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*Entre Muchas Islas*¹:

An Afro-Latina Legal Critic in the Paradoxical Age of Obama

Nisé Guzmán Nekheba²

¹ Spanish for amid many isles. The Spanish translations are mine.

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You traveled through a world that played with your head when you thought you had conquered it and which in reality hurled you from its orbit, leaving you neither here nor there. Navigator between two waters, shipwrecked between two worlds.

Alejo Carpentier, *The Harp and the Shadow*

Preface

Amidst the media's and popular culture's immediate declaration that we are in a 'Post-Racial' society following President Obama's historic election, Birthers, soldiers, and politicians continue to claim President Obama is not eligible to hold the Office of President because he is not "a natural born citizen," as required by the Constitution.³ As a first generation immigrant, the Birthers's relentless attempts to delegitimize President Obama and exclude him from their problematic understanding of U.S. citizenship urges me to propose a series of articles on U.S. Citizenship laws, democracy and difference. This particular article proposes to provide a personal prelude to my forthcoming citizenship, Birther cases, and democracy series.⁴

This article is a resistance discourse, a hybrid narrative that attempts to name *lo que no tiene nombre*⁵-- memories as a subordinated US citizen--vis-à-vis the contrapuntal layers of my academic, linguistic, racial, cultural, gender, and legal loci, my *islas*. To expose and name the multiple—and paradoxical--*islas* that my quotidian life navigates through is simultaneously

³ The following Birther cases were filed claiming Obama was not a natural born citizen and did not qualify to be President and Commander in Chief: *Berg v. Obama*, 586 F.3d 234 (3d Cir. 2009); *Kirchner v. Obama*, 669 F.Supp.2d 477 (D.N.J. 2009); *Barnett v. Obama*, No. SACV 09-0082, 2009 U.S. Dist. LEXIS 101206, (C.D. Cal. Oct. 29, 2009); *Rhodes v. MacDonald*, No. 09-15418, 2010 U.S. App. LEXIS 5340 (11th Cir. Mar. 15, 2010); *Hollister v. Saetoro*, No. 09-5080, 2010 U.S. App. LEXIS 6005 (D.C. Cir. Mar. 22, 2010); *Strunk v. United States Dep't of State*, No. 08-2234, 2010 U.S. Dist. LEXIS 24202 (D.D.C. Mar. 15, 2010); and *Dawson v. Obama*, No. 08-2754, 2009 U.S. Dist. LEXIS 34874 (E.D. Cal. Apr. 24, 2009). All have been dismissed due to a lack of standing for failure to show an injury in fact.

⁴ Prominent pundits, including former politicians, are weighing in with Birther-like statements that question President Obama's legitimacy, in order to position their own political aspirations. This is crystallized by Newt Gingrich's recent comments to the National Review Online. He stated that Obama "is a person who is fundamentally out of touch with how the world works, who happened to have played a wonderful con, as a result of which he is now president." Robert Costa, *Gringrich: Obama's 'Kenyan, anti-colonial' worldview*, NATIONAL REVIEW ONLINE, Sept. 11, 2010, <http://www.nationalreview.com/corner/246302/gingrich-obama-s-kenyan-anti-colonial-worldview-robort-costa>.

⁵ Literally: That which cannot be named. This phrase is used in Spanish to express an ineffable, unjustified pain or suffering.

resistant and discursive because it challenges injustice and rigid categories for citizenship,⁶ while attempting to engage the reader—hoping we can find a bridge of mutual understanding where there can be a mutual stake in it-- in order to envision a more inclusive democracy. More importantly, this article is a liberative re-claiming and re-defining of my *islas*, an attempt to put the painful and dis-empowering contradictions of most *islas* ‘on its head’ by optimizing the tools they provide and envisioning my role in this society as the active ‘outsider within’ legal critic.

Accordingly, this article will attempt to balance theory and praxis by fusing an autobiographical excavation—*mis islas*—with sources that parallel James Baldwin’s call to witness, political theorist Iris Marion Young’s communicative democracy, and Patricia Hill Collins’ Outsider Within Model.⁷ This article will navigate through the following *islas*: Quisqueya, Dominican Republic, which includes the cultural, gender, and historical dynamic of my experience; the language [English and Spanish] *isla*, which includes aspects of my early education; the race *isla*; the religious inspiration *isla*; and finally my citizenship *isla*, as a response to recent Birthers’ legal claims and comments. My locus in each *isla* is usually marginal, yet like Sojourner Truth, conscious of legal agency, change, and empowerment.

⁶ Not only do I include race, gender, culture, and language as rigid categories, I also include academic formats for writing journal articles as a category that I am resisting. While I will merge academic analyses of various writers with the narrative, I am cognizant of the paradoxical parameters and confines that academic and legal writing requires, vis-à-vis relying on primary authority. This is partially true, as we are educated to discount personal experience and uphold the law and other authorities. Nevertheless, I am simultaneously resisting this; and am cognizant of the fact that my experience is merely a truth, a contextualized truth that stands on its own, amid a greater democratic whole. This contradictory rumination crystallizes the multiple *islas* of thought that are a part of me—for aren’t we each members of our own *islas*, loci, or lens? However, I am also aware that this project is an academic prelude to a larger legal project on citizenship laws and Birther cases in the age of Obama.

⁷ See IRIS MARION YOUNG, *Communication and the Other: Beyond Deliberative Democracy*, in DEMOCRACY AND DIFFERENCE (Princeton University Press 1996); and PATRICIA HILL COLLINS, *FIGHTING WORDS: BLACK WOMEN AND THE SEARCH FOR JUSTICE* (University of Minnesota Press 1998).

A Prelude

Bobby Kennedy recently made me the soul-stirring promise that one day--thirty years, if lucky--I can be President too. It never entered into this boy's mind, I suppose--it has not entered the country's mind yet--that perhaps I wasn't one to be. And in any case, what really exercises my mind is not this hypothetical day on which some other Negro "first" will become the first Negro President. What I am really curious about is just what kind of country he'll be President of.⁸

This narrative is galvanized by James Baldwin's persistent witness to his experience, his truth, in the face of undemocratic notions of freedom and equality, his hope in humanity and democracy, and Sojourner's Truth's valiant efforts to rename herself and publicly expose the racial and gender injustices in her day. A brief examination of Baldwin's challenge is requisite to understand this article's impetus.

This article is inspired by James Baldwin's astute ability to witness, to express his experience with racism, in order to achieve a dual purpose, namely to reveal the destructive effects of racism on him and all U.S. citizens. According to James Baldwin, witnessing is a necessary artistic expression of his experience that is politically charged. "He relates witnessing to an artistic practice, explaining that the artist's job is to pierce the skin of society and uncover the turbulence disguised by the appearance of order on the surface."⁹ As an African American writing during the turbulent Civil Rights Movement, Baldwin valiantly takes on the role of a witness, and an "indispensable disturber of the peace" to excavate his "own shovel and guts"¹⁰ regarding racism.

Baldwin's witness to his truth is not a triumphal, self-righteous endeavor that solely seeks to express his particular experience. His work is rooted in his particular experience, his singularity to only serve as an authority for his own life. "It is Baldwin's appreciation of his own

⁸ JAMES BALDWIN, *Nationalism, Colonialism, and the United States: One Minute to Twelve--a Forum*, in THE CROSS OF REDEMPTION, UNCOLLECTED WRITINGS 9 (Randall Kenan, ed., Pantheon Books 2010).

⁹ LAWRIE BALFOUR, *THE EVIDENCE OF THINGS NOT SAID: JAMES BALDWIN AND THE PROMISE OF AMERICAN DEMOCRACY*, 14 (Cornell University Press 2001).

¹⁰ *Id.*

singularity, no more singular than any other individual's but irreducible still, that enables Baldwin to call himself a witness."¹¹ As a witness, Baldwin publicly shares how racism unfairly judged his capabilities and rendered him inferior, worthless. In "My Dungeon Shook," a letter to his nephew James, he writes:

You were born where you were born and faced the future that you faced because you were black and for no other reason. The limits of your ambition were, thus, expected to be set forever. You were born into a society, which spelled out with brutal clarity, and in as many ways as possible, that you were a worthless human being. You were expected to make peace with mediocrity.¹²

Baldwin is not advising his nephew to surrender to racist social designations. His is an uncle's loving proviso to teach his nephew about how the dominant society unfairly judged him since the day he was born. He does this to demonstrate another dimension to witnessing, namely to 'know thyself.'

Baldwin advises his nephew: "Know whence you came. If you know whence you came, there is really no limit to where you can go. The details and symbols of your life have been deliberately constructed to make you believe what white people say about you."¹³ Baldwin challenges his nephew to know whence he came, to recognize the dominant racist forces that oppress African Americans from birth. It is a call, a mandate to know the historical process that shapes his present social predicament, in order to reject these forces and empower himself. This type of consciousness is an enlightening and transformative excavation that "echoes Antonio Gramsci's claim that transformation is only possible through 'knowing thyself' as a product of

¹¹ *Id.* at 15.

¹² JAMES BALDWIN, *My Dungeon Shook*, in *THE FIRE NEXT TIME*, 7 (Dell Publishing Co. 1963).

¹³ *Id.* at 8.

the historical process to date which has deposited in you an infinity of traces, without leaving an inventory.”¹⁴

This type of transformation is empowering because it recognizes [and rejects] the historical and societal factors that for Baldwin perpetuate self-hatred. In “Down At the Cross” he writes: “Negroes...are taught really to despise themselves from the moment their eyes open on the world. This world is white and they are black. White people hold the power, which means that they are superior to blacks.”¹⁵ It is this profoundly frustrating color line, and a consciousness as to its effects, which galvanizes Baldwin to resist the oppressive and annihilating hold racism has on him, by witnessing it vis-à-vis his writing.

In expressing the self-hating effects of racism, Baldwin’s witness ‘to know thyself’ also includes his second conviction: a call to a race consciousness that exposes the dominant society’s role in racial oppression. It is a witness that examines white supremacy, in order to expose a deeper, broader wound, namely society’s role in maintaining an unjust semblance of order in the 1960s, to the detriment of democratic principles of freedom and equality.

As a descriptive term, race consciousness conveys the ways in which ‘whiteness’ and ‘blackness’ are noticed (or not noticed) in daily life. Race consciousness describes the underlying complex of associations that shape Americans’ sense of identity, influence everyday encounters, and frame responses to questions about racial injustice. Baldwin’s unflinching evocation of the psychological, cultural, and moral dimensions of the color line reveals how ‘seeing by skin color’ fundamentally shapes Americans’ outlook on the world.¹⁶

Baldwin probes his own experience, expresses it, and then uses it as a critical springboard from which to expose how ‘seeing by color’ has foundationally impacted democratic notions in the

¹⁴ BALFOUR, *supra* note 9, at 8.

¹⁵ JAMES BALDWIN, *Down At the Cross*, in *THE FIRE NEXT TIME*, *supra* note 12, at 25.

¹⁶ BALFOUR, *supra* note 9, at 6-7.

US. That is, racial injustice can serve as a barometer, from which to examine North American democracy.

He exposes the power and the ambiguity of racial identity, thereby promising to breathe life into often sterile debates about individual rights and the import of group membership. And he shows that taking stock of the specificity of African American experiences—not merely as an aspect of ‘difference’ or an ascriptive category like any other, but as a basis by which the achievements of American democracy should be judged—is essential to the examination of racial injustice.¹⁷

For Baldwin, witnessing and examining racial injustices is intricately linked to evaluating democracy in the US, because the history of slavery, its dehumanization of African Americans, and its aftermath are all intertwined with this nation’s democratic identity. Racism limits freedom, equality, and the ability to advance socially. Although he never directly defined democracy, Lawrie Balfour opines that Baldwin’s narratives express how white supremacy’s unjustified power robbed African Americans of a democratic inheritance, freely given to whites.

His narrative recreation of his own and others’ American experiences intimates that, beyond guarantees of formal equality and the rights of citizens embodied in the Constitution and the civil rights legislation of the nineteenth and twentieth centuries, democracy requires the provision of the basic conditions of individual flourishing. And individual flourishing precludes substantial disparities in power and resources.¹⁸

Accordingly, Baldwin’s narrative is a political gateway from which to perceive the undemocratic imbalance of power in the US through the African American lens. “...Baldwin plumbs his own history for clues to the possibility of democracy in an environment where race figures so powerfully and, often, so silently. Relentlessly, he probes the exclusion of African Americans and struggles to create a language that will make the meanings of such exclusion real to a

¹⁷ *Id.* at 20-21.

¹⁸ *Id.* at 18.

resistant populace.”¹⁹ Baldwin’s conscious effort to make his experience accessible to the mainstream demonstrates his intention to make his narrative discursive. His work is a hybrid narrative between principle and praxis.

His is a vocation animated by principle and frustrated by practice. Convinced that the persistence of the color line cannot simply be eliminated by its exposure as a violation of democratic principles, Baldwin’s essays inhabit the space between principle and practice. Instead, he shifts attention away from the principles themselves to their significance in the context of his life.²⁰

More importantly, Baldwin is addressing a ‘resistant populace’ because he opines that they are under the destructive grip of an undemocratic illusion that makes them resistant to his witness. According to Baldwin, there is an unacceptable innocence in the mainstream regarding racism that can devastate the democratic project. “By innocence Baldwin means a willful ignorance, a resistance to facing the horrors of the American past and present and their implications for the future.”²¹ This innocence is rooted in the “illusion that there is some means of recovering the European innocence, of returning to a state in which black men do not exist.”²² It is an illusion that thrives on the dominant culture completely divorcing itself from the African American experience and relies on erroneously claiming that all are equal and free in the US.

Baldwin describes this illusion in “Stranger in the Village,” while living in a small Swiss village, where he is the only black man. He writes, “...the American vision of the world—which allows so little reality, generally speaking, for any of the darker forces in human life, which tends until today to paint moral issues in glaring black and white—owes a great deal to the battle waged by Americans to maintain between themselves and black men a human separation which

¹⁹ *Id.* at 6.

²⁰ *Id.* at 17.

²¹ *Id.* at 27.

²² JAMES BALDWIN, *Stranger in the Village*, in *INVENTING AMERICA: READING IN IDENTITY AND CULTURE*, 134 (Miles Orvell & Gabriella Ibieta eds., St. Martin’s Press 1996).

could not be bridged.”²³ Unfortunately, this battle to maintain a racial innocence—where societal equality is presumed, and conveniently highlighted, persists since the historic election of President Barack Obama, the first African-American President. Despite political gains, a paradoxical dissonance remains in schools, the workplace, and communities, as evidenced by the continued de facto segregation of public schools and the perennial affirmative action debate.²⁴ More recently, this paradox is also reflected by resurrected nativistic voices that question President Obama's legitimacy as President and the Latino presence and increasing population.²⁵

Baldwin asserts that this racial illusion is unacceptable and inaccurate because African Americans, as well as other races, are U.S. citizens, whose rights can no longer be ignored. Baldwin warns his audience that their failure to recognize this illusion is dangerous to the entire country and complicit with racial injustice. “People who shut their eyes to reality simply invite their own destruction, and anyone who insists on remaining in a state of innocence long after that innocence is dead turns himself into a monster.”²⁶

Baldwin holds those bound by this illusion accountable. Moreover, his narrative is also a bridge between his experience and a broader, mainstream audience to demonstrate an undeniable interconnection between all of humanity. Baldwin's moral condemnation of this innocence implies that to holdfast to this illusion is also in effect deleterious to self and democracy. All US citizens' destinies are morally and politically interconnected in Baldwin's schema. He writes:

²³ *Id.*

²⁴ During my studies at Harvard University, I was periodically treated as the ‘stranger in the village’ by opponents of affirmative action that assumed I did not have the mental capacity to succeed at Harvard. I can remember being insulted by one student, from Texas, who approached me after class and said, “You think your comments in class really grasped today's topic? I can't even believe you're here. Why, my cousin didn't get into Harvard because of you.” Although I quickly walked away, in an effort to not incite him, I wanted to respond by saying, “Why are you against the university's affirmative action program? Don't you realize that as a resident of a state that doesn't draw as many applicants to Harvard, and as a son of a Harvard graduate, you've benefited from affirmative action-like policies?”

²⁵ See LEO CHAVEZ, *THE LATINO THREAT: CONSTRUCTING IMMIGRANTS, CITIZENS, AND THE NATION*, 39-43 (Stanford University Press 2008).

²⁶ BALDWIN, *supra* note 22, at 135.

“What I tried to do, or to interpret and make clear was that what the republic was doing to black people it was doing to itself.”²⁷ Baldwin’s conviction regarding humanity’s interrelatedness parallels Martin Luther King, Jr.’s ethic. According to King, “...all life is interrelated. All men are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one, directly affects all indirectly. I can never be what I ought to be until you are what you ought to be...”²⁸

Another aspect of Baldwin’s ethic regarding humanity’s interconnection is stylistically achieved in his writing, in that he simultaneously includes himself as part of the ‘we’ and ‘our’ that perpetuates undemocratic illusions. This is demonstrated when he opines that racial innocence “protects our moral high-mindedness at the terrible expense of weakening our grasp of reality.”²⁹ Given that Baldwin was educated in the U.S. during an era in which major fields of study ‘secreted’ white supremacy, he is caught in the inescapability of being schooled by the Modern West,³⁰ and its exaltation of everything white and European.

Cornel West crystallizes the role of white supremacy in academia in describing its ‘secretion.’ West states,

...this secretion [is]the underside of modern discourse—a particular logical consequence of the quest for truth and knowledge in the modern West...[which] produced forms of rationality, scientificity and objectivity that, though efficacious in the quest for truth and knowledge, prohibited the intelligibility and legitimacy of the idea of black equality in beauty, culture and intellectual capacity. In fact, to ‘think’ such an idea was to be deemed irrational, barbaric or mad.³¹

²⁷ BALFOUR, *supra* note 9, at 14.

²⁸ MARTIN LUTHER KING, JR., *STRENGTH TO LOVE* 72 (Fortress Press 1963).

²⁹ BALDWIN, *supra* note 22, at 135.

³⁰ *See id.* at 130 (Baldwin depicts this inability to wholly escape from the dominant culture when he states, “I find ...myself among a people whose culture controls me, has even, in a sense, created me.”).

³¹ CORNEL WEST, *THE CORNEL WEST READER* 71 (Basic Civitas Books 1999).

For “the idea of black equality in beauty, culture and intellectual capacity remains problematic and controversial within prestigious halls of learning and sophisticated intellectual circles. The African American encounter with the modern world has been shaped first and foremost by the doctrine of white supremacy.”³² As a result of this, it is reasonable for Baldwin to demonstrate how he is writing as an outsider within a dominant community.

Baldwin’s critical witness to his truth is intimately linked to his role in various cultural locations, as evidenced by his call for all races to ‘know thyself’ and abandon a false innocence. It is a deliberative, communicative and democratic locus situated in and between different groups of varying power. In a way, Baldwin’s approach parallels deliberative and communicative models of democracy in that these models emphasize the important role discourse and narrative can play in political and legal discussions, in different spheres, arenas, loci.³³

This discursive model parallels Patricia Hill Collins’ Outsider Within Model. The outsider within model is based on Sojourner Truth’s life. “Because Truth lived in a Black woman’s body, her position in the world certainly shaped her position on her world. A traveler, a migrant who transgressed borders of race, class, gender, literacy, geography, and religion largely impenetrable for African-American women of her time, Truth remained an outsider within multiple communities.”^{34,35}

³² *Id.* at 70.

³³ See SEYLA BENHABIB, *Toward a Deliberative Model of Democratic Legitimacy*, in DEMOCRACY AND DIFFERENCE: CONTESTING THE BOUNDARIES OF THE POLITICAL 76 (Princeton University Press 1996). See also ROBERT A. DAHL, ON DEMOCRACY 48-49 (Yale University Press 1998) (in which Dahl contends that “all democracy is not only a process of governing, but is also a deliberative communicative process through active dialogue and participation.”).

³⁴ PATRICIA HILL COLLINS, *FIGHTING WORDS: BLACK WOMEN AND THE SEARCH FOR JUSTICE* 231 (University of Minnesota Press 1998).

³⁵ See also BONNIE HONIG, *DEMOCRACY AND THE FOREIGNER* 2-3 (Princeton University Press 2001) (According to Honig, difference, though a problematic term, should be celebrated, as it reflects our greater whole, multitudes of *islas*. Foreignness in the legal and political process is a welcome agent of change. She states, “Sometimes, the figure of the foreigner serves as a device that allows machines to import from outside ... [S]ome specific and much-needed but also potentially dangerous virtue, talent, perspective, practice, gift, or quality that they cannot provide for

According to Collins, this model is an empowering, though difficult, locus from which to oppose injustice. Its liberative aspects lie in the requisite migration between racial, gender, linguistic, and class location. For although the outsider within is continuously burdened by migrating between multiple loci, where legitimate acceptance or recognition is not guaranteed, her locus serves as a liberative catalyst from which to weigh and critique injustice, while simultaneously optimizing the tools she has acquired from these *islas*.

For her, resolving the tensions raised by her migratory status did not lie in staying in any one center of power and thereby accepting its rules and assumptions. Rather, Truth explicitly breached group boundaries. By selecting the name Sojourner, truth proclaimed that specialization and movement were both required in legitimating truth claims. No truth was possible without a variety of perspectives on any given particularity.³⁶

As a first generation Dominican-American legal academic, my daily existence is comprised of ‘breaching group boundaries,’ and migrating without the consolation of belonging to one *isla*. It is an everyday necessity that strengthens me. However, Collins’ vision of the Outsider Within, serves as a way in which to redefine moments of powerlessness and my multiple loci. In light of this, the narrative that follows names the ‘variety of perspectives,’ *islas*, I sift through. It witnesses to my truth, with the hopes of engaging the reader to co-examine notions of citizenship and injustice, and recognize our mutual stake in a broader democratic project.

themselves (or that they cannot admit they have) . . . Indeed, it is often their foreignness itself . . . that makes outsiders necessary even if also dangerous to the regimes that receive them. Indeed sometimes foreignness operates as an agent of (re)founding.”).

³⁶ Collins, *supra* note 34, at 231.

Quisqueya

Quisqueya, tropical *isla de mis antepasados*, *te invoko*.³⁷ *Quisqueya*, Taíno name for the Dominican Republic, I invoke you first and foremost as the *isla* of racial contradictions that existed before my birth and that I inherited. *Quisqueya*, your Taíno natives peacefully greeted Columbus with your gold in 1492. By 1519 most of the half a million Taínos had died from forced labor in the goldmines. *Quisqueya*, soon afterwards, you were the first unjust port of entry for African slaves in the Americas. *Quisqueya*, by the 1520s you were named *Española* by the Spanish colonizers that fled the Spanish Inquisition, while your sugar, slaves, and rum made España prosperous.³⁸

Quisqueya, *te invoko*, while I look in the mirror, and chart my ancestors by my *trigueña*³⁹ complexion. While I survey my *café con leche* skin, I can almost see my Spanish ancestor's face. I can *casi* see you, a Sephardic Jew, fleeing Spain's Catholic Inquisition over four centuries ago, and settling on a sugar plantation in northern *Española*, the agricultural heartland of this *isla*. They say you were quite prosperous, as you later were one of the founders of Santo Domingo de Guzmán, the southern capital. And as I carried your surname at birth, this small fact has also burdened my current *islas* with aristocratic expectations and societal *deber*,⁴⁰ as a woman, every time I return to your shores *Quisqueya*.⁴¹

³⁷ *Quisqueya*, isle of my ancestors, I invoke you.

³⁸ See SILVIO TORRES-SAILLANT AND RAMONA HERNÁNDEZ, *THE DOMINICAN AMERICANS 2* (Greenwood Press 1998).

³⁹ Literally, wheat colored.

⁴⁰ Literally, duty. In praxis, the word has potent societal and identity connotations.

⁴¹ The Dominican Republic is socially stratified, with stricter class and gender lines than the United States. When I return there, my place [vis-à-vis my parents] as an upper middle class woman heightens an old world Catholic custom to cloister young unmarried women. Accordingly, young women cannot leave their home, or even sit in front of their home without a chaperone. I was raised by this old code in New York City. I was always accompanied by an older sibling, or one of my nannies to go to school, stores, and even the library. I was never permitted to attend my prom, have extracurricular activities [unless it was for a job], or talk to boys, or was chided if I touched a baseball, as this too was taboo. As a result, I never traveled alone until I was 18 years old, and went to Amherst College.

“*Venimos de un linea de revolucionarios*,⁴² from the 1840s to the present,” I can hear my father extolling.

“*Sí*, your *tatarabuelos*⁴³ and your *tio*⁴⁴ were presidents,” I continue to hear my father’s prideful voice. Meanwhile, I return to the mirror, and scan it again, as if it were a scrying pool. And I can almost see a younger version of my *trigueña* mother, Ramona Tomasina Rafaela. I can see the *café* streaks, remnants of Don Guzmán’s conquest over my African foremothers. I continue to gaze at this oracle, while my eyes focus on my long woolen hair and my long wide nose.

“*Papi*,” I remember asking my father, “*¿Que raza soy*⁴⁵?”

“*¡Qué niña más estúpida!*⁴⁶,” he replied while he tisked. “*¿Tú no ves* that we Dominicans are three *razas*? *Somos, blancos, indios, y negros.*”⁴⁷ He continued. I remained perplexed, as I knew all Taínos had been decimated centuries ago.

“*Pero Papi, no veo indio en mi.*”⁴⁸ I said feeling perplexed.

“*Mira, muchacha fea,*⁴⁹ with your *bembe largo*⁵⁰ and your *pelo malo*,”⁵¹ he replied with a slap. “*No quiero oír*⁵² that we are black. We are three races,” he shouted and threw his Dominican passport at me that listed his race as *Indio*—part of a long list of Dominican racial categories that denies the Negro in us, although ninety percent of the population is black. So, my father is *Indio*, although he looks as black as Anwar Sadat or Langston Hughes...although my

⁴² We came from a line of revolutionaries.

⁴³ Great grandfathers.

⁴⁴ Uncle.

⁴⁵ What race am I?

⁴⁶ What a stupid girl!

⁴⁷ Don’t you see that we Dominicans are three races? We are white, Indian, and black.

⁴⁸ But daddy, I don’t see Indian in me.

⁴⁹ Ugly girl.

⁵⁰ This is an Africanism, meaning large puffy lips.

⁵¹ Bad hair. In the Caribbean, hair that is not European in texture is classified as bad.

⁵² I don’t want to hear.

mother's own parents refused to go to my parents' wedding, because she was marrying a *Negro*.⁵³

Quisqueya, *isla* within, where flowing rivers eloquently rush through *mis venas*⁵⁴ and describe parts of me that can never be charted and known *en inglés*.

Quisqueya, land of racial confusion, contradictions, and even negrophobia, I invoke you because your "racial innocence" inaccurately taught my ancestors that we are not linked to Africa,⁵⁵ although we prefer our tropical root vegetable dishes with African names like *ñame*, *mangú*, and *casabe* over the Spanish cuisine ...even though our music, *el merengue*, made my hips naturally rumble to the beat of the *tambores*⁵⁶ on later trips to Nigeria and the Ivory Coast—even though I had never danced it before.⁵⁷ Yet, *Quisqueya*, you continued to deny your Africanness and your Haitian cousins, when a brutal dictator, *el General Trujillo*, known as *el Jefe*,⁵⁸ massacred thousands of Haitians for their blackness and instituted textbooks that only focused on our Spanish heritage, even though *el Jefe* was darker than my *trigueña* hue.

This is the *Quisqueya* I inherited. This is the *Quisqueya* that I see everyday in the mirror. This is the *Quisqueya* that became so politically wedded to *el Jefe* and the Roman Catholic Church in the 1940s and 1950s,⁵⁹ that *el Jefe* outlawed Protestantism, and had my father Julio, a

⁵³ See generally JOSE ITZIGSOHN, ENCOUNTERING THE AMERICAN FAULTLINES: RACE, CLASS, AND THE DOMINICAN EXPERIENCE IN PROVIDENCE 138 (2009) (discussing how most Dominicans tend to identify themselves as Dominicans, which is more country specific than race oriented); GINETTA CANDELARIO, BLACK BEHIND THE EARS: DOMINICAN RACIAL IDENTITY FROM MUSEUMS TO BEAUTY SHOPS 3-12 (2007) (examining Dominicans' tendency to deny blackness).

⁵⁴ My veins.

⁵⁵ See TORRES-SAILLANT AND HERNÁNDEZ, *supra* note 38, at 143, ("Dominicans have had to endure the aberrant negrophobia of the ruling class from colonial times to the present. Antiblack feeling has been promoted in the media, school textbooks, and speeches of some prominent political leaders."). This negrophobia and racial displacement is a type of racial provincialism that Cornel West states only existed in the US. See WEST, *supra* note 30, at 58. My experience counters this claim

⁵⁶ Large African drums, talking drums.

⁵⁷ As my parents were strict Methodists, that saw dancing as carnal, I had never experienced the *merengue*, the Dominican national dance, until I was 18 and began to travel.

⁵⁸ The boss.

⁵⁹ See SAILLANT AND HERNÁNDEZ, *supra* note 38, at 6-7.

Methodist minister, arrested. This is the *Quisqueya* that was suffocated by *el Jefe*'s narcissistic edicts, such as requiring that all Dominican homes hang *el Jefe*'s portrait in every *sala*.⁶⁰ This is the *Quisqueya*, in which my parents refused to obey this particular law, as they interpreted it as a heretical homage to *el Jefe*, and a violation of God's first commandment.⁶¹ This is the *Quisqueya* that had Papi arrested for following his religious beliefs.

This is the *Quisqueya*, in which my parents were subversive *Protestantes*, clandestinely holding *oración y culto* past midnight, when *el Jefe*'s ubiquitous spies went off to drink. This is the *Quisqueya* in which my father had to go into hiding, away from my mother, away from my siblings, because he was on a hit list, due to his religion and the historic democratic leanings of the Guzmán Polanco family. This is the *Quisqueya*, in which *mi mamá*, had to *dar a luz*,⁶² to my brother Enrique, hidden in *el campo*—away from my father, away from us-- with a gag in her mouth, so the spies couldn't hear her labor cries, and find them. This is the *Quisqueya* in which right after giving birth to Enrique, she had to leave him in *el campo*, with Marola, a wet nurse, and go far away to hide.

This is the *Quisqueya* in which no one could be trusted, and family friends disappeared forever. This is the *Quisqueya* that crushed my father's democratic dreams for *su patria*,⁶³ and made him secretly research other countries' constitutions, while he hid to protect us. This is the *Quisqueya* that robbed my father of a national identity, and makes *Papi* respond [to this day] to the question: "What is your nationality?" with a sad sarcastic chuckle: "*No sé*. I don't know. I certainly can't remember the day I was born. Can you?"

⁶⁰ Living room.

⁶¹ *Exodus* 20:3 ("Thou shalt have no other gods before me.").

⁶² Literally, to give light. It means to give birth.

⁶³ Country, homeland.

This is the *Quisqueya* that made my parents leave our warm tropical land of passionate *beisbol*—an *isla* with vibrant fuchsia flowers, red mangoes, and a perennial ballgame in every yard. This is the *Quisqueya* that forced them to leave their careers behind forever.⁶⁴ They left all our belongings in haste, all our property, all our history, and our identity behind, one dark night in 1957. This is the *Quisqueya* they sadly escaped from, while our two nannies, Nelly and Carmen, fled with us, and clutched my brothers Enrique and Joél, and my sister Ruth Estér.

This is the *Quisqueya* that haunts me, and hurts me so deeply through their pain, that today I still can't ask how they were able to escape to Costa Rica; or how long they stayed there until they obtained US visas. This is the *Quisqueya* that pursues me. *Quisqueya, te invoko; porque* you continue to shape my daily experience, my interpretive lens, my desire to witness and know myself and communicate. *Quisqueya*, through your contradictory beauty and brutality, I inherited my parents' pain, fragmentation, and impenetrable silence. I am now left to somehow decipher their experience and own it as mine, an unjust inheritance that moves me to express this pain, and witness to past and present injustices.

I do not invoke *Quisqueya* as my first *isla* to dive into a sentimental deterministic reverie that prioritizes my suffering over others; nor do I include cultural difference as unjust.⁶⁵ Like Baldwin's witness and Young's communicative, discursive model, my invocation is simply an act of naming racial and political injustice in a dominant *isla* that in its particularity impacts my

⁶⁴ My mother was a school principal. My father was an engineer. At the time of their arrival into the US, their college and graduate degrees were not accepted as legitimate for jobs, since they could not speak English. At the time, many US employers did not recognize non-European undergraduate and graduate degrees as adequate. As a result, my father spent his first years in the US selling oranges at Grand Central Station. His piercing shout still pursues me, "Seeec-a-teen *por* a qwa-terrr!" he cries.

⁶⁵ That is, when I say I inherited *Quisqueya*'s history and culture, on a certain level it simply is—for I was born from two parents with *Quisqueyan* roots four centuries old. More importantly, as an adult I also recognize my own agency in choosing to claim this culture and my parents' unjust experience as mine—for I would never have been uprooted and born in the United States if *Quisqueyan* injustice had not forced them to flee. Moreover, my visceral passion for legal justice and democracy has been directly influenced by the rights that my parents lost. Furthermore, I also choose to recognize and embrace factors from this *isla* that define my taste and lens regarding food, music, climate, baseball, and the contradictions of racial categories.

location, my critical eye, and my understanding of limited potentiality. My witness to *Quisqueya* is a humble attempt to parallel Baldwin's creative and political acumen, his keen ability to express the political dissonance in his quotidian life. This "evokes what Stuart Hampshire calls the tension of unrealized possibilities." Directing his readers' attention to lived experiences Baldwin refutes claims to race-blind individualism without taking up the banner of an identity politics that itself forces the heterogeneity of individual experiences into narrow categories."⁶⁶

This hybrid narrative is a resistance discourse deeply galvanized by refuting narrow racial, cultural, class, gender, legal and academic categories. *Quisqueya* is one of multiple *islas* that needs to be named. As previously mentioned, this act of naming is also influenced by Sojourner Truth's courage to reshape her own identity. According to Patricia Collins, "Stepping outside the conventions of 1832, Truth created her own identity and invoked naming as a symbolic act imbued with meaning. Refusing to be silenced, Truth claimed the authority of her own experiences to challenge the racism, sexism, and class privilege of her time."⁶⁷ Truth's courage to reject her slave name and re-name herself was an empowering act that inspired me to change my legal name.

What's in a Name?

"Don't you know we're in America?" the rude maternity nurse shouted at my parents in response to my parents' request that I be named Ramona Tomasina Rafaela Guzmán, after my mother.

⁶⁶ BALFOUR, *supra* note 9, at 20.

⁶⁷ COLLINS, *supra* note 34, at 229.

“*Que dijo la enfermera?*”⁶⁸ my mother, who did not speak English, asked my ten-year-old brother Joél. As my brother quickly explained, my father tried to respond to the nurse, who remained waiting impatiently, while rolling her eyes.

“Meese, eskoosa *mi inglés, pero* the baby is *número* six, and we wanta her to have Mamá name,” he said.

“Look,” the nurse quickly interrupted, “I don’t have all day, and I need a name that makes sense and fits in this space,” her long finger loudly tapped the clipboard she was holding.

“Okay, okay meese, *un segundo,*” my father nervously smiled, while he reached out to the bedside table that held the Bible he had brought.

“*Mira Joél coge la Biblia,* take the Bible, *ábrela,* and point to a name,” my father told my brother.

“Okay, Papi, here goes,” Joél said as he closed his eyes, opened the Bible, and quickly pointed at a spot, as if we were playing a game.

“*Dáme eso muchacho,* give me *ese libro,*” my father said, as he grabbed the Bible to eye what Joél had picked. Joél had pointed to the Second Book of Timothy in the New Testament.

“Ay *mira,* look, my father continued.” “Her name will be Euníce, Meese *Enfermera.* Good?”

As my father spelled out the name in the form, the nurse looked and said, “Finally! Eunice it is!”

“*Pero no Meese!*” my father argued. “Her name ees in espanish. It is Eh-ooo-nee-say Goose-mahn.”

⁶⁸ What did the nurse say?

“Yoooo-nis Guzzzmen it is.” The nurse tersely stressed the heavy weight of the English pronunciation, while she sucked her teeth and walked away.

Although this *isla* is the quintessential immigrant experience, repeated countless times before and after my birth. It represents a dual clash: between my Spanish and English speaking *islas*; and not owning my own name—or its pronunciation.

Although the nurse attending my mother yelled, “You’re in America,” I grew up in a Spanish speaking home. My parents deemed it deeply disrespectful for us to address them in English, a foreign language to them. As a result, I never heard my mother speak a word of English. I have memories of watching *beisbol*, yelling “*Esstrike!*” and understanding if Tom Seaver, of the New York Mets, had logistically struck out a batter, before I could understand the rudiments of English.⁶⁹

When I started grade school, I could not speak a word of English. I remember the students laughing at my confusion, while Miss Korson made me stand up, gave me a piece of paper with “Sesame Street, channel 13” written on it. She then sent me to the speech class, while my classmates continued to laugh and yell something I couldn’t decipher at first. Weeks later, while I learned English, I was able to understand that they were yelling exactly what that *enfermera* had yelled at my parents: “We’re in America.”

The power of those words, while my English readers idealized a white Smith family, with a big house, and a dog, blanketed all my years in grade school; and served to stifle any possible pride there could be in *Español*, a language that caused both teachers and classmates to yell at

⁶⁹ Given the confines of this project, I would like to briefly note that the *Quisqueyan* love of *beisbol* that I inherited has served as a valuable gender bridge when I meet male colleagues or students that seem uncomfortable around women of color. I truly enjoy *beisbol* and football, and easily find time to memorize most sports statistics and analyses. As a result, I have a valuable tool that transforms my marginal locus in male dominated *islas* into a temporally situated contributor of that *isla*.

me. Being the ‘stranger in the village,’ I rejected my native tongue, *lengua de mi corazón*,⁷⁰ for a few years, in order to survive a hostile environment. During this time, I was taught to hate *Español*, as foreign, alien, taboo, and punishable, while English was the only *isla*, the only linguistic norm that was seemingly rewarded.

Since grade school pushed an “English only” policy, I dove into the challenge, and tried to read a book a week. By the time I was 9, standardized tests documented that I had a college reading level. I can remember seeing the results of that test and thinking that I would surely be rewarded. However, when I entered the 5th grade, I learned my first lesson in unfair judgments, and not having agency to control a three-braided girl’s academic setting to assert what she deserved. Instead of being placed in a class according to my merits, I was placed according to my race -- like many before me, and into an ‘English challenged’ class, where the class materials were identical to what I had completed in the first grade, and where all the students were of color.

Although I tried to tell my teacher that a mistake had occurred, she simply smiled, and said, “Yunis, you are where you belong.” I felt as if the educational institution was trying to put me, ‘a little spic,’ in my place. It was my first vivid lesson in racial prejudice, for in putting me in an inferior place, the white students—that knew of my achievements-benefited. While my confidence was crushed, theirs was exalted. Unfortunately, my parents could not complain, as they did not know English, nor did they know the infrastructure or understanding of process to assert a claim. Although I was young and naïve, I realized that I too was born “into a society

⁷⁰ Language of my heart.

which spelled out with brutal clarity...that [I was] a worthless human being,”⁷¹ and that white people held the power.

Despite my disappointment, I resisted, and smuggled course books from the advanced class. I spent the rest of that year clandestinely keeping up with the advanced class.⁷²

Fortunately, my work was rewarded when I entered middle school and was returned to the advanced class. However, this reward came with a cultural price. That is, the more I excelled academically, the more isolated I felt culturally and linguistically—as I soon became the only person of color in my classes.

While in middle school, my parents continued to affirm our heritage and our native language. Unlike the ‘either or’ pressures to decide between English and Spanish, they offered another option: to juggle both English and Spanish *islas*. When I was old enough to take a language elective, teachers discouraged me from taking Spanish by informing me that French and German were better respected and more useful in “America”—even though more *Americanos* speak Spanish in the Americas; even though my ancestors were from the Americas. Despite this pressure, my parents strictly enforced the Spanish only code at home, and encouraged us to take Spanish as an elective. *Papi* often jokingly advised us, in his own

⁷¹ BALDWIN, *supra* note 12, at 18.

⁷² I carried this lesson of resistance with me to high school. When it was time for me to go to high school, my parents saw how destructive the race riots had been in public schools, and decided to sacrifice their savings to send me to a college prep school in New York City. Although this school sharpened my academic skills, my richer white classmates taunted and harassed me because I was different. I spent my years there buried in books, and praying that I would survive. During my senior year, I was reminded of my first memory of racial injustice. Although I had the highest GPA in the school, my guidance counselor and head master discouraged me from applying to college. I remember their deceptive smiles while they cooed: “Yunus, college is not your place. Why don’t you think about being a beautician?” When I refused to take their advice, they became more hostile, and told me: “Under no uncertain terms will this school provide you with the requisite Dean’s Certification letter to apply to college.” Given my acute timidity, I simply responded, “Okay,” and turned away. Once again, my desire to learn, to advance—which I thought was my right—had become punishable, subversive. As a result, I had to clandestinely apply to college—quite a defeatist irony amid a college prep milieu, praying that schools would accept me. Months later, as acceptance letters began to arrive, my teachers and deans were outraged. In this racist dis-logic, again like many before and after me, my actions were deemed bad; while administrators openly supported rich white classmates’—with very low GPAs—applications to college.

Dominican version of a biased Archie Bunker: “*Nunca dejes de que se te olvide el Español, porque cuando vayas al cielo, y solamente hablas inglés, ¿cómo vas a poder hablar con Papa Dios?*”⁷³

This experience caused a deep sense of fragmentation, and isolation. The school halls seemed to hum with an assimilationist undercurrent that pressured me to resolve this “You’re in America” conflict in a limited, binary fashion. Writer, Joanna Vega keenly expresses this painful fragmentation in her poem, *A Puerto Rican Girl’s Sentimental Education*. She writes,

Your daughter didn’t pass
The English reading test in second grade.
Left back like a donkey
Or another number on
The red, white and blue
Statistical roster.

A low-income prodigy child
caught in the American cross fire,
between SATs and insular-community vocabulary.
Mami and Papi told me to pray in Spanish,
Read the Scriptures, mi niña.

Memories choke my throat,
Stuttering in English, crying
Into my grammar textbook.
Mental deficits, developmental crises
And bowlegged walks to the school nurse.

Take the reading test over,
At the psychiatrist’s office.
Diagnosis: psychedelic, psycholinguistic
Genius survives the warring factions
Of cultural schizophrenia.
Like Charlie Brown vs. Cantinflas
Like the Beatles vs. Menudo.
Like myself divided into myself
Like I’m a movie in subtitles.

Now my mind’s tied up.
Hostage in a desert of hope and opportunity.
Dyslexic like Albert Einstein and
Prolific like Cervantes’ ego in prison.⁷⁴

⁷³ Never permit yourself to forget Spanish, because when you go to heaven, and you only know English, how will you be able to talk with God?

⁷⁴ Joanna Vega, *A Puerto Rican Girl’s Sentimental Education*, in COOL SALSA: BILINGUAL POEMS ON GROWING UP LATINO IN THE UNITED STATES 13-14 (LORI M. CARLSON ed., Fawcett Juniper Books 1994).

Vega's poem depicts the acute pain, confusion, and uprootedness this 'cultural schizophrenia' caused. Oftentimes this confusion felt as if I were in exile from an undetermined homeland. According to Edward Said, "exile is strangely compelling to think about but terrible to experience. It is the unhealable rift forced between a human being and a native place, between the self and its true home: its essential sadness can never be surmounted...The achievements of exile are permanently undermined by the loss of something left behind for ever."⁷⁵ Similar to being in exile, I felt 'the unhealable rift' was forced, beyond my control, and indeterminate. As a result, the loss I felt was indescribable, *no tenia nombre*, as I had lost parts of *Quisqueya* that I could never know or recover.

The other conflict I faced in this Spanish v. English cultural schizophrenia was the frustrating fact that I was never given the name my parents requested, and that the English pronunciation was forced on me—for years throughout grade school. I looked forward to changing it. In 1989, I chose to legally change my name to not only reflect my choice, but also to articulate the Africanness in me, that had been discouraged by *Quisqueya* and my parents.

I also wanted to discard the tainted memory of my ancestors, *Don Guzmán's*, plundering of Santo Domingo. The Guzmán surname carried an aristocratic weight that I could not relate to. Every time I returned to *Quisqueya* and attended dinners, the Guzmán and Polanco names were immediately recognizable for its democratic revolutionaries. Given *Quisqueya's* stratified society, most dinner conversations began with: "And you are, daughter of whom?" The question was usually made to place you socially. I found this part of my *isla* burdensome, foreign (as I

⁷⁵ EDWARD SAID, *Reflections on Exile*, in INVENTING AMERICA, READING IN IDENTITY AND CULTURE, 147 (Miles Orvell & Gabriella Ibieta eds., St. Martin's Press 1996).

grew up poor in the US), elitist, and unethical. Most of the time I was dismissed as “*muy*⁷⁶ *Americana*” by most Dominicans. Their rejection made me feel culturally, racially, and linguistically homeless—an outsider in all *mis islas*. Pat Mora, captures this painful ambiguity in her poem, *Legal Alien*.

Bi-lingual, Bi-cultural,
 Able to slip from ‘How’s life?’
 To ‘Me’stan volviendo loca.’
 Able to sit in a paneled office
 Drafting memos in smooth English,
 Able to order in fluent Spanish
 At a Mexican restaurant,
 American but hyphenated,
 Viewed by Anglos as perhaps exotic,
 Perhaps inferior, definitely different,
 Viewed by Mexicans as alien,
 (their eyes say, ‘You may speak
 Spanish but you’re not like me’)
 An American to Mexicans
 A Mexican to Americans
 A handy token
 Sliding back and forth
 Between the fringes of both worlds
 By smiling
 By masking the discomfort
 Of being pre-judged
 Bi-laterally.⁷⁷

Caught in ‘the fringes of both worlds’, I was eager to find a name that defined my own internal home, my identity, and my resistance (my own self-empowering act), without having to be legitimized by my surname.

After months of research, I chose Nisé, a derivative of Eunicé, which also reflected my regenerative outlook on knowledge - as it means “I don’t even know” in Spanish. For my surname, I chose to align myself with a strong African female image. I chose Nekhbet, the

⁷⁶ Too.

⁷⁷ PAT MORA, *Legal Alien*, in *INVENTING AMERICA, READING IN IDENTITY AND CULTURE*, 223 (Miles Orvell & Gabriella Ibieta eds., St. Martin’s Press 1996)..

ancient Egyptian goddess of the Upper and Lower Worlds, to reflect my firm belief in life's perpetual metamorphosis, from life, death, to rebirth.

By adopting Nisé Nekheba as my new identity, I consciously inverted a dimension of an *isla* that had power over me. That is, like Sojourner Truth, I invoked my own agency, and used the knowledge and tools acquired from my migratory locus amid various *islas* to reshape and redefine who I was. For Truth,

Resolving the tensions raised by her migratory status did not lie in staying in any one center of power and thereby accepting its rules and assumptions. Rather, Truth explicitly breached group boundaries. By selecting the name Sojourner, truth proclaimed that specialization and movement were both required in legitimating truth claims. No truth was possible without a variety of perspectives on any given particularity.⁷⁸

Similar to Truth, I breached the boundaries of my *islas*. When I adopted my new name, my parents and *Quisqueya* were greatly perplexed and offended. They frequently asked: “¿Y por qué quieres un nombre t n feo y Africano?”⁷⁹ Although I tried to explain the power I found in the name, they remained confused, and to this day continue to address my mail to Eun ce Guzm n. I note this, because while I researched for my new name, I grappled with choosing a broader based Latino name with less of a complex history that was particular to *Quisqueya*. At times, I was tempted to embrace commonly known Latino names like Rodr guez or Hern ndez, as Guzm n. I grappled with this, as I longed to have a name that would be easily identifiable in the US as Latino and African. However, by the time I had the option to change my name, years of living in South America—in a futile quest for a homeland, and painfully experiencing Peruvian’s and Brazilians’ racism, I realized that my formative years had also been shaped by another boundary, another *isla* that I had allied myself with, namely the African American community.

⁷⁸ COLLINS, *supra* note 34, at 231.

⁷⁹ Why do you want such an ugly African name?

This alliance emerged after years of feeling racially and culturally *náufraga*⁸⁰ between ambiguous racial and cultural *islas* in the US. Given that Blacks visibly identified me as African American, and my experience with racism paralleled theirs,⁸¹ I thought I had found an exclusive home in one *isla*. However my locus, between many *islas*, persisted. That is, whites, blacks, and Latinos often assumed that I was a light skinned African American before meeting me. I found that the racial dynamics in the US and *Quisqueya* are similar in that most would categorize difference in a binary fashion, that subsumes all that is not white as other, alien, and black. This occurred before the mass influx of Dominicans and Afro-Latinos in the 1990s.

A general lack of race consciousness or erroneously denoting race consciousness to only mean African American “obscures the multiplicity of experiences compressed into the categories ‘white’ and ‘black’ and excludes those which it cannot subsume. The black-white line is not, by any means, the only racial division in the United States, and racial divisions are not the only cleavages.”⁸² As a result, I found myself prejudged and rejected by US Latinos—because most Latinos in the US while growing up were Mexican and Puertorican. Their lack of exposure to Dominicans subsumed them and made them erroneously assume that I was not Latina, because *mi faz* did not reflect the noble Mayan or Incan Empire; and I did not speak like Central or South Americans.⁸³ To date, the Latino media continues to only focus on white Mexicans and South Americans. Dominicans were invisible, and rarely included in discourse.⁸⁴ Moreover, the few Dominican Americans that I did meet as a young adult also prejudged me and deemed me as

⁸⁰ Shipwrecked.

⁸¹ See LANGSTON HUGHES, *American Heartbreak*, in SELECTED POEMS OF LANGSTON HUGHES 9 (Vintage Classics 1990)(1959) (I could relate to Baldwin’s and W.E.B. DuBois’ frustration with the ‘color-line.’ Similar to Langston Hughes, I felt I represented the “American heartbreak...The great mistake...”).

⁸² BALFOUR, *supra* note 9 at 9.

⁸³ This is with the exception of Afro Latinos that reached the level of superstardom like salsa’s soulful queen from Cuba, Celia Cruz, and David Ortiz, the Boston Red Sox’s hallowed king of clutch.

⁸⁴ See SAILLANT AND HERNÁNDEZ, *supra* note 38, at 101.

‘other,’ because I was lighter than most Dominicans, my accent was different, and I was more educated than they were.⁸⁵

Accordingly, whites, African Americans, and Latinos were usually surprised to hear me speak Spanish. Unfortunately, the pressures of the ‘black-white line’ coupled with schools’ failure to teach the history of the entire African Diaspora in the Americas, has led to assimilationist pressures from African Americans and Latinos, that perpetuate my locus as outsider within various *islas*. That is, when some African Americans heard me speak Spanish fluently, they have questioned my own race consciousness by saying, “You need to recognize that you are black.” When I was younger, these types of comments served to silence the Spanish speaking *isla* that floated in my mind, as my desire to find a cultural home outweighed the role of Spanish in my young life. However, as I grew older, I found myself valuing my *Español* and responding to these comments by saying: “Last time I checked, the slave trade in this hemisphere began in the Caribbean.”

Meanwhile, when Latinos hear me speak Spanish, many cannot get past my different hue and hair. They continue to treat me as an outsider, as if I had learned Spanish from a textbook. On the other hand, some also try to pressure me, and ask me to stop using my African name, and braiding my hair.⁸⁶ Naming myself, and even braiding my hair as I did, was a blunt, ‘in your face,’ act of defiance against racist and elitist aspects of my *islas*. It is a liberative act that may not have been possible in *Quisqueya*, given its small size and negrophobia. Accordingly, my simultaneous access to various *islas* also served as a positive locus, from which to configure my

⁸⁵ *Id.* at 73 (In 1990, 52.3% of New York Dominicans had not finished high school. Only 8% completed college.).

⁸⁶ Among Dominicans, negrophobia reigns, as multiple braids, and dreadlocks are perceived as ugly and too African looking. When I had dreadlocks and was preparing to get married, I can recall my Tía Lili advising me with a sorrowful look on her face: “*Mija*, don’t disgrace your family and your dead mother—may she rest in peace—with that ugly hair. You are getting married. You are becoming a Señora now. Act and look like one. Go get your *malo* hair straightened.

own identity, on my own terms, in an ampler sphere of experience. This “entails an ability to harmonize English with Spanish, snowstorms with tropical rains, and *merengue* with rock or rap.”⁸⁷

Like many Latinos and African Americans, another *isla* that helped me navigate through difficult times, was my parents’ spiritual guidance and strength, amid challenging times.

Cántico Celeste

"Thou shalt have no other gods before me."

"Thou shalt not make any graven images..." my sister Elizabeth and I ritualistically recited on that cold wintry afternoon. Every Tuesday afternoon, *el hermano*⁸⁸ Albrecht, a lovingly strict German American trekked an hour and a half by train to our humble dilapidated Spanish speaking home near the Brooklyn border to give us Bible lessons.

Papi, a protectively strict pastor of a local Latino church, had met *el hermano* Albrecht years ago doing missionary work in South America. But as far as Papi could recall, *el hermano* Albrecht was always "*alto, flaco, y anciano*,"⁸⁹ with a sea of tight rippling wrinkles on his face, and deep blue ageless eyes. Since *el hermano* Albrecht was from a more conservative wing of Protestantism, Elizabeth and I modified our already plain attire to respect his fundamentalism. Every Tuesday, we would rush home from school, pin up our thick, curly, shoulder length brown braids, put on long homemade skirts, long sleeved modest blouses, and cover our knobby adolescent knees with green woolen throws that Mamá had crocheted.

Every week we memorized what seemed to be tomes of *la Biblia*. Yet each task always started with what we had already learned; and so we began with *Los Diez Mandamientos*.⁹⁰

⁸⁷ SAILLANT AND HERNÁNDEZ, *supra* note 38, at 146.

⁸⁸ Brother.

⁸⁹ Tall, thin, and elderly.

⁹⁰ The Ten Commandments.

"*Thou shalt not kill,*" we continued, as the cold winds periodically pierced through our broken living room windows, swirled past the large velvet painting of "The Lord's Supper" that hung on the room's ox blood walls, and abruptly planted itself –amid our heatless home--on the matching red velvet sofa, where it chilled my exposed ankles. The shattered windows reminded me of the countless of times the windows had been broken by rocks hurled by our German-American neighbors, classmates--who pretended to befriend us at school; then relentlessly screamed, "Nigger-Spics move out," threw more rocks at our windows, and screamed some more. These windows remained broken for years, as they were repeatedly broken each time Papi replaced them, until we could no longer afford to replace them.

"*Thou shalt not steal,*" we continued. These verses peppered the pungent garlic and cilantro aroma of the *mangu*⁹¹ and pork chops that Mamá quietly cooked on our oven-less green stovetop. While Mamá gently stirred the big aluminum pot, I could hear her softly singing,

*Oh yo quiero habitar al abrigo de dios,
Sólo allí encontraré paz y profundo amor.
Solo en El encontraré paz y profundo amor...*⁹²

I could hear her warm encouraging praise drift through our bright yellow kitchen, with heavy steel gates for windows, forest green asphalt siding on one wall, and a blackened ceiling with a large gaping hole, a testament to last year's electrical fire.

We continued, "*Thou shalt not bear false witness against thy neighbor.*" This particular commandment often confused me, as the seemingly kind English speaking Methodist pastors that had permitted my father to hold services *en Español* in their sanctuary, had said "*malas*

⁹¹ This is *Quisqueya's* national dish comprised of mashed boiled green plantains, garlic, olive oil, and sautéed onions.

⁹² From Psalms 91: He that lives in God's coat,
Will live amidst shadows of love.
Only in Him will I find peace and profound love...

*cosas*⁹³ about our culture to Papi and told us that we could no longer use their church. This forced Papi to leave the Methodist Church forever, and form his own nondenominational church, *Templo Unido* in 1969.

Despite my confusion about this, we continued, "*Thou shalt not covet thy neighbors house...*" Meanwhile, I earnestly closed my dark brown eyes, and imagined living in Bernice Hecht's, my neighbor, bright, warm, and roomy home. During friendlier times, I had visited Bernice's home and was startled to see an apartment fit for a princess, with more than three rooms, large untarnished windows with glistening glass, and endless warm waves of heat and hot water. Bernice even had her own toy filled pink bedroom, a luxury that I had never imagined.

As we correctly recited each verse, *el hermano* Albrecht's warm smile and glistening eyes encouraged us to continue--although seeing my own misty breath in our cold, damp, heatless apartment made it difficult to concentrate, focus, and embrace this ancient code to live by. And yet we continued--although I often robotically recounted each verse without truly listening, without truly meaning it, bored and confused by the words.

Each lesson always ended with simple jubilant songs of praise, which was the part of *el hermano* Albrecht's visit I enjoyed the most. As we sang "*Cántico Celeste*," the uplifting notes accompanied by *el hermano* Albrecht's deeply vibrating bass, transported me to a warm, hateless time I never knew. Encouraged by the song's sweet notes, my changing adolescent falsetto wholeheartedly joined in "...*cuando en dolor, es mejor cantar*."⁹⁴

In this *isla*, belief in a supreme, loving God--in the face of unjustified suffering-- served to buffer my experiences with racism. The uplifting songs, verses, and my father's break from the Methodist Church "stressed individual experience, equality before God and institutional

⁹³ Bad things.

⁹⁴ When in pain, it is best to sing.

autonomy.”⁹⁵ Moreover, the power of this religious *isla* in my life was crystallized in how as an adolescent I relied on Paul’s famed words for my own inclusive understanding of citizenship and national identity: “There is neither Jew nor Greek, there is neither bond nor free, there is neither male nor female: for ye are all one in Christ Jesus.”⁹⁶ When race riots broke out during New York City’s efforts to integrate the schools, I read this verse on a daily basis. The knowledge that *Dios* accepted us and loved us regardless of race or culture enabled me to be proud of my *Quisqueya* heritage, and my *cafe con leche* skin, during terribly traumatic times. My narrative would not be complete without resurrecting this memory and witnessing, as this *isla* continues to shape my interpretive locus today.

The Red Scarf

“Ay! I wish we weren’t so different!!” I cried to my sister Elizabeth, as I ritualistically wrapped one of Mamá’s red floral scarves to hide my kinky hair and *trigueña* skin before going to school.

“*Muchacha*, I know you hate wearing that gypsy scarf, but it’s the only way to get to school safely,” my sister would respond. Attending junior high school during the height of the school bussing controversy was a violent introduction to what it meant to be ‘of color’ in New York City—a painful irony of racial intolerance, particularly when our history lessons maintained a ‘racial innocence’ by touting New York as being a peaceful ‘melting pot.’

The academic climate heated up when the enforcement of racial integration sent me five miles away to a white neighborhood in Queens. Although the school bus was easily accessible, my siblings and I quickly learned that it was not worth confronting the large group of white teenagers that strategically waited by the bus stop each morning and afternoon to attack us with

⁹⁵ WEST, *supra* note 31, at 62.

⁹⁶ Galatians 3:28.

their wooden bats and their slanderous, racist words.

“Spics, zebras, monkeys, go back to your cage or die!” they would shout.

“Papi, why do they hate us? *¿Por qué?*” I would cry.

“*No llores mi baby,*” my father responded. “*Dios es bueno* and He will protect you from this evil. Just walk tall, walk tall, *mija,*”

As it was too dangerous to take the school bus, or public transportation, we opted to walk to and from school. However, we soon learned, that it was equally as dangerous to walk down the main strip toward our destination, as it would leave us vulnerable to more verbal attacks, spitting, physical threats, and chases by our peers, their big brothers, friends, and parents. Luckily, we stumbled upon a cemetery one day while running away from the thugs that perpetually awaited us. This old forgotten cemetery, with miles of peaceful green pastures, gracefully accepted our presence and offered us the only safe route to school.

As tensions mounted, it became harder to go to school, given that the white gangs began to exhibit their free reign, by waiting for us on the school grounds.

“*Mamá, mamá, tengo miedo.* I’m scared to go to school. And the teachers and deans don’t care,” I would cry. I dreaded each morning and afternoon, as I frantically envisioned that my luck would fail one day, and I would get beaten up. Amidst this tumultuous arena, it was frightening to realize that the police, teachers, deans, and Principals were never present to protect us; nor do they call the police to shield us. Ironically, an African-American gang, known as the Tomahawks, would trek from a distant neighborhood to our school to protect our exit from school.

I think I started wearing that red scarf for protection once the riots exploded, and I saw the wooden bats strike down upon my black brothers and sisters. The police never came, and I

never took off my scarf for the rest of that year.

Although my childhood islas, occurred decades ago, they are not unique and dated, as they frame my legal critic isla. This is particularly the case, as we are now living during a simultaneously celebratory, historic and fear-driven time, with the juxtaposition of our first African American President, Barack Obama and the reemergence of racial lines questioning Obama's natural born citizenship. Accordingly, it behooves me to culminate this article with the citizenship isla.

"Proof of Citizenship, Please"

"I'm gonna need your proofs of citizenship before you do anything else," a middle-aged Caucasian man spat out to my father and me in exaggerated disgust.

"Vámonos Papi de aquí. They don't deserve our money," I angrily hissed.

"No, no. Espérate un momento," my father said with a broad smile and a wink.

"Mee-ster, We show joo proof, if joo, *esto*, show us jors," my father, a healthy octogenarian, said to the man.

Papi pulled out his wallet, solemnly inhaled, and gingerly took out his own personal treasures, that most US citizens don't carry. He placed them on the man's patio table, a homemade check-out counter. And my father, *paulatinamete*⁹⁷ for dramatic effect placed on the counter: his voter's registration card; his Republican National Committee membership card; his Boy Scouts of America chaplain card; his Florida driver's license; and his Social Security card. He was about to take out older treasures, when I chuckled and said to him,

"Papi, Papi, para ya. Basta. Stop."

"Get out of here! Get out of my goddamn yard sale!," the insulted check-out man yelled.

⁹⁷ Very slowly.

My father gently gathered his North American gems from the counter, smiled and grabbed my arm to leave. As we marched toward the car he sighed,

"What a shame. Qué pena. I really want to buy ese old medal para mi antique Boy Scouts collection."

This *frontera*-like⁹⁸ incident occurred just a few months ago in Orlando, Florida. It disconcerted me to experience how this man felt as entitled as a border patrol police officer to dare to ask for our papers, to dare to attempt to publicly humiliate us and to remind us that we could never be legitimized by him, although we did not seek it. All this just for the mere right to shop at his yard sale, although he would never approve of our national footing on his property. His terse derogatory tone erroneously assumed our "interior and subordinate class."⁹⁹ In the end, like many before and after us, and in several settings, our official documents would not lead to inclusion.

Given that I knew how much mi querido padre loves Orlando, this country, it's laws, and his US citizenship, I ached for him.^{100 101} yet he took it in stride.

However, like my other islas, I feel compelled to witness to a discriminatory scene that is occurring throughout our nation, because my father, like many legal theorists and political

⁹⁸ Border-like.

⁹⁹ *Dred Scott v. Sanford*, 60 U.S. 393, 417 (1856).

¹⁰⁰ Like most first generation immigrants, I am intimately aware of the sacrifices my parents went through to obtain their U.S. citizenship and pave the road for my own U.S. citizenship. I am also aware of the fact that my father's aspirations to be naturalized as a U.S. citizen would have been for naught if he and my mother had migrated to the U.S. in 1951 as opposed to 1956. The legal foundations of U.S. citizenship and naturalization laws are rooted in racialized, exclusionary terms in which citizenship was only granted to "free white persons" or being persons of "African descent." The first U.S. naturalization law provided that only "free white persons" could become naturalized citizens. Act of Mar. 26, 1790, ch. 3, *1 Stat. 103*. The ability to become a naturalized citizen was extended in 1872 to "aliens of African descent and to persons of African descent." Act of July 14, 1870, ch. 254, § 7, *16 Stat. 254*. See Keith Aoki, *No Right to Own?: The Early Twentieth-Century "Alien Land Laws" as a Prelude to Internment*, 40 B.C. L. REV., 37 n. 9(1998).

¹⁰¹ See also *In Re Cruz*, 23 F.Supp. 774 (1938) (in which the court opined that the U.S. definition for African descent did not include a Cuban migrant. As a result, a narrow interpretation of the Act of 1870 excluded Mr. Cruz from being naturalized as a U.S. citizen. I cannot help but think that timing is legally everything, and how my father's lofty democratic ideals and respect for U.S. constitutional law would have wavered had he migrated to the U.S. when the Act of 1870 was effective. I do not think we would've migrated to this country if this had been the case.).

theorists, idealistically believes that citizenship status grants him equal rights and equal access and equal respect in the eyes of all US citizens. According to Prof. Ediberto Roman, citizenship is "a status that invokes the belief that one holding such a position can exercise and be protected by all of the provisions of the Constitution. It is a status that conveys a sense of full membership and inclusion. Yet this membership has historically been exclusive as well as illusory for those who did not fit within unwritten requirements established by those with the title."¹⁰²

Although some consider President Obama's election as indicative of living in a post-racist society, sadly, we are not. A racialized rift has emerged that is empowering a small percentage of North Americans to question our most powerful citizen, namely President Obama and question his citizenship, as evidenced by recent Birther cases that question President Obama's legitimacy as President. These birther claims are rooted in the theory that President Obama was born in Kenya and is not eligible to be President of the United States, in accordance with the U.S. Constitution's Natural Born Citizenship Clause. Although several cases were filed against Obama since 2008, they persist with the same assertions.¹⁰³

¹⁰² EDIBERTO ROMAN, *CITIZENSHIP AND ITS EXCLUSIONS: A CLASSICAL, CONSTITUTIONAL, AND CRITICAL RACE CRITIQUE* 4 (New York University Press 2010). See also Neil Gotanda, *Race, Citizenship, and the Search for Political Community Among "We the People": A Review Essay on Citizenship Without Consent*, 76 OR L. REV. 233 (1997); and Sylvia R. Lazos Vargas, *Deconstructing Homogeneous Americanus: The White Ethnic Immigrant Narrative and its Exclusionary Effect*, 72 TUL. L. REV. 1493 (1998).

¹⁰³ The *Saetoro* case captures Birther claims and the Court's frustrations with Birther claims:

The plaintiff says that he is a retired Air Force colonel who continues to owe fealty to his Commander-in-Chief (because he might possibly be recalled to duty) and who is tortured by uncertainty as to whether he would have to obey orders from Barack Obama because it has not been proven -- to the colonel's satisfaction -- that Mr. Obama is a native-born American citizen, qualified under the Constitution to be President. The issue of the President's citizenship was raised, vetted, blogged, texted, twittered, and otherwise massaged by America's vigilant citizenry during Mr. Obama's two-year-campaign for the presidency, but this plaintiff wants it resolved by a court. *Saetoro*, 601 F Supp. at 180.

See also the case of Col. Terry Lakin, who in a letter to President Obama expresses his refusal to be deployed to Afghanistan in 2010 because he cannot accept that Obama was born in the U.S., is a natural born citizen per the U.S. Constitution. He states,

The United States is an example to the rest of the world of a stable, civilized democratic government where all men are created equal and the rule of law is cherished and obeyed. The U.S.

As a first-generation US citizen born in New York City, my own citizenship is was legally feasible through the most common form of US citizenship, namely *jus soli*, birth in the United States.¹⁰⁴ The recent Birther cases and my own garage sale experience in Orlando invoke a 19th century nativism. It also echoes Professor Roman's compelling contention that US history is replete with different forms of citizenship status reflected by various levels of participation and inclusion.^{105 106}

Citizenship is also a status that is entrenched in notions of allegiance and rights. President Clinton once stated: "Can we fulfill the promise of America by embracing all our citizens of all races?... Can we define what it means to be an American, not just in terms of showing our ethnic origins, but in terms of our primary allegiance to the values America stands for?"¹⁰⁷ Clinton's question, though inspiring in its intent, is a tad problematic. Citizenship should do more than bind people together in one grand fabric, lest it be merely a tolerant embrace or a monolithic cloak that may stifle the cultural threads and colorful hues that have strengthened and sustained our democracy.

military teaches and promotes the rule of law. . . Since the fall of 2008, I have been troubled by reports that your original birth certificate remains concealed from public view along with many other records which, if released, would quickly end questions surrounding your place of birth and "natural born" status. Many people mistake the online Certification of Live Birth for an original birth certificate.

See Lt. Col. Lakin letter to Obama Questioning his Citizenship, <http://www.safeguardourconstitution.com/news/terry-lakins-letter-to-potus.html>, and Elliott C. McLaughlin, "Before Birther Row, Lt. Col. Lakin racked up medals as flight surgeon," CNN JUSTICE, Aug. 6, 2010, <http://www.cnn.com/2010/CRIME/08/06/terrence.lakin.birther.bio/?hpt=T2>. Lakin was subsequently court marshaled.

¹⁰⁴ Citizenship by birth can be acquired either via *jus soli*, born within the U.S., or *jus sanguinis*, born to a U.S. citizen. U.S. CONST. amend. XIV, § 1. You can also obtain citizenship through the naturalization laws and regulations which originates from article 1 of the Constitution. U.S. CONST. art. I, § 8, cl. 4. See also Ediberto Roman, *Members and Outsiders: An Examination of the Models of United States Citizenship as well as Questions Concerning European Union Citizenship*, 9 U. MIAMI INT'L & COMP. L. REV. 81, 86 (2001).

¹⁰⁵ Ediberto Roman, *Members and Outsiders: An Examination of the Models of United States Citizenship as well as Questions Concerning European Union Citizenship*, 9 U. MIAMI INT'L & COMP. L. REV. 81 (2001).

¹⁰⁶ *Id.* at 83. Citizenship "includes the sense of permanent inclusion [belonging] in the American political community in a non-subordinate conviction." [It] signifies an individual's "full membership" in a political community with the ideal of equal membership." *Id.* at 84. See also *Minor v. Happerset*, 88 U.S. 162, 166 (1874).

¹⁰⁷ Roman, *supra*, at 82.

Entre Muchas Islas

As a legal academic, I continue to navigate through the *islas* I have witnessed in this narrative. I continue to simultaneously exist in and migrate beyond racial, gender, cultural, and class boundaries and into academic and legal *islas*, which I may not have had access to in the past—and in which some may try to subtly bar my entry, despite my entry.

It has been my hope that this hybrid narrative, my *islas*, exposes deeper undemocratic wounds that maintain the illusory ‘racial innocence’ that Baldwin decried. This destructive illusion continues to dismiss structural racism as irrelevant to notions of freedom and equality--as evidenced by: the ‘united colors of Benneton’ type of commercials that commodify racial harmony and multiculturalism; and the tokenization of those that, like myself, have over-achieved beyond society’s racist attempts to have us ‘make peace with mediocrity.’

The outsider within’s migratory skill to shift and weave through multiple *islas* cannot only name difference,¹⁰⁸ but also provides broader perspectives that stimulate creativity and discourse regarding a productive citizenship, democracy, and Baldwin’s call to ‘know thyself’ during a pivotal crossroads in our national history. Accordingly, this narrative is also galvanized by my own agency and vision of transformation that parallels political theorists Seyla Benhabib’s and Iris Marion Young’s deliberative and communicative model for democracy through discourse, narrative, and storytelling.

Prof. Benhabib’s deliberative model for democracy emphasizes the ever-evolving collective collaborative process in the public sphere. For Benhabib, deliberative democracy

¹⁰⁸ Ideally, I would hope that the word ‘difference’ could be redefined, as this word maintains a problematic construct, in which ‘different’ is the binary alienation, a deviant counterpoint to what is normative. Furthermore, this narrative’s attempts to be discursive is not driven by a desire to instill ‘white guilt.’ Promoting guilt would be useless to this narrative’s discursive goals, as ‘white guilt’ maintains a power dynamic and usually fails to promote an equal exchange of ideas.

differs from classical liberalism's abstract steps toward unifying the collective into one public sphere, by recognizing diversity and multiple, pluralistic public discourses.¹⁰⁹ For Benhabib, the deliberative model is a fluid, ever-processing and evolving in the public sphere. However, it still remains in the public arena.¹¹⁰

Iris Marion Young's dialogical approach moves towards a communicative democracy.¹¹¹ The deliberative model still presumes a form of a monolithic unity of opinion, of values, of locus, which despite the best of intentions can still be exclusionary. Young advocates a discursive process rooted in "dialogical reason, as well as... African-American and Latina articulations of cultural biases in dominant conceptions of deliberation... a broader conception of communicative democracy" that include storytelling.¹¹²

Young proposes that "we understand differences of culture, social perspective, or particular commitment as resources to draw on for reaching understanding in democratic discussion rather than as divisions that must be overcome. [She proposes] an expanded conception of democratic communication. Greeting, rhetoric, and storytelling are forms of communication that in addition to argument contributes political discussion."¹¹³

In a fluid democracy, narrative is a relevant communicative tool to bridge difference. "Narrative fosters understanding across such difference without making those who are different symmetrical... Narrative reveals the particular experiences of those in social locations, experiences that cannot be shared by those situated differently but that they must understand in

¹⁰⁹ BENHABIB, , *supra* note 33, at 75.

¹¹⁰ *Id.*

¹¹¹ YOUNG, *supra* note 7, at 120.

¹¹² *Id.* at 129.

¹¹³ *Id.* at 120.

order to do justice to the others... A primary way they make their case will be through telling stories of their physical, temporal, social, and emotional obstacles."¹¹⁴

This article echoes Young's communicative approach with the hope of advancing democratic principles through narrative and dialogue. It also mirrors Cornel West's perception of the new politics of cultural difference. He states,

The most significant theme of the new cultural politics of difference is the agency, capacity and ability of human beings who have been culturally degraded, politically oppressed and economically exploited by bourgeois liberal and Communist illiberal status quo. This theme neither romanticizes nor idealizes marginalized peoples. Rather, it accentuates their humanity and tries to attenuate the institutional constraints on their life-chances for surviving and thriving. In this way, the new cultural politics of difference shuns narrow particularisms, parochialisms and separatisms, just as it rejects false universalisms and homogeneous totalisms. Instead, the new cultural politics of difference affirms the perennial quest for the precious ideals of individuality and democracy by digging deep into the depths of human particularities and social specificities in order to construct new kinds of connections, affinities and communities across empire, nation, region, race, gender, age, and sexual orientation.¹¹⁵

Moreover, I recognize that "belonging yet not belonging presents peculiar challenges."¹¹⁶

During these contrapuntal times of 'racial innocence,' and Birther claims, I may be tempted to retreat to just one *isla*, or to simply drift, *náufraga*, away from all my *islas*. Although retreating may be temporarily restorative, a complete retreat would be isolationist, and would maintain a stagnant, inaccurate illusion that is the antithesis of the discursive model for democracy. Given my interconnection and hope in humanity, democracy and our legal system --my citizenship *isla*, my academic *isla* necessitates that I echo Prof. Honig and use my multiple *islas* as a valuable tool from which to be a migratory legal critic that names my experience, analyzes citizenship laws and cases in this ongoing project, and exposes injustices through a resistance discourse.

¹¹⁴ *Id.* at 131.

¹¹⁵ WEST, *supra* note 31, at 137.

¹¹⁶ COLLINS, *supra* note 34, at 3.