

Not From Here, Not From There
No Soy De Aqui Ni De Alla

Autobiography

By Nelson Diaz

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By William K. Barth

Dr. Barth is the author of *On Cultural Rights, The Equality of Nations and the Minority Legal Tradition* (Leiden, Martinus Nijhoff, 2008). He is a graduate of Oxford University, where he earned his doctorate in politics researching multiculturalism and minority groups. Prior to that, Dr. Barth served as an Attorney in the U.S. Department of Housing and Urban Development.

Not From Here, Not From There; No Soy De Aqui Ni De Alla by Judge Nelson Diaz is an autobiography that poignantly highlights the dilemma confronted by a distinguished American jurist who is also the son of Puerto Rican immigrants to the United States. Judge Diaz's book shows how, as for many who come from Puerto Rico families, it was necessary to struggle to master an alien language, English, and to overcome both structural poverty and ethnic discrimination in order to achieve professional success. However, despite his accomplishments, Diaz reveals that he was always plagued by confusion about his own identity. This is a problem that confronts a broad range of minority groups. At the end of his professional journey, Diaz laments that he remained accepted neither by his peers as a Puerto Rican, nor generally as an American (Nuyorican).

The trials confronted by Judge Diaz as a youth are so incredible that it is difficult to understand how any person, native or immigrant, could have overcome them. Now a respected jurist, Diaz was born in poverty, and he was subsequently brought up in New York City housing projects. Somehow, the author discovered an internal strength, for which he credits his mother, Maria Cancel Rodriguez. Next, Diaz had to navigate his way through law school, before going on to successes that, in addition to a prestigious private legal practice, included a White House Fellowship; a Pennsylvania judgeship; a Federal Sub-Cabinet level appointment as General Counsel for the Department of Housing and Urban Development under President Clinton; and a candidacy for Philadelphia Mayor.

Judge Diaz highlights the challenges of the English language that began in childhood and continued through to grade school. Spanish alone was spoken in his household. As a result, the author struggled with academic problems, which included being threatened with physical punishment by his Catholic School sister-tutors for the twin crimes of failure to master English, and practicing his native tongue.

The author's struggles with the English language highlight a fundamental challenge confronted by minority groups, that is, the desire to protect their *minority existence and identity*. Although Judge Diaz, like many American jurists, is not intimately associated with the discipline, international jurisprudence has in fact evolved down to the modern day towards protecting minorities who are affected in the same way as was he. For example, *Article 27 of the United Nations International Covenant on Civil and Political Rights* makes protection of minority *existence* as well as *identity* a human rights obligation of UN member-states including the United States. Minority *identity* comprises three primary components: *language, religion, and education*. International jurisprudence on minority rights sets universal standards that not only make discrimination against minorities unacceptable (*the rule of non-discrimination*), but also protect each minority's unique characteristics, such as its language & religion. In summary, the goal of international law is to encourage states to promote minority characteristics, so that minorities may enjoy their cultural attributes.

Judge Diaz provides the reader with a personal demonstration that the United States has a long tradition of that which is described by political scholar Desmond King as 'one-people nationalism', wherein minority groups have to undergo a process of assimilation that suppresses their ethnical identity in favor of a dominant Anglo-American identity. Early twentieth-century European immigrants such as New York's Italian, Irish and Jewish immigrants followed this model. Diaz describes this policy as he discusses how immigrant Irish Catholics would not accept newly arrived Puerto Rican migrants, who had failed to assimilate by abandoning their Spanish linguistic and Catholic religious traditions. This process was also popularized by the Hollywood movie, *West Side Story*.

International minority rights distinguishes *integration* from *assimilation*. Integration implies that minorities maintain their unique religious or linguistic characteristics as they adopt the host country's culture as part of their own. By contrast, assimilation demands that ethnic groups abandon their prior national character, that is to say, their ethnic characteristics are 'melted' away in the tradition of the American *melting-pot*. It is precisely this melting process that provided the basis for obnoxious coercive assimilation campaigns initiated by nation-states against their weaker, domestic minorities. For example, Canada, the United States, and Australia all promoted *Christianization* campaigns aimed at destroying indigenous culture through residential boarding schools that engaged in coercive assimilation, involving widespread physical and sexual abuse against students for speaking their native tongues or engaging in native customs or religious practices. In addition, the USA established an *Americanization* campaign in Puerto Rico that included the forced imposition of the English language.

The practice of these policies of coercive assimilation against vulnerable minority children by powerful states help to explain the struggles like that which the author endured with his own identity. Hence the book title, *No Soy De Aqui Ni De Alla*. Furthermore, the identity question raised by the author is especially pronounced for subjugated minorities living in post-colonial situations. This is because the long-term effect of discrimination is not merely socio-economic underdevelopment but also psychological impairment, including anxiety and depression. Studies on discrimination reveal the effects of long-term persecution, as some individuals engage in self-blame for the discriminatory regimes, such as reservations, segregation, or colonialism that they endure. This includes engaging in psychological forms of avoidance and denial by giving up their identity of birth. Subjugated indigenous groups such as Native Americans suffer lingering effects of low self-esteem, characterized by high suicide rates, substance abuse, and family violence. This is why scholars maintain that cultural rehabilitation is a pre-requisite for economic and social development, especially for those who live in post-colonial societies.

By contrast with the nostalgia portrayed about colonial rule in Hollywood movies such as *Lawrence of Arabia* or *Mutiny on the Bounty*, colonialism is not a democratic system. Rather, colonialism is analogous to defunct societal institutions that have been relegated to history's trash heap, such as slavery. The author highlights how the colonial powers, firstly Spain and later the Americans, exploited Puerto Rico's gold and sugar-cane resources. The Spanish colonizers crushed the indigenous *Taino (Boricua)* whom Judge Diaz fondly discusses, expressing solidarity with the modern-day efforts to revive Taino culture. Sadly, the Taino were not only enslaved, but also virtually annihilated by the Spanish colonizers' *encomiendas* system of compulsory labor. Diseases brought by colonial settlers, including small pox, influenza, measles, and typhus, along with violence and suicide, decimated the Taino.

Judge Diaz's discussion on colonialism reveals how American companies such as Levi Strauss provided minimal employment opportunities in Puerto Rico, thus perpetuating impoverished socio-economic conditions that included malnutrition and starvation. He painfully describes how his own grandmother, Mina, lost one of her children to starvation. The author's tour of Puerto Rico revealed the country's lack of basic infrastructure, with primitive dirt-track roads, and makeshift zinc-roofed wooden homes without indoor plumbing. Further, Diaz analyzes how Puerto Rico's modern-day debt crisis merely continues the pattern of colonial subjugation. Currently, *forty five percent of Puerto*

Ricans still live below the poverty line, whilst Puerto Ricans lack any voting power in the U.S. House of Representatives. Also, we must remember that the United Nations General Assembly formally proclaimed an end to the practice of colonialism as a crime against humanity with its passage of the *Declaration on the Granting of Independence to Colonial Countries and Peoples (14 Dec 1960)*, which also provided a trusteeship system to assist *dependent peoples* with their transition to self-determination. Diaz's work demonstrates that Puerto Ricans have yet to attain proper self-determination.

Judge Diaz's book serves as an inspiration for all readers about how individuals can overcome adversity to attain the full expression of their personality. Diaz describes not only how he achieved his professional and political accomplishments but also how he fought back against discrimination in all forms by forming coalitions with African Americans, Jewry, Latinos and other subjugated minority groups. One can only hope that Nelson Diaz will resolve his greatest challenge, that is, to overcome his internal confusion about his identity, his being *No Soy De Aqui Ni De Alla*. His personal journey may not only bring him fulfillment, but also help further the cause of Puerto Rican self-determination.