

FROM HATUEY TO CHE: INDIGENOUS CUBA WITHOUT INDIANS AND THE U.N. DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

Larry Catá Backer*

Abstract

Indigenous peoples have been quite useful to political elites in Latin America almost since the time of the conquests by Spanish and Portuguese adventurers in the fifteenth and sixteenth centuries. In the nineteenth and early twentieth centuries, indigenous people supplied the foundations for a trope, both literary and political, essential for the construction of cultural, ethnic, racial, and political identities distinct from the traditional colonial masters of emerging Latin American states, as well as from that great power to the north. This paper looks at one aspect of this rich development by focusing on the “noble savage,” the construction of Caribbean (and principally Cuban) political identity, and the formation of governance ideals. The focus will be on three people, separated by hundreds of years but all connected by the parallels of their lives and their place within Caribbean literary and political thought. I will start with the great archetypal figure of Cuban history—a Taíno Indian from the island of Hispaniola—el indio Hatuey. The heart of the paper examines essays of José Martí in the broader context of Latin *indigenismo*. Martí, like the Spanish before him, confronts the Indian in Cuban life. But unlike the Spanish, Martí deploys the Indian in the service of the construction of Cuban national *indigenismo*. The last great figure considered in the development of Cuban *indigenismo* is Fidel Castro Ruz. Castro served as the leader of Cuba from the successful conclusion of the Cuban Revolution of 1959 until early 2008 when illness forced his retirement. The *indigenismo* of

© 2009 Larry Catá Backer

* Director, Coalition for Peace & Ethics, Washington, D.C.; Professor of Law, Pennsylvania State University. The author may be contacted at lcb911@gmail.com. The essay was researched and written while the author was resident at Tulane Law School as Visiting Professor of Law. The author thanks the faculty and administration of Tulane for providing an academically rich environment in which to develop this work. Special thanks to my research assistant Augusto Molina Roman for his excellent research assistance. An earlier version of this essay was presented at the Indigenous Law & Policy Center’s 4th annual conference, “American Indian Law and Literature,” held at Michigan State University College of Law on October 19, 2007. My thanks to Matthew L.M. Fletcher, Wenona T. Singel, Kate E. Fort, and Emily S. Petoskey for organizing an excellent conference.

Martí finds rich embellishment in the great speeches of Fidel Castro. With Fidel Castro we witness the maturation of the process of denaturing the Indian from indigenismo. The essay ends with a consideration of the U.N. Declaration on the Rights of Indigenous Peoples from the perspective of this constructed Cuban indigenismo without Indians. In a Cuba without Indians, but where the memory of the Indian is revered, Cuba can seek to assert the rights of indigenous peoples everywhere without having to confront the issue of its own Indians. In a construction of a social and ethnic order in which the Indian has disappeared, to assert the right of indigenous people in Cuba is to assert the rights of the Cuban nation as a singular but blended mass.

I. Introduction

Since the time of the conquests by Spanish and Portuguese adventurers in the fifteenth and sixteenth centuries, indigenous peoples have generally been quite useful to political elites in Latin America. But they have been most useful dead. Or, where the vestiges of Taino¹ culture are hard to avoid, at least erased from *living* and *contemporary* national memory. In the place of live Indians, Caribbean political and revolutionary elites have, over the course of the last several centuries, deployed a political and uni-racial *mestizaje*² and

1. José Juan Arrom reminds us that:

Many of the names of the indigenous peoples of the Americas (beginning with the term Indian) are European constructs. The term Taino for the native inhabitants of the Greater Antilles and some smaller islands is based on the word that both Columbus and Dr. Diego Alvarez Chanca (a physician who traveled on the second voyage) reported that the natives used when differentiating themselves from the Caribs.

José Juan Arrom, *Introduction to the English Edition*, in FRAY RAMÓN PANÉ, AN ACCOUNT OF THE ANTIQUITIES OF THE INDIANS: CHRONICLES OF THE NEW WORLD ENCOUNTER xi (José Juan Arrom ed., Susan C. Griswold trans., 1999) (citing Ricardo E. Alegría, *El uso de la terminología etno-histórica para designar las culturas aborígenes de las Antillas*, CUADERNOS PREHISPÁNICOS 3-29 (Valladolid 1981)).

2. Mestizos were people of mixed Indian and European (usually Spanish) ancestry. The elaboration of the political economy of mixed race peoples in Spanish America is long and complex. For its appearance in the United States through the acquisition of Mexican territory in the nineteenth century, See LAURA E. GOMEZ, MANIFEST DESTINIES: THE MAKING OF THE MEXICAN AMERICAN RACE (2007); GARY B. NASH, FORBIDDEN LOVE: THE SECRET HISTORY OF MIXED-RACE AMERICA (1999); INTERPRETING SPANISH COLONIALISM: EMPIRES, NATIONS, AND LEGENDS (Christopher Schmidt-Nowara & John M. Nieto-Phillips eds., 2005); ARNOLDO C. VENTO, MESTIZO: THE HISTORY, CULTURE, AND POLITICS OF THE MEXICAN AND THE CHICANO: THE EMERGING MESTIZO-AMERICANS (1998).

*mulatería*³ as a new standard of purity, which was first used against Spanish race hierarchies of the colonial period. They then used these against the racial purity of politics deployed by North Americans in their quest to replace Spain as the dominant colonial power in the Hemisphere.⁴ Its continued utility in Cuba stands out in contrast to its abandonment in much of Latin America after the 1940s.⁵

Dead, the Indian could be transformed, generalized, denatured, and repackaged for the benefit of emerging elites. The Indian became a key ingredient in the construction of a new indigenous people in the Caribbean. In the nineteenth and early twentieth centuries, indigenous people supplied the

3. The emergence of the fine gradations of mulatto culture—drawn from people of mixed European and African ancestry, is also complex and evolving in Latin America. For a discussion, see ROBERT H. JACKSON, *RACE, CASTE, AND STATUS: INDIANS IN COLONIAL SPANISH AMERICA* (1999); JOSE BUSCAGLIA-SALGADO, *UNDOING EMPIRE: RACE AND NATION IN THE MULATTO CARIBBEAN* (2003).

4. See *infra* discussion at Parts III and IV. One of the great exponents of this notion was the Mexican theorist José Vasconcelos. See, e.g., JOSÉ VASCONCELOS, *LA RAZA CÓSMICA: MISIÓN DE LA RAZA IBEROAMERICANA: NOTAS DE VIAJE POR LA AMÉRICA DEL SUR* at 10 (c. 1926), available at <http://www.filosofia.org/aut/001/razacos.htm> (“pero cometieron el pecado de destruir esas razas, en tanto que nosotros las asimilamos, y esto nos da derechos nuevos y esperanzas de una misión sin precedente en la Historia.” [“but they committed the sin of destroying these races, that we assimilate, and this gives us new rights and hopes of a mission without precedent in history.”]). Vasconcelos’ views and his influence in Latin America are nicely discussed in MARISOL DE LA CADENA, *INDIGENOUS MESTIZOS: THE POLITICS OF RACE AND CULTURE IN CUZCO, PERU, 1919-1991*, at 141-43 (2000). “Cuzqueño aprista intellectuals embraced Vasconcelos’s idea of mestizaje as the future vehicle for a continental identity whose unique combination of pre-Hispanic and colonial Spanish legacies traversed national frontiers and had the power to counter U.S. ‘imperialist’ influence.” *Id.* at 142.

5. The historical trajectory of mestizaje in Peru is archetypical:

Initially embraced in the nineteenth century, mestizaje has not been a central nationalist ideal of state policies and intellectuals since the midtwentieth century, though it was mildly revived by Vargas Llosa in the 1990s as part of his ephemeral and disastrous political career. Relegated to official oblivion and subdued by everyday elite rejection, mestizaje has nevertheless been claimed and redefined by the working classes as an empowering alternative that does not imply a rejection of indigenous culture yet distances them from Indianness.

DE LA CADENA, *supra* note 4, at 12. She notes that “[t]he pioneering nationalist mestizaje project was launched by Mexican indigenistas after the Revolution. Championed by Andrés Molina Enríquez and Justo Sierra earlier in the nineteenth century, it was promoted again by José Vasconcelos and Manuel Gamio in the 1920s.” *Id.* at 14. But the movement was not confined to Mexico. “Nineteenth-century Colombian intellectuals and Brazilians in the 1920s expressed a similar pride concerning racial mixture, although their goal was to produce a white national race.” *Id.*

foundations for a trope, both literary and political, which is essential for the construction of cultural, ethnic, racial, and political identities distinct from the traditional colonial masters of emerging Latin American states, as well as from that great power to the north. This trope, in turn, was part of a larger discussion within Latin America pitting a *mestizaje*-based political and literary theory against nations with large mixed populations. It also placed a more North American perspective in places like Argentina and Chile with smaller indigenous and African populations.⁶ Indigenismo thus fractured in meaning—pointing to original peoples, the blended post-conquest populations, or the indigenous characteristics of a dominant European population in its new territory.

This paper looks at one aspect of this rich development by focusing on the “noble savage” as a transformative element in the construction of Caribbean (and principally Cuban) political identity and the formation of governance ideals. The emphasis will be on the activation of that nobility through sacrifice (extinction) and transference. Each of the three people focused on in this writing proved critical to the development of the idea of the Indian and his apotheosis as the demos of Cuba. This paper starts with an analysis of the construction of that great archetypal figure of Cuban history—a Taíno Indian from the island of Hispaniola, *el indio Hatuey*—by the sixteenth century cleric and reformer, Bartolomé de las Casas.⁷ De las Casas’ recounting of the treatment of indigenous people in the lands colonized by the Spanish proved to be a culturally important indictment of the Spanish conquest of the Caribbean. Through his writings Hatuey becomes a mythological figure of great power. His story, with significant Christological overtones of ministry, journey, betrayal, torture, sacrifice, and transfiguration, becomes a pivotal moment in Cuban history and Spanish literary tradition. Hatuey dies a great leader of indigenous rebellion against European conquest. He is reborn centuries later as the first great patriot and martyr of reconfigured indigenous people of Cuba within which Indians play a marginal role.⁸

This paper then turns to a consideration of the work of the second great martyr and hero of Cuban national and literary life—the great patriot José

6. DEL DISCURSO COLONIAL AL PROINDIGENISMO: ENSAYOS DE LA HISTORIA LATINOAMERICANA (Jorge Pinto Rodriguez ed., 1996); DE LA CADENA, *supra* note 4 (and citations therein).

7. See BARTOLOMÉ DE LAS CASAS, THE DEVASTATION OF THE INDIES: A BRIEF ACCOUNT (Herma Briffault trans., Continuum Books, 1974) (1642) [hereinafter DE LAS CASAS, DEVASTATION].

8. See *infra* Part II.

Martí.⁹ Like Hatuey, José Martí's life was one of struggle, journey, ministry, denial, and, ultimately, sacrifice in the vindication of the construction of the Cuban nation and the struggle for Cuban independence. Martí, like the Spanish before him, confronts the Indian in Cuban life. But Martí is both constructed and self-constructed in the service of the creation of the idea of "Cuba." For that purpose, the Indian becomes important. Yet, unlike the Spanish, Martí deploys the Indian in the service of the construction of Cuban national indigenismo. But a curious thing happens to el Indio Hatuey and the Taíno on the road to Cuban independence. In Martí's essays, the Indian is transformed into symbol, and that symbolic value is then naturalized in the colonial peoples of the Caribbean, who become the heirs to and the successors of the Indians exterminated by the Spanish. In the essays of José Martí, the Indian serves as the basis for a political theorizing of race and ethnicity in Latin America that provides the point of comparison with and distinction from the great imperial power of the United States. The power of the extinct Indian, of Hatuey and the Taíno, reduced to a symbolic and past-tense Indianism, serves as the basis for a new indigenismo, to be built on an assimilation of the racial and ethnic components, into a new and blended indigenous state. Caribbean indigenismo of the nineteenth century required *mestizaje* and *mulatería*. To succeed, the pure Indian, like the pure *blanco*, must disappear within the blended ethnos that constitutes each new (and distinct) nation. For Martí and the new Cuban state, indigenismo is built without the Indian.¹⁰

Many consider the last great figure considered in the development of Cuban indigenismo to be Fidel Castro Ruz. Castro served as the leader of Cuba from the successful conclusion of the Cuban Revolution of 1959 until early 2008 when illness forced his retirement.¹¹ The indigenismo of Martí finds rich

9. José Martí is viewed as one of the founders of the Cuban Republic. His writings and influence are still quite strong, though their interpretation tends to change with the times. For writings about Martí, his life, and his times in English, see, for example, CHRISTOPHER ABEL AND NISSA TORRENTS, *JOSE MARTI: REVOLUTIONARY DEMOCRAT* (1986); RICHARD BUTLER GREY, *JOSE MARTI, CUBAN PATRIOT* (1962); JOHN M. KIRK, *JOSE MARTI, MENTOR OF THE CUBAN NATION* (1983); OSCAR MONTERO, *JOSE MARTI: AN INTRODUCTION* (2004).

10. *See infra* Part III.

11. For some of the many histories of Castro, see FIDEL CASTRO, *MY LIFE* (Ignacio Ramonet ed., Andrew Hurley trans., 2007); THOMAS M. LEONARD, *FIDEL CASTRO: A BIOGRAPHY* (2004); ROBERT E. QUIRK, *FIDEL CASTRO* (1995); VOLKER SKIERKA, *FIDEL CASTRO: A BIOGRAPHY* (2004). On February 18, 2008, Castro announced that he was stepping down as President of the Cuban Republic. He also announced the succession of his brother Raul Castro and preparations for naming Raul's ultimate successor. *See* Larry Catá Backer, *Law at the End of the Day: Fidel Castro Steps Down: On the Importance of Gesture and Opportunities for Friends and Foes*, <http://lbackerblog.blogspot.com/2007/01/jose-mart-and->

embellishment in the great speeches of Fidel Castro.¹² With Fidel Castro we witness the maturation of the process of denaturing the Indian from indigenismo. By the late twentieth century, all Cubans are Indians, and Hatuey came to warn them of the destructive power of invasion by an imperial power. But now that imperial power is the United States, and the greatest cacique martyr is a white man from Argentina. At the end of the twentieth century, it is Che Guevara¹³ who emerges as the natural successor of el Indio Hatuey. El Indio has become a white man lamenting the passing of the Indian and in indigenismo has become the shroud whose shape describes the corpse of the Indian it envelopes. That corpse now occupies a pride of place only in beautifully illustrated books of literature or history and in the rhetoric of the people comprising the Cuban nation.

But this construction has ramifications beyond the formation of political states. In particular, this literary and political construction of the Indian within Caribbean socio-political culture has effects not only on the internal construction of Cuban (and larger Caribbean) society, but also on the way in which “blended” race states such as Cuba approach the developing international “law” of Indians. The paper thus ends with a preliminary consideration of the way in which Cuba’s understandings of its own indigenismo critically affects its international position as it confronted the United Nation’s Declaration on the Rights of Indigenous Peoples,¹⁴ adopted by the Sixty-first United Nations General Assembly Plenary at its 107th & 108th Meetings in September 2007.¹⁵ That confrontation appears to suggest

cuban-ethnic-nostalgia.html (Feb. 19, 2008, 11:39:00 PM) (including analysis of the resignation announcement).

12. Most of the speeches are available online from official Cuban governmental websites. *See, e.g.*, Discursos e intervenciones del Comandante en Jefe Fidel Castro Ruz, Presidente del Consejo de Estado de la República de Cuba, *available at* <http://www.cuba.cu/gobierno/discursos/> (last visited Jan. 23, 2009). Castro has been a prolific writer in his own right. His published works include: FIDEL CASTRO RUZ, *CAPITALISM IN CRISIS: GLOBALIZATION AND WORLD POLITICS TODAY* (2000); FIDEL CASTRO RUZ, *FIDEL AND RELIGION: ON MARXISM AND LIBERATION THEOLOGY* (David Deutschmann ed., 2006); FIDEL CASTRO, *THE PRISON LETTERS OF FIDEL CASTRO* (2007).

13. For some of the many rich biographies of Che in English, see, e.g., JON LEE ANDERSON, *CHE GUEVARA: A REVOLUTIONARY LIFE* (1997); JORGE G. CASTENEDA, *COMPAÑERO: THE LIFE AND DEATH OF CHE GUEVARA* (1997); DANIEL JAMES, *CHE GUEVARA: A BIOGRAPHY* (2001).

14. *See* Declaration on the Rights of Indigenous Peoples, <http://www2.ohchr.org/english/issues/indigenous/declaration.htm> (last visited Jan. 23, 2009).

15. *See* Press Release, General Assembly, Dep’t of Public Info., News and Media Div., General Assembly Adopts Declaration On Rights Of Indigenous Peoples; ‘Major Step Forward’ Towards Human Rights For All, Says President, U.N. Doc. GA/10612 (Sept. 13, 2007),

a strong support for indigenous people, yet is based on a foundation in which the indigenous element is transformed and the Indian eliminated. Indigenism in Cuba is possible because everyone is now an indigenous person.

From Bartolomé de las Casas through José Martí and to Fidel Castro, the Indian has ascended in the estimation of the Cuban nation corresponding to their disappearance as physical being and an autonomous people within Cuba. Cuban nationhood, its indigenismo, has no place for the Indian. That is, it has no place for the Indian apart from their contribution (by blood and culture) to the construction of an entirely new strain of indigenous people in the Caribbean. The Caribbean strain of indigenismo acquires an ironic character in the hands of Martí and thereafter in those of Castro. It is grounded on an Indianism¹⁶ in the past tense, and ultimately, in an *indigenismo* with no Indians. In the hands of these Caribbean theorists, *el indígeno* becomes powerful and sympathetic only at the moment that he is sacrificed and made extinct in cultural memory if not in fact. The sacrifice of the pure Indian paves the way for a transcendent *indigenismo* into which the heroes of the Cuban Revolution can fall. And there will be great ironies in this progression from betrayal, imprisonment, torture, humiliation, death, and transformation into a transcendent ideal.

These politico-religious tropes resonate in the lives of authentic Cuban heroes and serve as a base for their authority and legitimacy as *Cuban*. In a Cuba without Indians, but where the memory of the Indian is revered, Cuba can seek to assert the rights of indigenous peoples everywhere, without having to confront the issue of its own Indians. In a construction of a social and ethnic order in which the Indian has disappeared, to assert the right of indigenous people in Cuba is to assert the rights of the Cuban nation as a singular but blended mass. That blended understanding strongly influences the way in which states like Cuba approach the international regulatory context for the protection of indigenous peoples.

II. *The Apocryphal Story: El Indio Hatuey*

There are many versions of the story of the Indio Hatuey.¹⁷ But most share

available at <http://www.un.org/News/Press/docs/2007/ga10612.doc.htm> (last visited Jan. 24, 2009).

16. For a discussion on Indianism, see JOSE ALCINA FRANCH, *INDIANISMO E INDIGENISMO EN AMERICA* (1990).

17. See, e.g., Jose Barreiro, *A Note on Tainos: Whither Progress?*, *NORTHEAST INDIAN Q.*, Fall 1990, at 66, 66-77, available at <http://www.hartford-hwp.com/archives/41/013.html> (last visited Jan. 24, 2009) [hereinafter Barreiro, *A Note on Tainos*]; Tony Castanha, *The Story of*

the same major story lines drawn from the very sympathetic account of Bartolomé de las Casas¹⁸ that were quickly made available in English (principally, perhaps, because they cast both Catholicism and the Spanish people in a terrible light, even by the standard of the times). De las Casas' work is now readily available in modern English translation.¹⁹ However, I will draw on the 1689 translation²⁰ for its linguistic power reflecting both the anti-Catholic and anti-Spanish animus of the times in England. For that reason, perhaps, his account of the treatment of the indigenous populations of the Americas became more well known than other contemporary accounts.²¹

By 1511 Diego Velásquez had substantially subdued the Indians of La Española, which was the name then given to the island now shared by the Dominican Republic and Haiti.²² With Española as a base, Velásquez was

Caique Hatuey, Cuba's First National Hero, LA VOZ DEL PUEBLO TAINO (THE VOICE OF THE PEOPLE), Jan. 1998, at 4, available at <http://www.hartford-hwp.com/archives/41/093.html> (last visited Jan. 24, 2009).

18. Bartolomé de las Casas lived from 1484 to 1566. He is famous today as an early and severe critic of the Spanish invasions of the New World and Spanish treatment of Indians. For discussion of Casas, his work and influence in Latin America, see BARTOLOMÉ DE LAS CASAS, WESTERN EXPANSION AND INDIGENOUS PEOPLES: THE HERITAGE OF LAS CASAS (Elias Sevilla Casas ed., 1977); BARTOLOMÉ DE LAS CASAS IN HISTORY: TOWARD AN UNDERSTANDING OF THE MAN AND HIS WORK (Juan Friede & Benjamin Keen eds., 1971); PAUL S. VICKERY, BARTOLOMÉ DE LAS CASAS: GREAT PROPHET OF THE AMERICAS (2006).

19. BARTOLOMÉ DE LAS CASAS, A SHORT ACCOUNT OF THE DESTRUCTION OF THE INDIES (Nigel Griffin ed., 1992).

20. BARTOLOMÉ DE LAS CASAS, A BRIEF ACCOUNT OF THE DESTRUCTION OF THE INDIES OR, A FAITHFUL NARRATIVE OF THE HORRID AND UNEXAMPLED MASSACRES, BUTCHERIES, AND ALL MANNER OF CRUELITIES, THAT HELL AND MALICE COULD INVENT, COMMITTED BY THE POPISH SPANISH PARTY ON THE INHABITANTS OF WEST-INDIA, TOGETHER WITH THE DEVASTATIONS OF SEVERAL KINGDOMS IN AMERICA BY FIRE AND SWORD, FOR THE SPACE OF FORTY AND TWO YEARS, FROM THE TIME OF ITS FIRST DISCOVERY BY THEM (1689) available at <http://www.gutenberg.org/files/20321/20321-8.txt> (last visited Jan. 24, 2009) (a Project Gutenberg ebook). For a contemporary translation, see DE LAS CASAS, DEVASTATION, *supra* note 7, at 54-55.

21. De las Casas was not the only contemporary chronicler of the life of the Taino. Another churchman, Fray Ramón Pané, had been retained by Columbus to live among the Taino and describe their culture. "I, Fray Ramón, a humble friar of the Order of Saint Jerome, am writing what I have been able to discover and understand of the beliefs and idolatries of the Indians, and of how they worship their gods, by order of the illustrious Lord Admiral and Viceroy and Governor of the Islands and Mainland of the Indies." PANÉ, *supra* note 1, at 3.

22. The basic story is well and related in standard histories of Cuba. See JAIME SUCHLICKI, CUBA FROM COLUMBUS TO CASTRO 12-19 (2002). The official version posted by the Cuban government can be found at Government of Cuba, Historia de Cuba, Período Colonial 1492-1898, http://www.cubagob.gov.cu/otras_info/historia/colonial1.htm (last visited Mar. 2, 2009).

ready to subdue the island of Cuba by invading the more populous eastern end of the island. Among his men was Hernán Cortez, the man who eventually conquered the Aztecs and established what was to become Mexico. The plans of the Spanish were well known on Española. As de las Casas tells it,²³ the Indians of Española, Taínos,²⁴ apparently also became aware of his plans and put in motion plans to resist the conquest of Cuba. Velásquez and his Spaniards, thus, were not the only people to sail from Española to Cuba. Also coming to Cuba was an Indian cacique²⁵—going by the name of Hatuey—and his followers, numbering about 400 men, women, and children. He came to Cuba to escape the Spanish and to try to unite the Taíno Indians of Cuba in a resistance to the Spanish invasion.

De las Casas noted that Hatuey could not convince the Taíno of Cuba of the gravity of the threat they faced. But in the effort to enlist Taíno for help, de las Casas put a now famous speech in Hatuey's mouth (following the literary style of Thucydides²⁶). This speech served as an indictment of Spanish methods and intentions and as an inversion of the position of conquered and conqueror—here the voice of civilization, and of the Christian virtues, was that of a “savage” and “pagan” Indian.

23. See DE LAS CASAS, DEVASTATION, *supra* note 7, at 54.

24. Much recent work has been done on the history and culture of Caribbean indigenous peoples, mostly Taínos. See, e.g., THE INDIGENOUS PEOPLE OF THE CARIBBEAN (Samuel M. Wilson ed., 1997); WILLIAM F. KEEGAN, THE PEOPLE WHO DISCOVERED COLUMBUS: THE PREHISTORY OF THE BAHAMAS (1992); IRVING ROUSE, THE TAÍNOS: RISE AND DECLINE OF THE PEOPLE WHO GREETED COLUMBUS (1992). A scholarly journal is now devoted to their study. See KACIKE: Journal of Caribbean Amerindian History and Anthropology, <http://www.kacike.org> (last visited Jan. 27, 2009).

25. The term “cacique” was a special referent in Taíno culture.

The Taíno were organized politically into collective polities of dozens of villages, with one chief, or cacique, having paramount importance. The title of the cacique was inherited and carried special privileges and powers. He played a part in directing the production and distribution of food and goods of his chiefdom, or *cacicazgo*, and had a central role in mediating between the spiritual and physical world. He was the highest-ranking member of an elite stratum of society that was (to varying extents) separate from a nonelite or commoner stratum.

SAMUEL M. WILSON, HISPANIOLA: CARIBBEAN CHIEFDOMS IN THE AGE OF COLUMBUS 4 (1990).

26. Thucydides is the great author of the history of the Peloponnesian War. See THUCYDIDES, THE PELOPONNESIAN WAR (Rex Warner trans., 2nd ed. 1962). He adopted a now well-known literary style in which he placed speeches in the mouths of key individuals to heighten the drama and to intensify the points he sought to express, both by the speaker's words, and the context in which the speaking is done. For an example, see *id.* at 330-32.

You are not ignorant that there is a rumor spread abroad among us of the Spaniards Arrival, and are sensible by woeful experience how such and such (naming them) and Hayti (so they term Hispaniola in their own language) with their Inhabitants have been treated by them, that they design to visit us with equal intentions of committing such acts as they have hitherto been guilty of. But do you not know the cause and reason of their coming? We are altogether ignorant of it, they replied, but sufficiently satisfied that they are cruelly and wickedly inclined: Then thus, he said, they adore a certain Covetous Deity, whose cravings are not to be satisfied by a few moderate offerings, but they may answer his Adoration and Worship, demand many unreasonable things of us, and use their utmost endeavors to subjugate and afterwards murder us.²⁷

The speech has served future generations well as an indictment of Spanish duplicity and of the hollow promise of religion in the service of the state. But at the time the speech did not produce the required effect. Too many people doubted—they stubbornly refused to heed the warning. Some stories suggest that Hatuey then led a somewhat successful guerilla campaign against the Spaniards in the eastern part of the island, around the places where centuries later the Cuban revolutionaries would base much of their military campaign against the Spaniards and sixty years later Fidel Castro would find a base for his operations.²⁸

Some stories then suggest that, like many saints and martyrs in the West, Hatuey was betrayed to the Spaniards by someone in his entourage. As an enemy of the conquest, and an Indian, his fate was sealed. But the niceties had to be observed. De las Casas describes the martyrdom of Hatuey.

When the Spaniards first touched this Island, this Cacic, who was thoroughly acquainted with them, did avoid and shun them as much as in him lay, and defended himself by force of Arms, wherever he met with them, but at length being taken he was burnt alive, for flying from so unjust and cruel a Nation, and endeavoring to secure his Life against them, who only thirsted after the blood of himself and his own People. Now being bound to the post, in order of his

27. DE LAS CASAS, *supra* note 20.

28. For a history of the operations of the guerillas prior to the success of the 1959 Revolution, see ANTONIO RAFAEL DE LA COVA, *THE MONCADA ATTACK: BIRTH OF THE CUBAN REVOLUTION* (2007).

Execution a certain Holy Monk of the Franciscan Order, discours'd with him concerning God and the Articles of our Faith, which he never heard of before, and which might be satisfactory and advantagious to him, considering the small time allow'd him by the Executioner, promising him Eternal Glory and Repose, if he truly believ'd them, or other wise Everlasting Torments. After that Hathney had been silently pensive sometime, he askt the Monk whether the Spaniards also were admitted into Heaven, and he answering that the Gates of Heaven were open to all that were Good and Godly, the Cacic replied without further consideration, that he would rather go to Hell then Heaven, for fear he should cohabit in the same Mansion with so Sanguinary and Bloody a Nation. And thus God and the Holy Catholick Faith are Praised and Reverenced by the Practices of the Spaniards in America.²⁹

29. *Id.* For a short version in Spanish derived from de las Casas, see El Indio Hatuey, Historia de Cuba, <http://www.juanperez.com/historia/hatuey.html> (last visited Jan. 24, 2009).

En 1511, Diego Velásquez partió de La Española (ahora la República Dominicana) para conquistar y colonizar a Cuba. Entre sus soldados estaba Hernán Cortéz, que posteriormente conquistaría a Méjico. Al llegar a Cuba, Velásquez fundó a Baraco la primera población española.

Hatuey, un jefe Taíno de isla de La Española, que había escapado en canoas con alrededor de cuatrocientos hombres, mujeres y niños, advirtió a los cubanos lo qué podían esperar de los españoles. Él les explicó la necesidad de unirse contra los hombres blancos el enemigo común, los que habían infligido mucho sufrimiento a su pueblo.

Según lo reportado más tarde por el sacerdote Bartolomé de Las Casas, Hatuey mostró a los cubanos una cesta llena de oro y de joyas. Y dijo "este es el dios que los españoles adoran. Por esto ellos luchan y matan; por esto nos persiguen y es por eso qué tenemos que lanzarlos al mar"

Elos nos dicen, "que adoran a un dios de la paz y de la igualdad, pero usurpan nuestras tierras y nos hacen sus esclavos. Nos hablan de un alma inmortal y de sus recompensas y castigos eternos, pero roban nuestras pertenencias, seducen a nuestras mujeres, violan a nuestras hijas. Y como no pueden igualarnos en valor, estos cobardes se cubren con hierro que nuestras armas no pueden romper."

Los Taínos de Cuba oriental y central no podían creer el horrible mensaje de Hatuey, y solamente unos pocos se le unieron.

La estrategia de Hatuey contra los españoles fue la de atacar, a manera de guerrilla, y después dispersarse a las lomas, donde los se reagrupaban para el siguiente ataque. Por cerca de tres meses las tácticas de Hatuey mantuvieron a los españoles a la defensiva, asustados de dejar la fortaleza de Baracoa.

The parallels to the martyrdom of Jesus are inescapable. Here was a man who sought to do good in the face of evil, who sought to expel the money grabbers from the temple that was Cuba, whose vision was rejected by his people, who was betrayed by a follower, judged by powerful strangers, suffered and died so that his people might live, and who in death achieved an eternal presence in the living cultural memory of the place of his martyrdom. De las Casas found in Hatuey the perfect personification of the humanity of the Indian and a perfect mirror against which to highlight the barbarities of the civilized and superior conquerors. In Hatuey all is inverted. Catholicism appears as the paganism of the early Roman Empire. The Taíno of Cuba appear as the Christians led to the Coliseum for the amusement of the Roman populace.

Thus dies the first martyr of Cuban nationalism—though *el indio* Hatuey did not know that at the time.³⁰ Hatuey might have thought he died as one of what would be a growing number of Indian patriots resisting the aggressive and undocumented migration of European peoples into their lands. This serves as the first irony of the death and transfiguration of Hatuey. But more than that as well. In Bartolomé de las Casas' hands, Hatuey also died a martyr for a reformed Catholic Christianity by a noble death, a martyrdom really, and one which was served up by de las Casas as an indictment of the practices of Spanish Catholicism. This serves as the second irony. Yet, this religious

Gracias a un traidor, Velásquez pudo rodear y capturar a Hatuey. En Febrero 2, 1512, Hatuey fue atado en una hoguera en el campo español, donde fue quemado vivo. Momentos antes de encender el fuego, un sacerdote le ofreció la salvación de su alma, mostrándole la cruz y pidiendo que él aceptara a Jesús para ir al cielo. "¿Hay gente como ustedes en cielo?" Preguntó Hatuey. "Hay muchos como nosotros en cielo" contestó el sacerdote. Hatuey contestó que él no deseaba saber nada de un dios que permitía que tal crueldad fuera hecha en su nombre.

Id.

30. This transformation was lost on Americans, even sympathetic ones, for a long time as well. Reflecting their own view of the world and the necessary order of society, they might better picture him as an Indian chief in the American Western style. A travelogue from the 1930s nicely captures this view. SYDNEY A. CLARK, *CUBAN TAPESTRY* 44-46 (1936). After paraphrasing the story of Hatuey, "a fugitive from similar atrocities in Haiti," *id.* at 45 (from de las Casas), the author noted,

It must be said in fairness that Velazquez did what he could to restrain the cruelties of his men and make the lot of the Indians bearable but he was overwhelmed with the responsibilities of setting up an old civilization in a crude and virgin land. He probably questioned too, as most people of his time did, whether a naked savage was properly to be classed as a human being or an animal.

Id. at 46.

dimension, made more explicit in the coming centuries, will serve the African slaves in Cuba more than their Spanish-Catholic masters. The extinct Indian, personified by el indio Hatuey, will become, within the pantheon of Afro-Cuban relations (Santería³¹ and palo mayombé³²) an important figure. *El indio* is now a figure of protection, guidance, and power within Afro-Cuban religious practice.³³ More than that—Hatuey in particular becomes the template for the literary depiction of a Cuban Indianism from which a new form of indigenismo is developed, one grounded on the nation rather than on the Indian from which it arose. Thus the third irony.

But there is a greater irony still. For though the Spanish and thereafter the Cubans sought to claim Hatuey, this Taíno remains an important cultic figure in Cuba for the descendants of the supposedly extinct Taíno of Cuba. And even that Taíno tradition has, in turn, been folded into the construction of a Cuban indigenous culture only within which the Indian survives. Thus, José Barreiro tells us that the Taíno of Cuba have incorporated the Hatuey story. “The story of Hatuey’s execution is a persistent oral telling in Camaguey and

31. JOHAN WEDEL, *SANTERIA HEALING: A JOURNEY INTO THE AFRO-CUBAN WORLD OF DIVINITIES, SPIRITS, AND SORCERY* (2004).

32. JESUS FUENTES GUERRA & ARMIN SCHWEGLER, *LENGUA Y RITOS DEL PALO MONTE MAYOMBE: DIOS CUBANOS Y SUS FUENTES AFRICANAS* (2005).

33. For a description of the form of el indio in representational art associated with this belief system, see Judith Bettelheim, *Caribbean Espiritismo (Spiritist) Altars: The Indian and the Congo*, 87 *ART BULL.* 312 (2005). She explains:

A plaster-cast, commercially produced American Indian holding a long-stem pipe sits cross-legged in the center of the altar (Fig. 4). Flores calls him El Indio de la Paz, or Indian of Peace. Flores remarked, ‘The Indians serve like sentinels, sort of a body guard. . . . Therefore, I put it up front [on the altar] for all who enter to see. This is one of the strongest helpers.’ The Indian of Peace wears an outfit in the Plains Indian style, with a full-feathered headdress, a long-sleeved shirt with beaded breastplate, fringed leggings, and moccasins.

Id. at 315 (describing Puerto Rican altar). Note the indigenous culture confluences.

On or around Santell’s doubled-tiered altar I counted at least eight different Indian statues, including Indio Guerrero (Warrior Indian). Indio de la Paz (Indian of Peace), Indio Buena Suerte (Good-Luck Indian) and other plastic-cast Indian heads displayed on the walls (Fig. 7). Santell provides further identification of these Indians. The tall standing figure is a Taíno; the Apache wears an apron, carries a bow, and rides a horse. These are the most forceful Indians: ‘They can fight any force that is trying to invade someone.’ . . . Echoing Flores’s explication, Santell indicated that the Congos and the Indians form a distinct category of assistants, and that they both smoke cigars, indicative of their strength and their rural origins. Indians in particular come from the monte (the hills, mountains, or forest).

Id. at 319-20 (describing another altar).

Oriente provinces in Cuba. There is a tradition of pilgrimage to the site of the deed, a place called Yara, near the city of Bayamo. The tradition refers to the 'light of Yara' that appears to visitors."³⁴ At the same time, Barreiro reminds us that this story has also leaked into the larger new indigenous culture of Cuba. "The power of physical vigor is associated with this belief. Indeed, a major Cuban rebellion against the Spanish, called the Cry of Yara, started in the same area near the City of Bayamo in 1868."³⁵ It is this incorporation that serves as the next great literary chapter in the construction of the indigenous Cuban. To explore that chapter we turn to the great spiritual founder of Cuban independence, José Martí.

*III. Martí and the Nineteenth Century Literary Tradition*³⁶

The life of Martí, in some respects, parallels that of Hatuey. Both men were outsiders of sorts. Martí was born in Havana, the son of a Spanish soldier garrisoned in Cuba, who thereafter retired to become a watchman.³⁷ Both served as a model of resistance to aggression from a superior force. Martí was arrested for anti-Spanish activity at sixteen. He was exiled to Spain a year later, where he spent many years. Returning to the Western Hemisphere, he wandered in Central America and eventually found a base in New York, coming back to Cuba three times before his last trip and his death in the War of Independence.³⁸ Both died in the eastern parts of Cuba fighting for the causes they defended. In their martyrdoms both acquired a certain legitimacy and authority that was used by their successors. And both derived this authority in art through their literary interventions.

Like many people of his time, José Martí, the father of the Cuban independence movement of the nineteenth century, was fond of using a form of the literary trope of the "noble savage" in the service of Cuban political independence from Spain and socio/cultural independence from the United States. The "noble savage" themes were both popularized and turned to use in political theory in the eighteenth century by Rousseau.³⁹ But the notion of

34. Barreiro, *A Note on Tainos*, *supra* note 17.

35. *Id.* (citing CRUZ, *LOS PRIMEROS REBELDES DE AMÉRICA* (1988)).

36. Parts of this section are taken from Larry Catá Backer, *Law at the End of the Day: Jose Martí and Cuban Ethnic Nostalgia for the Noble Savage*, <http://lbackerblog.blogspot.com/2007/01/jose-mart-and-cuban-ethnic-nostalgia.html> (Jan. 28, 2007, 02:27:00 PM).

37. *See* Jose Marti, <http://www.kirjasto.sci.fi/josemart.htm> (last visited Jan. 24, 2009). For a formal biography from a more conventional source, *see supra* note 9.

38. *See* RICHARD BUTLER GREY, *JOSE MARTI, CUBAN PATRIOT* 1-32 (1962).

39. JEAN-JACQUES ROUSSEAU, *A DISSERTATION ON THE ORIGIN AND FOUNDATION OF THE*

the purity of the savage over the corruption of the civilized has a long history in the West, a culture always as fond of its sentimentalism as it has been of the civilization it enhances despite this nostalgic stance for an unencumbered past.⁴⁰

In “El Hombre Antiguo de América y Sus Artes Primitivas”, written for the periodical *La América* in April 1884,⁴¹ Martí used the noble savage binary for a different political effect. Describing ancient humanity and primitive arts, Martí starts by suggesting that primitive art involved more than a love of beauty, it suggested the basic need of human communities to create and overcome (“la expresión del deseo humano de crear y de vencer.”)⁴² In this form, like its European form, art represented a passion for truth (“La pasión por la verdad fue siempre ardiente en el hombre.”)⁴³ That passion for truth in art is capable simultaneously of multiple levels of expression within any civilization (“En el espíritu del hombre están, en el espíritu de cada hombre, todas las edades de la Naturaleza.”)⁴⁴

For Indian nations in America, Martí suggested that that blend of naturalism and genius expressed itself in the choice of the places for the expression of their art, choosing those priestly places of Nature (“los lugares sacerdotales de la Naturaleza”)⁴⁵ without disturbing the natural order. And thus a window into the soul of the Native American character—noble and impatient, with a love of adornment—which express the nomadic character, political immaturity, and literature of the countries of the Americas (“y por ella lucen, y por ella pecan, el carácter movible, la política prematura y la literatura hojosa de los países americanos”).⁴⁶ What, Martí asks, is the nature of the intelligence of

INEQUALITY OF MANKIND (1755).

Savage man, when he has dined, is at peace with all nature, and the friend of all his fellow-creatures. . . . The case is quite different with man in the state of society, for whom first necessities have to be provided and then superfluities; delicacies follow next then immense wealth, then subjects, and then slaves.

Id. at app.

40. See, e.g., TERRY J. ELLINGSON, *THE MYTH OF THE NOBLE SAVAGE* (2001).

41. José Martí, *El Hombre Antiguo de América y Sus Artes Primitivas*, *CONCIENCIA INTELLECTUAL DE AMÉRICA: ANTOLOGÍA DEL ENSAYO HISPANOAMERICANO (1836-1959)*, at 261-64 (Carlos Ripoll ed., Las Americas Publishing 1966) (1884) [hereinafter *CONCIENCIA INTELLECTUAL DE AMÉRICA*].

42. *Id.* at 261.

43. *Id.*

44. *Id.* at 262.

45. *Id.* at 263.

46. *Id.* (“And for her they show off, and for her they sin, the changeable character, the premature politics and the leafy literature of Latin American states.”).

Americans if not something like a chalice open to the sun by the special privilege of Nature (“¿Qué es, sino cáliz abierto al sol por especial privilegio de la Naturaleza, la inteligencia de los americanos?”)⁴⁷ Every nation (understood as *ethnos* rather than as *demoi* as was common in the nineteenth century and increasingly common in the twenty-first century), Martí suggests, has its own genius, but only the people of the Americas were able to clothe the natural with easy, brilliant, and marvelous pomp (“sólo al hombre de América es dable en tanto grado vestir como de ropa natural la idea segura de fácil, brillante y maravillosa pompa”).⁴⁸

And thus to the point: “No más que pueblos en ciernes,—que ni todos los pueblos se cuajan de un mismo modo, ni bastan unos cuantos siglos para cuajar un pueblo,—no más que pueblos en bulbo eran aquéllos en que maña sutil de viejos vividores se entró el conquistador valiente, y descargó su ponderosa herrajería, lo cual fue una desdicha histórica y un crimen natural.”⁴⁹ Thus the old European binaries—savage-civilized, advanced-barbarous, noble-savage, U.S.-Latin America—are inverted. The rape of nature and the destruction of indigenous culture are conflated. And that rape, that crime against the natural order is foundational—“los pueblos eran que no imaginaron como los hebreos a la mujer hecho de un hueso y al hombre hecho de lodo; sino a ambos nacidos a un tiempo de la semilla de la palma.”⁵⁰

Crimes against the natural order, that is against the representation of the natural in the human order—the Indian—are cultural as well as political. They implicate the foundations of the autonomy and self-construction of every *ethnos*. Those who would violate this natural order engage in foundational criminal activity—they rob the world of its richness and diversity (“¡Robaron los conquistadores una página al Universo!”).⁵¹ The implications for Martí that naturally follow—cultural and political liberation—require an affirmation of the indigenous in Latin American culture and a call for the development of

47. *Id.*

48. *Id.*

49. *Id.* at 263-64 (“Not more than nations in the making,—that neither all nations [understood here as *ethnos*] come into being in the same way, nor are a number of centuries enough for a people to come into being,—not more than nations still in their bulbs were those in which the valiant conquerors were brought in through by the subtle skill of ancient fortune hunters, carrying out their ponderous mechanics work, which amounted to a historical misfortune and a crime against nature.”).

50. *Id.* at 264 (“[T]hese nations could not imagine, like the Hebrews that woman was made of a bone and that man was made out of clay, but that both were born together from the seed of a palm tree.”).

51. *Id.*

that unique culture. But not a return. Rather, the natural (the “Indian” within the reality of Latin America) must be united with its other elements, the destructive and passionate power of the immigrant and conqueror. For what can be more natural or necessary than the union of the two distinct but related elements of “Latinity” in the Americas for the production of a peculiar kind of “offspring”—children that look forward to a future of indigenous Latin America blended from its disparate parts.

And, thus, what appears at first blush to be the supreme irony of Martí’s discursive stance serves as a literary metaphor for a great political and social project—the construction of a new indigeneity. Here is a man fully the creature of European culture and sensibilities, European educated and North American resident, producing a work of European disquietude with the emptiness of European transplantation to the Americas longing for the “naturalness” of the Indian. Yet that peculiarly European disquietude with the state of society and its aggressive advance on the premature and innocent Indian produces, through the indulgence in all the forms of distinctly European literary/political trope, an inversion. The rape of the naturalness of the Americas, of the Indian, produces offspring that overcomes the crime of the initial union and embodies the union of opposing elements in the creation of a unique and independent people—the new aborigines of the Caribbean in general and Cuba specifically.

Martí elaborates the racial dimension of this politico-ethnographic reverie in an article titled “Mi Raza,” written in 1893 for the magazine *Patria* in New York in 1893.⁵² And that dimension is assimilationist and race neutral, understood in the modern sense, but compounded by an underlying *mestisaje* and *mulatería*.

The white man, who by reason of his race, believes himself superior to the black man, admits the idea of race and authorizes and provokes the black racist. The black man who proclaims his own race, when in fact all he proclaims in this erroneous form is the spiritual identity of all races, authorizes and provokes the white racist. Peace seeks common natural rights, differential rights, contrary to nature, is the enemy of peace. The white man who isolates himself, isolates the black man. The black man who isolates himself provokes white separatism.⁵³

52. José Martí, *Mi Raza*, in *CONCIENCIA INTELLECTUAL DE AMÉRICA*, *supra* note 41, at 250-52.

53. *Id.* at 251. In the Spanish it reads:

In Cuba, by contrast, Martí tells the reader, “no hay temor de Guerra de razas” (“there is no fear of race war”).⁵⁴ Humanity has overcome race through a mutual sacrifice for the construction of a nation: “Hombre es más que blanco, más que mulatto, más que negro. En los campos de batalla murieron por Cuba, han subido juntos por los aires, las almas de los blancos y de los negros.”⁵⁵

Echoing the “passion” of Hatuey here, but without the Indian, Martí conflates blood and sacrifice in the construction of something different from and superior to its parts. This is a very religious exercise. In the Republic of Cuba there will be a coming together in which race will become a matter of indifference and the unity of humankind will forge a single people—culturally and racially indistinct—that is, culture or race will be subsumed within the greater cultural and racial tropes of the Cuban nation.

This is indeed a pretty picture, one in which the spirit of *indigenismo* lies heavy, but also one in which the body of the Indian is missing. An odd circumstance, when, indeed, it was well known that the Indians of Cuba continued to play a pivotal role in the fight for independence from 1871 through 1898.⁵⁶ José Barreiro describes the formation and important, and self-consciously Taíno, role of an Indian regiment in the War of Independence.⁵⁷ The fact that the regiment was named the Hatuey Regiment should come as no surprise. The connection, though, likely raised distinct overtones for its Indian members and for the white and mestizo/mulatto elements of “indigenous” resistance to the Spanish. José Martí was well aware of the existence of the

El hombre blanco que, por razón de su raza, *see* cree superior al hombre negro, admite la idea de la raza y autoriza y provoca al racista negro. El hombre negro que proclama su raza, cuando lo que acaso proclama únicamente en esta forma errónea es la identidad espiritual de todas las razas, autoriza y provoca al racista blanco. La paz pide los derechos comunes de la naturaleza; los derechos diferenciales, contrarios a la naturaleza, son enemigos de la paz. El blanco que se aísla aísla al negro. El negro que se aísla, provoca a aislarse al blanco.

Id.

54. *Id.*

55. *Id.* at 251.

56. See José Barreiro, *Beyond the Myth of Extinction: The Hatuey Regiment*, KACIKE: J. OF CARIBBEAN AMERINDIAN HIST. & ANTHROPOLOGY, July 12, 2004, <http://www.kacike.org/Barreiro.html> [hereinafter Barreiro, *Beyond the Myth of Extinction*].

57. *Id.* (citing José Sánchez Guerra, *La Capitana del Regimiento Hatuey*, *El Mar Y La Montaña*, REVISTA DE GUANTANAMO, Oct. 30, 1998, at 48-53).

Indians of eastern Cuba, the place where Hatuey was captured and burned to death, but also of their ferocity and power.⁵⁸

Shortly before he is killed by Spanish bullets, José Martí spends a night in an Indian bohío. He writes in his campaign diary about his native host, Domitila, “Indian woman, ardent eyes, agile and good . . . jumps to the forest and brings in a garden of tomatoes, coriander, oregano, herbs” “Could it be true,” he also writes, upon hearing of the ambush against the Maceos, “that Flor Crombet, Flor the gallant, is dead? . . . that the Indians of Garrido caused the treason?”⁵⁹

Martí sought, and the Cuban nationalists were eventually successful in securing, an alliance with the Indians against the Spanish. But even the story of the alliance between Cuban nationalists and Indians is strongly evocative of hybridity and assimilation in the service of the new indigenism. Reconstructed from the correspondence of Cuban revolutionaries in New York⁶⁰ (the love-hate relationship between North America and Cuba is deep and complex) the story reflects the contingency of Indian identity and its relationship to other contingent and fluid racial/ethnic identities during the time of the formation of a Cuban ethnos.

Cristina Perez, a midwife of Catalán ancestry but married into an Indian clan via her union to the minor cacique Ramon Ramirez Suarez, was a strong sympathizer with the Cuban cause. She was a collaborator against Spain via her close friendship to young Silverio Guerra Tellez, an Indian descendent from Yateras who would become a commander of the Liberation Army. Throughout late March and April of 1895, Cristina spoke with the major and minor caciques of the indo-Cuban population. . . . This was a dangerous period for Cristina, who anticipated attacks on her person by the Spanish volunteers, along with their many Indian allies. Only her circle of respect as an appreciated midwife of the

58. *Id.* (quoting in part Jose Martí, *Diario de Campaña*, in RAFAEL LUBIAN Y ARIAS, *MARTÍ EN LOS CAMPOS DE CUBA LIBRE* (1982 ed.)).

59. *Id.* (quoting in part Jose Miro Argenter, *Cronicas de la Guerra*, in INSTITUTO DEL LIBRO DE LA HABANA 15 (1970 reprint) (1945) (“A Crombet lo mataron los indios de Yateras, mientras defendía el campamento de Jose Maceo.”)).

60. See 1 *LA REVOLUCIÓN DEL ‘95, SEGUN LA CORRESPONDENCIA DE LA DELEGACIÓN CUBANA EN NUEVA YORK* (Leon Primelles ed., 1932), cited in Barreiro, *Beyond the Myth of Extinction*, *supra* note 56.

mountain and her remarkable powers of ceremony, during which sessions she entered trances and spoke with the ancient cemís and long-gone caciques, protected her.⁶¹

Like Fidel Castro a generation later, the pivotal figure in this drama was a double outsider. As a Catalan, her forbearers were outsiders within the social and political hierarchy of the metropolis—Spain. As an immigrant to Cuba, she became part of a dominant colonial group but chose to join with a marginalized and virtually forgotten element of nascent Cuban society, the Taínos. It was as a Taíno that she played a crucial role in Cuban identity. At her insistence, she convinced several caciques to call a meeting of the Taíno for the purpose of allowing her to communicate with the Taíno ancients to declare their will.⁶²

On the night of May 13, 1895, by the light of an open fire, the ceremony is conducted. An eyewitness, Dr. Luis Morlote, noted her words, which are cited by historian Sanchez Guerra: “Listen,” she said in her trance to the assembled chiefs. It was the voice of an ancient cacique speaking: “In the great timepiece of the universe, it is signaled that the hour of Cuban national independence is at hand. Only a few leagues from here one of the most famous generals of the liberation war is encamped, the great Antonio Maceo. I am with him, and since you are with me, I request that, fortified by the memory of the persecutions felt by our victimized race, instead of continuing to war against him, you join his forces, brave and decided, to struggle for the redemption of Cuba, your country, because the hour is near and it is necessary that Cuba be free.”⁶³

Cristina is then said to retire, facing the possibility of death at the hands of the caciques. Instead, “The knock came at daybreak. The caciques were ready with an answer: their contingents lined up before Cristina, armed and ready to join the revolution.”⁶⁴

Thus, while recent scholarship suggests that Martí was well aware of the continued presence of Indians in eastern Cuba up to the moment of his own death in the War of Independence, Martí continued to treat the Indian as physically absent from Cuba. Martí’s beautiful elegy to Bartolomé de las

61. Barreiro, *Beyond the Myth of Extinction*, *supra* note 56.

62. *Id.*

63. *Id.*

64. *Id.*

Casas suggests an Indian nation necessarily slated for a successful program of genocide.⁶⁵ “Fue a Cuba de cura con Diego Velásquez y volvió de puro horror porque antes que para hacer casas, derribaban los árboles para ponerlos de lena a las quemazones de los taínos. En una isla donde había quinientos mil ‘vio con sus ojos’ los indios que quedaban: once.”⁶⁶ The Cuban Indian is extinct.

For Martí, the extermination was necessary as a truth even if not quite valid as fact. As late as the 1970s, “The Yateras Indian community has been documented by Professor Manuel Rivero de la Calle (Havana) and others. There are other, less studied, enclaves of native population throughout eastern Cuba. In addition, the *guajiro* folk culture of Camagüey and Oriente regions is deeply steeped in Taíno traditions and culture.”⁶⁷ Jose Barreiros noted that “[a] very few Indian communities, deep in the highest mountain valleys, did manage to survive in isolation in Cuba for nearly five hundred years. These are the communities of Caridad de los Indios and others in the Rio Toa region.”⁶⁸

Still, truth of the extermination, rather than the fact of the existence of the Indian in Cuba, was a necessary step for Martí in the project of reconstructing the meaning of the indigenous over the Indian, the immigrant and the former slave. Indeed, this is an indigenism that expressly obliterates the Indian from its center. The new indigenous individual is not the Indian or even the Creole: the indigenous Cuban person is the individual who, together with his brothers and sisters, now forms the blended ethnic mix that is self-consciously tied to the land and the political community that arose therefrom in 1898 with Cuba’s liberation from Spain. The Cuban nation itself is indigenous to Cuba; there is no one that now precedes it on Cuban soil. Indigeneity is now consciously constructed and the Indian, as a living presence, is subordinated to its cause.

65. See José Martí, *El Padre las Casas*, in *CONCIENCIA INTELECTUAL DE AMÉRICA*, *supra* note 41, at 242-52 (written for the periodical *La Edad de Oro*).

66. *Id.* at 249 (“He went to Cuba with Diego Velásquez and returned full of horror because even before building houses, they felled trees to make wood for burning the Taínos. On an island where there were five hundred thousand he “saw with his own eyes’ those Indians who left: eleven.”).

67. Barreiro, *Beyond the Myth of Extinction*, *supra* note 56 (citing in part Manuel Rivero de la Calle, “Los Indios Cubanos de Yateras,” *Cuba Arqueologica*, Santiago de Cuba, 1978). José Arrom notes that “[s]ome of the pueblos de indios frequently referred to in seventeenth-century documents include Guanabacoa, next to the city of Havana, and others near Bayamo, Santiago, and Guantánamo, Cuba.” José Juan Arrom, *Introduction to the English Edition*, in *PANÉ*, *supra* note 1, at xii (citing FELIPE PICHARDO MOYA, *LOS ABORÍGENES DE LAS ANTILLAS* (1956)).

68. Barreiro, *A Note on Taínos*, *supra* note 17.

They are to join the black and white races in the construction of a new race—the Cuban race.

Yet, as we have seen, the Indian is far from forgotten. El Indio Hatuey remains a central figure in Cuban culture and politics. But he remains a figure now transformed and outside. He and his culture are powerful precisely because they have been deemed to disappear. To think back on them, to draw from them, to admire them, is to do so from a distance. This is precisely the stance that key Cuban authors like Martí take. This is an *Indianism* made possible by the absence of Indians. Indigenism, as moved on, had been reconstructed from the remnant, now necessarily fused together to create a new people—the Cuban nation. *The remaining Indians must make the ultimate sacrifice in imitation of el indio Hatuey*—they must sacrifice their identity in the formation of the new indigenous population of Cubans inhabiting the island.

Modern commentators have criticized this stance. One has sought to place it in the context of Martí's position on the question of the future of North American Indians.⁶⁹ Analyzing an 1885 essay of José Martí on the North American "Indian Question,"⁷⁰ Jorge Camacho draws out Martí's sympathies for an assimilationist approach to justice for Indian peoples.

De los comentarios anteriores de Martí sobre los indígenas norteamericanos, el informe de Lamar y su traducción de Ramona se deduce que este, al igual que los reformadores, proponía la educación y el trabajo como formas de asimilar al indio a la cultura hegemónica occidental y norteamericana. Pedía incorporarlos con urgencia a la nación y sacarlos de las "cárceles" en que los tenían. Prefería verlos como un elemento "útil, original y pintoresco" dentro de ella a que fuesen tratados como prisioneros o fieras.⁷¹

69. See Jorge Camacho, *Etnografía, política y poder: José Martí y los indígenas norteamericanos*, KACIKE: J. OF CARIBBEAN AMERINDIAN HIST. & ANTHROPOLOGY, June 18, 2006, <http://www.kacike.org/Camacho.html> [hereinafter Camacho, *Etnografía, política y poder*].

70. See José Martí, *Los indios en los Estados Unidos* (Oct. 25, 1885), reprinted in 10 OBRAS COMPLETAS 371 (1963). For an English translation, see José Martí, *On the Indian Question* (Oct. 25, 1885), in JOSÉ MARTÍ, *MARTÍ ON THE U.S.A.* 193-96 (Luis A. Baralt trans., 1966) [hereinafter Martí, *On the Indian Question*].

71. Camacho, *Etnografía, política y poder*, supra note 69 ("From Martí's previous commentaries of North American Indians, the reference work of Lamar and his translation of Ramona [two North American authors of work on Indian assimilation], it can be deduced that he, like those reformers, advocated education and work as means for assimilating Indians to the cultural hegemony of North America and the West. He sought to incorporate them with some

Camacho views, with some distress, the nation-building project of Martí, at least as applied to the issue of North American Indians and their relationships with the majority population. Martí's Indianism—understanding Indian culture as natural, passive, immature, and incomplete, which can only be perfected in an assimilation through union with the other inhabitants of the land—strikes Camacho as a means to extinction.

And so it is. For Martí, like many others of his time, the Indian might appear an artifact in places like the United States (and Cuba). This artifact required a cultural assimilation within the body of the people of which Indians formed a part.

Thus, educated by teachers of his own race, attached lovingly to his labor on land which is definitely his, helped rather than bloodily mocked by his conquerors, assured of peace and the benefits of property, reconciling the customs of his race with a civilized life, uplifted by an instructed mind, the Indian will endure—a useful, original, picturesque element among the people who interrupted the course of his civilization and wrenched from him his land.⁷²

That artifact required naturalization—a sort of extinction for the greater national good in which, by tragic circumstances, the Indians find themselves.⁷³ For Martí, however, that extinction is a necessary predicate to the creation of a new nation, a new indigenous people, on the island. It was the act that gave meaning to the sacrifice of el indio Hatuey. Yet it is also incomprehensible in the North American context from which Martí's Indianism may have been influenced, one in which Martí enthusiastically embraced the assimilationist perspective of American turn-of-the-century reformers in his own work.⁷⁴

urgency to the nation and to take them out of the prisons [the reservations] in which they were kept. He preferred to see them as 'useful, original and colorful' elements within the nation than treated as prisoners or savages.”).

72. Martí, *On the Indian Question*, *supra* note 70, at 196.

73. Thus he notes the discussion by then Secretary Lamarr suggesting that [t]he Government may remove to the Pacific Islands the two hundred Apaches who are a constant source of trouble in the state of Arizona . . . but it is imperative to attract, once and for all, to a definitive civilized state the 200,000, the meagre 200,000 Indians, some already quite advanced, who live inserted among the white states, who are progressing under the present guardianship system, at a cost to the Government of some four to seven million dollars a year . . .

Id. at 194.

74. Camacho, *Etnografía, política y poder*, *supra* note 69.

Moreover, Martí's vision—spiritual, drawing on Christian archetypes and fusing disparate elements into a whole requiring the assimilation of its parts—presents a very different picture from that painted in other parts of Latin America at the same time. For turn-of-the-century Argentines, at the very moment that Martí is recasting the meaning of the indigenous, the production of an indigenous race carries a completely different meaning.⁷⁵ Argentine indigeneity is also the product of the connection between individuals and the land through which native institutions and connections are created to the point where the residents acquire a connection to each other that is greater than any connection to other groups.⁷⁶ Once self-consciousness of difference, tied to the land and the institutions that its conditions produce, is attained, peoplehood arises—the demos of a state is its indigenous population—land, people, power.⁷⁷ But, this is possible only among certain races—principally the white race.⁷⁸ Blending produces weaknesses, the acquisition of the worst traits of all of the individual components—unless there is meant to be blended the various peoples of European stock.⁷⁹ For non-white races, the less desirable tropical regions are the only place on earth where Nature has decreed they might survive—and perhaps even prosper in their own way.⁸⁰ “El clima, además de dificultar la adaptación de los blancos europeos,

75. The source of that difference traces itself back to the powerful influence of the greatest Argentine thinkers of the early Republic, as important to Argentine history and culture as Martí is for Cuba. See, e.g., DOMINGO F. SARMIENTO, FACUNDO 54-58 (Santillana 1997) (1845).

76. See JOSÉ INGENIEROS, SOCIOLOGIA ARGENTINA 305-29 (5th ed. 1913), reprinted in BUENOS AIRES: HISPANÉICA, EDITORIAL (1988); MANUEL A. ZULOAGA, NUESTRA RAZA: Y LOS PROBLEMAS DE POSGUERRA EN LA ARGENTINA (1943).

77. “Las razas europeas aquí trasplantadas sienten ya, en sus hijos argentinos, los efectos de la adaptación a otro medio físico, que engendra otras costumbres sociales. . . . Viviendo juntos a ellas, las razas inmigradas adquieren hábitos e ideas nuevas, hasta constituir una varedad distinta de las originarias.” *Id.* at 328.

78. “Estas ideas que todos habéis pensado antes de escucharlas hoy, premien precisar una conclusion: una nueva raza argentina se está formando por el conjunto de variaciones sociales y psicológicas que la Naturaleza argentina imprime a las razas europeas adaptadas a su territorio.” *Id.* at 328. Indigeneity was not so much a matter of race, though race provided a foundation for the basic divisions of human society, but work and culture. *Id.* (“Dos fuerzas sociales concurren a ello: el trabajo y la cultura. Son los sillares de la raza.”). Ingenieros notes that when he speaks of race, “hablamos de ‘raza’ para caracterizar una sociedad homogénea cuyas costumbres e ideales permiten diferenciarla de otras que coexisten con ella en el tiempo y la limitan en el espacio.” *Id.* at 307.

79. *Id.* at 321-23; see also MANUEL ANTONIO ZULOAGA, NUESTRA RAZA Y LOS PROBLEMAS DE POSGUERRA EN LA ARGENTINA 67-73 (1943) (in which the Indian disappears).

80. INGENIEROS, *supra* note 76, at 312-17. Speaking of the colonial era, Ingenieros noted that

hizo prevaler los caracteres autóctonos en la mestización y permitió la persistencia de grandes masas indígenas (desde Méjico hasta Bolivia).⁸¹ And for the Indian, either mestizaje or oblivion was the only response to the European colonization.⁸²

For Mexican and Peruvian indigenistas, on the other hand, the notion of indigeneity was equally complicated but pointed in the other direction. For them, the focus was on the social and cultural roots of the pre-Conquest Indians.⁸³ “In the case of Brazilian Indigenism, actors took different stands and disputed who had the right to speak with authority on indigenism, as well as who had the right to act on behalf of the Indian peoples.”⁸⁴ Within this complex of difference, the mestizo posed a particular problem—either the embodiment of the best or worst of the two races blended. But that discussion of blending suggested racial immutability that tended to place the Indian below the mestizo and the mestizo below the white colonizer.⁸⁵ Yet, for all that, and to the extent appropriately trained, “America will owe its future to the fusion of races, and civilization owes its future advances to this intermixing. The

[e]n la zona intertropical las razas blancas fueron prácticamente inadaptables, mientras que las de color estaban perfectamente adaptadas. Por eso han sobrevivido las razas indígenas, en la casi totalidad del territorio; los pequeños núcleos de blancos se mestizaron con mujeres de color y se refugiaron en Alturas o valles limitados, que más tarde vinieron a constituir las ciudades de blancos y mestizos del trópico, rodeadas por vastas zonas habitadas por hombres de color.

Id. at 312.

81. *Id.* at 313.

82. “De las razas indígenas (ajenas en todo tiempo a nuestra nacionalidad política y social) quedan restos exigüos; están localizados en esos mismos territorios que, por sus condiciones físicas, no se propician a la adaptación de las razas europeas.” *Id.* at 326.

83. See INSTITUTO INDIGENISTA INTERAMERICANO, INDIANIDAD, ETNOCIDIO, INDIGENISMO EN AMERICA LATINA (Ana Freyre de Zavala trans., 1988); MANUEL MARZAL, HISTORIA DE LA ANTROPOLOGIA INDIGENISTA: MEXICO Y PERU (1981). Yet this exercise may not be as easy as it seems, even within somewhat isolated communities. “Given their advantage in force, it is not surprising that aspects of the colonizers’ value systems have become hegemonic, so that the stigma attached long ago by Europeans to ‘Indianness’ has worked its way into ‘Indian’ self-consciousness as well.” Thomas Abercrombie, *To Be Indian, to Be Bolivian: ‘Ethnic’ and ‘National’ Discourses of Identity*, in NATION-STATES AND INDIANS IN LATIN AMERICA 94, 96 (Greg Urban & Joel Sherzer eds., 1991).

84. Antonio Carlos de Souza Lima, *On Indigenism and Nationality in Brazil*, in NATION-STATES AND INDIANS IN LATIN AMERICA, *supra* note 83, at 236, 237. “Indigenism will here be regarded as a set of ideas (and ideals) concerning the incorporation of Indian peoples into nation-states.” *Id.* at 238-39. Indigenism, as state policy, involved protection and evolution. *See id.* at 243-55.

85. See, e.g., Eugenio Maria de Hostos, *El Cholo*, LA SOCIEDAD, Dec. 23, 1870, *reprinted* in CONCIENCIA INTELECTUAL DE AMÉRICA, *supra* note 41, at 161-67.

mestizo is the hope of progress.”⁸⁶ For Euro-Ecuadorians, the notions touched on liberation rather than unity formed out of mixture. Indeed, mixture was viewed suspiciously as treason to the lower ordered part of the mix (whether African or Indian).⁸⁷ The complexities of the indigenous, the mestizo, and the European continued to play complex roles in the structuring of Nicaraguan society through the 1960s, and its importance to the Sandinista Revolution of the late twentieth century.⁸⁸ For all the variety, in each of these conversations the Indian stands apart from white, black, mulatto, and mestizo. The dialogue reduces itself to differences within singular political orders.⁸⁹ Martí, then, in the construction of Cuban nationality (and the indigenous) is somewhat unique in Latin America.

IV. Fidel Castro and the Transcendent Through the Absent Indian

The tradition of indigenismo, filtered through the story of the Indio Hatuey, is especially powerful after the Cuban Revolution of 1959. Fidel Castro powerfully deploys the imagery of the Indian Hatuey, but now for a very precise set of purposes the Indian makes an appearance as a ghost—a figure of foreshadowing and a symbol that can be lived now only through the nation.

86. *Id.* at 168 (“América deberá su provenir a la fusion de razas; la civilización deberá sus adelantos futuros a los cruzamientos. El mestizo es la esperanza del progreso.”).

87. *See, e.g.*, Juan Montalvo, *Indios*, EL ESPECTADOR, Paris (1887), reprinted in CONCIENCIA INTELECTUAL DE AMÉRICA, *supra* note 41, at 141 (Carlos Ripoll ed., 1966) (“Decirle a un negro: ‘Eres libre’, y seguir vendiéndolo; decirle a unindio: ‘Eres libre’, y seguir oprimiéndolo, es burlarse del cielo y de la tierra. Para esta infame tiranía todos se unen; y los blancos no tienen vergüenza de colaborar con los mulatos y los cholos en una misma obra de perversidad y barbarie.”).

88. For a useful account, see JEFFREY L. GOULD, TO DIE IN THIS WAY: NICARAGUAN INDIANS AND THE MYTH OF MESTIZAJE, 1880-1965, at 228-63 (1998). Even the “Frente Sandinista was . . . incapable of understanding both the limitations and extent of their great achievement: the creation of conditions for radical change in the countryside through the destruction of the Somoza regime.” *Id.* at 266.

89. Thomas Abercrombie nicely noted the complications:

Bolivian ‘Indians’ and their ‘cultures’ may be, as successive national regimes have had it, either the salvation of the nation or the principal obstacle to its development, but the images of them entertained in rites . . . will be at the heart of national development—and the development of a national identity as well as a multitude of ‘ethnic’ identities within the nation—for many years to come, especially as the ‘Indians’ they purport to represent come increasingly to adopt the Other’s Other as their own internal demon.

Thomas Abercrombie, *To Be Indian, to Be Bolivian: ‘Ethnic’ and ‘National’ Discourses of Identity*, in NATION-STATES AND INDIANS IN LATIN AMERICA, *supra* note 83, at 123.

It is an easy step from the lyrical cultural naturalism of Martí's eclogue to the nationalist post-colonial rhetoric of Fidel Castro.

The most interesting example from which I draw is a 1985 speech commemorating the start of the Cuban Revolution.⁹⁰ "July 26 marks the Día de la Rebeldía in Cuba, commemorating the failed attack on an outpost barracks by Fidel Castro and his band of rebels against soldiers of the Batista regime. That failed attack marks now the beginning of the Cuban Revolution whose victors continue to administer the Cuban state."⁹¹ That attack has significant geographic resonance to hundreds of years of Cuban history—a history that Castro chose to conflate in his reconstruction of the Cuban nation. The attack took place in eastern Cuba—mountainous, far from the capital and the center of Cuban Creole civilization, and the usual killing ground for control of the island since the time of the first Spanish invasion in the sixteenth century.⁹²

The territory thus marks "sacred ground" for three germinal events in Cuban history: the conquest, the War of Independence, and the 1959 Revolution. And it was those ties that Castro sought to bind together. Fidel first establishes a connection between land, struggle, and the man, situating him both within and outside his Indian-ness.

90. Fidel Castro Ruz, Discurso Pronunciado Por El Comandante En Jefe Fidel Castro Ruz, Primer Secretario Del Comité Central Del Partido Comunista De Cuba Y Presidente De Los Consejos De Estado Y De Ministros, En El Acto Central Por El Trigesimo Segundo Aniversario Del Asalto Al Cuartel Moncada, Celebrado En La Provincia De Guantánamo, El 26 De Julio De 1985, "Año Del Tercer Congreso," <http://www.cuba.cu/gobierno/discursos/1985/esp/f260785e.html> (last visited Jan. 25, 2009).

91. Larry Catá Backer, Law at the End of the Day: On the Anniversary of the Attack on the Moncada Barracks: Cuba Moves Forward Towards Its Chinese Future, July 27, 2007, <http://lbackerblog.blogspot.com/2007/07/on-anniversary-of-attack-on-moncada.html> (July 27, 2007, 05:53:00 PM).

92. Many of the most famous battles and conflicts of Cuban history have started or occurred in the eastern part of the Island, from the invasion of 1511 starting in eastern Cuba, to the battles of the revolutionary wars of the nineteenth century culminating in the Spanish-American War, to Castro's most famous symbolic attack on the Moncada barracks in Santiago de Cuba in 1953. See, e.g., SUCHLICKI, *supra* note 22. On the Spanish American War and wars of independence, see especially LOUIS A. PÉREZ JR., THE WAR OF 1898: THE UNITED STATES AND CUBA IN HISTORY AND HISTORIOGRAPHY (1998). "The chronology of the war was brief. The naval battle of Manila Bay commenced at dawn on May 1 and was over by the early afternoon, a total of seven hours. Six weeks later U.S. armed forces landed at points along the southeastern coast of Cuba wholly unopposed, first at Guantánamo Bay on June 14 and eight days later at Daiquiri and Siboney." *Id.* at 21; see also *id.* at 11, 86-87.

In this region, our people began their struggle, in the first place, against the conquistadors. As I recently related at a Labor Conference, the most peaceful people on earth were those who inhabited this island at the time that the conquistadors arrived, the aborigines, totally unarmed, totally unwarlike, who notwithstanding were able to offer a certain resistance and a name that figures in our history as the first warrior for our country—that of el indio Hatuey. According to history, he came here from the island of Santo Domingo—I believe that was the name for the place then—where the conquistadores had first established themselves—and he became our first warrior, our first leader, and the first martyr of our fatherland.⁹³

The template described that a connection with Cuban nationality, a connection outside of Indian-ness but within a new kind of indigeneity, is needed. It required a connection between the ghost of the Indian and the spirit of the new state. Thus, Castro continues:

Much later, when there emerged what can be called Cuban nationality, the population of this region had an active role in the first war of independence from 1871 in which Cuban forces, lead by Maceo, Máximo Gómez and Moncada, penetrated this area, an area full of slaves and coffee plantations, and waged intense and successful battles against Spanish forces.

When that war, which had lasted ten years, was renewed in 1895, in this very eastern zone of the country served as the point at which the hero of our independence, José Martí, disembarked in the

93. Castro Ruz, *supra* note 90. In the original the passage reads:

En esta región, nuestro pueblo empezó a luchar, en primer lugar, contra los conquistadores. Como dije recientemente en la Conferencia Sindical, el más pacífico pueblo del mundo era el que habitaba en esta isla cuando llegaron los conquistadores; los aborígenes, totalmente desarmados, totalmente pacíficos, no obstante, ofrecieron cierta resistencia y un nombre figura en nuestra historia como el primer luchador por nuestro país, el del indio Hatuey. Según la historia, procedía de la isla de Santo Domingo —creo que así la llamaban entonces—, donde se habían asentado primero los conquistadores, y fue el primer luchador, el primer jefe y el primer mártir de nuestra patria. . . .

Castro Ruz, *supra* note 90. I use the word “homeland” for “patria.” I am not sure that there is a good word in English for the word “patria.” Either fatherland or homeland (less gendered but losing the gendered flavor of the original) comes closest.

company of Máximo Gómez, one of the most renowned internationalist figure[s] in the history of Latin America, in the same way that the indio Hatuey had been an internationalist in our conception, who coming from Santo Domingo, fought in our lands. These men planted the seeds of internationalism.⁹⁴

The Indian has become the internationalist warrior. The ethnic warrior has become the expression of internationalist solidarity against subordination on the political plane. Hatuey and Martí become objects, bodies serving to contain the expressive elements of their actions, as perceived (“en nuestro concepto”) by the indigenous people of Cuba—the aggregation of people who no longer considered themselves Spaniards. Hatuey, reduced to spirit, serves a changing community and is incarnated in different forms. His Indian-ness is lost within his internationalism and the *mestisaje* that together constitutes the Cuban nation (“cuando ya surge lo que pudiéramos llamar la nacionalidad cubana”).

Castro drives this last point home. Having articulated a position for strong national defense, he describes the size and strength of the Cuban armed forces. He then continues:

I believe that for our Latin American friends, this information that I provide, that is no great secret, is very important. But we have more arms and we will continue to arm the people, organizing and preparing them for battle. Everything is organized, and prepared for the defense of their fatherland are all of the people even though there are insufficient weapons to arm them all. These are no longer

94. *Id.* In the Spanish the passage reads as follows:

Más adelante, cuando ya surge lo que pudiéramos llamar la nacionalidad cubana, la población de esta región tiene una participación activa en la primera guerra de independencia, desde el año 1871 en que las fuerzas cubanas, dirigidas por Maceo, Máximo Gómez y Moncada, penetraron en este territorio, que estaba lleno de esclavos y cafetales, y libraron intensos y victoriosos combates contra las fuerzas españolas.

Cuando aquella guerra que había durado 10 años se reanuda, en 1895, por esta zona oriental del país se produce el desembarco de José Martí, héroe de nuestra independencia, en compañía de Máximo Gómez, una de las figuras internacionalistas más prestigiosa de la historia de América Latina, como había sido también internacionalista en nuestro concepto el indio Hatuey, que, procedente de Santo Domingo, luchó en nuestras tierras. Ellos sembraron simientes de internacionalismo.

Castro Ruz, *supra* note 90.

the times of el Indio Hatuey, nor are they the times when, at the end of our way of independence, there came others to stroll through here opportunistically; now we are a conscious people, organized, patriotic, combative, well prepared, who are afraid of nothing and no one.⁹⁵

Thus we come full circle. The Americans have become the Spanish conquistadores. The Spanish have disappeared as progenitors, having spread their seed throughout the Americas. The Indians have become mother (consider the gender implications of the role of Christina Pérez in the War of Independence) to the Cuban nation. Though the Indians have disappeared, their spirit suffuses the nation.⁹⁶ The mistakes of the past will not be repeated; there will be no defeat at the hands of modern imperialist or colonialist forces. The new native peoples of Cuba have learned from the sacrifices, betrayals, and immaturity of the original natives. The national successors of the Taíno, the Cuban nation as a whole, of which the few Taíno remaining form a blended part and from whose experiences and sacrifices they will profit, will manage the island better than their original predecessors. In this context, what is indigenous becomes a contingent category, whose defining characteristic is

95. *Id.* In the Spanish the passage reads as follows:

Creo que para nuestros amigos y amigas latinoamericanos este dato que les doy, que no constituye ningún secreto, es muy importante. . . . Pero tendremos más armas y seguiremos armando al pueblo, organizándolo y preparándolo para luchar. Organizado está todo, y preparados para defender su patria están todos aunque las armas sean todavía insuficientes. Ya no son los tiempos del indio Hatuey, ni son los tiempos aquellos en que vinieron a pasear aquí oportunamente, al final de nuestra guerra de independencia; ahora hay un pueblo consciente, organizado, patriótico, combativo, bien preparado que no le tiene miedo a nada ni a nadie (APLAUSOS).

Id.

96. The symbolic character of the Indian within the body of the new indigenous population of Cuba was emphasized by studies that continued to suggest that if Indians existed at all, they were limited to a few vestigial racially mixed families that had lost any connection with a pure and authentically Indian past. For a critical perspective, see José Barreiro, *Indians in Cuba*, 13 CULTURAL SURVIVAL Q., Fall 1989, at 56, 58 (vol. 13, no. 3), available at <http://www.hartford-hwp.com/archives/41/014.html> [hereinafter Barreiro, *Indians in Cuba*].

As recently as 18 June 1989 . . . , a Cuban historian. Marta Rey, asserted that the Indian families are limited to two families. the Rojas and the Ramirez. . . . Rey proclaims the Indian families are too racially mixed to be called Indians, and states, with unwarranted rigidity, "There are no absolutely legitimate Indians left in our country."

Id. at 58 n.2.

bound to the territory of the island and its culture. Even an Argentine can become an indigenous member of the Cuban community. Martí makes it possible for Castro to elaborate an indigenous community *without* Indians. Within this new national-indigenous elaboration, the Dominican Indian Hatuey is reborn as the Argentine expatriate—Che Guevara.

V. The Indigenous Community Without Indians

Hatuey has been transfigured. From a Taíno cacique from Hispaniola (Hayti) seeking to preserve the control of Indian peoples over their lands, he has become the first Cuban—foreign born warrior and martyr, whose blood sacrifice ties him not to the Indians of Cuba but to Cuba itself. In the hands of Castro as a link in a long Cuban literary tradition, Hatuey becomes an internationalist revolutionary. The savage made noble by his sacrifice has been transformed into the sum of the idea of his life, for those Indian peoples who came after him were substantially extinguished. The Indian is a foreigner who came to fight for the defense of a nation with which he feels some solidarity (in his case ties of blood—broadly and anachronistically conceived). His greatest gift was his death. For only through his martyrdom was he able to provide his spirit to the cause of internationalism and the defense of territorial space for the people who occupy it consciously as a nation—not the Indians, but the Cubans, of which the Indians may constitute a part, or suffer the fate of the Spaniards.

Hatuey thus became bound up in the figure of Martí. But he is also bound to the spirit of the Catalan Indian woman Christina Pérez. All were foreigners of sorts. Hatuey came from the destruction of Santo Domingo to warn his fellow Taíno of the danger that was coming in the form of Spanish aggression. Pérez also came to Cuba from a land in which its people thought themselves subject to a foreign power, and she absorbed the ways of the people among whom she settled. Martí, though born in Cuba, long lived in exile from the island of his birth and came from the United States to fight against the Spanish and warn the Cubans of the danger lying just to the north. Each landed in Oriente province. Each died there within a short time of landing. Two died fighting and the last was prepared for that sacrifice. And that death lent authority to the meaning of the lives lived, to be tended by acolytes who would use those lives, and whatever writings were produced, to advance the ideas from each in a manner suitable to the times. Hatuey and Martí, stripped of flesh and the inconveniences of their own contextual shortcomings—one an Indian seeking the expulsion of everything foreign, the other a failed man of action doomed to wander as a stranger in the lands of his enemies, enemies

who provided for his support—become the building blocks for the construction of Cuban indigeneity.

And in our own time, Hatuey became bound up in the essence of Che. Che is the essentialized Hatuey of the Cuban Revolution of 1959. An Argentine with a refined sense of the dangers posed by the United States, and a keen sense of the value of servitude to a different ideological aster, he traveled to Cuba to defend it against its internal betrayers and external foes. And he died for his efforts, and died in grand style.⁹⁷

The “Indian” in these men is thus extracted, abstracted, and deployed in the service of causes with respect to which any of them might have found themselves in opposition. Martí would have sought Hatuey’s assimilation into the Cuban nation in a way that Hatuey would have found impossible to reconcile with his own Indianness. Che would have sought Martí’s assimilation into the socialist collective of nationalist workers and peasants in a way that Martí might have found impossible to reconcile with his own ethno nationalist constructions of demos.

Still, the template remains Indian. It continues to serve as the inspiration for Cuban self-consciousness. Yet its strength is founded on a sanitizing process that bleaches the Indian out of the story. That bleaching process is critical to the unity of the Cuban “creation” story of the amalgamation of the Cuban nation out of its disparate parts who thus combined served as the “Other” of postmodern theory,⁹⁸ whose amalgamation provides the critical foundation for liberation from oppression⁹⁹ against a decadent and racist

97. RICHARD L. HARRIS, *DEATH OF A REVOLUTIONARY: CHE GUEVARA’S LAST MISSION* (rev. ed. 2000).

98. Jean François Lyotard has written a particularly useful essay. See Jean François Lyotard, *The Earth Had No Roads to Begin With*, in *POSTMODERN FABLES* 103-12 (Georges van den Abbeele trans., 1997). He refers to the work of Japanese theorists of the World War II period who looked to the vanishing indigenous populations of Japan as a template for the construction of nations out of an absorption of its various parts or its annihilation. Yet, in the case of the Indian, conveniently disappeared, there is also a sense of the complexities of the politics of the “other” within Cuba. Indeed, as Barreiro astutely notes,

The existence of an Indian population and identity in Cuba was vehemently denied for most of the twentieth century, primarily by the Cuban scholar Fernando Ortiz. . . . Ortiz saw the question of Indian identity as a ploy by the right wing to obfuscate black issues. . . . Although he framed the theme of “transculturation” in Cuban letters. Ortiz provided the tree of Cuban multiethnicity with a strictly Ibero-African trunk. The assertion became that all Cuban Indians, purportedly a weak and timid people, were exterminated by 1550.

Barreiro, *Indians in Cuba*, *supra* note 96, at 58.

99. See PAULO FREIRE, *PEDAGOGY OF THE OPPRESSED* (2000). “To surmount the situation

Europe (and eventually the United States as heir to that tradition). The parallels to another martyrdom, and the resulting transfiguration, are ones that cannot be lightly dismissed. The Christological foundations of modern Cuban identity are under-theorized but potent. The cacique of the Indians has been transfigured into the father of the Cuban nation.

VI. The Voice of the Taíno People in the International Sphere: Cuba and the UN Declaration on Rights of Indigenous Peoples

It is with this long and complex history in mind, a history uncovered through a centuries-old literary tradition that included hagiography of sorts, essays, poetry and related literary forms, journalistic essays, and formal political discourse, that one can more readily understand the position of Cuba as it confronted the United Nations Declaration on the Rights of Indigenous Peoples,¹⁰⁰ adopted by the Sixty-first United Nations General Assembly Plenary at its 107th & 108th Meetings in September 2007.¹⁰¹ Speaking after the passage of the Declaration, the remarks of the Cuban representative were summarized in a way that resonated within the peculiarities of Cuban ethnic traditions.

CLAUDIA PEREZ-ALVAREZ (Cuba) noted that ending the isolation and discrimination suffered by the peoples for more than five centuries had been the driving motive of many stakeholders around the world. Noting important milestones in the process, she said the working group had been the first instance to address the question, opening the door for the ancestral claims of indigenous peoples. During the first decade, significant results had been made in the quest for solutions to the problems faced by indigenous communities, including the contributions from the special rapporteur on the situation of indigenous peoples and the establishment of the Permanent Forum on indigenous questions.

The Declaration and its future impact on the work of the United Nations would serve as a guide for future claims of the indigenous

of oppression, people must first critically recognize its causes, so that through transforming action, they can create a new situation, one which makes possible the pursuit of a fuller humanity.” *Id.* at 29.

100. United Nations Declaration on the Rights of Indigenous Peoples, G.A. Res. 61/295, U.N. Doc A/RES/61/295 (Sept. 13, 2007), available at <http://www2.ohchr.org/english/issues/indigenous/declaration.htm> (last visited Jan. 25, 2009).

101. See Press Release, *supra* note 15.

community. The Human Rights Council and its subordinate bodies should follow up for the full implementation of all indigenous people's human rights. The acts of the United Nations in the second decade should not be limited to defining indigenous people's rights. Cuba would continue to support the just claims of indigenous peoples.¹⁰²

For Cuba, support of such a declaration is an easy affair—the Cuban nation constitutes its own indigenous people. The problem of the Indian or other native peoples are those of other states. There is an irony here. For it appears that only states unsuccessful in obliterating their native peoples—in fact or effectively—are to be subject to its strictures. Even Mexico appeared to seek refuge within a more complex version of this stance.¹⁰³

The uses of this stance of indigenous nation without Indians is used to good effect in the many programs devised by Cuba in opposition to the interests of the United States. The combination of the indigenous Cuban and the U.N. Declaration have been used to good effect to strengthen the ties between the members of the Alternativa Bolivariana para los Pueblos de Nuestra América (ALBA).¹⁰⁴

In the context of ALBA, the Declaration has a significant impact on a large sector of the population that comprises the four member states of Bolivia, Cuba, Nicaragua, and Venezuela. As such the official ALBA website lists several articles that directly discuss the Declaration and actions that were taken in accordance with the principles underlying it. An analysis of those contributions nicely evidences the consequences of the great Cuban project to

102. *Id.*

103. *Id.* Mexico's representative

welcomed the adoption of the Declaration and reaffirmed her Government's pride in its multiethnic population. With the anniversary of its independence, Mexico had enjoyed the recognition of its indigenous peoples, who supported the country's national identity. She also welcomed the provisions of the Declaration in accordance with the provisions of Mexico's Constitution. Article 2 of the Constitution recognized the rights of indigenous peoples to self-determination, granting them autonomy to determine their internal form and system of norms for conflict resolution. She understood, however, that the rights of indigenous people to self-determination, autonomy and self-government shared be exercised in accordance with Mexico's Constitution, so as to guarantee its national unity and territorial integrity.

Id.

104. *See* Alternativa Bolivariana para los pueblos de nuestra America (ALBA), <http://www.alternativabolivariana.org> (last visited Jan. 26, 2009).

cultivate the indigenous. Of most note is the piece discussing how the Bolivian government became the first country to unanimously codify the Declaration as a domestic Bolivian law.¹⁰⁵ The law was officially codified as Bolivian law 3760.¹⁰⁶ This action guaranteed the protections afforded by the Declaration to the thirty-six Indigenous nations that reside within Bolivia.¹⁰⁷ This move was seen as a victory by the indigenous groups because it affords them with greater protection from having their lands expropriated without just compensation.¹⁰⁸ It is worth noting that the article explicitly mentions that Australia, Canada, New Zealand, and the United States were the only countries that voted against the passage of the Declaration.¹⁰⁹

The website also posts an article that summarizes and issues a final declaration of the global indigenous gathering, which was held to celebrate the passage of the Declaration.¹¹⁰ The final declaration makes reference to several ideals that form the basis for the formation of ALBA. For instance, it mentions how the imposition of economic systems such as capitalism, characterized by interventionism, wars, and socio-ecological disasters, has been and will continue to be a threat to the mode of life of indigenous people.¹¹¹ Furthermore, it mentions how neoliberal policies geared toward the domination of nature, the control of capital in a few hands, and the exploitation of natural resources have had dire consequences on the planet and resulted in the continued expulsion of indigenous people from their native lands.¹¹²

In particular the article makes mention of how the incessant need by Western civilization to obtain further deposits of oil poses a threat of war in

105. Alternativa Bolivariana para los pueblos de nuestra America (ALBA), Bolivia Elevo a Rango de Ley la Declaracion de ONU Sobre Derechos Indigenas, <http://www.alternativa bolivariana.org/modules.php?name=News&file=article&sid=2430> (last visited Jan. 26, 2009) [hereinafter ALBA, Bolivia Elevo a Rango de Ley la Declaracion de ONU Sobre Derechos Indigenas].

106. Alternativa Bolivariana para los pueblos de nuestra America (ALBA), Derecho de los Pueblos es ley: Presidente destaca avance de reivindicaciones indigenas, <http://www.alternativa bolivariana.org/modules.php?name=News&file=article&sid=2451> (last visited Jan. 26, 2009).

107. ALBA, Bolivia Elevo a Rango de Ley la Declaracion de ONU Sobre Derechos Indigenas, *supra* note 105.

108. *Id.*

109. *Id.*

110. Alternativa Bolivariana para los pueblos de nuestra America (ALBA), Declaracion Final del encuentro Indigena Mundial, <http://www.alternativabolivariana.org/modules.php?name=News&file=article&sid=2389> (last visited Jan. 26, 2009).

111. *Id.*

112. *Id.*

search of this resource.¹¹³ This situation, however, also presents an opportunity to make this millennium one in which equilibrium and complementary actions can be taken so as not to harm Mother Earth.¹¹⁴ Armed with the UN Declaration, the indigenous people of the world can take a more active role in ensuring that their rights are given equal recognition under international law when it comes to protecting the planet.¹¹⁵ The final declaration also makes mention of fourteen mandates that the indigenous people of the world demand that states comply with.¹¹⁶

Although not related to the UN Declaration, the ALBA site also has an article discussing the rejection, by the indigenous people of Guatemala, of the Free Trade Area of the Americas.¹¹⁷ Following in the vein of ALBA, the Guatemalan reasons for rejecting the FTAA focus around the ideas that neoliberal globalization favors the accumulation of wealth, the privatizing of public services, the debilitation of the nation-state, and the impoverishment of the people.¹¹⁸ Similarly, there is an article discussing the fight for national sovereignty and against capitalism by the indigenous people of Mexico.¹¹⁹ In particular it mentions how the advance of capitalism is threatening the rivers, jungles, mountains, oceans, deserts, and air that indigenous people have safeguarded for centuries.¹²⁰

The project of the indigenous has been reduced to its essential politics. And even there, those politics tend to use the indigenous in the hunt for bigger game. In the case of Cuba, the prey is capitalism in general and the current system of free market globalization in particular. For that purpose everything must be bent—including the rights of indigenous people. Of course, for Cuban theorists the relationship is inverted. Capitalism bends the Indian to its purposes. As such, the project of indigenous peoples must be the eradication of capitalism. Within that matrix Cuba can stand apart and pure—it has no indigenous problem because the Island is itself indigenous.

Yet, the view from the Taíno nation, still very much alive in the Caribbean, might be seen as slightly different from the official Cuban position. The

113. *Id.*

114. *Id.*

115. *Id.*

116. *Id.*

117. Alternativa Bolivariana para los pueblos de nuestra America (ALBA), Indigenas Guatemaltecos rechazan politicas neoliberales, <http://www.alternativabolivariana.org/modules.php?name=News&file=article&sid=2389> (last visited Jan. 26, 2009).

118. *Id.*

119. *Id.*

120. *Id.*

United Confederation of the Taíno People,¹²¹ encompassing the Taíno nation across the Caribbean, has understood the difficulty of maintaining Taíno distinctness in the face of Cuban indigeneity. Thus, for example, José Barreiro writes:

In the middle of a housing shortage, current planning in Cuba discourages the building of bohios. They are considered symbols of the “past” and associated with “under-development.” In Cuba, for many years, the bohio-dwelling Guajiro was isolated and subject to harsh and arbitrary mistreatment at the hands of the Rural Guard. Eastern Guajiros in Cuba today have more access to modern conveniences but complain about government regimentation over their agricultural practices and market. They still build many bohios, some quite comfortable, out of the Royal palm.¹²²

It is difficult to reconcile the Cuban position on the Declaration of the Rights of Indigenous People with its own actions in the absence of an understanding of the construction of the indigenous within Cuba. From the Cuban perspective, its actions with respect to traditional Taíno practices do not implicate indigenous practices because the Taíno are not indigenous within Cuba, but are merely part of what in the aggregate constitutes indigenous Cuban culture—a culture centered on the Cuban nation.

As a consequence, these sorts of restrictions on the Taíno are merely economic, and not cultural. On that basis, the Cuban state has been happy enough to sponsor Taíno activities. For example, Cuba hosted a conference of Taíno in Baracoa, Cuba, in 1997 to “explore and celebrate the legacy of the Indigenous Peoples of the Caribbean.”¹²³ The conference comported fully with the rhetorical understanding of Taíno involvement in Cuba expressed by

121. Formed in 1998, the United Confederation of Taíno People has posted a wealth of materials to its website, which can be last visited at United Confederation of Taíno People, <http://www.uctp.org/> (last visited Jan. 26, 2009). For the Taíno, of course, “The Taíno world was centered in the Greater Antilles but extended throughout the Caribbean Region. Interaction and trade was facilitated by the great sea-faring ability of the indigenous islanders.” (El mundo Taíno fue centrado en las Antillas Mayores pero extendido a través de toda la región Caribe. La interacción y el comercio fueron facilitados por la gran capacidad de los marineros indígenas). *Id.* at <http://presenciatainatv.f-snet.com/UCTP/CaribbeanMap.html> (last visited Mar. 4, 2009).

122. Barreiro, *A Note on Tainos*, *supra* note 17.

123. *The Indigenous Legacies of the Caribbean Conference*, LA VOZ DEL PUEBLO TAÍNO (THE VOICE OF THE TAÍNO PEOPLE), Jan. 1998, at 2 (vol. 1, issue 1), available at http://presenciatainatv.f-snet.com/UCTP/Volume1/issue1/UCTP_Newsletter_-_Januar02.html.

Castro in 1985—the focus was historical and also internationalist. It sought to draw commonalities among the peoples of the Caribbean without intruding on the construction of Cuban indigenism. It also suggested at least a slight change in the consciousness of Cuban culture. Migeul Alfonso Martinez, then the Cuban delegate to the United Nations Working Group on Indigenous Populations, opened the Baracoa conference. He was quoted as stating that “although for a long time Cuba has been involved with the cause of the World’s Indigenous Peoples, it has never looked within to its own indigenous reality, this is something we are now working to change!”¹²⁴

I have suggested that this change will be difficult at best and more difficult still to harmonize with more than a century’s efforts aimed at constructing an understanding of the indigenous Cuban as someone other than the “lost” Indian contributors to the indigenous stock of the Cuban nation. And ironically enough, it may well be North Americans who will be instrumental in exhuming and reanimating a different approach to indigenismo in Cuba. In 2002, the United States, through the Smithsonian Institution, appeared to extend a formal recognition to the nation status of Cuban Taínos by returning Taíno remains to the Indian community in Caridad de los Indios, Cuba.¹²⁵ But the ambivalence of Cuba was nicely evidenced by the manner of the return—the remains were received on behalf of the Taíno community by the state Foundation for Nature and Humanity.¹²⁶

124. *Id.* at 3.

125. *Smithsonian’s NMAI Returns Taíno Remains to Cuba*, LA VOZ DEL PUEBLO TAÍNO (THE VOICE OF THE TAÍNO PEOPLE), July-Sept. 2002, at 1-2 (vol. 5, issue 3), available at <http://presenciatainatv.f-snet.com/UCTP/Volume5/JulySeptr2002/index1.html>.

126. *Id.* The remains, however, were to be buried in La Caridad de los Indios by the Taíno community. *Id.* at 2.