

PREFACE

An Afro-Latina's Experience of Racial Mixture

Pure breeds (at least the black ones) are out and hybridity is in. . . . Major news magazines announce our arrival as if we were proof of extraterrestrial life. They claim we're going to bring about the end of race as we know it. . . . being a fetishized object, an exotic bird soaring above the racial landscape.

—Danzy Senna, “Mulatto Millennium”¹

I am the mixed-race daughter of a mixed-race mother almost given away because of her blackness. Thus, regardless of how much my professional life as a lawyer guides my interest in the topic of civil rights law, I know that my family history of race is the soil from which I have grown into a scholar-activist. More importantly for this book, my family story of race is also my barometer for assessing how much group narratives about racial mixture affect opportunity.

In the 1940s, my maternal grandmother Lucrecia was a “country girl,” or what her fellow Puerto Ricans called a “*jibara*,” from a mountain village in Puerto Rico.² Her African ancestry appeared slightly in her *trigueña* (light wheat color) skin tone but was not very apparent in her facial features or hair texture. Her older sisters were similarly light-skinned and favored their fair-complected mother more than their darker-skinned father. For this reason Lucrecia and her sisters considered themselves a race apart from those who appeared more unambiguously Afro-descended. Any tinge of color in the family was attributed to the long-ago legacy of Taíno Indians on the island. It was immaterial to the family that Taíno Indians were documented to have been exterminated by Spanish conquerors by the mid-sixteenth century.³

When my grandmother Lucrecia fell in love with and united herself with carpenter and guitarist Juan, her family was not pleased. While he was a mixed-race grandchild of a former slave, and son of an Afro-Puerto Rican mother and white Spaniard, his darker appearance was what Lucrecia's family labeled as "black" and thus unacceptable. Puerto Rican identity may claim to celebrate racial mixture, but some of us are thought to "look" more mixed than others. Dark-skin deviations from the idealization of light skin with European features and straight hair are ejected from the Puerto Rican portrait of racial mixture. Lucrecia's family was no exception to this Puerto Rican (and Latin American) anti-black conception of racial mixture.⁴

Infidelity eventually caused further strain on their union, and Lucrecia's older sisters encouraged her to leave Juan and migrate to New York. Hoping to teach Juan a lesson and have him mend his ways, Lucrecia secretly boarded a ship from Puerto Rico to New York in the early 1940s with her two-year-old daughter. She was unknowingly three months pregnant with a second child and entertained the romantic notion that Juan would chase her to New York and commit himself to being faithful. Feeling abandoned and hurt himself, Juan never did follow her to New York City. Lucrecia did not inform him of the birth of his second child until the child was approximately eight years old.

Lucrecia's second child, Nina (my mother), was born in the 1940s, and much to the dismay of Lucrecia's family, they considered the child dark. Too dark. Too dark to count as racially mixed and certainly too dark to be presented as a "white" Puerto Rican. Baby Nina did not pass the "look behind the ears" Caribbean test of seeking out future darkness of infants.⁵ Even more problematic, Nina's skin tone (approximating that of 1940s African American singer and actress Lena Horne—the Beyoncé of her time) would complicate the family's image as disassociated from blackness. The campaign to send baby Nina away began in earnest. Lucrecia's family lobbied to have baby Nina placed for adoption with an African American family. Any African American family would do as long as baby Nina was removed from the household. Only as an adult

researcher would I later learn from a colleague how much the family impulse paralleled the dynamic in Puerto Rico of returning foster children like damaged goods when they become “too dark.”⁶

At the same time, the family’s animus towards the Afro–Puerto Rican father that baby Nina favored did not extend to her older sister, Mónica. Mónica was lighter in complexion with long, straight hair. Mónica’s African ancestry did not announce itself so loudly in her appearance, and she was immediately accepted by the family. The physical comparison between the two sisters was a constant obsession of the family, with Nina being called “*monito*” (little monkey) and “*negrita bembé*” (little black African-like girl), while Mónica was simply called “*la nena*” (the little girl).

Lucrecia ultimately refused to succumb to the family pressure to have baby Nina given away, but she never let Nina forget it. It is uncertain whether Lucrecia refused to give Nina away because she still entertained the hope that her partner would swoop in from Puerto Rico for a reunification or whether her refusal was rooted in a semblance of maternal affection. What is irrefutable is that Lucrecia viewed Nina’s darker skin tone and African tresses as problematic. Her kinky curls—*pelo malo* (bad hair)—was a source of consternation that compelled Lucrecia to continually shave baby Nina’s hair in the hope that it would grow out straighter. Any infraction of Lucrecia’s rules of discipline was greeted with both a beating and an expression of regret for not having given her away to an African American family at birth, along with the threat to place Nina in a foster home.

This was a marked contrast to the indulgence accorded her older sister, Mónica, who had slightly lighter skin and, more importantly, straighter *pelo lindo* (pretty hair), preferred as “good hair.” Even milk in the home was rationed across a color line. Lucrecia’s mother, my great-grandmother, would allocate the milk in the home to Mónica and give Nina water instead. Birthday party celebrations were reserved for Mónica alone. Unlike for Mónica, light-colored nail polish was forbidden for Nina lest her hands look even darker. The racialized distinctions between the two girls continued their entire lives.

The pain of family rejection based on her apparent African ancestry was so profound for my mother that she shared her stories with me very early on. My own childhood experiences with differential treatment based on how “mixed” or “black” I looked on any given day or in any given context only reinforced my understanding of the relevance of anti-black sentiment within celebrations of idealized notions of mixture. My appearance reflects the mixture of my mother Nina’s Afro–Puerto Rican physical traits and my father’s white-skinned background. While slightly lighter in skin shade than my mother, the brownness of my skin would never cause anyone to view me as white. Many have told me that I am a doppelganger for their various relatives in India. However, the comparison to relatives in India often disappears depending on what my hair decides to do that day. On a low humidity day with enough hair care products to make my hair lie down and be wrestled into a curl-hiding bun, I look more Indian. If I let it out and allow the curls to reign supreme, my African ancestry is more apparent to others.

How much of my perspective on the meaning of race might have diverged had my hair been different, I wonder? My grandmother Lucrecia was never happier than when my hair was greased down into two long braids down my back and I looked like what she envisioned as an indigenous Taíno. But her absolute preference was for me to have my hair blow-dried straight regardless of how short in duration the look would last (one day in humid weather, or maybe a week with the aid of large rollers, dry air, and a nightly *dubi* scalp wrapping of the hair for maximum stretch). However, the Hair Wars began in earnest when I cut off my hair in an act of adolescent rebellion. My grandmother was mystified as to why I would choose to have my curls spring out on display in what resembled my mother’s afro. In my grandmother’s eyes, my mother was unfortunately afflicted with overtly “bad hair,” but why in the world would I choose to emulate that style when I had the “benefit” of being better situated to beat my hair into submission with a “more attractive” simulation of whiteness? Every visit to her apartment on the

Lower East Side of Manhattan was greeted with some version of “*ay ese pelo*” (oh that hair) or “*porque no haces algo con ese pelo?*” (why don’t you do something with that hair?).

Wearing my hair in a short, curly mop also worked to seemingly eject me from my presumed membership in the Latino imaginary. Encountering Latino merchants and other Latino service providers, I was now constantly greeted with a surprised “oh you speak Spanish” and “where did you learn to speak Spanish?” My hair now barred the door to my automatic entrée to Latino kinship.⁷ I now had to earn my way back into Latinaness by constantly speaking Spanish loudly and referencing my Latina culture. As in Latin America, the imagined Latino community had and has a decided vision of mixture that does not encompass tightly coiled hair with brown skin. The anti-black slurs I heard used in the Latino community with respect to African Americans only reinforced my early impressions that blackness was problematic despite our assertions of Latino pride in being a mixture of races. It became evident to me that cultural *mestizaje* pride (race mixture pride) aside, not all parts of the mixture were equally welcomed or celebrated.⁸

When I became older and took on the role of translating government forms into Spanish for my grandmother, our disputes about race escalated into the Census Conflict. In the 1980s she was fine with responding “yes” to the question of whether her ethnicity was of Hispanic origin. After I translated the census question, she told me to check the Hispanic-origin ethnicity box “Yes.” But when it came to the separate question regarding racial ancestry, she became agitated and wanted us to just skip the question. Being an argumentative teenager with control over the English-language form, I insisted that she engage with the category options of white, black, Native American, Asian, or other. Screaming matches ensued as she demanded that I insert “Boricua” (Puerto Rican) as a race into the Some Other Race slot, and I insisted that Puerto Rican is not a race unto itself. If we were so proud of being racially mixed Puerto Ricans, why not list all parts of the mixture on the Some Other Race line? That was unacceptable to her.

By the time the census forms were modified in 2000 to permit multiple-box-checking responses to the racial category question, she was living in a nursing home, unable to communicate in any language about government forms. Yet everything about her lifelong aversion to attributing her light brown skin to African ancestry and her preference for evading discussions about the specifics of her ancestry in lieu of emphasizing the unenumerated racial mixture of Puerto Rican identity tells me that she would have been uninterested in the ability to check multiple racial boxes, let alone the black box.

Even outside of the family nucleus I found that there was a politics to racial mixture that living in the multiethnic New York City of the late 1960s and 1970s did not abate. I was blessed to have attended the dynamic Bank Street Head Start program located in the Midtown West neighborhood of Manhattan (then known as Hell’s Kitchen and the backdrop for the play and film *West Side Story*). The preschool was incredibly diverse and a delight to attend. (If any of those Bank Street Head Start teachers are now reading this—thank you for all you did to animate my life of learning!) However, when we all “graduated” preschool and enrolled in elementary school together, I was separated from my diverse group of friends. For the first two weeks of first grade I found myself in a chaotic classroom where we were often left unattended and where very little learning took place. Welcome to the special education class of the 1960s.

The class was filled with brown-skinned Latinos and African Americans I had never met before. I was separated from my best friend, Lizzie, with the sweet white Irish face. I was separated from my Puerto Rican buddy, Ruben of the pale white skin and dark brown eyes. Nor were any of the other paler-skinned Puerto Ricans from Head Start in the special ed class with me.

When my mother discovered that something was not quite right about my elementary school learning situation, she intervened, and the school official claimed I was placed there because of my Spanish-language education needs—an explanation that was most peculiar given

the English-dominant African Americans in the class and the absence of any bilingual education offered while I was there. Back then there was not a public conversation about the school-to-prison pipeline, but there was certainly a penitentiary approach to warehousing difference. Only when my mother insisted that English was my primary language and the language of my instruction in preschool was I able to enter a mainstream classroom where actual teaching took place.

Even after my escape from the special education of the 1960s (which was neither special nor an education), my New York City public school education continued to operate within a pigmentocracy wherein the racial mixture of Latinos was acknowledged but closer approximations of whiteness were rewarded with presumptions of competence and intellect. This became especially clear to me when strangers did not know my Spanish surname or ethnic origin and presumed that my black-white mixture was solely due to an African American ancestry. My pen pal from rural Pennsylvania provided me with that invaluable insight.

I was so excited when the Scholastic book company offered to pair fellow book readers as pen pals in elementary school. My pen pal and I exchanged letters for months and promised to visit one another to learn more about the urban/rural differences that interested us. She repeatedly asked for a photograph, but I wanted to make a good impression and send her the school pictures scheduled to be taken later in the year. She sent me her picture with a sweet smile in a white face and long, straight, brown hair. Our pen pal friendship deepened until the moment she received my photograph. While she previously was unperturbed about writing to a Hernández, she refused to have anything further to do with a brown-skinned Hernández regardless of where my degree of pigment fell on the mixed-race spectrum.

The sharp termination of that pen pal friendship left an indelible mark of racial rejection. Over time I was unable to compartmentalize it as a rejection limited to sheltered rural dwellers. Becoming the recipient in the 1970s of an A Better Chance scholarship to attend an elite private prep school taught me that racial ignorance resided in the urbane envi-

rons of the Upper East Side of Manhattan as well. There were countless moments when the predominantly white student population of the high school (“upper school,” in private school jargon) made me feel keenly my difference as a nonwhite scholarship student. I bonded tightly with the few other African American students who felt similarly isolated. The school administration was uniformly supportive until the moment for the submission of college applications arrived.

The school college advisor met with each of us to counsel us as to the best array of college application options. I was strongly advised to apply to a New York state school, and my African American friends were steered towards historically black colleges. This was not the same advice that our white counterparts at the school received; each of them was instead encouraged to reach for at least one star college. Ivy League schools were not on the table for discussion with me and the other nonwhite students despite the school’s status as a “feeder” to the Ivy League. Irrespective of our fortitude in surviving the transition to the rarified “preppy” private high school environment, we were not viewed as “good fits” for the Ivy League circle. The “degree” of our blackness or ethnicity was immaterial. We were all lumped together as noncontenders. When an Ivy League university solicited my application and the admissions officer who interviewed me encouraged me to apply, the racial hierarchy of my prep-school college-advising program came into sharp relief.

Being admitted to and attending an elite university in the 1980s was a transformative experience for me, yet it was no racial utopia. During the fall semester of my freshman year, a number of racial incidents occurred that culminated in beer bottles being thrown at black women from the windows of the fraternity houses on campus. Racial epithets accompanied the violence. Regardless of our shade or mixture, many of us never again felt safe walking past frat row.

I share this compressed mini-biography of race for the sole purpose of explaining why this book came about. Many other incidents could have been included. But my aim here is not to compose a memoir. After a lifetime of seeing how my mixed-race and multiethnic status did not

shield me from the racism of our society (nor many others I traveled to), it came as a surprise to me to read the work of legal scholars proclaiming that mixed-race racial discrimination was distinct in nature from the racial discrimination that non-multiracial-identified persons experience. While certainly every individual perceives racial discrimination as his or her own personal experience, it was a jolt to encounter the premise that the presumed uniqueness of the discrimination against multiracial-identified persons required a new approach to civil rights law. Because this presumption is such a disconnect from my own mixed-race experience with race, I began a journey of tracking down the multiracial accounts of racism for myself. This book thus examines the narratives of mixed-race-identified persons bringing claims of racial discrimination in court. The story of white privilege that unfolds is unfortunately not unique. However, the tale of why multiracial discrimination is thought to challenge traditional understandings of civil rights law has much to teach us about how to move towards a more egalitarian society. It is my hope that the insights I found in examining the multiracial discrimination cases will be illuminating for you as well, whatever your own story of race may be.