

**PERSONAL REFLECTION ON
50 YEARS OF *LOVING*:
CREATING SPACES OF DIFFERENCES BY
DEMANDING “THE RIGHT TO OPACITY”¹**

JACQUELINE N. FONT-GUZMÁN[†]

“Diversity, which is neither chaos nor sterility, means the human spirit’s striving for a cross-cultural relationship, without universalist transcendence. Diversity needs the presence of peoples, no longer as objects to be swallowed up, but with the intention of creating a new relationship. Sameness requires fixed Being, Diversity establishes Becoming . . . As Sameness rises within the fascination with the individual, Diversity is spread through the dynamism of communities . . . Sameness is sublimated difference; Diversity is accepted difference.”

—Édouard Glissant²

I am from the Caribbean, specifically Puerto Rico. Puerto Rico has the unfortunate distinction of being the oldest colony in the world and as part of that history I have learned to create spaces of existence that oscillate between “difference” and “Otherness.”³ While the Lovings in *Loving v. Virginia*⁴ experienced this oscillation in the context of interracial marriage between a white man and a black woman in Caroline County, Virginia, I have experienced these spaces from the perspective of a Puerto Rican woman. It is from this standpoint that I

1. ÉDOUARD GLISSANT, *POETICS OF RELATION* 189 (2010). Glissant was a prominent poet and philosopher from Martinique and considered to be amongst the most influential writers of the Caribbean. For Glissant “sameness” (i.e., Western Universalism) is at the root of Western imperialism.

[†] Professor of Law and Director of the Werner Institute, Creighton University School of Law. Fulbright Scholar. B.A. Coe College (1984); M.H.A. Saint Louis University (1986); J.D. Interamericana University Law School (1995); Ph.D. Nova Southeastern University (2011). This essay arose as a result of my participation in a symposium that was organized by the 2040 Initiative and the Werner Institute, Creighton University School of Law—50 Years of Loving: Seeking Justice Through Love and Relationships. I also want to thank every participant and speaker in the symposium for sharing their experiences and co-creating a safe space of difference and Otherness.

2. ÉDOUARD GLISSANT, *CARIBBEAN DISCOURSE: SELECTED ESSAYS* 98 (1999).

3. In this article, I define difference as an identity constructed through highlighting that which is different and Otherness as an identity that stems from difference as an effect of power that is historically produced. See JACQUELINE N. FONT-GUZMÁN, *EXPERIENCING PUERTO RICAN CITIZENSHIP AND CULTURAL NATIONALISM* 115-17 (2015); Lawrence Grossberg, *Identity and Cultural Studies: Is That All There Is?*, in *QUESTIONS OF CULTURAL IDENTITY* 87, 87-107 (Stuart Hall & Paul Du Gay eds., reprint 1996).

4. 388 U.S. 1 (1967).

reflect on the benefits of inhabiting spaces of differences and Otherness.

Growing up in Puerto Rico in the 1960s and 1970s I remember playing with kids of all colors and backgrounds. I had the privilege of Becoming into being in a space that was similar to Caroline County, Virginia, where Mildred and Richard Loving lived and fell in love: a space where connecting through difference and Otherness was allowed. This does not mean that I grew up in a space that was free of discrimination or where all races were equally accepted. I am aware that I also had the privilege of being white and heterosexual. My black, gay, and lesbian friends had many challenges that I could not claim to understand, then or ever. However, as I reflect on my past, staying with ambiguity and not feeling the need to understand allowed me to take a non-reductionist approach in my relationship with those who were different. By refraining from fully understanding and staying with uncertainty, I could connect with those who were different without relating them to my norm and thus violently reducing them to objects in need of being understood. Without knowing it, I was constructing a space of difference and Otherness. In agreement with Édouard Glissant, I believe that to have a relationship between equals it is imperative that one demands “the right to opacity,” to not be understood.⁵ In my community, our opacity was based on neither opposition nor identification; it was based on invoking the right to difference.

While in the United States the narratives and counter narratives regarding the institutionalization and resistance to a lifetime of segregation and oppression against Blacks was taking place as part of the Civil Rights Movement, I was being taught in school that Puerto Ricans were a mixed race—we were a mix of the Indian, Spanish, and African races who were forced to come together and form a nation. Of course, race as a social construct means different things depending on the context and location. In the Puerto Rico of the 1960s and 1970s, contrary to the United States, islanders equated race with nationality, culture, or birthplace as opposed to exclusively skin color.⁶ Race in Puerto Rico was far more flexible and fluid than in the United States; skin color was not limited to black, or white, there were different shades of blackness and whiteness.⁷ As a result, I experienced connecting through difference at a young age. And in those occasions when racism struck (which unfortunately happened more often than

5. GLISSANT, *supra* note 1, at 189-90.

6. Nancy S. Landale & R.S. Oropesa, *White, Black, or Puerto Rican? Racial Self-Identification among Mainland and Island Puerto Ricans*, 8 Soc. FORCES 231, 233 (2002) (discussing social construction of race in Puerto Rico and the Caribbean).

7. *See id.* at 233.

most Puerto Ricans are willing to accept), I was reminded of my mixed origins through our culture of difference. For example, a popular phrase that is part of Puerto Rico's vernacular culture is *¿Y tu agüela, aonde dónde ejtá?* (And your grandmother, where is she?). The phrase comes from the title of a poem by Fortunato Vizcarrondo, black Puerto Rican, poet, and musician, which narrates the response of a black Puerto Rican who is being called nigger:⁸

Yesterday you called me nigger
 And today I will respond to you:
 My momma sits in the living room
 And your grandmother, where is she?

My hair is kinky
 Yours' is pure silk
 Your poppa has straight hair
 And your grandmother, where is she?

You like dancing to the Foxrot
 And I like the 'Bruca Maniguá'
 You like passing as white
 And your grandmother, where is she?
⁹

The above excerpt clearly illustrates how the response to racism is a reminder that all Puerto Ricans are a result of interracial "mixing." Even if the color of your skin is white or your hair is straight, being Puerto Rican means being "mixed." You cannot hide from your blackness, even if it is not visible. In my case, family and friends were a constant reminder of the "mixed" racial spaces that I was constantly entering and exiting. While *Loving* disrupted pre-existing social systems of racial separation in the United States by legalizing interracial marriage, in Puerto Rico the disruption was within and foundational in the formation of our cultural nation.

8. The word nigger in the United States is a derogatory social construct that carries with it centuries of oppression. It frames a difference in skin color into a rationalization for dehumanizing individuals. However, the use of euphemisms is not the answer. Euphemisms are the most common and dangerous types of racism. It is common because it "softens" racism, it is dangerous because it fails to name differences so that they can be discussed in a respectful manner; it denies the right to opacity as defined by Glissant and used in this reflection. Oppressive social constructs must be named if we are to disrupt them and create safe spaces of difference. The excerpt of the poem shared in this reflection—*¿Y tu agüela, aonde dónde ejtá?*—disrupts oppressive social structures through naming difference and reclaims blackness as a difference to be proud of. It is in this spirit that I use the word nigger.

9. FORTUNATO VIZCARRONDO, *¿Y TU AGÜELA, AONDE DÓNDE EJTÁ?* (1942). Translated by author. To read the full Spanish version of the poem, http://www.elboricua.com/Poem_Y%20tu%20abuela.html.

My Otherness also constantly manifested itself through unequal power relationships that have been (and continue to be) historically produced in over 500 years of colonialism.¹⁰ Living in Puerto Rico I had my own Jim Crow relationship with the United States. In 1901 *Downes v. Bidwell*¹¹ framed Puerto Ricans' Otherness—Puerto Rico was a “territory appurtenant and belonging to the United States, but not a part of the United States.” In spite of colonization, or maybe because of it, in Puerto Rico I learned to live in a community that connects through Otherness, difference, and diversity as opposed to sameness. I learned the importance of inhabiting spaces of difference and Otherness because my ontological and epistemological survival depended upon it. Glissant eloquently captured these survival needs: While for the colonizer, insularism means confinement, for us in the Caribbean it means a route toward liberation from being smothered;¹² while the colonizer privileges sameness, in the Caribbean we privilege difference.¹³

Typical of those who become into being through colonial oppression, I have also been in a flux between the Other (USA) and the We (Puerto Rico). I have “migrated” twice from Puerto Rico to the United States. As I came and went back and forth between two ports, I experienced how my differences (e.g., my accent) were not a connector; I did not fit into “their” similarity. While some see Otherness as disempowering,¹⁴ Glissant saw it as an opportunity for resistance and connection. Throughout this symposium, we had the opportunity to co-create and inhabit spaces of difference and opacity. My hope is that just as *Loving* had (and continues to have) ripple effects in dismantling systemic racism and narratives of oppression, participants in this symposium are able to advance social justice in their communities by creating spaces of differences in which oppressive narratives are disrupted.

10. For an in-depth study of how over 500 years of colonialism has shaped how a group of Puerto Ricans experience their citizenship and cultural nationalism see FONT-GUZMAN, *supra* note 3.

11. 182 U.S. 244, 287 (1901).

12. GLISSANT, *supra* note 2, at 139.

13. *See id.* at 97-98.

14. *See* Gayatri Chakravorty, *Can the Subaltern Speak?*, in COLONIAL DISCOURSE AND POST-COLONIAL THEORY: A READER 66-111 (Patrick Williams & Laura Chrisman eds., 1994) (explaining how through the process of “understanding” the oppressed, the oppressor reduces the oppressed to their norm and system and the oppressed become an object of knowledge).