they did not obey. There is nothing wrong with having pride for your country or your state but to pretend as though evils and horrors committed by those who came before us do not exist is abhorrent. As Jose Marti states,

[to] know them is enough, without blinders or ambiguities; because he that willfully or negligently sets aside part of the truth falls in the end for the lack of that truth which grows if neglected and tears down what was erected without knowledge of it . . . to know is to resolve.¹⁵⁰

Though it may not be easy to hear, we must learn of our true history if we are ever able to avoid repeating it in the future. My Race? I'm not entirely sure, but I do know that "[i]n [America] there is much greatness in black and white."¹⁵¹

¹⁴⁹ *Id.*

¹⁵⁰ Marti, *supra* note 64.

¹⁵¹ Marti, *supra* note 1.