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Out of Many, One People; E Pluribus Unum: An Analysis of Self-Identity in the Context of Race, Ethnicity, and Context of Race

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OUT OF MANY, ONE PEOPLE;¹ E PLURIBUS UNUM:² AN ANALYSIS OF SELF-IDENTITY IN THE CONTEXT OF RACE, ETHNICITY, AND CULTURE

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1. “Out of Many One People” is the national motto of Jamaica and is based on the nation’s multi-racial roots. The motto appears on the Coat of Arms of Jamaica which depicts members of the indigenous Taino tribe. See *Jamaican Coat of Arms, Jamaica Information Service*, http://www.jis.gov.jm/special_sections/this%20is%20Jamaica/symbols.html (follow “Coat of Arms” hyperlink) (last visited Mar. 31, 2010) (describing the Jamaican Coat of Arms as a male and female flanking a shield). See generally Helen I. Safa, *Popular Culture, National Identity, and Race in the Caribbean*, 61 *NEW WEST INDIAN GUIDE* 115, 118 (1987) [hereinafter Safa, *Popular Culture*] (“[I]n Caribbean culture . . . the long history of interaction between various ethnic groups has led to a continuum of physical features and a blurring of group boundaries.”).

2. Latin for “Out of Many, One,” this phrase is included in the Seal of the United States and is considered an informal motto of the United States. See *FAQs: Coins*, U.S. Dep’t of the Treasury, <http://www.ustreas.gov/education/faq/coins/portraits.shtml#q7> (last visited Mar. 21, 2010) (explaining that the motto is possibly a reference to the unity between the early states).

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I. INTRODUCTION

I was apprehensive at first. I did not know what to expect. Whenever someone inquired as to my attendance at the annual LatCrit³ conference, I immediately thought of myself as somewhat of an outsider. I did not fit in; I did not belong. I embodied the theme of the conference—Outsiders Inside.⁴ I did not self-identify as Latina, so clearly I was not authorized to speak or comment about critical Latina/o theory. Despite my inclination that I could not “check the box” as a Latina, I registered for my first LatCrit conference as a panelist after some encouragement from my colleagues.

I arrived to find conference attendees of all races and ethnicities, as was to be expected. I held close to my initial concern even as I joined this welcoming community of scholars because I did not want to be perceived as someone who did not belong. I was innately aware that Latinos comprise a diverse community.⁵ I teach at a diverse law school, where there is a sizeable Latino population.⁶ Yet, I was confronted with self-induced feelings that I did not belong. It was then that I began to question my own social and legal constructs of race and ethnicity.⁷ As an American

3. Latina & Latino Critical Legal Theory, Inc.

4. The full title of the LatCrit XIV Conference is “*Outsiders Inside: Critical Outsider Theory and Praxis in the Policymaking of the New American Regime.*”

5. See JEFFREY PASSEL & PAUL TAYLOR, PEW HISPANIC CENTER, WHO’S HISPANIC? 3 (2009); SONYA TAFOYA, PEW HISPANIC CENTER, SHADES OF BELONGING 1 (2004) (“According to federal policy and accepted social science, Hispanics do not constitute a separate race and can in fact be of any race.”).

6. *Best Law Schools: Law School Diversity Index*, U.S. NEWS & WORLD REPORT, Apr. 15, 2010, available at <http://grad-schools.usnews.rankingsandreviews.com/best-graduate-schools/top-law-schools/law-school-diversity> (ranking the Thurgood Marshall School of Law, Texas Southern University).

7. Paula Arriagada has noted:

“[E]thnic identity is often conceptualized as that part of the person’s self-knowledge or self-identity, which is defined by their membership in an ethnic group as well as their particular emotional attachment to that group. This refers to the thoughts, perceptions, feelings, and behaviors that are part of someone’s membership in a specific ethnic group. It is possible to argue that ethnic identity constitutes a basic but extremely important part of an individual’s personality and as such, it is a powerful contributor to ethnic group formation, cultural maintenance, and the development of social ties.”

Paula Andrea Arriagada, *In Search of an Identity in Young Adulthood: Ethnic Self-Identification Among Children of Immigrants* 13 (2007) (citations omitted) (unpublished Ph.D. dissertation, Ohio State University) (on file at Thompson Library, Ohio State University), available at <http://etd.ohiolink.edu/send->

woman of Caribbean descent, I decided to explore the boundaries of racial, cultural, and ethnic identity within our global society.⁸

My quest for self-identity encompassed a number of uncertainties.⁹ I constructed my self-identity around what society compelled me to self-identify. In this paper I analyze how societal pressure and expectation regarding the boundaries of race and ethnicity operate within the “outsiders inside” theme of LatCrit XIV. In building a foundation to support my self-identity, I criticize my own critical race theory.¹⁰ In an effort to catalogue my background, I find it to be an impossible task.¹¹ Our collective ancestry weaves a rich fabric which melds together various cultures and customs within the common thread of humanity.¹² I offer my ancestry to illustrate that we are diverse yet tied through a sense of commonality. Despite societal exertion to categorize individuals according to race, we are a dynamic population.¹³ We are a culture which lends from other cultures to

pdf.cgi/Arriagada%20Paula%20Andrea.pdf?osul186505369 (last visited Sept. 19, 2010).

8. The concept of identity is a recent one, as it became an important area of research when Erik H. Erikson published the book *Childhood and Society* in 1950. Identity is defined by Erikson as the psychological sense of inner self. *Id.* at 11 (citations omitted).

9. Arriagada explains:

“[E]thnic identity is a multidimensional construct that refers to a set of ideas and feelings about one’s own ethnic group membership. According to most researchers, ethnic identity includes some or all of the following components: (1) ethnic self-identification as a member of a particular group; (2) feelings of belonging and commitment to the group; (3) certain attitudes towards the group, which can be both positive or negative; (4) a sense of shared attitudes and values; (5) and finally specific ethnic traditions and cultural practices.”

Id. at 14 (citations omitted).

10. Professor Kimberlé Crenshaw is credited with creating the phrase “Critical Race Theory” in naming a body of scholarship established to provide commentary on the issues of race and the law. *See* Angela Onwuachi-Willig, *Celebrating Critical Race Theory at 20*, 94 IOWA L. REV. 1497, 1497 n.1 (2009) (citing Athena Mutua, *The Rise, Development, and Future Directions of Critical Race Theory and Related Scholarship*, 84 DENV. U. L. REV. 329, 329-30 (2006)); *see also* Darren Lenard Hutchinson, *Foreword: Critical Race Histories: In and Out*, 53 AM. U. L. REV. 1187, 1188-91 (2004) (disussing some external and internal critiques of Critical Race Theory).

11. Research provides that ethnic identity is fluid and changes in response to several factors, as there may be sizable variation in the imagery that individuals construct in characterizing their identified group along with an understanding of how this imagery is reflected within. *Cf.* Jean S. Phinney et al., *Ethnic Identity, Immigration, and Well-Being: An Interactional Perspective*, 57 J. SOC. ISSUES 493, 496 (2001) (describing ethnic identity as a fluid concept that changes over time and in different contexts).

12. *But see* Michael A. Fletcher, *Myth of the Melting Pot: America’s Racial and Ethnic Divides, Interracial Marriages Eroding Barriers*, WASH. POST, Dec. 28, 1998, at A1 (“[I]f a picture is beginning to emerge of racial and ethnic melding [through interracial marriage], one group is noticeably absent: African Americans.”).

13. *See generally* William Booth, *Myth of the Melting Pot: America’s Racial and Ethnic Divides, One Nation, Indivisible: Is It History?*, WASH. POST, Feb. 22, 1998, at A1.

reveal different, yet familiar customs and practices which transcend definition. I present my lineage, which highlights a non-linear image of race and ethnicity.¹⁴ Through this imagery, I find justification to exist as a world citizen beyond the concrete lines of cultural identity.

Through this personal account, I conduct a self-assessment. This self-assessment connects my personal experience to my self-identity by examining familial relationships to provide insight on our shared existence. My personal story is retold in phases as I encounter various facets of my life leading to an observation of who I am.¹⁵ This personal narrative provides an essay of evolution as I document my process of assimilation while maintaining cultural pride. Through this essay, I conclude that we encompass degrees of similarity in forming our identities which are a construct of our personal experience. Through a cross-cultural and inter-generational lens, I recognize that we are complex individuals with complicated theories on race, culture, and ethnicity that encompass class, religion, custom, gender, age, immigration status, family structure, and socio-economic factors in general. What follows is my commentary on forming my own self-identity.

II. SELF-IDENTITY AND ETHNICITY

A. *Self-Identity Viewed Through the Immigrant Lens*

I was born in New York to two parents who immigrated to the United States from Jamaica.¹⁶ The land of opportunity called, and like many of their countrymen, my family felt compelled to answer.¹⁷ My parents were

14. "[E]thnic self-identification is not a linear or one-directional process into the ethnicity of the dominant group. Instead . . . multiple ethnic identities may develop across different contexts and among various groups." Arriagada, *supra* note 7, at 24 (citation omitted).

15. See generally Raquel Cepeda, Opinion, *Life More Colorful than Black and White*, CNN.COM, Mar. 3, 2010, <http://www.cnn.com/2010/OPINION/03/31/cepeda.complex.identity/index.html>.

16. The ethnic socialization of immigrant parents plays a crucial role in the development of their children's ethnic identity. Phinney et al., *supra* note 11, at 501. Afro-Caribbean migration to the United States is categorized into four stages: (1) the colonial period to 1900; (2) 1900 to the Great Depression in the 1930s; (3) the late 1930s to 1965; and (4) 1965 to the present. Winston James, *The History of Afro-Caribbean Migration to the United States*, in THE SCHOMBURG CENTER FOR RESEARCH IN BLACK CULTURE, IN MOTION: THE AFRICAN AMERICAN MIGRATION EXPERIENCE, http://www.inmotionaame.org/texts/viewer.cfm?id=10_000T&page=1; see also Booth, *supra* note 13 (explaining that family reunification was a primary criteria for immigration to the United States after a change to the law in 1965. This policy, which was a response to the claims that the previous law favored white Europeans, permitted immigrants in the United States to sponsor relatives to immigrate, who could in turn sponsor more relatives to the United States.).

17. The Immigration and Nationality Services Act of 1965, also known as the Hart-Cellar Act, abolished national-origin quotas following more than forty years of

proud of their origins and they continue to hold the country they left in high regard. They maintain cultural ties to their homeland, and strive to retain relationships within their ethnic community.¹⁸ As their first born child, my self-identity was positioned between the realization of the American Dream and the desire to cultivate my own cultural identity.¹⁹ My birth ensured my citizenship and contributed to that of my parents,²⁰ but this divided us from our roots even while establishing a new branch. The Caribbean Sea may have divided us from Jamaica, but that did not separate us from its influence.²¹ I spent my childhood listening to the music of Bob Marley and eating “ackee and saltfish,” the national dish of Jamaica.²² I heard my

restriction as a result of the Immigration Act of 1924. Poor economic prospects and political instability were factors in the waves of immigration to the United States from the Caribbean. See Mary Mederios Kent, *Immigration and America's Black Population*, POPULATION BULL., Dec. 2007, at 4-6 (describing the strength of the U.S. economy as one motivation for immigrants); Aubrey W. Bonnett, *The West Indian Diaspora to the USA: Remittances and Development of the Homeland*, F. ON PUB. POL'Y, Summer 2007, at 7-8, <http://www.forumonpublicpolicy.com/archivesum07/bonnett.rev2.pdf> (explaining that the most compelling reasons for migration from the Caribbean to the United States include “overcrowding . . . a rigidly stratified economic system leading to unequal distribution of wealth and land; limited economic opportunities; poor economic conditions; and, at times, harsh political realities that resulted in perceived political persecution.” Most Caribbean immigrants in the United States settle along the northeast corridor to establish communities in states like New York, New Jersey, Connecticut, Florida, and Massachusetts); Darryl Fears, *A Diverse—and Divided—Black Community*, WASH. POST, Feb. 24, 2002, at A1 (noting that the West Indian population is expected to surpass the native-born African American population in Miami according to Census Bureau projections).

18. “Ethnic identity is likely to be strong when immigrants have a strong desire to retain their identities and when pluralism is encouraged or accepted.” Phinney et al., *supra* note 11, at 494; see also Helen I. Safa, Book Review, 2 J. POL. ECOLOGY (1995), http://jpe.library.arizona.edu/volume_2/safavol2.htm (reviewing VIRGINIA H. YOUNG, *BECOMING WEST INDIAN: CULTURE, SELF, AND NATION IN ST. VINCENT* (1993)) (“National identity has long been problematic in the small, open and dependent islands of the Caribbean, where a history of slavery and colonialism have brought about marked racial, religious and linguistic differences.”). See generally William Branigin, *Myth of the Melting Pot: America's Racial and Ethnic Divides, Immigrants Shunning Idea of Assimilation*, WASH. POST, May 25, 1998, at A1 (discussing ambivalence of immigrants about assimilation).

19. “We know that immigrant children and children of immigrants are, in reality, quite plural in their self-identities; they often choose from a wide range of labels including identifying themselves as American or hyphenated Americans to identifying by the parents’ national origins.” Arriagada, *supra* note 7, at 12 (citations omitted).

20. See Frank H. Wu, *Born in the U.S.A.*, IMDIVERSITY.COM, http://www.imdiversity.com/villages/asian/history_heritage/wu_kimwongark_asiancitizenship.asp (last visited Oct. 10, 2010) (describing how birth in the United States came to automatically confer citizenship).

21. “Immigrants generally arrive in a new country with a strong sense of their national or cultural origin and with varying degrees of willingness to adopt the identity of their new society. Subsequent generations face differing identity issues associated with their sense of belonging to their ancestral culture and to their country of settlement.” Phinney et al., *supra* note 11, at 504; see also Booth, *supra* note 13 (expressing the concern of immigrant parents that their children not become too Americanized).

22. See National Symbols of Jamaica, Jamaica Information Service, http://www.jis.gov.jm/special_sections/Independence/symbols.html (last visited Jan. 6,

family speak Patois, the unofficial language of Jamaica.²³ While I could not speak Patois, I understood every word. At the time I did not realize that I was in a sense bilingual; I had mastered the English language and could also communicate with those who spoke Patois, a broken English dialect spoken by a number of people in Jamaica.²⁴

During my youth I was referred to in jest by my Jamaican relatives and friends as a “Yankee,” a cultural reference meaning someone of American descent.²⁵ My birth on American soil prevented me from being a full-blooded West Indian, even though Jamaican blood ran through my veins. There were moments of confusion as a child because I did not fit in with the “Yankees,” but I had no stories of the old country to validate my Caribbean heritage.²⁶ I made a deliberate effort to come to terms with my American classmates who had parents without accents and who did not live in houses filled with the aroma of curry goat.²⁷

B. Self-Identity and Nationality

There are West Indians²⁸ who do not self-identify as African American,²⁹

2009) (describing the ackee as a red and yellow fruit with shiny, black seeds).

23. See Lena McCourtie, *The Politics of Creole Language Education in Jamaica: 1891-1921 and the 1990s*, 19 J. MULTILINGUAL & MULTICULTURAL DEV. 108-09, 113-15 (1998) (noting that although English is the official language of Jamaica, most children first learn Jamaican Creole and even teachers speak Patois in school).

24. Cf. Petrina Francis, *Majority favour patois as an official language of Ja*, JAM. GLEANER, Nov. 2, 2005 (finding that 69% of Jamaicans believe Patois should be an official language of Jamaica alongside English and that most Jamaicans feel that the use of Patois by the government would improve public communications).

25. Children are influenced by messages regarding identity from adults and the ethnic community. Phinney et al., *supra* note 11, at 501.

26. According to Arriagada,

“Adolescents who grow up in immigrant families often face an added dimension to the identity formation process, as they encounter complex issues of adaptation involving their old and new cultures. Many of these adolescents live in two worlds—the American and the ethnic—which can be very different and often opposed to each other. As a result, these young adults are likely to experience intense acculturative stress and intergenerational conflict.”

Arriagada, *supra* note 7, at 12 (citations omitted).

27. “[For adolescent children of immigrants] growing up in a society where the mainstream culture is significantly different in terms of values and customs from their culture of origin, the process of integrating ethnic identity into their own self-identity may become a significant challenge.” Arriagada, *supra* note 7, at 13 (citation omitted). See also Curry Goat, Wikipedia, http://en.wikipedia.org/wiki/Curry_Goat (last visited Sept. 19, 2010) (“Curry goat is a dish originating in Indo-Jamaican cuisine that has become so popular it is now regarded as being typical of Jamaica.”).

28. The term “West Indians” is used to collectively describe people from the Caribbean. See Graphic Maps, West Indies, WorldAtlas.com, <http://www.worldatlas.com/webimage/countrys/america/caribb/special/westind.htm> (last visited Mar. 14, 2010). The term, coined by Christopher Columbus, is technically

especially since some are not “American” in the technical sense of being a United States citizen.³⁰ Malcolm Gladwell,³¹ a best selling author of Jamaican and British ancestry, describes this practice in part as follows:

To a West Indian, black is a literal description: you are black if your skin is black This question of who West Indians are and how they define themselves may seem trivial, like racial hairsplitting. But it is not trivial. In the past twenty years, the number of West Indians in America has exploded. There are now half a million in the New York area alone . . .³²

The West Indian practice of considering skin tones as distinct from race may be attributed to the colonial practice of devising a class structure by which lighter skinned descendants of black slaves and white plantation owners were afforded favorable benefits within Caribbean society. Beneficiaries of this social caste system were at times provided with superior education, wealth attainment, and political influence.³³

a misnomer due to Columbus’ erroneous belief that his voyage led him to India when in fact he had landed in the Caribbean. *Id.*; see also MERRIAM-WEBSTER ONLINE, *West Indies*, MERRIAM-WEBSTER’S ONLINE DICTIONARY, <http://209.161.37.11/dictionary/west%20indies> (last visited Mar. 25, 2010).

29. See Georgia East, *Caribbean-Americans Push Census ‘Write-In’*, SUN SENTINEL, Mar. 30, 2010, available at http://articles.sun-sentinel.com/2010-03-30/news/fl-caribbean-census-20100330_1_caribbean-people-american-community-surveys-felicia-persaud (describing how some of Caribbean origin or descent identify themselves separately from African-Americans for purposes of filling out the U.S. Census).

30. See Ingrid Brown, *Caribbean Nationals Push for Own Category in U.S. Census*, JAMAICA OBSERVER, May 20, 2008, http://www.caribbeantoday.com/index2.php?option=com_content&task=view&id=2605&p (“[Caribbean nationals in the United States] ‘are part of the African American experience . . . however, we also have additional distinct cultures and needs that must be addressed’ [T]here is a different socio-economic mix emerging in the diaspora where its members are more highly educated, with higher earning capacity and spending power.”) (quoting in part Irwine Clare, managing director of Caribbean Immigrant Services); Malcolm Gladwell, *Black Like Them*, NEW YORKER, Apr. 29 & May 6, 1996, at 74-75, available at http://www.gladwell.com/1996/1996_04_29_a_black.htm (relating the story of two immigrants who consider themselves Jamaican, not black); see also Darryl Fears, *Disparity Marks Black Ethnic Groups, Report Says; African Americans Trail Immigrants in Income, Education*, WASH. POST, Mar. 9, 2003, at A7 (observing that blacks allowed to immigrate to the United States from the Caribbean may have higher earning potential and educational achievement than native-born black Americans, according to the report “Black Diversity in Metropolitan America,” by researchers at the State University of New York at Albany).

31. In 2005, Gladwell was named by Time Magazine as one of the “100 Most Influential People,” and his books have been bestsellers. See, e.g., Rachel Donadio, *The Gladwell Effect*, N.Y. TIMES, Feb. 5, 2006, <http://www.nytimes.com/2006/02/05/books/review/05donadio.html?pagewanted=print> (noting that Gladwell published multiple best-selling books and wrote for the Washington Post and the New Yorker).

32. See Gladwell, *supra* note 30, at 74-75.

33. See Glenda Simms, *Cynical Dualities of the Jamaican Society*, JAM. GLEANER, June 21, 2009 (discussing the post-emancipation tension and inequality between

Despite the cultural divide of African Americans and Caribbean Americans along ethnic lines,³⁴ the American and West Indian sectors of the black community share a common struggle and legacy.³⁵ Both groups are extrinsically linked by their history in the African slave trade and ancestry to the African Diaspora.³⁶ West Indians actively joined black Americans in the Civil Rights Movement, most notably through Jamaican American Harry Belafonte and Bahamian American Sidney Poitier.³⁷ These advocates of Caribbean descent stood for equal rights and for the dismantling of Jim Crow alongside Dr. Martin Luther King, Jr.³⁸ Belafonte and Poitier embraced Dr. King's dream and protested against white oppression, even though the racial lines in their native countries were not

African Jamaicans and European Jamaicans).

34. *Cf.* Fears, *supra* note 17 ("America's black community, which now includes more West Indian and African immigrants than ever, is no longer the monolithic group that many politicians, civil rights advocates and demographers say it is. A new African American community is being forged, sociologists and anthropologists say, in which culture and nationality are becoming more important than skin color. It is as diverse—and as divided—as the Latino community or the Asian American community, each made up of migrants from numerous nations.").

35. *See also id.* (paraphrasing Jemima Pierre, a Haitian American doctoral student as saying "It almost goes without saying that black people of all persuasions also share a bond . . ."); James, *supra* note 16 ("The distinct but intertwined history of Afro-Caribbeans and Afro-Americans is revealed most clearly during [the Colonial Period to 1900]. Sharing a common West African heritage and the trauma of the transatlantic slave trade that dispersed them on the North American mainland and the islands, Caribbeans and Afro-Americans were brought together in Britain's North American colonies, Southern as well as Northern."). *See generally* Hollis R. Lynch, *Americans of African Ancestry*, History World International, http://history-world.org/black_americans.htm (last visited May 7, 2010) (By 1919, the Universal Negro Improvement Association which was founded by Marcus Garvey in 1914 on the island of Jamaica, had become the largest mass movement of American blacks in U.S. history.).

36. *See also* Oscar Johnson, *Chilly Coexistence*, RACE ANTHOLOGY SPRING 2000, <http://www.columbia.edu/itc/journalism/gissler/anthology/Chill-Johnson.html> (last visited May 7, 2010), *reprinted in* GODFREY MWAKIKAGILE, RELATIONS BETWEEN AFRICANS, AFRICAN AMERICANS AND AFRO-CARIBBEANS App. 1, at 118, 118 (2007) ("The new immigrants and the descendents of those once imported by force share African origins. They both fit into America's 'black' racial category, and often scrape by on low incomes.").

37. *See* Harry Belafonte, http://mlk-kpp01.stanford.edu/index.php/encyclopedia/encyclopedia/enc_belafonte_harry_1927 (last visited Mar. 30, 2010) (describing Belafonte's use of his celebrity status to gain support for civil rights); *see also* ARAM GOUDSOUZIAN, SIDNEY POITIER: ACTOR, MAN, ICON (2004) (stating that Poitier supported peaceful protest in the support for civil rights and interracial brotherhood); *How Poitier Conquered Hollywood*, BBCNEWS.COM, Jan. 24, 2002, <http://news.bbc.co.uk/2/hi/entertainment/1779368.stm> (last visited Mar. 14, 2010) (noting that Poitier purposely took roles that addressed racial issues); Bonnett, *supra* note 17 ("[M]any West Indian Americans have allied themselves with native African Americans and other dispossessed Americans in the political fight for civil and economic rights, and still play that role, although their interactions over the years have not been without conflict.").

38. *See* GOUDSOUZIAN, *supra* note 37; Harry Belafonte, *supra* note 37.

so rigidly drawn between black and white.³⁹

Dr. King found inspiration in the multicultural harmony that existed on the islands, when he visited Jamaica with his wife Coretta Scott King.⁴⁰ On June 20, 1965, Dr. King arrived to deliver a sermon at the University of the West Indies' valedictory service.⁴¹ It was entitled "Facing the Challenges of a New Age," and he used it to discuss the creation of a worldwide brotherhood as a result of global interdependency.⁴² It was during this speech that Dr. King set forth an insightful quote recently expressed by U.S. President Barack Obama in recognizing Dr. King's life; Dr. King stated: "If it falls to our luck to be street-sweepers . . . Sweep the streets so well that all the hosts of heaven and earth would have to pause and say . . . 'Here lived a great street sweeper.'"⁴³

Later he delivered another address to the Jamaican people⁴⁴ stating that "[i]n Jamaica I feel like a human being."⁴⁵ Dr. King also visited the grave of Marcus Garvey,⁴⁶ a national hero of Jamaica, to lay out a wreath of homage to the man, who gave blacks in the United States a "sense of personhood, a sense of manhood, a sense of somebodiensess."⁴⁷ Two weeks later, in his sermon entitled, "The American Dream," delivered on July 4, 1965, Dr. King stated in reference to Jamaica:

Here you have people from many national backgrounds: Chinese, Indians, so-called Negroes, and you can just go down the line, Europeans, European and people from many, many nations. Do you know they all live there and they have a motto in Jamaica, "Out of many people, one people." And they say, "Here in Jamaica we are not Chinese, . . . we are not Japanese, we are not Indians, we are not Negroes, we are not Englishmen, we are not Canadians. But we are all one big family of Jamaicans." One day, here in America, I hope that we will see this and we will become one big family of Americans.⁴⁸

39. See *How Poitier Conquered Hollywood*, *supra* note 37 ("Having come from the Bahamas, which was predominately black, [Poitier] found it a shock to arrive in the US, where he experienced his first taste of racial discrimination.").

40. See Rebecca Tortello, *June 20, 1965: Martin Luther King, Jr. Visits Jamaica*, JAM. GLEANER, <http://www.jamaica-gleaner.com/pages/history/story003.html> (last visited Jan. 27, 2009) [hereinafter Tortello, *Martin Luther King, Jr.*].

41. *Id.*

42. See *id.* (addressing the issues of fighting injustice with love and working hard to be the best one can be).

43. *Id.*

44. See *id.* (noting that Dr. King indicated that the time was ripe for freedom).

45. Tortello, *Martin Luther King Jr.*, *supra* note 40.

46. See Exhibition: Marcus Mosiah Garvey, <http://www2.si.umich.edu/chico/Harlem/text/garvey.html> (last visited Mar. 11, 2010) (describing Garvey as a Jamaican-born immigrant to the United States whose goal was to create a free, United Black Africa).

47. Tortello, *Martin Luther King, Jr.*, *supra* note 40.

48. Martin Luther King, Jr., *The American Dream*, in A KNOCK AT MIDNIGHT:

On the fortieth anniversary of Dr. King's assassination, I realized that the small island nation of Jamaica was related to this American icon. Jamaica was a living definition and example of King's dream. Dr. King was well-received by the Jamaican people and even received keys to the city of Kingston.⁴⁹ Dr. King's dream transcended race and even geographical boundaries, and his message continues to resonate as much with Jamaicans as it does with Americans because, "[i]njustice anywhere, is a threat to justice everywhere."⁵⁰ In the words of Dr. King, "the time is always ripe to do right."⁵¹

Jamaicans and Americans are intertwined and interconnected through a shared history,⁵² which transforms my views from an outsider to an insider. My position as an American "insider" child of immigrant "outsider" parents impacted my developmental years when I questioned my self-identity as a "Jamerican"—an American of Jamaican descent. Some moments in history, such as Dr. King's impact on Jamaica and Jamaica's resulting impact on his vision, allow me to harmonize the two sides of my identity.

C. Self-Identity in the Shape of Ethnic Consciousness

In my formative years, I did not want my "Yankee" friends to discover that my parents were foreigners.⁵³ I did not want to be perceived as disingenuous, as I desired credibility in my engagement with American culture.⁵⁴ I had every right to claim that I was an American, but once

INSPIRATION FROM THE GREAT SERMONS OF REV. MARTIN LUTHER KING, JR. 85, 91-92 (Clayborne Carson & Peter Holloran eds., 1998).

49. Tortello, *Martin Luther King, Jr.*, *supra* note 40.

50. Martin Luther King, Jr., *Letter from a Birmingham Jail* (Apr. 16, 1963), available at http://www.africa.upenn.edu/Articles_Gen/Letter_Birmingham.html.

51. *Id.*

52. See Bonnett, *supra* note 17 ("Initially torn from the motherland (Africa) by greed and profit, initialized by slavery and a new world plantation system, diasporic Blacks were forcibly transplanted to strange new homelands in Europe, minimally and maximally to the New World nations of Latin America; North, South, and Central America; and the Caribbean.").

53. Cf. Arriagada, *supra* note 7, at 11 ("[According to psychoanalyst Erik H. Erikson,] adolescence is a critical period for the development of a positive and coherent identity; it is a time of passage into adulthood marked by major physical, emotional, and social changes. Therefore, at no time during the lifespan is the urge to define oneself as great as it is during those years.") (citations omitted). There are three styles of identity adopted by children of immigrants: (1) ethnic flight, or abandoning one's own ethnic group and mirroring the dominant group; (2) adversarial identity, or building an identity in opposition to the mainstream culture; and (3) transcultural or bicultural identity, or operating competently in both cultures. Desiree Baolian Qin-Hilliard, *Children of Immigration*, 71 HARV. EDUC. REV. 599, 601 (2001), available at <http://www.hepg.org/her/booknote/112> (last visited May 6, 2010) (reviewing CAROLA SUÁREZ-OROZCO & MARCELO SUÁREZ-OROZCO, CHILDREN OF IMMIGRATION (2001)) [hereinafter Book Review, CHILDREN OF IMMIGRATION].

54. "It is said that immigrant children are invariably exposed to a conflict because

again, I received a persistent message that I was somehow different.⁵⁵ I had international relatives in Canada, the United Kingdom, and Jamaica, and distant relatives in places such as Guyana and even Germany.⁵⁶ When I came of age, I made the profound revelation that being different was something to be celebrated. I recognized that my mix of diversity made me unique. Not that I wanted to disclaim my American heritage, but I wanted to embrace the fact that I could innately relate to different people, places, and things.⁵⁷ I no longer concealed my true identity.⁵⁸ I began to accompany my family to cultural events, and I told anyone who would listen that I was an American of Jamaican descent.⁵⁹ I now enjoyed the brown stew chicken and escovitch⁶⁰ red snapper fish that I refused as a child. I morphed into a “Jamerican.”⁶¹

With newfound pride in my parents’ cultured past, I began to take trips

of living in the midst of two cultures. One of those cultures is the culture of their parents. The other is that of the host community into which the children are growing.” Ruth Johnston, *Immigrants’ Search for Cultural Identity*, 6 INT’L MIGRATION 216 (1968).

55. In describing the cultural conflict of the young immigrant, Johnston writes, “[i]n the conflict between the new and the old way of thinking and acting they find little help either at home or in the outside world since both the home and the larger community prescribe their own code and are indifferent or hostile to that of the other[.]” *Id.* at 216.

56. My German ancestry, as described by my family, has a Jewish connection in Jamaica. See generally Thomas G. August, *An Historical Profile of the Jewish Community of Jamaica*, 49 JEWISH SOC. STUD. 303 (1987); Rebecca Tortello, *Out of Many Cultures: The People Who Came: The Jews in Jamaica*, JAM. GLEANER, Aug. 4, 2003, <http://www.jamaica-gleaner.com/pages/history/story0054.htm>.

57. A bicultural identity has been found to be the most adaptive to acculturation, though it remains unclear what exactly “bicultural” means. See Phinney et al., *supra* note 11, at 502. A strong ethnic identity does not correlate with prejudice against other groups. Press Release, Brown University Media Relations, Study: Children of Immigrants from Ethnic Identity at Early Age (September 24, 2007), available at <http://news.brown.edu/pressreleases/2007/09/ethnic-identity>.

58. “The process of ethnic identity formation has been conceptualized in terms of a progression, with an individual moving from the unexamined attitudes of childhood, through a moratorium or period of exploration, to a secure achieved ethnic identity at the end of adolescence.” Phinney et al., *supra* note 11, at 496 (citation omitted).

59. See Arriagada, *supra* note 7, at 15 (“[S]ome existing research finds that certain second generation immigrants may experience a trajectory, in which they initially reject their ethnic backgrounds but over time begin to embrace their parents’ national origins as their own ethnic identities.”) (citations omitted).

60. “Escovitch is the Jamaican version of the Spanish Escabèche[.]” a method of food preparation. Fish, typically red snapper, is seared and then drenched with a spicy, vinegar-based marinade with carrots and onions. Food Network Canada, Escovitch, <http://www.foodtv.ca/recipes/recipeDetails.aspx?dishid=4624> (last visited Mar. 7, 2010).

61. A Jamerican is a person who was born in the United States and who is of Jamaican parentage and/or ancestry. Isabis Inside, *Who Are You? Just a Jamerican*, JAMAICANS.COM, Dec. 27, 2007, <http://www.jamericans.com/articles/primearticles/whoisjamerican.shtml>. See generally Booth, *supra* note 13 (noting that a study conducted of the identity of children of immigrants from the West Indies found that most respondents identified themselves as hyphenated Americans).

in my adulthood to visit the land of their birth. Jamaica was the first international destination to which I ventured. I was accompanied by a close friend from college on my first trip back to Jamaica without my family. My friend was also a child of immigrants,⁶² but her family was from the Dominican Republic.⁶³ We later traveled to her parents' native land where I was repeatedly mistaken to be Dominican while she was mistaken as Jamaican apparently due to her braided hairstyle that resembled dreadlocks.

I was anxious as the plane landed on the runway at the Donald Sangster International Airport in Montego Bay, Jamaica. My first trip without my family serving as tour guides was daunting. In fact, this was the first time that I had the opportunity to explore Jamaica as a tourist. Yet, I felt that I was expected to entertain my friend in this foreign land as a Jamaican ambassador.

We arrived at the resort to be greeted by hotel representatives. This was also my first hotel stay in the tourist-driven Montego Bay, as I previously lodged with family in Kingston. I was hours away from anyone who would know or recognize me. I struggled with whether I would reveal to the hospitality personnel that I was one of them, a Jamaican. I held a secret that could not be discerned by my appearance alone. Through my guarded identity, I knew what it meant to be Jamaican. With my U.S. Passport in hand, I declared that while I was not Jamaican, my parents were. As a result of my cultural affirmation, we were embraced and treated to complimentary services due to our newly acquired preferred guest status. Upon my departure, I was informed of my eligibility to become a Jamaican citizen by descent, even though I was born in the United States.⁶⁴

During one of our excursions on the island of Jamaica, I encountered several posted signs advertising a theatrical play. I recognized the playwright's name as that of my grand-uncle⁶⁵ and experienced an

62. See generally RAMONA HERNÁNDEZ & FRANCISCO L. RIVERA-BATIZ, CUNY DOMINICAN STUD. INST., DOMINICANS IN THE UNITED STATES: A SOCIOECONOMIC PROFILE, 2000 (2003), available at http://www.earthinstitute.columbia.edu/cgsd/advising/documents/rivera_batiz.pdf (reporting that second generation Dominicans in the United States made significant gains in higher education over first generation Dominicans and had higher school enrollment rates than U.S.-born Mexicans and U.S.-born Puerto Ricans).

63. The Dominican Republic encompasses the eastern two-thirds of the island of Hispaniola, which it shares with Haiti. U.S. DEP'T OF STATE, Background Note: Dominican Republic, June 7, 2010, <http://www.state.gov/r/pa/ei/bgn/35639.htm>.

64. See JAMAICA CONST. ch. II (1962).

65. See One to One: An Interview with Jamaican Playwright and Actor Lois Marriott, <http://brokencurve.tv/video.aspx?id=1341> (last visited Mar. 7, 2010) (explaining that Louis Marriott is a playwright, actor, journalist, broadcaster, former BBC radio producer/presenter, and former Press Secretary to the Prime Minister of Jamaica); see also Louis Marriott, *Growing Up in Jamaica - Cycle Race and Air Raid Drill*, JAM. GLEANER, Feb. 10, 2002, <http://www.jamaica->

immediate connection to my ancestry. My family's presence was apparent despite their absence. My travel was to mark my independence, but in retrospect it confirmed my interdependence. My family would refer to an established Jamaican playwright whom I never met, and I could now confirm what I initially believed to be folklore.⁶⁶ Through further inquiry into my family history, I discovered that my grand-uncle was also the son of a Jamaican politician⁶⁷ and the nephew of an accomplished sculptor whose work included some of Jamaica's most cherished monuments.⁶⁸

I perceived my chosen profession in the law to be an isolated incident until I recently met a professor from the Norman Manley Law School in Kingston⁶⁹ who informed me that a distant relative was a distinguished member of the Jamaican judiciary.⁷⁰ I also confirmed that my distant

gleaner.com/gleaner/20020210/focus3.html.

66. See generally OSEI-AGYEMANG BONSU & MELVIN P. THATCHER, AFRICAN ORAL GENEALOGY: COLLECTING AND PRESERVING YESTERDAY FOR TOMORROW (May 25, 2007) (describing and explaining the oral tradition by those of African descent by which genealogical information is conveyed through the generations by word of mouth); African American Oral History, <http://www.library.vcu.edu/jbc/speccoll/oralhist/> (last visited Sept. 19, 2010) ("In African American culture, oral history has served a crucial role in preserving a heritage that has often been threatened with oblivion."); Kesia Weise, African Caribbean Institute of Jamaica, Writing Jamaican Oral Histories, available at <http://www.annigel.com/history-writing/oralhistory.htm> (last visited October 10, 2010) (identifying the methods by which to extract Caribbean oral history).

67. See Marriott, *supra* note 65.

68. The late Honorable Alvin Marriott was a critically acclaimed Jamaican sculptor whose public works include the Olympic statue of the National Stadium, along with life-sized figures of Bob Marley and Marcus Garvey. In 1944, Marriott's bust of Franklin D. Roosevelt was presented to the White House. National Library of Jamaica, Biographies of Jamaican Personalities, http://www.nlj.org.jm/biographies.htm#al_marriott (last visited Mar. 7, 2010). See generally Vivien Raynor, *Art: Works Form [sic] Jamaica Show an Island Evolution*, N.Y. TIMES, Aug. 12, 1984, at 11CN, available at <http://www.nytimes.com/1984/08/12/nyregion/art-works-form-jamaica-show-an-island-evolution.html?&pagewanted=1> (highlighting the efforts to recognize Jamaican artists and arts from 1922 to 1982).

69. The Norman Manley Law School was established in 1973 and is part of the Council of Legal Education of the University of the West Indies including the Hugh Wooding Law School in Trinidad and Tobago and the Eugene Dupuch Law School in the Bahamas. Norman Manley was a legendary Jamaican politician and lawyer born in 1893. Manley was a Rhodes Scholar and a contributor to the Jamaican Independence Constitution. See Norman Manley Law School, <http://www.nmls.edu.jm/> (last visited Nov. 27, 2009).

70. Chief Justice of Jamaica and acting Governor-General, Lensley Wolfe. See *Governor-General to Retire—Lensley Wolfe to Act After February 15*, JAM. GLEANER, Jan. 17, 2006, <http://www.jamaica-gleaner.com/gleaner/20060117/lead1.html>; JAMAICAN INFORMATION SERVICE, Manchester Gets 40 New Justices of the Peace, Nov. 13, 2009, <http://www.jis.gov.jm/officepm/html/20091113t190000-0500>. The spelling of my surname varies throughout the family. Some family members have the spelling "Wolff" while others spell their last name "Wolfe." Part of this discrepancy may be attributed to the way that the name was recorded by immigration officials at the port of entry into the United States.

Jamaican cousin is an academic at the University of the West Indies. The establishment of my relatives within the academy and judiciary brought some clarity to my chosen profession. I felt deprived of this relevant information that drew me closer to my heritage. When I approached my father about our familial link to the administration of the Jamaican legal system, he simply stated, “but that was in Jamaica.” I countered my father’s comment with my appreciation for his sharing of our family history. I provided the context for my inquiry by explaining that it was necessary for me to understand where I came from so that I could understand where I was going.

Upon the discovery of my family’s place in the law, I felt a kindred connection to my distant relative which further justified my decision to enter the legal profession. I am now committed to the study of American and Caribbean law through my involvement with the American and Caribbean Law Initiative.⁷¹ Through this experience, I have a deeper consciousness of this organization’s mission of enhancing relations with our neighbors in the Caribbean. The branch is now receiving water from the root.

I returned home from my island vacation with a newfound appreciation for my parents’ struggle. They came from a developing country⁷² to establish themselves in a capitalist country.⁷³ We were settled in the suburbs of New York, when in years prior my parents were part of a declining British commonwealth.⁷⁴ While I was wrestling with my dual

71. “The mission of the American Caribbean Law Initiative (ACLI) is to advance the common interest of its members in the growth and development of the Caribbean Basin by facilitating collaborative relationships and by strengthening its legal development and institutions.” American and Caribbean Law Initiative, <http://www.fcsl.edu/acli/> (last visited Mar. 7, 2010). Members include the Thurgood Marshall School of Law at Texas Southern University along with law schools throughout Florida and the Caribbean.

72. Cf. Wendy Cooper, *International IMF Documents Reveal Political Motive in Jamaica*, 1 MULTINATIONAL MONITOR 9 (1980), <http://www.multinationalmonitor.org/hyper/issues/1980/06/cooper.html>.

73. See Bill George, *The U.S.’s Hidden Asset: Global Capitalism*, BLOOMBERG BUSINESSWEEK, Aug. 5, 2007, http://www.businessweek.com/careers/content/aug2007/ca2007085_158545.htm.

74. See HERBERT HEATON, *THE G.I. ROUNDTABLE SERIES, WHAT MAKES THE BRITISH COMMONWEALTH HOLD TOGETHER?* (2002); Safa, *supra* note 18 (“Admiration for British culture [in the English-speaking Caribbean] also served to maintain a Eurocentric orientation [among the elite at the West Indian island nation of St. Vincent] Eurocentrism almost certainly stifled [St. Vincent’s] sense of national identity and denigrated the African-derived components of Caribbean culture.”); see also James, *supra* note 16 (“The British Caribbean, the primary source of black migration to the U.S. [in the late 1800s and early 1900s], experienced a catastrophic stagnation and decline in its sugar economy, the mainstay and primary employer in the region since the seventeenth century. This crisis was especially deep in the so-called Old Colonies of Jamaica, Barbados, and the Leeward Islands, whose economies were most heavily dependent upon sugar.”).

heritage, perhaps my parents experienced similar discomfort.⁷⁵ Some West Indians felt the need to justify their independence from colonialism and establish their identities as Caribbean apart from European dilution.⁷⁶ The same cultural conflict may be experienced by the children of immigrants in relation to their search for an identity.⁷⁷

I was internally and externally motivated to perform well in school, internally to justify my family's sacrifice in starting a new life in America.⁷⁸ After years of struggling through my own independence and individualism, however, I became outspoken in the need to develop and recognize my own story; my family's story could no longer dictate my path. I would respect my foundation, but I had to grow in order to flourish. I, along with some of my second-generation⁷⁹ friends, came to the

75. The process of "identificational assimilation" takes place across generations over a length of time as individuals gain increased exposure to American culture. See Arriagada, *supra* note 7, at 22; Safa, *supra* note 18 ("An important effect of emigration may be to reinforce a sense of national unity in opposition to other islanders met abroad, while also serving to create a pan-West Indian identification in others."); James, *supra* note 16 ("It is this kind of blindness to the Afro-Caribbean strands within the American tapestry that . . . [highlight] the double invisibility of black immigrants: invisible because of their blackness and invisible because they are black foreigners, a combination of characteristics that, until relatively recently, was apparently unthinkable and certainly imperceptible to most Americans, including scholars of immigration. The relative neglect of black immigrants is paradoxical, for . . . these immigrants have been simultaneously . . . the least visible but most articulate and active of America's ethnic constituencies.").

76. See generally Martin Thomas, *The Political Economy of Colonial Violence in Interwar Jamaica* (Apr. 2008), available at <http://stanford.edu/dept/france-stanford/Conferences/Terror/Thomas.pdf>.

77. "[E]thnic identity has an important influence on a number of key outcomes including aspects of psychological well-being such as depression and self-esteem, academic expectations and school achievement, and the ability to handle experiences of racism and discrimination." Arriagada, *supra* note 7, at 10 (citations omitted).

78. Many immigrants regard education as a path to societal inclusion and mobility in their new country. See Phinney et al., *supra* note 11, at 503. A majority of immigrant parents and children have positive attitudes towards schooling. See Qin-Hilliard, *supra* note 53, at 601. Studies have shown the extensive time and effort spent by adolescent children of immigrants in completing homework to achieve academic success. See Wen-Jui Han, *Academic Achievements of Children in Immigrant Families*, 1 EDU. RES. & REV. 286, 287-88 (2006); see also Patrick Welsh, *Making the Grade Isn't About Race. It's About Parents*, Wash. Post, Oct. 18, 2009, at B01. ("Knowing how hard my parents worked simply to give me the opportunity to get an education in America, it was hard for me not to care about getting good grades." (quoting a student whose parents emigrated to the United States from Sudan)). See generally VIVIAN LOUIE, COMPELLED TO EXCEL: IMMIGRATION, EDUCATION, AND OPPORTUNITY AMONG CHINESE AMERICANS 137 (2004) (stating "[w]e [second-generation children], we definitely have it easy . . . the sacrifices we make are sort of like, okay, I don't want to be a lawyer, but I will be. Compared to the things that my mom went through, they are nothing.").

79. The term "second generation" refers to individuals born within the United States to at least one foreign parent. Vanessa Cruz, URBAN INSTITUTE, *Educational Attainment of First and Second Generation Immigrant Youth: New Findings from National Longitudinal Data*, at 2 (Mar. 2009), available at <http://www.urban.org/uisa/upload/UISA-Brief-5.pdf>.

conclusion that while our backgrounds propelled us to be “over-achievers,”⁸⁰ we languished in our parents’ dreams for what our American lives should be.⁸¹ We had to think outside the box and pay homage to the nuclear family, while breaking away to breathe. Now we were challenged with our own thoughts and ideas on culture and self-identity.

Through my experience, I know that this world is not black and white.⁸² I am aware of the “melting pot” theory that America is built upon.⁸³ There is rhetoric that we currently exist in a post-racial society due to the election of Barack Obama as President.⁸⁴ However, the assertion that we are post-racial, or that we are color-blind, has its flaws.⁸⁵ While such a view may

80. *But see* Schomberg Center for Research in Black Culture, Paragons of the West Indies Lesson Plan: Super-Immigrant Stereotypes, http://www.inmotionaame.org/education/lesson.cfm?migration=10&id=10_003LP (last visited July 4, 2010) (offering a lesson plan for studying West Indian immigration contributions and casting doubt on the “super-immigrant” stereotype).

81. *See generally* Nicole Y. Dennis, *A Black Immigrant’s Experience with Coming to Terms with Race Relations in America*, DEFENDERS ONLINE, Feb. 2, 2010, <http://www.thedefendersonline.com/2010/02/02/a-black-immigrants-experience-with-coming> (“[T]he optimism that [immigrants of color] would succeed as individuals is part of the DNA of the immigrant experience. . .”).

82. Booth, *supra* note 13 (“The demographic shifts are smudging the old lines demarcating two historical, often distinct societies, one black and one white. Reshaped by three decades of rapidly rising immigration, the national story is now far more complicated.”).

83. *See id.* (explaining that the “melting pot” theory is based on “the promise that all immigrants can be transformed into Americans, a new alloy forged in a crucible of democracy, freedom and civic responsibility.”). The melting pot theory will be tested as a demographic shift takes place in this country due to a wave of migration from Asia and Latin America. *See id.* (“This shift. . . will severely test the premise of the fabled melting pot, the idea, so central to national identity, that this country can transform people of every color and background into ‘one America.’”); *see also* Branigin, *supra* note 18 (“Some sociologists argue that the melting pot often means little more than ‘Anglo conformity’ [W]ith today’s emphasis on diversity and ethnicity, it has become easier than ever for immigrants to avoid the melting pot entirely. Even the metaphor itself is changing, having fallen out of fashion completely with many immigration advocacy and ethnic groups. They prefer such terms as the ‘salad bowl’ and the ‘mosaic,’ . . .”).

84. *See* Lydia Lum, *The Obama Era: A Post-Racial Society?*, 25 DIVERSE ISSUES IN HIGHER EDUC 14, 14 (2009) (acknowledging that while some believe race no longer matters, many scholars still believe that race does still matter); *see also* Cepeda, *supra* note 15 (“[E]ven after making history by electing our first African and white-American president, our society has only managed to place a ‘post-racial’ Band-Aid over the subject of race in the United States.”).

85. *See* Jeninne Lee-St. John, *The Delusion of Color Blindness*, TIME, Sept. 7, 2006, available at <http://www.time.com/time/nation/article/0,8599,1532599,00.html> (discussing how white Americans as a demographic experience racism differently than than minorities and that this may induce them to overemphasize color-blind solutions); Kai Wright, *A Colorblind America: Is This the Real Fairy Tale?*, ROOT, Feb. 28, 2008, available at <http://www.theroot.com/views/colorblind-america> (noting unemployment for blacks in 2003, racial mortality disparities, and de facto school system segregation; and arguing that race remains a relevant factor for many such social dilemmas); *see also* Shelby Steele, Op-Ed., *Obama Seduced Whites with a Vision of Their Racial Innocence Precisely to Coerce Them into Acting Out of a Racial Motivation*, L.A. TIMES, Nov. 5, 2008 (“[A] post-racial society is a bargainer’s ploy A real post-racialist . . . would evaluate Obama politically rather than culturally.”); Daniel Schorr, *A*

remove the verbal distinction of black and white, it does little to remove the subconscious judgments that we make with regards to race and cultural norms.⁸⁶ We are conditioned to instantly categorize and dissect one another upon introduction despite best efforts to view one another as equal.⁸⁷ We remain racially bound to stereotypes and biases despite our progress towards equality and justice.⁸⁸

My Dominican friend who identifies as Latina⁸⁹ revealed that an ancestral relative was of African descent after I demanded an explanation for her curly hair and full lips.⁹⁰ My friend from high school, who identifies as Caucasian, balanced her love of matzo ball soup with her favorite dish of baked ziti through her mixed Jewish and Italian heritage. This experience is not so different than that of my black American associates and colleagues, as they also encounter a history of mixed race and heritage.⁹¹ From the Creoles of Louisiana⁹² to the Gullahs of South

New, 'Post-Racial' Political Era in America, NPR, Jan 28, 2008, <http://www.npr.org/templates/story/story.php?storyId=18489466> (defining the post-racial era prompted by the success of Barack Obama as "the era where civil rights veterans of the past century are consigned to history and Americans begin to make race-free judgments on who should lead them."); Leonard Pitts Jr., *Commentary: 'Post-racial' America Isn't Here Yet*, CNN.COM, Mar. 28, 2009, <http://www.cnn.com/2009/POLITICS/03/28/pitts.black.america/index.html> [hereinafter Pitts, *Commentary*].

86. Cf. Booth, *supra* note 13 ("[Y]ou witness this persistence of segregation, the fragmentation, all these fights over resources, this finger-pointing. You would have to be blind not to see it.") (quoting Angela Oh, a Korean American activist).

87. See generally Reginald Leamon Robinson, "Expert" Knowledge: *Introductory Comments on Race Consciousness*, 20 B.C. THIRD WORLD L.J. 145, 153 ("[R]ace consciousness gradually intensifies to a point where it might become ingrained psychologically and biologically in our socially conditioned human makeup.")

88. See Pitts, *Commentary*, *supra* note 85.

89. See Mireya Navarro, *Going Beyond Black and White, Hispanics in Census Pick 'Other'*, N.Y. TIMES, Nov. 9, 2003, at A1 (providing the personal narrative of a young woman who believes that her choice to label herself "Latina" implies her mixed racial heritage of black and white ancestry).

90. See Julissa Reynoso, *Dominican Immigrants and Social Capital in New York City: A Case Study*, 1 ENCRUCIADA/CROSSROADS 57 (2003), <http://journals.dartmouth.edu/cgi-bin/WebObjects/Journals.woa/2/xmlpage/2/article/104> (surveying Dominican immigrants in New York City found that half ethnically classify as "Dominican" first while thirty percent chose "Hispanic/Latino" first. In the 1990 census most Dominicans living in New York identified as either mulatto, classified as "other" (50%) or black (25%)). But see Safa, *Popular Culture*, *supra* note 1, at 123 (explaining that historically, the Dominican Republic identified as white, Catholic and Spanish, but that Dominican immigrants in the United States have experienced a form of black racial consciousness due to discrimination) (citations omitted).

91. See Hugh Russell, *From Post-Racial America to Racially Divided Africa*, FIRST POST, Nov. 7, 2008, <http://www.thefirstpost.co.uk/45830.news-comment.news-politics.coloureds-of-africa-wont-claim-mixed-race-barack-obama> ("[T]here's scarcely a 'black' person in the U.S. who is not actually an ad-mixture of black, white, Chinese and a not inconsiderable amount of Native American blood . . .").

92. Creoles in America are people of mixed descent including African, French, and Native American. See also Safa, *Popular Culture*, *supra* note 1, at 117 (last visited Sept. 19, 2010) ("The creole society model draws attention to an evolving cultural

Carolina,⁹³ we all share in this ambiguous existence.⁹⁴

III. SELF-IDENTITY AND CULTURE

A. *Music as Cultural Expression*

1. Reggae and Reggaetón

One of the most celebrated cultural icons of my parents' native land is Robert Nesta Marley, also known as Bob Marley.⁹⁵ As a child, I continuously heard Marley's music, but as an adult I cherish his music as a significant cultural link. In response to my cultural immersion, I also developed an appreciation for reggae music in general. Marley set Jamaica's indigenous language to primal African rhythms to help pioneer an international phenomenon known as reggae music,⁹⁶ which recently morphed into "reggaetón."⁹⁷ While much of Jamaica's culture is derived

unity in the Caribbean based upon the continuous process of interaction and adjustments between the major cultural traditions of Europe and Africa.").

93. The Gullah people are a community of African Americans who inhabit the coastal areas of South Carolina, also known as the low country region or the Sea Islands. See NAT'L PARK SERV., LOW COUNTRY GULLAH GEECHEE CULTURE: SPECIAL RESOURCE STUDY & FINAL ENVIRONMENTAL IMPACT STATEMENT (2005), http://www.nps.gov/sero/planning/gg_process.htm (last visited Nov. 27, 2009).

94. See *Defining 'Mutt' Obama's True Colors*, MSNBC.COM, Dec. 14, 2008, <http://www.msnbc.msn.com/id/28216005/print/1/displaymode/1098/> (last visited May 13, 2010) ("Today, the spectrum of skin tones among African-Americans—even those with two black parents—is evidence of widespread white ancestry. Also, since blacks were often light enough to pass for white, unknown numbers of white Americans today have blacks hidden in their family trees.").

95. Bob Marley, born on February 6, 1945 in Jamaica rose to international superstardom before he passed away from cancer on May 11, 1981 in Florida. See Britannica Online Encyclopedia, *Bob Marley*, <http://www.britannica.com/EBchecked/topic/365877/Bob-Marley> (last visited Mar. 14, 2010); see also BBCNews, *Jamaica Issues Bob Marley Coins*, BBC NEWS.COM, Aug. 25, 2006, <http://news.bbc.co.uk/2/hi/entertainment/5285368.stm>; JAMAICA INFORMATION SERVICE, *Famous Jamaicans—Bob Marley*, http://www.jis.gov.jm/special_sections/this%20is%20Jamaica/bobmarley.html (last visited May 13, 2010) (noting that Bob Marley is dubbed the "King of Reggae").

96. See Bob Marley Biography, <http://www.biography.com/articles/Bob-Marley-9399524?print> (last visited Sept. 19, 2010); Dread History: The African Diaspora, Ethiopianism, and Rastafari, <http://www.smithsonianeducation.org/migrations/rasta/rasessay.html> (last visited May 13, 2010).

97. See Esteban Israel, *Reggaeton Fever Shakes Up Cuba's Culture*, REUTERS, June 29, 2009, <http://www.reuters.com/article/musicNews/idUSTRE55S6EK20090629>; Regaeton - Music of Puerto Rico, <http://www.musicofpuertorico.com/index.php/genre/reggaeton/> ("Reggaeton is a relatively new genre of dance music that has become popular in Puerto Rico over the last decade. The name is derived from the reggae music of Jamaica which influenced reggaeton's dance beat."); see also Raquel Cepeda, *Riddims by the Reggaetón: Puerto Rico's Hip-Hop Hybrid Takes over New York*, 50 VILLAGE VOICE 30, 30 (2005), available at <http://www.villagevoice.com/2005-03-22/music/riddims-by-the-reggaet-n/> (quoting Vico C.) (explaining that reggaetón contains Jamaican dancehall and hip hop influences).

from and shaped by British and Spanish customs, reggae music is indigenous to Jamaica.⁹⁸ Reggae is the music of Jamaica, said to be created by the descendents of Africans who rebelled against European subordination in the Caribbean, also known as the Maroons.⁹⁹ The Maroons were runaway slaves who fled to the hills of Jamaica to escape from the European establishment.¹⁰⁰ Jamaicans promote the Maroons as their strong-willed predecessors who overcame their continued exportation in the slave trade.¹⁰¹

Marley's role in Jamaican culture was one part folk singer and one part soothsayer, as he disseminated the story of the Jamaican people and predicted the resulting political and social unrest due to the injustice taking place before him in Trench Town, an inner-city slum of Kingston, Jamaica.¹⁰² Marley was also a teacher of history and religion, as he at times sang of biblical text and the teachings of Marcus Garvey.¹⁰³ No topic

98. See Carolyn J. Cooper, *Reggae*, ENCYCLOPEDIA BRITANNICA ONLINE, <http://www.britannica.com/EBchecked/topic/495977/reggae#> (last visited Mar. 14, 2010).

99. The founders of the Rastafarian movement built upon the legacy of Jamaica's Maroons. See also Dread History, *supra* note 96 ("From the early 1930s, Rastafari in Jamaica have developed a culture based on an Afrocentric reading of the Bible, on communal values, a strict vegetarian dietary code known as Ital, a distinctive dialect, and a ritual calendar devoted to, among other dates, the celebration of various Ethiopian holy days. Perhaps the most familiar feature of Rastafari culture is the growing and wearing of dreadlocks, uncombed and uncut hair which is allowed to knot and mat into distinctive locks. Rastafari regard the locks as both a sign of their African identity and a religious vow of their separation from the wider society they regard as Babylon."). See generally E. Kofi Agorsah, *The Caribbean and the Americas*, MAROON HERITAGE RESEARCH PROJECT, http://www.blackstudies.pdx.edu/Maroon_Heritage.htm (last visited Mar. 14, 2010).

100. See generally Greg Zugrave, *Maroons and the Jamaican Frontier Zones of the Eighteenth Century* (2005) (unpublished M.A. thesis, University of North Carolina Wilmington), available at <http://libres.uncg.edu/ir/uncw/f/zugraveg2005-1.pdf> (last visited Mar. 14, 2010).

101. Cf. *id.*, at 23-24 (discussing how Jamaican perceptions of the Maroons' ability to "defeat[] the strongest military power in the world with few resources" inspired many "romanticized views" and influenced the Rastafarian movement).

102. See Christopher John Farley, *Remembering Bob Marley*, TIME, Feb. 4, 2005, <http://www.time.com/time/arts/article/0,8599,1024886,00.html>; Dread History, *supra* note 96 ("In the island of its birth, Rasta culture has also drawn upon distinctive African-Jamaican folk traditions. . . ."); see also Bob Marley Biography, *supra* note 96 ("The pared down folk-sounding 'Redemption Song' was an illustration of Marley's talents as a songwriter, crafting poetic lyrics with social and political importance Marley had received the Order of Merit from the Jamaican government. He had also been awarded the Medal of Peace from the United Nations in 1980.").

103. See Michael Kuelker, Bob Marley in Light of the Proverbs (1999), <http://www.stchas.edu/faculty/mkuelker/inlightoftheproverbs.html> (last visited Nov. 30, 2009). Upon Marley's return to Jamaica after spending eight months in the United States with his mother, he aligned with the Rastafarian movement. Bob Marley Biography, *supra* note 96 ("Both religious and political, the Rastafarian movement started in Jamaica in [the] 1930s and drew its beliefs from many sources, including Jamaican-born black nationalist Marcus Garvey, the Old Testament, and their African heritage and culture."). See generally Tony Sewell, *The Architect of a World of Free Minds*, GUARDIAN, Oct. 14, 2008,

was off limits to Marley as he defiantly declared,

Until the philosophy which holds one race
Superior and another inferior
Is finally and permanently discredited and abandoned
Everywhere is war, me say war.¹⁰⁴

Marley's song "One Love" in particular has withstood the test of time.¹⁰⁵ The song was performed for President Barack Obama as part of the inauguration festivities during which Obama became the first African American President of the United States¹⁰⁶ in January of 2009.¹⁰⁷ The classic composition "One Love" states in part, "One Love, One Heart / Let's get together and feel alright."¹⁰⁸ This verse was an appropriate sentiment during the celebration.¹⁰⁹ I felt a deep sense of pride that Marley's legacy, as an ambassador of Reggae and Jamaican culture,

<http://www.guardian.co.uk/commentisfree/2008/oct/14/blackhistorymonth-race> (discussing Marcus Garvey).

104. See BOB MARLEY, *War, on RASTAMAN VIBRATIONS* (Island Records 1976); see also Bob Marley Biography, *supra* note 96 ("The lyrics of 'War' were taken from a speech by Haile Selassie, the twentieth-century Ethiopian emperor who is seen as a type of . . . spiritual leader in the Rastafarian movement. A battle cry for freedom from oppression, the song discusses a new Africa, one without the racial hierarchy enforced by colonial rule.").

105. See BBCNews, *BBC's All-Star Millennium Bash*, BBC NEWS.COM, Dec. 2, 1999, <http://news.bbc.co.uk/2/hi/entertainment/546386.stm> (explaining that Bob Marley's "One Love" was chosen as the 2000 Today anthem by the BBC); Misani, *Bob Marley Lives Through Exodus' and Next Generation*, N.Y. AMSTERDAM NEWS, Jan. 10-16, 2008, available at <http://www.britannica.com/bps/additionalcontent/18/28516671/Bob-Marley-lives-> (announcing that, in 1977, Time Magazine named Marley's *Exodus* as album of the twentieth century) (*Exodus* is the album in which "One Love" was first released); see also Farley, *supra* note 102 (lauding Marley for being inducted into the Rock and Roll Hall of Fame in 1994); Christopher John Farley, *The Singular Impact of 'One Love'*, <http://web.bobmarley.com/news/article.jsp?ymd=20080221&contentid=93363> (last visited Nov. 30, 2009).

106. See MSNBC.COM, *supra* note 94.

107. See Mel Cooke, *'One Love' Examined at Bob Marley Lecture*, GLEANER, Feb. 12, 2009, <http://mobile.jamaicagleaner.com/20090212/ent/ent1.php> (quoting Dr. Jelani Niaah, who delivered the 2009 Bob Marley Lecture at the University of the West Indies, as saying "Obama, perhaps, could be seen as the contemporary Marley aesthetic"); see also Casey Gane-McCalla, *How Bob Marley's Songs of Freedom Led to Barack Obama's Message of Hope*, HUFFINGTON POST, Feb. 6, 2009, http://www.huffingtonpost.com/casey-ganemccalla/how-bob-marleys-songs-of_b_164476.html.

108. BOB MARLEY & CURTIS MAYFIELD, *One Love, on EXODUS* (Tuff Gong Records 1977).

109. See WE ARE ONE: THE OBAMA INAUGURAL CELEBRATION (HBO Jan. 18, 2009) (highlighting the recording artists' Will.i.am and Sheryl Crow performance of Bob Marley's "One Love" at the *We Are One: The Obama Inaugural Celebration*, performed at the Lincoln Memorial on January 18, 2009 and presented by HBO); see also *We Are One: The Obama Inaugural Celebration*, NPR, Jan. 18, 2009, <http://www.npr.org/templates/story/story.php?storyId=99389770> (quoting the Presidential Inaugural Committee that they wanted the performances to be "grounded in history and brought to life with entertainment that relates to the themes that shaped Barack Obama").

transcended time, race, and national origin to become part of our national stage during the installation of the Commander-in-Chief of the United States. It was a reminder that my Jamaican culture has made its mark on American history. Marley was a worldwide figure who hailed from his humble island existence to champion the social causes of countries other than Jamaica, including several nations in Africa.¹¹⁰ The impact of Marley's message resonates with a large and diverse group of people while projecting the culture of the island of Jamaica on the world stage.¹¹¹ Marley's view on race and identity may be summarized by his quote:

If you're white and you're wrong, then you're wrong, if you're black and you're wrong, you're wrong. People are people. Black, blue, pink, green—God makes no rules about color, only society makes rules where my people suffer and that [sic] why we must have redemption and redemption now.¹¹²

Accordingly, my self-identity expands in view of Marley's stake in shaping American culture and expanding my views on race and equality.¹¹³ My cultural link to Marley not only solidifies my ancestral roots but connects me to those around the world, including my American cohorts.¹¹⁴

Marley was a forward thinker as he propelled concepts and theories on

110. See generally Smile Jamaica 2010, Africa Unite, http://africa-unite.org/site/component/option,com_frontpage/Itemid,1/ (last visited Mar. 16. 2010).

111. See CHRISTOPHER JOHN FARLEY, BEFORE THE LEGEND: THE RISE OF BOB MARLEY 4-5 (2006) [hereinafter FARLEY, BEFORE THE LEGEND] ("... Marley's music is embraced all around the world, by people of disparate economic, political, and social circumstances: rude boys and frat boys, soccer moms and stockbrokers, rebel leaders and captains of industry."); Roger Steffens, About Bob Marley, <http://www.pbs.org/wnet/americanmasters/episodes/bob-marley/about-bob-marley/656/> ("Music alone can be the means by which the souls of races, nations and families, which are today so apart, may one day be united [Marley's political views] were the anti-politics of salvation through love and love alone, an unshakeable knowledge of the oneness of all humankind Today, [Marley's] elemental stories can be related to and understood by people anywhere who suffer and love and long for salvation. In other words, just about every one of us."); see also David E. Thigpen & Guy Garcia, *Marley's Ghost*, TIME, Sept. 13, 1993, available at <http://www.time.com/printout/0,8816,979200,00.html> ("You have more and more people becoming more aware of the complexity and diversity of our culture -- and with that is the awareness that reggae is a lot broader and deeper than they previously thought." (quoting Timothy White)).

112. FARLEY, BEFORE THE LEGEND, *supra* note 111, at 4.

113. Steffens, *supra* note 111 ("Without doubt, Bob Marley can now be recognized as the most important figure in 20th century music [I]t is clear that he is without question one of the most transcendent figures of the past hundred years. The ripples of his unparalleled achievements radiate outward through the river of his music into an ocean of politics, ethics, fashion, philosophy and religion [I]t is not surprising that the N.Y. Times, seeking one video to epitomize the past century, preserved in a time capsule to be opened a thousand years hence, chose 'Bob Marley Live at the Rainbow, London, 1977.' Or that the same 'newspaper of record' called Marley 'the most influential artist of the second half of the 20th century.'").

114. *Id.* ("[Marley's] iconography [is] well nigh a new universal language, the symbol . . . of freedom throughout the world We are all ennobled by our proximity to Marley and his art, his eternal songs of freedom.").

racial equality, political fairness, and economic parity throughout pop culture.

2. The Hip Hop Movement

Living in New York City provided me with exposure to a vast array of ethnicities and cultural experiences.¹¹⁵ New York is one of the most diverse states in the country.¹¹⁶ New York City remains a gateway for immigrants upon entry to the United States.¹¹⁷ I frequently interacted with New Yorkers who described themselves as Puerto Rican and Dominican.¹¹⁸ We lived in the same neighborhoods and attended the same schools.¹¹⁹ It was just as common that I was offered arroz con pollo¹²⁰ as it was to eat Jamaican rice and peas. I regularly communed with my Nuyorican¹²¹

115. LAIRD W. BERGAD, *THE LATINO POPULATION OF NEW YORK CITY*, 2008 7 (Nov. 2009), available at <http://web.gc.cuny.edu/lastudies/latinodataprojectreports/The%20Latino%20Population%20of%20New%20York%20City%202008.pdf> (reporting that in 2008, New York City population by race/ethnicity included: Non-Hispanic White (35.1%); Non-Hispanic Black (23.3%); Asian (11.8%); Latinos (27.9%), and Other (1.9%); and pointing out that New York City had more racial and ethnic diversity than the United States as a whole, the proportion of minorities (Hispanics, blacks, and Asians) was double that of the nation as a whole, and a higher proportion of New Yorkers identify as multiracial than individuals living elsewhere in the United States); see also NEW YORK CITY DEPARTMENT OF CITY PLANNING, *NYC2000: RESULTS FROM THE 2000 CENSUS: DEMOGRAPHIC/HOUSEHOLD CHARACTERISTICS & ASIAN AND HISPANIC SUBGROUPS* (2002), available at <http://www.nyc.gov/html/dcp/pdf/census/nyc20002.pdf> (New York City was the largest city in the nation in 2000 regarding population). See generally Francisco L. Rivera-Batiz, *The Multicultural Population of New York City: A Socioeconomic Profile of the Mosaic* (Colum. Un. Inst. for Urban & Minority Educ., Working Paper No. 93-1, 1993) (citing the presence of people from numerous continents and regions throughout the world).

116. See Sam Roberts, *Population Study Finds Change in the Suburbs*, N.Y. TIMES, May 9, 2010, at A23 (noting that racial and ethnic minorities currently comprise the majority of the population in many metropolitan areas and predicting that the 2010 census will show the same for New York); see also BERGAD, *supra* note 115, at 26 (noting that Latinos accounted for an estimated 28% of New York City's total population in 2008).

117. See Roberts, *supra* note 116.

118. See BERGAD, *supra* note 117, at 26 (stating that Puerto Ricans are the largest Latino subgroup in New York City, followed by Dominicans with the second largest subset).

119. Cf. Rivera-Batiz, *supra* 115, at 9 (reporting that the largest groups of immigrant children enrolled in New York City public schools were Dominican, Jamaican, and Russian).

120. See Blue Gaia, *When Do You Eat Arroz Con Pollo?*, http://www.ehow.com/about_4686171_do-eat-arroz-con-pollo.html (last visited Sept. 19, 2010) (Traditional Puerto Rican recipe consisting of a mixture of chicken and rice).

121. See Nuyorican, Dictionary.com, <http://dictionary.reference.com/browse/nuyorican> (last visited Dec. 1, 2009) ("A person of Puerto Rican birth or descent living primarily in New York City."). See generally Jennifer Ludden, *Sotomayor Shaped by Her 'Nuyorican' Roots*, June 17, 2009, <http://www.npr.org/templates/story/story.php?storyID=105401608> (describing Justice Sotomayor's ethnic and cultural roots). See also Safa, *Popular Culture*, *supra* note 1, at 124 (describing Nuyorican culture as a developed cultural expression with its roots

friends, as we were raised in close proximity within the urban metropolis of New York City.¹²²

Spanish Harlem¹²³ and Washington Heights¹²⁴ are analogies of how people of color combine, yet encapsulate themselves in separate ethnic enclaves.¹²⁵ As minorities were pushed to the fringes of Manhattan, Blacks and Latinos carved out their own plots of upper Manhattan's colorful landscape.¹²⁶ We may cohabitate and even politically align together,¹²⁷ but social norms dictate that labels will persist in separating and distinguishing us.¹²⁸

Cultivating relationships with my diverse group of friends often involved listening to music. From choosing which entertainment venue to attend to what radio station to listen to, music influenced our lives in several ways. One musical form that we could agree on was hip hop, as we were part of the hip hop generation.¹²⁹ Hip hop embodied familiar stories spoken over a

on the island of Puerto Rico).

122. See RAQUEL Z. RIVERA, *NEW YORK RICANS FROM THE HIP HOP ZONE 6-7* (2003) (explaining how Puerto Rican, African-American, and other ethnic groups all contribute to hip hop culture in New York City); Navarro, *supra* note 89 ("While there are clearly white Hispanics and black Hispanics, many more come from racially mixed stock, with white, black and American Indian or other indigenous strains. Even within one family, one sibling may look black by many Americans' standards, another white, and another in between. And factors as disparate as hair texture, education, income and even nationality matter almost as much as skin color in racial self-image.").

123. Spanish Harlem, also referred to as El Barrio and East Harlem, is an ethnic neighborhood in northeastern section of the borough of Manhattan in New York City predominantly inhabited by Latino communities. Spanish Harlem borders the Harlem River to the north, the East River to the east, East 96th Street to the South, and 5th Avenue to the West. See El Barrio (Spanish Harlem), NYC.com, http://www.nyc.com/visitor_guide/el_barrio_spanish_harlem.75851/editorial_review.aspx (last visited Dec. 1, 2009) [hereinafter El Barrio].

124. Washington Heights is an area of upper Manhattan which spans from the Hudson River to the Harlem River. See generally James Renner, Washington Heights, http://c250.columbia.edu/c250_celebrates/washington_heights/ (last visited July 4, 2010).

125. See ARLENE DAVILA, *BARRIO DREAMS: PUERTO RICANS, LATINOS, AND THE NEOLIBERAL CITY 6-7* (2004) (describing how the many names for East Harlem suggest that many ethnic groups claim identity linked with the place).

126. See generally Timothy Williams & Tanzina Vega, *East Harlem Develops, and Its Accent Changes*, N.Y. TIMES, Jan. 21, 2007, at A29; Rivera-Batiz, *supra* note 115, at 10-17 (documenting racial segregation in the residential distribution of New York City); Harlem History, Institute for Research in African-American Studies, Columbia University, <http://www.columbia.edu/cu/iraas/harlem/index.html>. See generally The Harlem Renaissance, Biography.com, <http://www.biography.com/blackhistory/harlem-renaissance.jsp#tgm> (last visited Sept. 19, 2010).

127. See generally New York State Association of Black and Puerto Rican Legislators, Inc., History, <http://www.nysabprl.com/History.html> (last visited May 15, 2010).

128. Cf. Mireya Navarro, *In New York's Cultural Mix, Black Latinos Carve Out a Niche*, N.Y. TIMES, April 28, 2003, at B1, available at <http://www.nytimes.com/2003/04/28/nyregion/in-new-york-s-cultural-mix-black-latino-carve-out-niche.html>.

129. See PATRICIA HILL COLLINS, *FROM BLACK POWER TO HIP HOP 2* (2006) (The hip hop generation was defined by Bakari Kitwana as those born between 1965 and

rhythmic beat to formulate bonds across socio-economic lines and demographics.¹³⁰ The various forms of hip hop music and culture spoke to different experiences and diverse populations.¹³¹ As the genre that was modeled in part after a Jamaican style of music and began in the streets of New York City in the early 1970s, my affinity towards hip hop overlapped my American and Jamaican cultural influences.¹³² We would recite lines from the same songs, and learn new terminology required to relate to others within our hip hop generation.¹³³ Collaborations between white, black, Caribbean, Latino, and Chicano musicians solidified ties within ethnic communities and built a subculture across color lines and emerged as a unifying force.¹³⁴

Hip hop truly became a universal language.¹³⁵ Through music, we were able to express our individuality of choice and come to a common ground regarding messages of social and political importance.¹³⁶ However, at

1984. This same era is called “post-soul” by Mark Anthony Neal, who considers it as picking up where the Civil Rights and Black Power movements left off). *See generally* MARK ANTHONY NEAL, *SOUL BABIES 3* (2002) (identifying the “post-soul era” as beginning after the *Bakke* case challenging affirmative action in 1978, and therefore including those born to the era as being roughly from the 1963 March on Washington until the *Bakke* case).

130. *See* Henry A. Rhodes, *The Evolution of Rap Music in the United States, 1993*, <http://www.yale.edu/ynhti/curriculum/units/1993/4/93.04.04.x.html> (teaching curriculum).

131. *See id.*

132. *See id.*; *see also* April Neal, *Hip-Hop: Not Your Pop’s Culture*, 92 DUKE MAG. 39, 40-41 (July-August 2006) (interviewing Tracy Sharpley-Whiting).

133. *See also* Tony Karon, ‘Hip-Hop Nation’ Is Exhibit A for America’s Latest Cultural Revolution, *TIME*, Sept. 22, 2000, available at <http://www.time.com/time/arts/article/0,8599,55635,00.html> (distinguishing hip hop’s language as “a complex, ever-evolving organism that has spawned countless dialects that are constantly in conversation with one another”). *See generally* Rhodes, *supra* note 130.

134. *See generally* JUAN FLORES, *FROM BOMBA TO HIP-HOP PUERTO RICAN CULTURE AND LATINO IDENTITY* (2000); Roberta L. Singer and Roberta Friedman, *Puerto Rican and Cuban Musical Expression in New York.*, <http://www.dramonline.org/content/notes/nwr/80244.pdf> (last visited July 4, 2010) (introduction to an audio track).

135. *See* Rhodes, *supra* note 130.

136. *See id.*; Josh Schonwald, *Politics of the Hip-Hop Generation*, University of Chicago, http://www.uchicago.edu/features/20080428_kitwana.shtml (last visited Oct. 10, 2010) (presenting the hip hop generation as an identifiable voting block to further hip hop activism). *See generally* Maureen Dowd, Op-Ed, *Brush It Off*, *N. Y. TIMES*, Apr. 20, 2008, at WK11, available at <http://www.nytimes.com/2008/04/20/opinion/20dowd.html> (theoretically discussing Obama as a hip hop president); Ralph Z. Hallow, *Steele plans ‘hip-hop’ sell for GOP Makeover*, *WASH. TIMES*, Feb. 19, 2009, at A1 (discussing Michael Steele’s contention that there is a need for the GOP to capture a larger cross-section of the population by appealing to hip-hop culture and constituents); Steven Gray, *Can Michael Steele Broaden the Grand Old Party?*, *TIME* (Feb. 24, 2009), available at <http://www.time.com/time/politics/article/0,8599,1881300,00.html> (discussing Michael Steele, the Chair of the Republican National Convention, and his call for applying conservative principles to hip-hop settings in perhaps strategizing for more diverse

times hip hop embodied the labels, categories, prejudices, and stereotypes that we were trying to escape from.¹³⁷ Hip hop continues to carry political baggage in implicating race, gender, and class.¹³⁸ As hip hop evolved and expanded beyond the New York inner-city, so did its message and its impact.¹³⁹ With the growth of hip hop culture¹⁴⁰ into a worldwide force, the musical landscape has room for diverse voices to provide social commentary.¹⁴¹ The freedom and empowerment expressed in hip hop may provide a basis in forming self-identity.¹⁴² Hip hop continues to be embraced by a diverse population, no matter the race, ethnicity, nationality, class, age, gender, or political affiliation of its producers and consumers.¹⁴³

IV. SELF-IDENTITY AND RACE

A. *The Racial Self-Identity of Popular Culture Icons*

Bob Marley was born the son of a black Jamaican mother and white British father.¹⁴⁴ The details of the union of Marley's parents are vague,

constituents and in building coalitions with minority communities).

137. See Neal, *supra* note 132; see also Interview with Natalie Hopkinson & Natalie Y. Moore, in *Being a Black Man: Black Masculinity in the Hip-Hop Generation*, WASH. POST, Oct. 18, 2006, available at <http://www.washingtonpost.com/wp-dyn/content/discussion/2006/10/11/DI2006101100794.html>.

138. See generally MICHAEL ERIC DYSON, KNOW WHAT I MEAN: REFLECTIONS ON HIP HOP (2007). See also Valerie L. Patterson, Engaging Hip-Hop Leadership: Diversity, Counter-Hegemony and Glorified Misogyny – (Freestyle Version) 1-2, 10 (June 2, 2007), available at <http://www.ipa.udel.edu/3tad/papers/workshop2/Patterson-Newman.pdf> (discussing and evaluating claims by commentators that blame Hip-Hop for “a myriad set of ills that plague communities-of-color” and worrying over its tendencies towards “misogyny, patriarchy, objectification, and masculine posturing”).

139. Sofia Söderlund & Elin Wärnelid, Hip-hop and Construction of Group Identity in Stigmatized Area, June 2, 2009, <http://www.contemporaryrelations.eu/315/roma-group-identity/> (studying how hip-hop has helped youths construct a group identity). But see Rhodes, *supra* note 130 (noting how the original and foundational “old school” hip hop has morphed and is now affected by negative characteristics within corporate America and within prison culture).

140. See generally JEFF CHANG, CAN'T STOP WON'T STOP (2005); Söderlund & Wärnelid, *supra* note 139 (explaining that elements of hip hop culture include rap music, DJing, break dancing, and graffiti).

141. See Söderlund & Wärnelid, *supra* note 139 (explaining that hip hop began in American ghettos as “a protest against discriminating societal structures and aimed to reconstruct respect, dignity and local identity. Today hip-hop is a global culture attracting youths all over the world, mainly living in stigmatized areas.”) (citation omitted).

142. See *id.* (“In constructing identity and finding a place within the modern society many young people get involved in sub cultural groups. Hip-hop culture is one such grouping.”).

143. See generally Xuexin Liu, *The Hip Hop Impact on Japanese Youth Culture*, SOUTHEAST CONF. ASS'N ASIAN STUD. 107 (2005).

144. Compare Bob Marley Biography, *supra* note 96 (stating that Marley grew up in Nine Miles in the St. Ann parish of Jamaica), and Joanne Gallacher, *Bob Marley's Family on 'Welsh' Roots*, BBCNEWS.COM, Jan. 29, 2004, http://news.bbc.co.uk/2/hi/uk_news/wales/north_east/3431139.stm (debunking the

but it is documented that Marley's father played a minimal role in his development.¹⁴⁵ As Obama has been described,¹⁴⁶ Marley was biracial, and his mixed heritage resulted in his lighter skin tone.¹⁴⁷ In post-colonial Jamaica, Marley's lighter complexion afforded him the privilege of advancing in social status.¹⁴⁸ However, Marley adamantly rejected this class system and spoke openly about his alliance with the Kingston ghetto.¹⁴⁹ At times, Marley even denounced the white blood that ran through his veins.¹⁵⁰

legend of the great musical artist's father being from Wales), and FARLEY, BEFORE THE LEGEND, *supra* note 111, at 15, and Jamaica Information Service, National Symbols, *Cedella Marley-Booker to Get Posthumous OD, PM Announces*, Apr. 29, 2009, <http://www.jis.gov.jm/officepm/html/20080429t090000-0500 14992 jis cedella marley booker to get posthumous od pm announces.asp> [hereinafter *Cedella Marley-Booker*] (discussing the legacy of reggae legend Bob Marley's mother), with Jack Malvern, *The Times traces Bob Marley's white, English family to North Devon*, TIMES ONLINE, May 20, 2009, http://entertainment.timesonline.co.uk/tol/arts_and_entertainment/music/article6322755.ece (relating that the respective ancestries of Bob Marley's parents are well established, demonstrating evidence of his mixed-race background).

145. See generally FARLEY, BEFORE THE LEGEND, *supra* note 111, at 3–4.

146. See MSNBC.COM, *supra* note 94 (exploring Obama's identity as biracial/multi-ethnic and reactions to it).

147. RITA MARLEY WITH HETTIE JONES, NO WOMAN NO CRY (2004), as reprinted in JANUARY MAG, May, 2004, <http://januarymagazine.com/features/nowomannocryexc.html> (last visited May 12, 2010) ("Jamaicans would call [Marley] brown-skinned and [sic] Americans might say light-skinned . . . he was very half-black, half-white . . .").

148. See Christopher A. D. Charles, *Skin Bleachers' Representations of Skin Color in Jamaica*, 40 J. BLACK STUD. 153, 153–67 (2009) (depicting the social and political institutions in Jamaica that shape the country's images about skin color); see also Serge F. Kovalski, *In Jamaica, Shades of an Identity Crisis; Ignoring Health Risk, Blacks Increase Use of Skin Lighteners*, WASH. POST, Aug. 5, 1999, at A15 (characterizing the phenomenon of skin bleaching as controversial because many Jamaicans believe it is the key to achieving status, while others view it as an attack on black heritage); Safa, *Popular Culture*, *supra* note 1, at 120 (describing the colonial patterns of the Creole or brown elite stratifying the population between mulattos who aligned with European culture in the promotion of cultural superiority, and the black masses who retained the values of their African identity).

149. See Matt Jenson, Professor, Address at Africa Unite Ghana—Symposium: *Bob Marley—His Music; More Than Music!* (Feb. 2006), available at <http://africa-unite.org/site/content/view/23/57>; Mikal Gilmore, *The Life and Times of Bob Marley: How He Changed the World*, 969 ROLLING STONE 68–77, Mar. 10, 2005 (illuminating Bob Marley's association with inner-city Kingston residents in order to find a sense of community in his new home, which ultimately led to his discovery of the rhythm & blues scene); see also John Aizlewood, *Fighting for Survival*, GUARDIAN, June 1, 2001, at 2 (noting that Bob Marley lived part of his life in Trench Town, a low income community in west Kingston, and how, even after he made enough money to move five miles away, he "carried on as he always had" and did not distance himself); Russell Hall, *30 Years After Exodus: Remembering Bob Marley's 1977 Masterpiece*, <http://www.gibson.com/en-us/Lifestyle/Features/30%20Years%20After%20Exodus%20Remembe/> (last visited May 11, 2010) (citing Bob Marley's widow that Bob lived his life humbly despite his international fame).

150. See Scott Gurtman, *The Influence of Bob Marley's Absent, White Father*, <http://www.uvm.edu/~debate/dreadlibrary/gurtman02.htm> ("Marley was . . . partially ashamed of his white heritage."); RITA MARLEY WITH HETTIE JONES, *supra* note 147

Perhaps Marley was insecure in his self-identity, struggling to find the place where he felt he belonged.¹⁵¹ Marley never identified as biracial or mixed race, although he spoke about the different race of his mother and father.¹⁵² Instead, one is left to draw independent conclusions as to Marley's seemingly contrary features including his straight nose and thin lips, with a head full of dreadlocks.¹⁵³ Marley's message of peace and unity was inconsistent with his attitude towards his own racial composition.¹⁵⁴ The ultimate irony is that Marley died of skin cancer, a form of cancer which predominantly affects Caucasians.¹⁵⁵ What Marley may have failed to confront, eventually killed him.¹⁵⁶

Perhaps we all struggle in navigating social groups for acceptance in order to gain peace of mind.¹⁵⁷ While Marley tried to expand the meaning of humanity, there are people who still view the world as black and white, though an academic contrast to this paradigm is still vibrant.¹⁵⁸ Perhaps

("[Marley's] black consciousness covered his light skin. You see him, [sic] you hear him, and he's a black man."); *see also* MSNBC.COM, *supra* note 94 (stating that Barack Obama wrote in a memoir that he was "deeply affected" upon reading that Malcolm X once denounced his "white blood").

151. *See* Gurtman, *supra* note 150 ("Experiencing racism from both the black and white sides was also difficult because early on Marley had difficulties identifying with either racial group."); *see also id.* (quoting Benjamin Foot as saying, "I felt Bob wasn't secure in himself at this time . . . I think he was perturbed that one of his parents was white, and he wanted to prove himself very much as being a black Rasta").

152. *See id.* (quoting Bob Marley as saying, "[m]y father was white and my mother black . . . Me don't dip on the black man's side nor the white man's side. Me dip on God's side, the one who create me and cause me to come from black and white. . . .").

153. *See* RITA MARLEY WITH HETTIE JONES, *supra* note 147 (describing Bob Marley's as "very half-black, half-white, with a high, round forehead, prominent cheekbones, and a long nose"); *see also* Rob Nash, *Not Worried 'bout a Thing*, SUNDAY TIMES, June 29, 2008, at Features 31 ("As with Bob Marley, his white European father's genes are expressed in fine features and light-brown skin [comparing a contemporary recording artist with Marley]").

154. *See* Gurtman, *supra* note 150 ("The strong allegiance to black culture that resulted from the absence of his white father also partially attributed to Marley's unwaveringly sense of Pan-Africanism."); Dread History, *supra* note 96 ("Despite the fact that Rastafari continue to be widely misunderstood and stigmatized outside Jamaica, the movement embraces a non-violent ethic of 'peace and love' and pursues a disciplined code of religious principles."); *see also* Thigpen & Garcia, *supra* note 111 (noting Marley publicly stood for racial equality and social justice). FARLEY, BEFORE THE LEGEND, *supra* note 111, at 4 ("I don't think of Third World. To me, I am of the First World. I can't put people in classes.") (quoting Bob Marley).

155. *See* Gohara & Perez, *Skin Cancer and Skin of Color*, SKIN CANCER FOUND., 2009, <http://www.skincancer.org/skin-cancer-and-skin-of-color.html> (explaining that Caucasians are the primary victims of skin cancer, and that Bob Marley ultimately died from an aggressive form of melanoma at age thirty-six).

156. *See generally* Gary Younge, *Home Is Not a Postcode: The Row over Bob Marley's Bones Demonstrates the Tensions Between Race, Identity and Belonging*, GUARDIAN, Feb. 7, 2005, at Guardian Leader 15 ("[W]hile in life [Marley] called for peace, love and Pan-African unity, in death he is at the heart of a dispute that spans but also splits the black diaspora").

157. *Cf. id.*

158. *See also* Beyond Black and White: Race, Ethnicity, and Gender in the U.S.

one cannot escape being placed in one category or the other.¹⁵⁹ As we witness our nation's first black president,¹⁶⁰ whose biracial experience draws similarities to that of Bob Marley,¹⁶¹ we find that we are not a united people of America.¹⁶² Instead, our biracial leader could not avoid addressing issues of race, as issues of racism eventually came to the forefront of his campaign and his presidency.¹⁶³ Some critics even state that Obama is not the country's first black president as a result of his

South and Southwest, Texas A&M University Consortium Press, <http://tamuecfdev.qa.qinformaton.com/PublicStore/product/Beyond-Black-and-White.1942.aspx> (last visited July 4, 2010) ("Although Americans have traditionally treated race relations as a matter of black and white, race in this country is much more complex."). But see MSNBC.COM, *supra* note 94 (noting that the question of the color line is no longer simplistically defined in black and white). See generally Asian-American Village Staff, Frank H. Wu's *Yellow: Race in America Beyond Black and White: Lawyer, Activist and Writer on Tour with Provocative New Book*, http://www.imdiversity.com/villages/asian/arts_culture_media/archives/books/frank_wu_yellow.asp (last visited July 7, 2010) (noting Frank Wu's book studies the "position of Asian-Pacific Americans within America's traditionally polarized, Black-White conception of race").

159. But cf. Brent Staples, Editorial, *Why Race Isn't as 'Black' and 'White' as We Think*, N.Y. TIMES, Oct. 31, 2005, at A1 (noting that the advent of DNA testing allowing individuals to discover their ancestry is "forcing people to re-examine the arbitrary calculations our culture uses to decide who is 'white' and who is 'black.'").

160. Cf. MSNBC.COM, *supra* note 94 (debating whether President Obama truly counts as the first "black" president but stating that "Obama [himself] has said, 'I identify as African-American—that's how I'm treated and that's how I'm viewed. I'm proud of it.'").

161. See News One, *How Bob Marley Paved the Way for Barack Obama*, NEWS ONE, July 15, 2009, <http://newsone.com/celebrate-44/the-legend/> ("Thirty years after Jamaican reggae artist Bob Marley united the world under the banner of peace, unity, and human rights, Barack Obama inspired the world with a similar message Obama and Marley made the same bi-partisan efforts to unite people."). But see Jason Carroll, *Behind the Scenes: Is Barack Obama Black or Biracial?*, CNN Politics, June 9, 2008, <http://www.cnn.com/2008/POLITICS/06/09/btsc.obama.race/> (identifying a crucial part of Obama's 'post-racial' America, which was connecting to the millions of white Americans who grew up listening to Marley's music, and appealing to both black and white audiences by transcending the labels of race and using his own experiences to translate his racial history into political success).

162. MSNBC.COM, *supra* note 94 ("Debate over whether to call this son of a white Kansan and a black Kenyan biracial, African-American, mixed-race, half-and-half, multiracial—or, in Obama's own words, a 'mutt'—has reached a crescendo since Obama's election shattered assumptions about race.").

163. See Barack Obama, Speech at the National Constitution Center in Philadelphia, Pennsylvania: A More Perfect Union (Mar. 18, 2008), in *Barack Obama's Speech on Race*, N.Y. TIMES, http://www.nytimes.com/2008/03/18/us/politics/18text-obama.html?_r=1&pagewanted=print (exclaiming that the discussion of race during the campaign has been a divisive issue, creating racial tensions and controversy); Liz Halloran, *Obama's Race Speech Heralded as Historic: African American Scholars and Leaders See This as The Presidential Candidate's Moment to Lead*, U.S. NEWS & WORLD REP., March 18, 2008, <http://www.usnews.com/articles/news/campaign-2008/2008/03/18/obamas-race-speech-heralded-as-historic.html> (quoting Rev. Alton Pollard, Dean of Howard University School of Divinity, as saying, "Race was never an issue that was going to disappear It's too much a part of our national fabric to think that we can gloss over it and move on without having to contend mightily with each other.").

biracial heritage.¹⁶⁴

The reality of the biracial experience lived by Marley and Obama resulted in their racially identifying as black.¹⁶⁵ Obama is described as comfortable in his blackness, although some argue that he should be described as biracial or multiracial,¹⁶⁶ the same as could be said for Marley. Both Marley and Obama¹⁶⁷ searched for a self-identity. Yet, despite the efforts to define, categorize, and compartmentalize these historic figures; they have transcended boundaries and borders to relate to different races, cultures, and ethnicities.¹⁶⁸

Obama and Marley permeate pop and mainstream cultures in disseminating messages across the globe.¹⁶⁹ The “Obama Effect” is far reaching, perhaps because of Obama’s ability to connect to a wide range of individuals through his diverse background.¹⁷⁰ Marley has likewise

164. See Marie Arana, *He’s Not Black*, WASH. POST, Nov. 30, 2008, available at <http://www.washingtonpost.com/wp-dyn/content/article/2008/11/28/AR2008112802219.html?sid=ST2008121700205> (“Unless the one-drop rule still applies, our president-elect is not black.”).

165. See MSNBC.COM, *supra* note 94.

166. See MSNBC.COM, *supra* note 94 (noting that six million people, which amounts to two percent of the U.S. population identify as belonging to more than one race. The White House Office of Management and Budget decided against adding a “multiracial” category to the census stating that the category is not a race in and of itself); David Aaronovitch, *Black, White or Neither? The Mixed Race Dilemma*, TIME, Nov. 11, 2008, at Features 22, available at http://www.timesonline.co.uk/101/comment/columnists/david_aaronovitch/article5126706 (noting that in the mixed-race proportion of the population in the United States and the United Kingdom is growing).

167. MSNBC.com, *supra* note 94.

168. See Henry Chu, *Abroad, Obama’s Victory Spurs Joy*, L.A. TIMES, Nov. 6, 2008 (highlighting Obama’s mass global appeal). See generally *Obama Leads Field in Unsolicited Campaign Songs*, ASSOCIATED PRESS, May 18, 2008, available at <http://today.msnbc.msn.com/id/24594579/print/1/displaymode/1098/> (“[F]rom will.i.am’s star-studded viral hit “Yes We Can” to amateur odes folk to Spanish-language tunes and even a Jamaican reggae tribute, Obama is the leader in what observers are calling a new form of political campaigning.”); CNN.com, *Barack Obama is ‘President of the World’*, <http://edition.cnn.com/2008/POLITICS/11/05/international.press.reaction> (last visited May 14, 2010) (citing various mostly-positive international news commentaries on President Obama in the wake of the election).

169. See, e.g., *Obama Hip-Hop: From Mixtapes to Mainstream*, NPR, <http://www.npr.org/templates/story/story.php?storyId=96748462> (last visited on May 16, 2010) (discussing hip-hop culture’s reaction and support of Obama).

170. See RICHARD WIKE & KATHLEEN HOLZWART SPREHE, INDONESIA: THE OBAMA EFFECT, March 17, 2010, <http://pewresearch.org/pubs/1529/indonesian-views-america-image-president-obama-trip>; see also PEW RESEARCH CTR., CONFIDENCE IN OBAMA LIFTS U.S. IMAGE AROUND THE WORLD: MOST MUSLIM PUBLICS NOT SO EASILY MOVED (2009) (discussing how Obama had improved international opinion on the United States as of July 2009); Moji Anderson, *Barack Obama in Jamaica: “Di New Trendsetter”*, available at <http://www.angelfire.com/planet/islas/English/v3n10-pdf/44-48.pdf> (last visited Oct. 10, 2010); Henry Mance, *Obama Buys Black LatAm Politics*, BBCNEWS, Sept. 23, 2008, <http://news.bbc.co.uk/go/pr/fr/-/2/hi/americas/7596087.stm> (discussing how some individuals in Latin American countries are looking to Obama as a hopeful indication for changing chances for

posthumously carried reggae music and the Rastafarian movement into international forums.¹⁷¹ The mass appeal of Obama and Marley may be due, in part, to their cross-over appeal to diverse individuals who find a connection to their multicultural experience.¹⁷² Both Obama and Marley self-identify as black, but are relatable to people of various races, ethnicities, and cultures.¹⁷³ They have also been cited as the voice of disenfranchised minority communities around the world.¹⁷⁴ This reality provides hope that through our shared existence and the embrace of cultural awareness, we may overcome obstacles to self-identity while maintaining authenticity.¹⁷⁵

darker-skinned candidates in their own countries); Louis E.V. Nevaer, 'Obama Effect' Highlights Racism in Cuba, NEW AM. MEDIA, Dec. 15, 2008, (noting that Obama's election led some black Cubans to protest institutional racism and the myth of a colorblind, egalitarian society in Cuba); Byron Pitts, "Obama Effect" Touching A New Generation, CBS NEWS, Aug. 26, 2008 (transcript available at <http://www.cbsnews.com/stories/2008/08/26/eveningnews/main4386451.shtml>).

171. Jess Blumberg, *Rasta Revealed*, 38 SMITHSONIAN 34, 34 (Jan. 2008); Rastafarian Music, BBC, <http://www.bbc.co.uk/religion/religions/rastafari/customs/music.shtml> (last visited on May 16, 2010); see also Luis Cino, *Babyloni Too Can be a Red Island in the Caribbean*, 1 ISLAS 76, 76 (2009), available at <http://www.angelfire.com/planet/islas/English/v1n1-pdf/76-77.pdf> (documenting the influence of Bob Marley and Rastafarians in Cuba and the persecution of Rastafarians); cf. Samuel Furé Davis, *Reggae in Cuba and the Hispanic Caribbean: Fluctuations and Representations of Identities*, 29 BLACK MUSIC RES. J. 25, 27, 47 (2009) (noting that "reggae music is [still] marginalized and regarded with contempt" in Cuba but that even the Spanish-speaking Caribbean has been influenced, if more slowly, by reggae music and culture).

172. See generally Jeff Chang, *On Multiculturalism: Notes on the Ambitions and Legacies of a Movement*, 18 GRANTMAKERS ARTS READER 80 (2007) (discussing the evolution of multiculturalism and mentioning how Bob Marley's album *Catch a Fire* and Bruce Lee's movie *Enter the Dragon* influenced mid-seventies artists of color to become interested in Third World art and culture).

173. See Barack Obama Biography, <http://www.biography.com/articles/Barack-Obama-12782369?print> (last visited May 16, 2010); cf. Kwame Nantambu, *Obama's Bob Marley Effect*, TRINIDAD AND TOBAGO NEWS BLOG, Nov. 9, 2008, <http://www.trinidadandtobagonews.com/blog/?p=702> (suggesting that "Obama's youthful, white-looking, physical appearance was the magnetic force to draw young white Americans to his side").

174. See Anne Hickling-Hudson, *Postcolonialism, Hybridity and Transferability: The Contribution of Pamela O'Gorman to Music Education in the Caribbean*, 22 CARIBBEAN J. EDUC. 36, reprinted in <http://eprints.qut.edu.au/3503/1/3503.pdf>, at 10 (addressing the global influence of reggae and Bob Marley and its use for political empowerment by "racially oppressed people such as Australian aborigines and countless others of the world's dispossessed") (citation omitted); Howard W. French, *Celebrating Bob Marley, Voice of the Dispossessed*, N.Y. TIMES, May 13, 1991, at C11; see also Nobelprize.org, The Nobel Peace Prize 2009, http://nobelprize.org/nobel_prizes/peace/laureates/2009/ (explaining that the prize was awarded to Barack Obama "for his extraordinary efforts to strengthen international diplomacy and cooperation between peoples").

175. But see Mark Anthony Neal, *Appropriation and Reinvention*, DUKE MAG. 33, May-June 2009, available at <http://www.dukemagazine.duke.edu/issues/25/faculty/7.html> ("What many folks see as reflecting black popular culture is a commercialized, sanitized, airbrushed version . . . There is something very superficial at play, not necessarily [Obama himself], but what people read in the man.").

B. Self-Identity and Race Within the Hispanic Caribbean

Recently, I learned that I have relatives who were born and/or lived in Cuba. My relatives with a Cuban connection appeared black, although some have Latino names. I even found that Rita Marley, the matriarch of the Marley family was also born in Cuba.¹⁷⁶ I decided to conduct further research on what it meant to be Afro-Cuban and study Cuban/Jamaican relations.¹⁷⁷ I also explore here what it means to be a black Latino.¹⁷⁸

Although the phrase “Afro-Cuban” on its face is self-explanatory, I acknowledge the rich context that is associated with this loaded term.¹⁷⁹ To state it simply, although its meaning is anything but simple, Afro-Cuban¹⁸⁰ is a term used to describe Cubans of African ancestry, as distinct from other inhabitants of the island including white Amerindian, Hispanics, mulattos¹⁸¹ and mestizos.¹⁸² Over 1.1 million people of Cuba’s population are black.¹⁸³ In addition to the Afro-Cubans, Afro-Caribbeans who

176. See About Mrs. Rita Marley, The Rita Marley Foundation, http://ritamarleyfoundation.org/about_rita.html (chronicling the birth and early childhood of Alpharita Anderson, later Rita Marley, in Cuba); see also Rita Marley Biography, <http://www.biography.com/articles/Rita-Marley-297418?print> (last visited on May 13, 2010).

177. Fawzia Mahmood, *Close Ties between Cuba and Jamaica Analyzed, as CLAS Launches New Focus on Cuba*, Watson Institute for International Studies, Brown University (Oct. 6, 2007), http://www.watsoninstitute.org/news_detail.cfm?id=695. (noting deep running ties between Cuba and Jamaica due to a shared history and the migration of people between the two islands).

178. Cf. Navarro, *supra* note 130 (noting that Black Latinos, or Afro Latinos, are a subset of the Latino population with African roots, that only two percent of Latinos counted in the 2000 U.S. census identified themselves as black, and that, of these, twenty-eight percent lived in New York City); Gabriel Escobar, *Dominicans Face Assimilation in Black and White*, WASH. POST, May 14, 1999, at A03 (stating that, to assimilate, black Latinos must adapt to White American, African American, and Latino American culture in navigating the complex racial code of the United States).

179. See generally Gayle McGarrity, *Race and Class in Cuba*, JAM. OBSERVER, Jan. 24, 2010, <http://www.jamaicaobserver.com/columns/Race-and-Cuba> (describing the variety of phenotypical grouping in Cuba along with its complexity).

180. See WAYNE S. SMITH, *AFRO-CUBANS IN CUBAN SOCIETY*, CTR. FOR INT’L POLICY’S CUBA PROGRAM (1999) (clarifying that blacks were brought to Cuba from Africa as slaves and that their descendants over four centuries have lived and maintained their cultural and ethnic heritage).

181. See Stuart B. Schwartz, *Spaniards, Pardos, and the Missing Mestizos: Identities and Racial Categories in the Early Hispanic Caribbean*, 71 NEW WEST INDIAN GUIDE 5, 13 (1997) (defining the term used for an individual of European and African parentage).

182. See *id.* at 6, 10 (defining the term used for people of European and Indian descent); see also Helen I. Safa, *Challenging Mestizaje: A Gender Perspective on Indigenous and Afrodescendant Movements in Latin America*, 25 CRITIQUE ANTHROPOLOGY 307, 311 (2005) [hereinafter Safa, *Challenging Mestizaje*] (“In Latin America, it was possible for persons to pass out of the indigenous or Afrodescendant communities by adopting the cultural and class characteristics of the dominant white, mestizo society. Education and income ‘whitened’, contributing to a large intermediate sector of mestizos or mulattos.”).

183. See Daniel J. Perez-Lopez, *Cubans in the Island and in the U.S. Diaspora: Selected Demographic and Social Comparisons*, 16 CUBA TRANSITION 371, 375 (2006)

originate from mainly Haiti and Jamaica contribute to Cuba's black population.¹⁸⁴ My family relates that a few of my Jamaican ascendants migrated to Cuba temporarily to obtain employment opportunities and thereby some of their children were born on Cuban soil.¹⁸⁵ My grandparents returned to Jamaica after the completion of their temporary assignments.

Jamaica and Cuba share a common link to imperialism through Spain's occupation of both Cuba and Jamaica.¹⁸⁶ Though the Spanish eventually were forced to flee Jamaica after British occupation,¹⁸⁷ they left their influence in naming such cities as Ocho Rios.¹⁸⁸ Jamaicans also tend to be proficient in Spanish to establish relations and strengthen ties with their Spanish-speaking neighbors.¹⁸⁹ With their shared history and experience of Spanish occupation, Cuba and Jamaica both recognize Simón Bolívar's role in spurring a liberation of both countries.¹⁹⁰ However, there are differences in cultural nationalism and national identity between Jamaica and Cuba.¹⁹¹

(depicting a chart of selected indicators for Cubans, such as race, age distribution, and child-woman status); G. EDWARD EBANKS, POPULATION CHALLENGES: CUBA AND THE DOMINICAN REPUBLIC 16 (June 5, 2004), available at <http://www.canpopsoc.org/2004/Ebanks-CPS04Sess12paper2.pdf> (reporting migration patterns in Cuba and the Dominican Republic).

184. See Dimitri Prieto, *Haiti in Cuba: Vodou [sic], Racism & Domination*, HAVANA TIMES, June 8, 2009, available at <http://www.havanatimes.org/?p=9966&print=1> (discussing early Haitian immigrants' influence on Cuba's culture and the existence of anti-black racism in Cuba); see also Susan Hurlich, *Creole Language and Culture: Part of Cuba's Cultural Patrimony*, AfroCubaWeb (May 21, 1998), <http://afrocubaweb.com/haiticuba.htm>; Mahmood, *supra* note 177.

185. See generally ELIZABETH THOMAS HOPE, SKILLED LABOUR MIGRATION FROM DEVELOPING COUNTRIES: STUDY ON THE CARIBBEAN REGION, (2002), <http://www.ilo.org/public/english/protection/migrant/download/imp/imp50e.pdf> (last visited May 16, 2010).

186. See Jamaican Information Service, *History of Jamaica*, http://www.jis.gov.jm/gov_ja/history.asp (last visited Mar. 16, 2010).

187. *Id.*

188. Rebecca Tortello, *What's In a Name?*, JAM. GLEANER, May 5, 2003, <http://www.jamaica-gleaner.com/pages/history/story0048.htm>.

189. But cf. *Jamaica – Foreign Minister Wants Spanish as Second Language*, CARIBANA ANTIGUA & BARBUDA, Nov. 4, 2009, <http://www.antigua.caribarena.com/caribbean/jamaica/6512-jamaica-foreign-minister-wants-spanish-as-second-language.html> (arguing that Jamaicans widely perceive the need for setting a national priority for teaching and learning Spanish).

190. Cf. A Man Named Simón Bolívar, http://www.simon-bolivar.org/Principal/bolivar/a_man_named_sb.html (last visited Mar. 16, 2010) (discussing Bolívar's role in South American independence movements).

191. See Safa, *Popular Culture*, *supra* note 1, at 119, 121 ("In the Hispanophone Caribbean, the sense of national identity is based less on race, than on language, religion, and other aspects of Spanish culture This Spanish heritage included superiority of white skin and European culture, but in the Hispanic Caribbean, racial

While racism and color-consciousness exists in Cuba,¹⁹² particularly in the media and in employment prospects,¹⁹³ Cuba is unique in terms of national and cultural identity.¹⁹⁴ Cuba acknowledges that an integral portion of its cultural legacy is attributed to an African influence.¹⁹⁵ Further, there is recognition that even the white population of Cuba comes from a diverse mix of Spaniards who themselves have been infiltrated by North African occupation.¹⁹⁶ Racism is illegal in employment for socialist Cuba, although racial oppression is still reported to have an effect.¹⁹⁷ Subtle racism reportedly persists throughout Cuba, contributing to a racial hierarchy which favors individuals with lighter complexions.¹⁹⁸ However, racial equality played a role in Cuba's Revolution.¹⁹⁹ What has ensued is a movement by black Latinos to ensure racial equality and eliminate color consciousness which manifests in discrimination and affects class, employment, politics, and mobility.²⁰⁰

IV. THE BLENDING OF RACE, ETHNICITY, AND CULTURE IN FORMING SELF-IDENTITY

The one-size fits all racial and ethnic categories which dominated our historical past no longer fits our current cultural trends and societal needs.²⁰¹ The black-white paradigm²⁰² historically failed to depict the

divisions were never as strong as in the Commonwealth Caribbean.”) (citation omitted).

192. See *id.* at 122–23.

193. See *A Barrier for Cuba's Blacks*, MIAMI HERALD, June 20, 2007, available at <http://www.miamiherald.com/multimedia/news/afrolatin/part4/index.html>.

194. See Safa, *Popular Culture*, *supra* note 1, at 122.

195. See Jacques Depelchin, *Cuba and the Recentering of African History*, 50 AFR. STUD. REV. 2, 214, 216 (2007).

196. See *AfroCubans: Race & Identity in Cuba*, <http://afrocubaweb.com/raceident.htm> (last visited Mar. 16, 2010) (summarizing the Cuban ethnic mix).

197. See SMITH, *supra* note 180 (noting that discrimination persists even after the Revolution).

198. See also Anson Musselman, *The Subtle Racism of Latin America*, UCLA INT'L INST., June 2, 2003, <http://www.international.ucla.edu/print.asp?parentid=4125>.

199. See Manning Marable, *Revolution and Race in Cuba*, CHI. DEFENDER, Feb. 15, 1996, reprinted in *AfroCubaWeb*, Manning Marable, <http://afrocubaweb.com/marable.htm> (observing that the Cuban Revolution, which prevailed on January 1, 1959, promised to end discrimination and provide equal opportunities for blacks).

200. See Kwame Dixon, *Black Latin America on Fire*, 2 A CONTRACORRIENTE 127, 127 (2005) (reviewing HERMAN L. BENNETT, *AFRICANS IN COLONIAL MEXICO: ABSOLUTISM, CHRISTIANITY, AND AFRO-CREOLE CONSCIOUSNESS, 1570-1640* (2003)). See generally *AFRO-CUBAN VOICES: ON RACE AND IDENTITY IN CONTEMPORARY CUBA* (Pedro Pérez Sarduy and Jean Stubbs eds., 2000).

201. See MSNBC.COM., *supra* note 94; PASSEL & TAYLOR, *supra* note 5, at 2 (The “long history of changing labels, shifting categories and revised question wording” in

complete picture of America's racial and ethnic landscape.²⁰³ Racial and ethnic boundaries are no longer fixed and stationary, but individuals are still subject to mandatory classification by governmental authorities due in part to the historic role of the law in preserving racial bias within the United States.²⁰⁴ Perhaps we are moving towards unhinging our rigid ideology of race and ethnicity into a more fluid concept which recognizes a wide range of possibilities for self-identity.²⁰⁵ This perceived malleability potentially permits the inclusion of individuals who have a bond in one or several groups absent their exclusion from a particular group when an ethnic, racial, and/or cultural connection is not observed or recognized by the mainstream.²⁰⁶ However, the nuances of race and ethnicity continue to

regards to the U.S. Census in counting Hispanics "reflect evolving cultural norms"); *see also* Booth, *supra* note 13 ("[T]here was a greater consensus in the past on what it meant to be an American, a yearning for a common language and culture, and a desire – encouraged, if not coerced by members of the dominant white Protestant culture – to assimilate. Today . . . there is more emphasis on preserving one's ethnic identity, of finding ways to highlight and defend one's cultural roots.").

202. *See* Fears *supra* note 17 ("The black-white classification is uniquely American, a fact of history that has persisted since it was laid down by Virginia Slaveholders in the 1700s."); GREGORY STEPHENS, ON RACIAL FRONTIERS: THE NEW CULTURE OF FREDERICK DOUGLASS, RALPH ELLISON, AND BOB MARLEY 1, 2 (1999) ("[W]e cling to our 'color complex,' or 'color-phobia,' as [Frederick] Douglass called racialism, with entrenched institutional support of an 'ethno-racial pentagon.' . . . [O]ur very conceptions of 'race' grew out of interracial contexts – and most specifically, with the repression of interraciality, in order to construct racial privilege.")

203. *See* Brent Staples, *On Race and the Census: Struggling with Categories that No Longer Apply*, N.Y. TIMES, Feb. 5, 2007; *see also* ASSOCIATED PRESS, *Multiracial America is Fastest Growing Group*, MSNBC.COM, May 28, 2009, <http://www.msnbc.msn.com/id/30986649/> (pointing out that the fact that multiracial individuals are the fastest growing demographic are "challeng[ing] traditional notions of race").

204. *See* MSNBC.COM., *supra* note 94 (finding that our concepts of racial identity is in transition and the concept of choosing to be either black or white is becoming outdated); *see also* F. JAMES DAVIS, WHO IS BLACK? ONE NATION'S DEFINITION (1991), reprinted in PBS, *Frontline: Jefferson's Blood: Mixed Race America: Who is Black? One Nation's Definition*, <http://www.pbs.org/wgbh/pages/frontline/shows/jefferson/mixed/onedrop.html> ("The one-drop rule has long been taken for granted throughout the United States by whites and blacks alike, and the federal courts have taken 'judicial notice' of it as being a matter of common knowledge. State courts have generally upheld the one-drop rule, but some have limited the definition . . ."); Leonard Pitts Jr., *Racism Takes Many Hues*, MIAMIHERALD.COM, June 24, 2007, <http://www.miamiherald.com/multimedia/news/afrolatin/part5/index.html> [hereinafter Pitts, *Racism*] (writing that Americans passed laws legalizing racial bias, from the Constitution stating that blacks were three-fifths human in 1787 to the restrictive covenants in housing and the mandated racial segregation in the 1960s).

205. *See generally* PASSEL & TAYLOR, *supra* note 5, at 2 (noting that whether one is Hispanic is partially whether one claims the label); Oscar Avila, Dahleen Glanton & Kristen Mack, *Census Snapshots: An Evolving Portrait*, CHI.TRIB., March 14, 2010, http://2010-03-14/news/ct-met-census-race-20100309_1_census-time-racial-box-census-form (suggesting that many people are not content with the current choices in the census racial listings).

206. DAVIS, *supra* note 202 (observing the deleterious effects of the one-drop rule and its ability to categorize an individual with many heritages into a single, socially-

persist.²⁰⁷

To illustrate the evolving aspects of racial and ethnic identity, the term “African American” may be inclusive of a variety of diverse individuals.²⁰⁸ I recall a North African friend in law school who appeared to be of Middle-Eastern descent,²⁰⁹ but he insisted that he was more African American than anyone in the room as we attended a meeting for a black student organization. What does it mean to be African American?²¹⁰ What are the rules for checking the box?²¹¹ Perhaps there are no rules.²¹² We generally self-select where we fit in, although that selection may not be our

constructed group); see also Fletcher, *supra* note 12 (noting that the children of interracial unions are increasingly identifying as white, but that their concepts of racial identity are becoming more fluid and that there are several approaches to the choices made by parents regarding the mixed-race identities of their children).

207. See Pitts, *Racism*, *supra* note 202 (citing Yvonne Maggie of Brazil that “social racism” can still exist culturally, even when we choose not to label or recognize race); see also Safa, *Challenging Mestizaje*, *supra* note 184, at 311–12 (describing Brazilian racial and ethnic labeling and characterization). But cf. Sam Roberts, *Census Figures Challenge Views of Race and Ethnicity*, N.Y. TIMES, Jan. 22, 2010, at A13 (noting that America’s “foreign-born population [is] challenging conventional views” and that one in four American child under six “[is] being raised by at least one foreign-born parent”).

208. See Lee Sigelman et al., *What’s in a Name?: Preference for ‘Black’ Versus ‘African-American’ Among Americans of African Descent*, 69 PUB. OPINION Q. 429, 430 (Fall 2005) (describing the reactions of both whites and African-Americans to different terminology); DAVIS, *supra* note 202 (describing the unique position occupied by Americans of African descent because any person with a single African ancestor is defined as “black” by the Jim Crow relic “one-drop rule”). See generally U.S. Census Bureau, *The Black Population: 2000* (Aug. 2001) (defining “Black or African American” for the purposes of the U.S. Census).

209. See generally JOHN TEHRANIAN, *WHITEWASHED: AMERICA’S INVISIBLE MIDDLE EASTERN MINORITY* 37 (2008) (observing that Middle Easterners are not considered minorities at the federal level); John Tehranian, *Compulsory Whiteness: Towards a Middle Eastern Legal Scholarship*, 82 IND. L.J. 1, 1-2 (2007) (relating the author’s personal experience of being passed over for an academic position because, as a Middle Easterner, he was considered “white”); Office of Management & Budget, Federal Register Notices (1995), http://www.whitehouse.gov/omb/fedreg_race-ethnicity/ (noting that Middle Easterners are defined as “white” for federal purposes).

210. See DAVIS, *supra* note 202; see also Booth, *supra* note 13 (noting that “[i]t is a particularly American phenomenon . . . to label citizens by their ethnicity” and that many foreign-born individuals think in terms of nationality).

211. See also Fletcher, *supra* note 12 (recounting the concerns embodied by a parent of a biracial child who currently identifies as half Asian and half white, but may decide in the future to identify as solely Asian or White, or neither). See generally IAN HANEY LOPEZ, *WHITE BY LAW: THE LEGAL CONSTRUCTION OF RACE* (1996) (tracing the historic legal definitions of “white” and “non-white” in the United States to illuminate how current definitions do not encompass many ways that diverse Americans self-identify).

212. MSNBC.COM, *supra* note 94 (nineteen million people, or six percent of the U.S. population, identified themselves as “some other race” than the five available choices on the 1990 U.S. Census). See generally PASSEL & TAYLOR, *supra* note 5 (explaining that self-reporting of ancestry on the U.S. 2010 Census will not be independently verified); ASSOCIATED PRESS, *Multiracial America is Fastest Growing Group*, MSNBC.COM, <http://www.msnbc.msn.com/id/30986649/> (last visited July 22, 2010) (under new federal guidelines, K-12 schools will permit students for the first time to specify that they are “two or more races”).

affirmative choice.²¹³ Perhaps society forces us into a box, even if that is not the box of our choosing.²¹⁴ Confirming why or how we fit in may not be ascertainable in some instances, especially in tracing the roots of African Americans.²¹⁵ Further, racially defining oneself may be complex due to a variety of factors, including intermarriage,²¹⁶ legal constructs, and the history of enslavement.²¹⁷ The racial identity of Hispanic subsets may also be multi-dimensional.²¹⁸ Scientists, historians, and anthropologists believe that we all originate from a common ancestor, lending credence to the fact that we are all one; we are the world.²¹⁹ Recognizing our common experience does not necessarily deprive us of unique cultural and racial identities and distinctions.²²⁰ Perhaps one may maintain a multifaceted self-identity while claiming ties to specific racial, cultural, and ethnic groups since these traits are not necessarily mutually exclusive.²²¹

We must first distinguish racial traits from cultural traits, since they are

213. See also DAVIS, *supra* note 202.

214. See MSNBC.COM, *supra* note 94 (describing the frustration encountered by a woman of Russian, African, Irish, Scottish and Native American descent with people's response to her self-identification as "human." She found that society finds it necessary for people to racially identify.); see also Navarro, *supra* note 130 (while self-identification is a personal choice, some assert that society may force a racial label upon individuals based upon how they are viewed by American culture).

215. MSNBC.COM, *supra* note 94 (describing one author's contention that five former presidents had black ancestors, and that Obama is not the first multiracial president); see also DAVIS, *supra* note 206.

216. See Fletcher, *supra* note 12.

217. See DAVIS, *supra* note 202; cf. MSNBC.COM, *supra* note 94 (noting that, due to occurrences of racial mixing throughout American history, an "untold millions of today's U.S. citizens need a DNA test to decipher their true colors.").

218. See Diana Peña Pérez, *Understanding Ethnic Labels and Puerto Rican Identity*, <http://www.yale.edu/ynhti/curriculum/units/2000/1/00.01.05.x.html> (pointing out that "there are different cultures and races among the more than 20 million Spanish-speaking people in the U.S."); see generally Nancy A. Denton & Douglas S. Massey, *Racial Identity Among Caribbean Hispanics: The Effect of Double Minority Status on Residential Segregation*, 54 AM. SOC. REV. 790, 790 (1989) ("Within the Caribbean region, racial identity forms a multcategory continuum from white to black, whereas in the United States it is a dichotomy of black versus white.").

219. Cf. S.A. Tishkoff et al., *The Genetic Structure and History of Africans and African Americans*, 324 SCIENCE 1035, 1035 ("Modern humans originated in Africa ~200,000 years ago . . ."); STEPHENS, *supra* note 202, at 1 ("Scientist at the dawn of the twenty-first century agree: 'Race has no biological justification,' the Association for the Advancement of Science states.").

220. See Booth, *supra* note 13 (questioning whether the latest wave of immigrants will divide the nation into distinct communities without a shared commonality).

221. See *id.* ("[T]he neighborhoods where Americans live, the politicians and propositions they vote for, the cultures they immerse themselves in, the friends and spouses they have, the churches and schools they attend, and the way they view themselves are defined by ethnicity. The question is whether. . . there is also enough glue to hold Americans together. . . 'As we become more and more diverse, there is all this potential to make that reality work for us'" (quoting Angela Oh); Avila, et al, *supra* note 205 (pointing out that individuals who check more than one race category on the 2010 census would add one additional person for each racial category but not count more than once in the overall population count).

so often confused with each other. As defined in physical anthropology and biology, races are categories of human beings is based on average differences in physical traits that are transmitted by the genes not by blood. Culture is a shared pattern of behavior and beliefs that are learned and transmitted through social communication. An ethnic group is a group with a sense of cultural identity . . . but it may also be a racially distinctive group.²²²

In illustrating the social and legal construct of race, ethnicity, and culture, a cross-section of individuals described as black may be examined for the varying degrees of diversity.²²³ The diversity in the black community does not necessarily preclude diverse individuals from self-identifying as black as well as another minority.²²⁴ The identification of diverse racial categories might not alter the cultural authenticity of minority groups, despite concerns of dilution.²²⁵

The shared aspirations of Jamaica and the United States regarding the issues of race, ethnicity, and culture may be generated from the national motto of both nations—Out of Many, One People and E. pluribus Unum.²²⁶ However, both countries continue to battle with racialized classifications.²²⁷

Our vast and encompassing mixed heritage, racially and culturally,

222. DAVIS, *supra* note 202.

223. *Id.* (explaining that the “one-drop rule” meant that even a person who had minimal relation to African black ancestry would be classified as black. This restrictive categorization is said to have contributed to the phenomenon known as “passing as white” which permitted those of African ancestry who embodied European features to assimilate into the dominant white culture: “Because blacks are defined according to the one-drop rule, they are a socially constructed category in which there is wide variation in racial traits and therefore not a race group in the scientific sense. However, because that category has a definite status position in the society it has become a self-conscious social group with an ethnic identity.”).

224. See Jesse Washington, *Black or Biracial? Census Forces Some to Choose*, MSNBC.COM, Apr. 19, 2010, http://www.msnbc.msn.com/id/36646538/ns/us_news-census_2010/ (“[S]ome African-Americans with one white parent are deciding to simply ‘stay black’”); cf. Georgia East, *Caribbean-Americans Push Census ‘Write-In’*, SUN SENTINEL, March 30, 2010, http://articles.sun-sentinel.com/2010-03-30/news/fl-caribbean-census-20100330_1_caribbean-people-american-community-surveys-felicia-persaud (reporting that Caribbean nationals in the United States are urging each other to write in their nationality, along with their race on the 2010 U.S. Census).

225. See Booth, *supra* note 13 (stating that the demographic shift of increasing minorities raises concern regarding political and economic power); *Multiracial America*, *supra* note 212; see also Robinson, *supra* note 87 (“[R]ace consciousness precedes social customs and cultural norms, and, over time, these customs and norms inform law, power, and politics.”). See generally Jonathan D. Williams, “*Tha Realness*”: In Search of Hip-Hop Authenticity, C. UNDERGRADUATE RES. ELECTRONIC J. (2007), <http://repository.upenn.edu/curej/78/>.

226. See Booth, *supra* note 13 (“*E Pluribus Unum* (From Many, One) remains the national motto, but there no longer seems to be a consensus about what that should mean.”).

227. See generally STEPHENS, *supra* note 202, at ix (“Douglass, Ellison, and Marley were all of mixed heritage—“racially” and culturally . . . their mixed heritage and their interaction with a mixed public had a profound impact on their identity . . .”).

explains our pluralistic appeal. In examining the works and lives of Frederick Douglass, Ralph Ellison, and Bob Marley,

[T]he possibility of a transracial, if not a postracial, style of communication, leading to the creation of “new cultures” which cannot always be defined in racial language . . . [and] the development of multiple allegiances in multiracial public spheres in which no one group is either centered or excluded. Such an “ideal speech community” may be presently unattainable, but it is an orienting horizon, I agree with public sphere theorists, which must be continually redefined and reaffirmed.²²⁸

While we voice different areas of concern, they ring the same alarm of racial and ethnic inequality. By respecting different and divergent viewpoints, we permit ourselves to search for areas of commonality. Each racial, ethnic, and cultural group has been marginalized at some time in our history. Accordingly, the search for commonality in the struggle which unites us should ensue.

V. CONCLUSION

The culmination of my personal experiences presents a mosaic picture of varied races, ethnicities, and cultures. In defining my self-identity, I discover the over-arching theme that we are inter-connected. From Bob Marley to Obama, and hip hop to Havana, the interconnectedness of my influences is evident. My relation to popular culture, the immigrant experience, and American society, are not so different than that of my peers. In answer to my question, “Who am I?”—I am a dynamic being who stands upon the legacy of my ancestry in light of my own personal experiences. I strive for the continued development of my diversity and the dismantling of my preconceived notions of self. Commonality leaves room for synergy between communities, and LatCrit provides a forum for that synergy to be harnessed and directed towards positive change. We may have separated journeys, but our paths intersect.

Through my studies on identity, I found that cultural exposure and collaboration facilitated the process of recognition and enlightenment in my understanding of race, ethnicity, and culture within the global community. I am tied to the fabric of the Latino people through our shared and varied ancestry. We can retain our own cultural identity while uniting our voice for the common good, combining to create a truly rich composition to be treasured by all. By recording and disseminating our shared and distinct traditions, we hold ourselves out to the world as united.

Perhaps with increased education about each group we will enhance our respect for each other. This is the type of communication that can only

228. *Id.*

happen in a safe place. For me, I found that safe place at LatCrit. At times I cringed at the level of honesty openly expressed, but I knew I had to sit still and bear the sting of disinfecting my wounds.

Next year I plan to attend LatCrit in anticipation of meeting with friends who share common goals, thoughts, and ideas. We are one in any language and in any dialect. The human spirit has persevered to connect us all to the human struggle of our existence. We are distant relatives trying to find our way home. I look forward to finding refuge at LatCrit for years to come.