



Latin American Studies Center

The University of Maryland, College Park

**“Unsettled and Nomadic”:
Law, Anthropology
and Race in Early
Twentieth-Century Cuba**

Alejandra Bronfman

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Working Paper No. 9

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“Unsettled and Nomadic”: Law, Anthropology and Race in Early Twentieth-Century Cuba

*“entre el Scyla de la traición y el Caribdis de la
impotencia, allá iba la nave de la embrionaria
República, expuesta a cada instante a zozobrar”*

—J. Buttari Gaunard, 1921

*“for both art and life depend wholly on the law of
optics, on perspective and illusion, to be blunt, on
the necessity of error”*

—F. Nietzsche

On May 20, 1902, the city of Havana celebrated the inauguration of the Cuban Republic. After 30 years of struggle for independence against Spain, followed by two-and-a-half years of US military government, Cuba had achieved sovereignty. Although the reality and extent of that sovereignty were widely debated at the time, as they are by contemporary historians, the day was devoted to festivities marking the departure of the Americans and the beginning of autonomous rule.¹ The

¹ I would like to thank Jeremy Adelman, Kenneth Mills, Richard Turits, Rebecca Scott, Reinaldo Román, Marikay McCabe and especially Stephan Palmié for their comments and suggestions. Support for this project was provided by the Woodrow Wilson Society of Fellows at Princeton University, the Social Science Research Council and American Council of Learned Societies, the Johns Hopkins Latin American Studies Cuba Exchange Program, and the University of Maryland Latin American Studies

institutional contours of the new Republic bore the marks of recent history. One consequence of the complex process linking struggles over emancipation of slaves and independence of Cubans was the participation of former slaves (emancipation was officially declared in 1886) in the Cuban Liberation Army in the war of 1895-1898. In the aftermath of war, political debate took up the problem of the relationship between race and citizenship. The question was simple: who was to be included? Was it to be as straightforward as some claimed, following José Martí (“those good enough to die are good enough to vote”)?² Or would those who worried that the descendants of slaves dragged a political community towards uncivilized backwardness and diseased impotence come to dominate political spheres? In contrast to many freshly baptized democracies which had faced the same dilemmas (the U.S. springs to mind), the new regime, however

Center. For the linked nineteenth-century struggles for independence and emancipation, see Rebecca Scott, *Slave Emancipation in Cuba*, Princeton: Princeton University Press, 1985; and Ada Ferrer, *Insurgent Cuba: Race, Nation and Revolution, 1868-1898*, Chapel Hill: University of North Carolina Press, 1999. For the transition between colony and republic see Louis A Pérez Jr., *Cuba under the Platt Amendment*, Pittsburgh: University of Pittsburgh Press, 1986. On the nature (1986), Jorge Ibarra, *Cuba: 1898-1921, partidos políticos y clases sociales*, La Habana: Editorial de Ciencias Sociales, 1992; Teresita Yglesia Martínez, *Cuba: primera republica, segunda intervención*, La Habana: Editorial de Ciencias Sociales, 1976; Hugh Thomas, *Cuba: The Pursuit of Freedom*, New York: Harper & Row, 1971; Anuario de Estudios Cubanos, *La república neocolonial*, La Habana: Editorial de Ciencias Sociales, 1973.

² José Martí, “Mi Raza”, in *Obras Completas*, Havana: Editorial Nacional de Cuba, 1963, vol. 2, pp 299-300. My translation. Martí’s race-transcendent ideology was nonetheless fraught with unresolved tensions between the need to overcome race and the admission of the impossibility of that aim: Martí’s strategy amounted to an attempt to overcome by forgetting.

ambivalently, acknowledged the military participation of former slaves through its adoption of formal legal equality and universal male suffrage.³

If nationalist ideology and legal structures were predicated on a universalizing conception of citizenship, the celebrations of May 20, 1902 revealed a heterogeneous polity. While official ceremonies solemnly lowered American flags and raised Cuban ones, elsewhere in the city several groups of mostly black residents marked the occasion by gathering to play drums and dance. A swift and repressive response suggests just how problematic cultural heterogeneity was to state officials. Police officers raided at least two of these groups, arresting their members and bringing them in on charges of *asociación ilícita*, or illicit association. As evidence that they had gathered for unlawful purposes the police collected a number of objects that they found at the sites of the celebrations. The lists of objects were long, totaling 72 in one case and 13 in another. They included not only the drums and costumes worn by the revelers, but also a small jar filled with herbs, a crucifix, a bowl, several pebbles, a plantain, three fried fish, a broom, a chicken, a bandana, five hats, and four candles.

A few days later, Police Captain Carlos Masso Hechavarría invoked the collection as dangerous and definitive proof that the groups were not merely random gatherings but meetings of secret societies known as *ñáñigos*, widely thought of as a shadowy cult whose practices were purportedly linked to African religions and superstitious beliefs. An aura of violence laced descriptions of the arrested individuals, who were said to engage in murderous feuds

³ See Alejandro de la Fuente, *A Nation for All: Race, Inequality and Politics in Twentieth Century Cuba* (Chapel Hill: University of North Carolina Press, 2001), for debates leading to the adoption of suffrage.

with rivals and enemies.⁴ The accused were convicted and sent to jail. By contrast the objects became peripatetic, traveling from the houses in which they were seized to the police station, the courthouse, and finally the University of Havana's museum of anthropology, exemplifying what James Clifford has called the "unsettled, nomadic existence of non-Western artifacts."⁵

Thomas Holt contends that studying the making of race entails an examination of many levels of social action—ranging from the global to the everyday—and requires alertness to the linkages between them: "the everyday acts of name calling and acts of exclusion are minor links in a larger historical chain of events, structures, and transformations anchored in slavery and the slave trade."⁶ This essay follows the objects as they journeyed between religious, legal and scientific institutions, seeking to explicate the variety of meanings the objects took on in each context. It argues that as they circulated, these objects served as links between discursive fields and in doing so animated race-making on multiple levels, as understood by Holt. At the same time, I suggest that the notions of race that emerged with the

⁴ Archivos Nacionales de Cuba, Audiencia de la Habana, "Proceso de asociación ilícita," Legajo 214 #5, and Legajo 223 #4. On *ñañiguismo*, see Enrique Sosa Rodríguez, *Los Ñañigos*, Havana: Casa de Las Américas, 1982; Lydia Cabrera, *Anaforuana: Ritual y símbolos de la iniciación en la sociedad secreta Abakuá*, Madrid: Ediciones R, 1975.

⁵ James Clifford, "Objects and Selves," p. 244 in George Stocking Jr. (Ed.), *Objects and Others: Essays on Museums and Material Culture*, Madison: University of Wisconsin Press, 1985.

⁶ Thomas C. Holt, "Marking, Race-Making, and the Writing of History," *American Historical Review* 100, no. 1 (February 1995): pp. 1-20. Holt also stresses that "everyday" does not necessarily refer to "non-elite," a point which cannot be overemphasized.

nomadic objects were fragile concepts that required frequent reinforcement and were subject to disruption by a number of interlocutors. If the objects circulated, literally, on the ground, they took on meaning in the midst of and in relation to transformative “large processes,” including the growing trans-Atlantic hegemony of scientific discourses, state formation in Cuba, decolonization, and neo-colonialism.⁷

⁷ I have borrowed this provocative term from Charles Tilly, *Big Structures, Large Processes, Huge Comparisons*, New York: Russell Sage, 1984. My analysis of the meaning of objects, especially in the context of cultural exchanges, is informed by a provocative set of texts that includes William Pietz, “The Problem of the Fetish, I” in *Res* 9 (Spring 1985): pp. 5-17; Pietz, “The Problem of the Fetish, II” in *Res* 13 (Spring 1987): pp. 23-45; Pietz, “The Problem of the Fetish, IIIa” in *Res* 16 (Autumn 1988): pp. 105-123; Nicholas Thomas, *Entangled Objects: Exchange, Material Culture, and Colonialism in the Pacific*, Cambridge: Harvard University Press, 1991; Arjun Appadurai, “Introduction: Commodities and the Politics of Value” in Appadurai (Ed.), *The Social Life of Things*, New York: Cambridge University Press, 1986; Igor Kopytoff, “The Cultural Biography of Things: Commoditization as Process” in Appadurai (Ed.), *The Social Life of Things*; Patricia Spyer (Ed.), *Border Fetishisms: Material Objects in Unstable Spaces*, New York: Routledge, 1998.

FROM VOICE TO RITES

Historians of post-emancipation Cuban society have argued persuasively that formerly excluded Cubans took advantage of political openings to exercise voice,⁸ widening old channels of contention with new legal and ideological leverage. During the War of Independence (1895-1898), both soldiers and officers of color deployed José Martí's inclusionary ideal of Cuban nationalism and citizenship in defense of their rights and privileges.⁹ After the war, some blacks were able to rely on relationships and patronage networks consolidated through participation in the Liberation Army to advance their claims.¹⁰ Even before the war, journalist and political figure Juan Gualberto Gómez had institutionalized struggles against discrimination through the *Directorio de las Sociedades de Color*, founded in 1892.¹¹ Though the *Directorio* split into the *Comité de Veteranos*

⁸ I am using Albert O. Hirschman's notion of voice, as explicated in his *Exit, Voice, and Loyalty*, Cambridge: Harvard University Press, 1970.

⁹ See Ada Ferrer, *Insurgent Cuba*.

¹⁰ Rebecca Scott, "Reclaiming Gregoria's Mule: The Meaning of Freedom in the Arimao and Caunao Valleys, Cienfuegos, 1880-1899," forthcoming, *Past and Present*. See also Zeuske, "The *Cimmarón* in the Archives: A Re-reading of Miguel Barnet's Biography of Esteban Montejo" *New West Indian Guide* no. 71 vol. 3 & 4 (1997): pp. 265-279.

¹¹ Tomás Fernández Robaina, *El negro en Cuba, 1902-1958: Apuntes para la historia de la lucha contra la discriminación racial*, Havana: Editorial de Ciencias Sociales, 1990; Pedro Deschamps Chapeaux, *El negro en el periodismo cubano en el Siglo XIX*, Havana: Ediciones R., 1963; Aline Helg, *Our Rightful Share: Afro-Cubans and the Struggle for Equality, 1886-1912*, Chapel Hill: University of North Carolina Press, 1995.

and the *Sociedades de la Raza de Color* in the early twentieth century, their vocal and visible stance against discrimination continued.

New political parameters informed and shaped voice in the Republic. Universal male suffrage introduced a significant number of new voters into the political arena. The power of voters of color was understood by all political parties, who themselves competed for the black vote by promoting black politicians and promising jobs and favors to constituencies of color. Politicians of color took advantage of the opportunity to press for their demands, create patronage networks of their own, and move to higher levels within the reigning social and political hierarchies.¹²

The battles for greater inclusion were protracted, and the outcomes inevitably unsatisfactory to some. But to a certain extent, as Alejandro de la Fuente has argued, the nationalist rhetoric and significant numbers gave white Cubans little choice but to accept blacks into the political arena and vie for their support. Struggles over the limits and contents of citizenship colored political conflict and negotiation. At one end of the spectrum of concepts of citizenship resided an integrative vision of political inclusion that transcended racial difference with claims about participation, fraternity, and national solidarity.¹³ This was elaborated upon a notion of Cubans of color as loyal and grateful members of a national community. As Ada Ferrer has argued, political exigencies contributed to the construction of *mambises* as non-threatening and cooperative soldiers in an

¹² Alejandro de la Fuente, *A Nation for All* and Thomas Orum, “The Politics of Color: The Racial Dimension of Cuban Politics During the Early Republican Years, 1900-1912,” Ph.D. diss., New York University, 1975.

¹³ See De la Fuente, *A Nation for All*.

ideologically unified war.¹⁴ Many black politicians aimed, at least in their public rhetoric, to overcome inequality by emphasizing the transcendent aspects of nationalist ideology.¹⁵

Many black politicians, mindful of a modernist nationalist vision, tended to downplay, if not excoriate, African-derived religions, which many of them deemed primitive and uncivilized. None of the views of citizenship held by black politicians included a defense of these practices, even if, somewhat paradoxically, the Liberal Party might engage a group of 'drummers and dancers' for a political rally. Yet evidence such as that confiscated on May 20, 1902 suggests that rituals and practices formed part of the fabric of everyday life. Indeed, for those celebrants on the first day of the Republic, religious celebration was an idiom through which participation as members of the newly inaugurated polity was expressed.

Ritual objects seemed to play a key role in these practices. Although we do not have first hand accounts by the celebrants on

¹⁴ Ferrer, *Insurgent Cuba*, especially Chapter 5.

¹⁵ A more bellicose claim, made most adamantly by the *Partido Independiente de Color* between 1907 and 1912, pointed to unfulfilled promises, continuing discrimination, and social and political marginalization, turning in the end to a confrontational strategy that ended tragically with the massacre of hundreds if not thousands of blacks in Oriente. For the organization and history of the *Partido Independiente de Color* and the 1912 uprising, see among others Serafín Portuondo Linares, *Los Independientes de Color*, Havana: Editorial Librería Selecta, 1950; Tomás Fernández Robaina, *El negro en Cuba, 1902-1958*: Havana: Editorial de Ciencias Sociales, 1990; Thomas Orum, "The Politics of Color;" Alejandro de la Fuente, *A Nation for All*; Rafael Fermoselle, *Política y color en Cuba: La Guerrita de 1912*, Montevideo: Editorial Geminis, 1974; Aline Helg, *Our Rightful Share*; Louis A. Pérez Jr., "Politics, Peasants, and People of Color: The 1912 'Race War' in Cuba Reconsidered" in *Hispanic American Historical Review* 66 (August 1986): pp. 509-39.

this particular date, scholars of African-derived religious practices have observed the ways similar objects were used in complex ways to satisfy ritual requirements as well as forming part of healing rituals. It is beyond the scope of this essay to provide a full analysis of the religious beliefs and systems at play, but even the most tentative conclusion would include a sense that in these religious spheres objects, in their “irreducible materiality,” proffered power to their users.¹⁶

However, as a result of new protections and growing repression, these practices and the stuff with which they were conducted became an increasingly contentious issue in debates over race, deviance, and citizenship. Guided by a variety of imperatives, police, judges, social scientists, and intellectuals scrambled to understand what they could about this curious presence in their midst. Authorities frequently deemed the constellation of practices referred to as *brujería* (witchcraft) and *ñañiguismo* related to, if not quite coterminous with, African-derived religions.

While the distinctions between them were never clear, “licit” religious practices were more often linked to *cabildos*, while the “illicit” ones, *brujería* and *ñañiguismo*, were thought to maintain

¹⁶ Pietz, “The Problem of the Fetish, I.” For discussions of religion and the meanings and uses of ritual objects, see for example Stephan Palmié, *Wizards and Scientists: Explorations in Afro-Cuban Modernity and Tradition* (Durham: Duke University Press, 2002); Wyatt MacGaffey, “The Eyes of Understanding: Kongo Minkisi” in Wyatt MacGaffey and Michael Harris (Eds.), *Astonishment and Power: Kongo Minkisi and The Art of Renée Stout*, Washington, D.C.: Smithsonian Institution Press, 1993; David Brown, “Toward an Ethnoaesthetics of Santería Ritual Arts: The Practice of Altar-Making and Gift Exchange” in Arturo Lindsay (Ed.), *Santería Aesthetics*, Washington, D.C.: Smithsonian Institution Press, 1996; Susan Legene, “From Brooms to Obeah and Back: Fetish Conversion and Border Crossings in Nineteenth-Century Suriname,” in Speyer (Ed.), *Border Fetishisms*.

alternative institutions, or even more dangerously to flit among and between *cabildos*, private homes and public spaces. *Cabildos*, similar to confraternities in structure and purpose, had housed practitioners of African religions until the late nineteenth century, when they splintered and reorganized as mutual aid societies and diverse *sociedades*, some retaining their religious tenor and others becoming more secular. While their more mysterious and maligned counterparts, *brujos* and *ñañigos*, engaged in similar (at least to the untrained eye) practices, most notably public drumming and dancing sessions, they were also suspected of engaging in violent rituals including murder and cannibalism.¹⁷

The state controlled and monitored associations by requiring them to request permission every time they planned rituals or meetings. If they received permission, very often the drumming was limited to a few hours in the afternoon. Other times, officials forbade these events, not on (non-existent) legal grounds or even because rituals or celebrations were intrinsically harmful, but more for what their persistence might reveal about the city's level of progress towards civilization.¹⁸ One such request made during the U.S. Military Government (1899-1902) reached the North American governor. In it, Cornelio Delgado, President of the African Lucumí Association, asked the governor to review his application, denied by Cuban mayor Alejandro Rodríguez, for permission to "use their drums." The Governor deferred to the

¹⁷ It is difficult to provide an accurate portrait of *ñañiguismo*, as secrecy was a primary characteristic. What I am trying to do here is understand the official documentation and to underscore that its categories and assumptions often differed radically from those of the religious practitioners they sought to describe.

¹⁸ Scott, *Slave Emancipation in Cuba*; and Oilda Hevia Lanier, *El Directorio Central de las sociedades negras de Cuba, 1886-1894*, Habana: Editorial de Ciencias Sociales, 1996. See also Castellanos and Ortiz for vivid albeit problematic descriptions of *cabildos*, *ñañigos*, and *brujos*.

Mayor, who persisted in his refusal, arguing that “spectacles of the kind are improper at this stage of civilization, and reflect on the dignity and culture of a city, and are detrimental to order, under whatever aspect they are considered.”¹⁹

State-sponsored descriptions of all African-derived religions and rituals —especially their obscure and purportedly more sinister incarnations, *brujería* and *ñañiguismo*— referred to them as vestiges from the former era, marks left by Spanish colonialism and slavery. In his testimony one police captain stated that “this association has been persecuted and punished by law since time immemorial.”²⁰ Another described *ñañigos* as a “long-standing secret and illicit society that was the governors’ constant nightmare in the colonial era.”²¹ Observers characterized *brujería* similarly, as an “African fetishism or cult that was imported to Cuba by enslaved blacks.”²² Ironically, although they were portrayed as vestiges of the past, it was a more recent legal change that both created protections for these practices and provided the means with which to repress them more effectively.

¹⁹ U. S. National Archives, RG 140, Entry 3, #6725 1/2, January 4, 1901.

²⁰ Declaración de Masso Hechavarría, Capitán de Policía, Audiencia de la Habana, #214-5, Archivos Nacionales de Cuba.

²¹ Luis Sánchez Martínez, *Guía del Policía Cubano*, Imp. Comas y López, 1914 (2nd ed.): p. 269.

²² Sánchez Martínez, p.208. This vituperative rhetoric stands in contrast to a more deflationary tone used by nineteenth-century observers of *ñañiguismo*, one of whom wrote that “the rhetoric that has always surrounded the activities of the *ñañigos* has given them more importance than they actually deserve” (José Trujillo, *Los Criminales de Cuba*, Barcelona, 1882, p. 363).

CLASSIFICATION, CRIMINALIZATION

The legal system in place in 1902 was a hybrid consequence of Cuba's particular brands of colonialism and neo-colonialism. Until 1899, law in Cuba had emanated from Spain. When the Americans arrived, they initially planned a complete overhaul of the legal system. Instead, once they realized how overwhelming a task that would be —especially since there was no single collection of all the royal decrees and laws— they decided to amend as necessary, whenever problems arose. In practice, military orders issued during that period were wide-ranging, often seemingly arbitrary, and far from comprehensive. They included rations for soldiers, taxes, the organization of the Military Governor's cabinet, and the administration of cemeteries. The Department of Justice and Public Instruction in charge of legal reconfigurations created a Supreme Court, as Cuba was no longer under the jurisdiction of Spain's court. To complicate matters further, the Cuban Constituent Assembly adopted a constitution modeled on the United States' in 1901.²³

It is not my aim to explicate a labyrinthine and evolving legal system. Instead my goal here is to understand how the changing legal landscape affected those practices that defined the margins of citizenship. The penal code, written in Spain in 1870, was extended to Cuba in 1879 and remained in place until 1936, surviving two US occupations and the volatile politics of the

²³ John R. Brooke, *Civil Report of Major-General John R. Brooke, US Army, Military Governor of Cuba*. Washington: Government Printing Office, 1900.

Republic.²⁴ In it, an illegal association was defined as an association which “by its purpose or circumstance is contrary to public morals.”²⁵ According to this code *ñañiguismo*, but not *brujería*, fell under the rubric.

The definition of “public” would prove a key issue in efforts to repress unorthodox religious practices. In the penal code’s section on crimes against public order, the “public” was anything directly related to or representative of the state. Thus the principal crimes against public order were rebellion, which was any act that revealed open hostility to the government, and sedition, defined as the prevention of the execution of laws or the exercising of his duty by any authority, resistance, disobedience, or acts of disrespect towards any authorities or representatives of the state. In addition, damaging railroad tracks or intercepting telegraph lines was considered a disturbance of public order, as was destroying or injuring “pictures, statues or any other public monument of usefulness or ornamentation.”²⁶

Related to the notion of public order was that of public health. The code’s definition of offenses against public health included the manufacture and circulation of substances injurious to people, the dissemination of “chemicals capable of causing great destruction, the alteration of food or beverage such that it becomes toxic, and the sale of contaminated food and beverages.” Finally it deemed it unlawful for anyone to “throw into a spring, cistern, or river the water of which is used for drinking purposes,

²⁴ Julio Carreras, *Historia del estado y derecho en Cuba*, Havana: Editorial Pueblo y Educación, 1981, and *Spanish Rule in Cuba: Laws governing the Island*, New York: 1896, p. 35.

²⁵ *The Penal Code in Force in Cuba and Porto Rico*. Washington: Government Printing Office, 1900. Article 180 #1.

²⁶ *Penal Code*, pp. 58-65.

any object which should make the water injurious to health.”²⁷ Reliance on this code alone would make it quite difficult to prosecute *ñañigos*, who often gathered under the auspices of a legal association, and especially *brujería*, since it cannot have been too difficult to avoid violating any of the above prohibitions.

On the other hand, constitutions created freedoms, however limited, that protected non-Christian religious practices. As a result of particular moments in which liberalism dominated in Spanish law-making bodies, Cubans had received a number of civil rights during the course of the nineteenth century. In 1881, Cuba adopted Spain’s constitution of 1876. This constitution, written by opponents of enforced religious unity, retained Catholicism as the official state religion but for the first time allowed the private practice of other religions.²⁸ Twenty-five years later, Article 26 of the 1901 constitution went even further, though it came with a proviso: it declared that “all religions and cults enjoy freedom of worship, as long as they respect Christian morals and public order.”²⁹ Despite the difficulties involved in the rehabilitation of a bedraggled state, the Americans did manage to effect “the quiet severance of church and state”³⁰ in Cuba.

There was thus a complicated relation between *ñañiguismo*, *brujería* and the law. Since *brujería* did not exist as a crime, it

²⁷ *Penal Code*, pp. 76-77.

²⁸ Raymond Carr, *Modern Spain 1875-1980*, Oxford: Oxford University Press, 1980, p. 8.

²⁹ Sánchez Martínez, *Guía*, p. 226.

³⁰ Brooks, *Civil Report*, p. 15.

was technically impossible to arrest anyone for practicing it.³¹ *Ñañiguismo* was easier to persecute, as it was deemed illegal in 1876. However, the freedom of religion loophole created with the Constitution of 1901 meant that anyone charged with illicit association could claim innocence and protection by arguing that they were engaged in religious practices. Paradoxically, although the changing legal climate promoted greater freedoms it also formulated new ways to transgress the law. If Article 26 loosened previous restrictions on non-Catholic religions, it also defined these newly liberalized religious practices as potential disruptions of public order. The definitions were slippery and the consequences indeterminate.

A sizable gap opened between the (uncertain) letter of the law and the aims of law enforcers. Police Chief Sánchez Martínez’s guidelines for the police reveal one strategy for negotiating these layers of law. He affirmed that African cults, or *brujería*, had become more difficult to restrain or regulate because of the Constitution’s 26th article granting religious freedom. That, and in Martínez’s eyes, the unfortunate absence of a law explicitly directed at ordinary rituals and ceremonies which might be “uncivilized and illicit,” meant that police were forced to limit themselves to charging *brujos* for holding large disruptive gatherings or having “objects and artifacts pertaining to their cult” in their possession. Yet even the possession of objects was not technically illegal. Sánchez Martínez reveals that despite this setback, he had found a way to convict *brujos* for possession of objects. He found the solution in sanitation regulations, which stated that “it is forbidden to accumulate or deposit in any house, room, cellar, patio or other locale trash, leftovers, bones, or any

³¹ See Stephan Palmié, *Wizards and Scientists: Explorations in Afro-Cuban Tradition and Modernity* (Durham: Duke University Press, forthcoming), for an astute discussion of the complex Spanish colonial legal apparatus surrounding but never quite criminalizing *brujería*.

other materials likely to decompose and which might bother the neighbors or emit unpleasant odors.” Decaying objects, then, would finally provide the stuff from which convictions would be assured.³²

Although the notion of public order had surpassed its technical legal boundaries in nineteenth-century campaigns against prostitution, vagrancy and street disturbances, it had never before been tied so explicitly to religious practices. The possession of suspect objects, as threats to the public health, was an even more concrete way to effect a conviction. Even so, the things in question were sometimes presented as evidence without any reference to their role in marring public health. “Illicit association” became the catch-all accusation against those thought to be engaging in sinister practices, but since some of those practices fell outside the official definition, the charges were always ambiguous. At the same time, this shift in legal discourses introduced a distinct meaning of race. If a political lexicon had attributed loyalty and gratitude to Cubans of color, in this instance a legal lexicon attributed disloyalty to the modern secular nationalist project to those who engaged in African-derived religious practices (even as it grudgingly granted their right to engage in those practices). Grafted onto an understanding that former slaves had earned their place as an integral part of the nation was an anxiety about the presence of Cubans of African descent as an obstacle to its progress.

The ways those arrested proceeded to defend themselves reflected the ambiguity of the charges. The accused relied on the layered hierarchy of criminalization to claim that perhaps they had been dancing, but not with *ñáñigo* suits on. They either claimed ignorance about the objects in question, or maintained that they were utilized in the dances. One accused admitted that he and his companions had been dancing with suits on, but that they had also

³² Sánchez Martínez, *Guía*, pp. 208-209.

done so the day before without any reaction from the police, who had been standing by on the street corner. The owner of the house began by invoking his patriotism, asserting that they were “celebrating the flag.” He admitted that they didn’t have permission for the gathering, but insisted that the sticks, brooms and chicken were nothing more than decoration.³³

The police were crucial as mediators of convoluted laws. The Detective Bureau, a special division of Havana’s police department, infiltrated groups they suspected of questionable practices, attending their gatherings and collecting information about their activities. One such report, written in December of 1900, narrated a number of rituals in vivid detail. The author skeptically describes the ceremonies of what he calls “several forms of *brujería*.”³⁴ Patronized “by the colored people and those of the lower classes,” the witches or *brujos* discerned clients’ problems and then performed rites in order to alleviate these ills. Most commonly the *brujos* were consulted about “problems of love” or “problems with enemies.” The writer’s sense that these people were charlatans and their practices nothing more than lucrative schemes informed his description of the ways *brujos* and their partners lured people in and took their money. Yet despite his cynicism, he observed the rituals carefully. With an eye for detail he noted that the *brujo* “then spreads a small carpet rug upon the floor, placing upon it pictures with the images of several saints, a lighted candle and other articles... he then takes a rosary bead made of small white shells and wood and after praying a few moments throws it also upon the rug... the heads of these fowls are placed at the feet of the images already referred to, together with

³³ Archivos Nacionales de Cuba, Audiencia de la Habana, *Proceso de asociación ilícita*, Legajo 214 #5, and Legajo 223 #4.

³⁴ RG 140, Entry 3: Letters received (Box 105), File #4163, December 21, 1900. Anon to the Chief of the Habana Detective Bureau.

various scraps of food, stones stained with blood and some small white shells. This is called '*La Comida de Santa Bárbara*.'"³⁵ These detectives might be called Cuba's earliest ethnographers of the hybrid religious practices of Cubans of color, marking the move from armchair research to participant observation earlier than any Cuban anthropologist. Latter day extirpators of error and misbehavior, the police produced detailed information to inform and justify their enforcement of often vaguely defined laws. Knowledge about the rituals would enable them to recognize objects of *brujería* they might otherwise mistake for meaningless detritus, things such as the bowls, drums, hats, pebbles and shells that were brought in with the accused.

Yet this knowledge was not uniformly absorbed by all the police staff, as revealed by the way they treated these things over several years of handling them. Court records reveal a recurrent uncertainty as to how to handle these alternately sacred and burdensome objects. In one case, a judge reports to the Rector of the University the successful transfer of objects from court house to museum, excepting the "uncured goat skin, plantain, white yams, corn, and other items that are difficult to preserve, as contrary to hygienic practice,"³⁶ which had to be thrown out because they were rotting and the smell was becoming unbearable.

In 1910, a single case revealed the shifting narratives surrounding these objects, as they were encompassed variously in chemical, forensic, and judicial discourses. A handwritten note parceled out instructions for certain items. First, the judge ordered an inquiry as to several that were missing: five eggs, one pair of socks and one candle. Then he asked that forensic doctors

³⁵ Report to Detective Bureau, p. 1.

³⁶ Archivo de la Universidad, Universidad de la Habana, Secretaría General, Expediente Laboratorio y Museo Antropológico #334, 1901. Letter from Presidente de la Audiencia de la Habana to Rector de la Universidad, August 2, 1902, p. 12.

determine whether the bones found at the site were human. Finally he requested that the herbs and mysterious oily substance be sent to the *Laboratorio Nacional*, in order to determine their chemical content and extrapolate from that the possibility that these were substances used in *brujería*. The conclusions were instructive: the Laboratory reported that the seeds found in the plants were poisonous, and that the oily substance was “manteca de palma,” a necessary ingredient for the practice of *brujería*. On the other hand, the rest of the items failed to make much of an impression. When the *Juez de Instrucción* wrote, not having heard anything, to ask whether the “five small eggs, one pair of socks and one of the three candles that were seized along with other objects” survived the transfer from *juzgado de instrucción* to *juzgado correccional*, a puzzled *juez correccional* wrote to the police to see if they could account for the whereabouts of the missing items. The police wrote back, claiming that they sent them. At that point any aura of criminality or sacrality faded away, as the judge reduced them to insignificant bits: “given the lack of value of said items” he wrote, “which could have fallen during the transfer from the police station to this court, since it was effected in an ambulance car on which they had been carelessly placed, I ask that this statement be accepted as an accounting of their whereabouts.”³⁷

In *On Longing*, Susan Stewart has analyzed the relation of narrative to its objects: an object cannot be understood without the narrative that explicates its identity.³⁸ In the case of the arrested groups, the meaning of the objects was one of the main points of contention in determining the nature of the offenses. The outcome

³⁷ Archivos Nacionales de Cuba, Audiencia de la Habana, Sala 2ª de lo criminal, Juzgado de instrucción de la sección tercera, Causa 261, 20 abril 1910, Legajo 205 #10, “*contra Lucio Veitia y 23 procesados más por asociación ilícita.*”

³⁸ Susan Stewart, *On Longing*, Baltimore: Johns Hopkins University Press, 1984.

of the trials and the criminalization of a set of practices depended on the multiple narrations of drums, clothing, brooms, shells and bits of food as everyday possessions, sacred objects, carriers of magic, mere decoration, or threats to public health. Whether sacred objects were invested with awesome powers, evidence of nefarious activities, the prosaic stuff of everyday, or degrees of all three, these objects left the police offices and circulated between legal and scientific institutions. Out of that circulation emerged a concept of race linking crime, biological race and cultural artifact.

CACOPHONOUS COLLECTION

The courts sent the confiscated objects to the Museum of Anthropology following a request by Luis Montané, Professor of Anthropology, Director of the Museum, and Dean of the University of Havana's Faculty of Arts and Sciences. Not long after the trial, the Rector of the University initiated the transfer with a letter to the President of the *Audiencia* communicating Montané's request. On at least two occasions between 1902 and 1903 the museum received a number of objects including drums, a lantern, candlesticks, *ñáñigo* suits, sticks, feather dusters, *polisones* (girdles), brooms, knives, an iron ashtray, and a crucifix. The next shipment included one suit, drums, feather dusters, sticks with leather, a ceremonial staff, a crucifix, and a *maxo de escoba amarga*.³⁹ Montané and the rector both expressed profuse gratitude to the President of the *Audiencia*, who had so quickly complied with their requests.⁴⁰

The objects arrived at the museum at a moment of institutional transition and growth. The Military Government (1899-1902) had embarked on a plan of reform and renewal of educational and scientific institutions. With the intention of reorganizing the University of Havana, military order #250 of December 28, 1899 had created a series of new academic departments and appointed their chairs. One of the results was the institutional consolidation of anthropology, until then a diffuse

³⁹ It may be the case that some of these confiscated objects were household items taken by accident in the sweeps conducted by police. (Suggested by Reinaldo Román in a personal conversation.)

⁴⁰ Archivo de la Universidad de la Habana, Secretaría General, Expediente Laboratorio y Museo Antropológico #334, 1901, pp. 14-15.

and nonprofessionalized, although increasingly influential, pursuit of the study of "man." The new Department of Anthropology and Anthropometric Exercises was to be headed by Luis Montané and supplemented with empirical materials from the Museum of Anthropology, at that moment a dusty and directionless set of display cabinets.⁴¹ The Military Government also provided support, primarily in the form of a new building, to the struggling Academy of Sciences (*Academia de Ciencias Médicas, Físicas y Naturales de la Habana*), which had once been the institutional center of scientific activity but more recently had faltered as much of its membership dispersed during the war.

Cuban scientists noted enthusiastically that the American presence had provided symbolic as well as material aid to local scientific institutions. In a letter to a colleague and co-member of the Academy, Dr Tomás Coronado interpreted the occasion of Cuba's hosting the upcoming third Panamerican Medical Congress as a sign of Cuba's acceptance into the international scientific community. Cuban input would be important at the Congress because local conditions, including "our climate, our soils, and even the degree of civilization we have achieved, modify and change the characteristics of diseases that proliferate here, in an environment so different from that of Europe." Coronado was certain that they would complement "research

⁴¹ Military order #250, December 28, 1899. Also named as professors were Carlos de la Torre y Huerta, Raimundo Castro y Allo, Antonio Govin y Torres, Jose González Lanuza, Eusebio Hernández, and Diego Tamayo. Tamayo and González also received political appointments at the time. Archivo de la Universidad de la Habana, Expediente #365, Administración Secretaría General, 1900.

performed simultaneously throughout the Americas” and international scientific culture would flourish.⁴²

According to Coronado, the War of Independence and subsequent U.S. occupation had benefitted Cuban science in two ways. First, the Cuban doctor Carlos Finlay’s discovery of the causes and ultimately the cure of yellow fever, most prevalent amongst American soldiers, placed Cuba on the cutting edge of scientific progress. This enabled Coronado to argue in a Panglossian way that the war had provided an opportunity for Cuba to demonstrate its “right to freedom and sovereignty and its love of science.” Indeed, Coronado viewed U.S.-Cuban relations through rose-tinted (and perhaps rather thick) glasses: “the mere acceptance of Cuba by the United States as the host of the Third Congress,” he claimed, “is an explicit acknowledgement of our independence.”⁴³ On the eve of Leonard Wood’s departure from Cuba, the Academy thanked the General for his contributions and assured him that he would leave behind a deeply grateful group of scientists.⁴⁴

Social and political conditions in the period immediately following the war proved beneficial to the status of the professions in general and medicine in particular, as struggling former landowning families turned to professional careers in hopes of preserving social status.⁴⁵ The rising status of professionals was reflected in politics as they were awarded

⁴² Anales de la Academia de Ciencias Médicas, Físicas y Naturales, v. 37, 1900-01, p. 42.

⁴³ Anales de la Academia de Ciencias Médicas, Físicas y Naturales, v. 37, 1900-01, p. 44.

⁴⁴ Anales, v. 38, 1901-2, p. 7.

⁴⁵ Ross Danielson, *Cuban Medicine*, Portland: 1975.

government appointments with increasing frequency. Diego Tamayo, a doctor, served as *Secretario de Estado y Gobernación* under Leonard Wood and as *Secretario de Gobernación* under Estrada Palma, until political wrangling during a stevedores' strike forced him out of office. Tamayo also served as president of the Academy of Sciences during Wood's tenure, and was instrumental in ensuring the renovation of a convent in order to house the Academy as well as the shipment of evidence to the museum.⁴⁶

It was through Tamayo and others in similar positions that the relationship between the state and science became deeply entrenched in projects of mutual assistance and mutual legitimation. In an address to the academy only five days before the end of the US military government, with both Leonard Wood and Estrada Palma present, Dr. Enrique Barnet made a case for the interdependence of science and the state. State power must be used, he argued, to disinfect the population and protect them from disease. Since only a healthy populace could meet its social obligations and enjoy its individual rights, it was the role of law and social policy to express the public conscience and ethical values of the state through campaigns to fight disease and accompanying degeneration.⁴⁷

⁴⁶ *Homenaje al Dr. Diego Tamayo y Figueredo*. Special session held December 10, 1921. Academia de Ciencias Médicas, Físicas y Naturales. La Habana: Rambla, Bouza y Cía. 1922. "Diego Tamayo: Hombre Público," conference given at the Ateneo de la Habana by Dr. Evelio Tabío, Magistrate of the Supreme Court of Cuba, Vice President of the Instituto Nacional de Criminología, President of the Asociación Nacional de Funcionarios del Poder Judicial. La Habana: Imp. Fernández y Ca., 1956.

⁴⁷ Enrique Barnet, "Concepto actual de la medicina," Academia de Ciencias Médicas, Físicas y Naturales, Session held on May 15, 1902.

If medicine promised to eradicate disease, the relatively new discipline of anthropology, or "the study of man," offered knowledge about the relationship between race and disease. In his first speech to the *Sociedad Antropológica*, Aristides Mestre, who would in later years head the University's Department of Anthropology, direct the museum, and write extensively on anthropology and archaeology, laid out the promise and purpose of anthropology. Drawing from classical and enlightenment sources such as Buffon, Blumenbach and Aristotle, as well as from French craniometrist Paul Broca, Mestre argued that the study of politics, as a modern positivist science, ought to intersect the study of "man." If politics was to concern itself with the laws of collective behavior, it must direct attention to the study of "peoples, of both their physical characteristics and their customs, in other words, with ethnography."⁴⁸ Mestre's basic unit of analysis was race and his principal concept heredity, which, if properly understood with regard to natural selection and biological laws, could be applied to the analysis of politics.

Ultimately, he argued, the brilliance of a nation rested entirely on the races that constituted it. Cuba's history had created a particularly interesting case: since colonization had introduced a number of different races, it was an ideal laboratory in which to study racial mixture. He acknowledged that since some of the races introduced were inferior, anthropology would prove particularly useful in addressing, as he put it, "the delicate problem of criminality." In the end his theories of race, heredity and degeneration were a (not untypical) combination of Darwinian and Lamarckian claims about evolution and

⁴⁸ Aristides Mestre, "La Política moderna y la ciencia antropológica: el problema de la colonización," Habana: Soler, Alvarez y Cía., 1887. Speech delivered during full session held at the *Sociedad Antropológica* on October 7, 1887 and later published by the *Revista Cubana*, p. 8.

physiological change. If his European training shaped a theoretical viewpoint in which, as George Stocking has written, “in the mixed Darwinian/Lamarckian context of late nineteenth-century biological thought these cultural evolutionary sequences took on a racialist character,” his position as a Cuban scientist allowed him to throw more races into the experimental data set.⁴⁹ Mestre held both that particular races had specific physical and psychic characteristics and that climate, disease and even food could affect those characteristics in inheritable ways. Straddling different paradigms, he argued that races were capable of both degeneration and progress.⁵⁰ The task was to understand “man” and “race” with a set of approaches, bundled under the rubric of anthropology, but including ethnography, history, archaeology, statistics, and analysis of religions. While Mestre was studying Cuba’s race problem he also intended to contribute to the honing of anthropological theory, a field dominated by European scientists. Moreover, his proposals allowed him to study exotic races without traveling further than the marginal neighborhoods of Havana or, at most, its nearby plantations.

As the marriage of state and science matured in the Republic, scientists remained attached to a bundled conception of anthropology. The *Anales* of the Academy of Sciences included an essay by Dr Jorge Le-Roy y Cassá discussing the effects of climatological change and promulgating the new techniques of anthropometry, a report by a naturalist on local archaeological findings speculating as to the outlines of Cuba’s vanished Indian

⁴⁹ George Stocking, “Paradigmatic Traditions in the History of Anthropology,” in *The Ethnographers’ Magic and Other Essays in the History of Anthropology*, Madison: University of Wisconsin Press, 1992, p. 351.

⁵⁰ See Stocking, *Race, Culture, and Evolution: Essays in the History of Anthropology*, Chicago: University of Chicago, 1982 [1968], p. 48.

culture, a philosophical essay on Haeckel, the German zoologist who developed recapitulation theory, and a debate between two lawyers over Lombrosian theories of innate criminality.⁵¹ A capacious conception of anthropology together with the belief that it intersected with a number of disciplines allowed for the coexistence of an array of different (yet all “scientific”) understandings of race and its significance in social and political life.

The only trained anthropologist on the island, Montané himself promoted the cacophony. Montané was born in Cuba but had spend most of his childhood and youth in France. Educated in Paris as a physician, he became interested in anthropology and studied with Paul Broca, who had made craniometry “a rigorous and respectable science” in late nineteenth-century France.⁵² Returning to Cuba in 1874, he presided over the founding of the Anthropological Society in 1877.⁵³ Montané forged ties with European and American anthropologists, participating in US-initiated archaeological expeditions in search of Indians and

⁵¹ *Anales de la Academia de Ciencias Médicas, Físicas y Naturales*, v. 38, 37, 40.

⁵² Stephen Jay Gould, *The Mismeasure of Man*, New York: Norton, 1981, p. 25.

⁵³ A society not of anthropologists, but of doctors, lawyers, and literary scholars interested in anthropological questions. A. Lafuente, A. Elena, and M. L. Ortega (Eds.), *Mundialización de la ciencia y cultura nacional*, Aranjuez: Doce Calles, 1993; Manuel Rivero de la Calle (Ed.), *Actas de la sociedad antropológica de la isla de Cuba*, Havana: Comisión Nacional Cubana de la Unesco, 1966.

representing Cuba at several international conferences.⁵⁴ As a professor he taught both physical and juridical anthropology and supported Mestre's teaching of "philosophical" anthropology, which included visits to mental hospitals and prisons.⁵⁵

As soon as he claimed authority over the museum's holdings, Montané began to collect. One of the first things he did as curator was to write to the rector requesting that the medical school send both normal and deformed skulls, so that his students would have the material with which to practice anthropometry. As his mentor Paul Broca practiced it, the measuring of body parts and especially skulls was meant to confirm the polygenetic belief that races were distinct species. The introduction of Darwinist evolutionism had not eliminated polygenist thought but rather altered it so that it complied more or less with the demands of evolutionary theory. Thus Broca's aim, according to his colleague Paul Topinard, was to use his assumption that brain size was directly correlated to intelligence to "determine the relative position of the races in the human series."⁵⁶

⁵⁴ Aristides Mestre, "Montané en la Antropología Cubana," speech delivered during homage session held on April 29, 1938. Habana: Imp. La Propagandista, 1938. Louis Montané, "Rapport sur l'état des sciences anthropologiques a Cuba," in *Bulletins et Memoirs de la Societé d'Anthropologie de Paris*, V serie, Tome dixième #4-5, 1909, pp. 370-375.

⁵⁵ University of Havana, Secretaría General, Expediente 301. *Memoria Anuario correspondiente al curso académico de 1900 a 1901*. Havana: Imp. M. Ruiz, 1902.

⁵⁶ Gould, *The Mismeasure of Man*, p.86 (from Topinard, 1878, p. 660). See also Stocking, *Race, Culture and Evolution*, on postulations revealing a close relationship between polygenist thought and Broca's brand of physical anthropology: ". . .the assumption that the cultural differences of men were the direct product of differences in their racial physical structure, the idea that the distinguishing physical differences between human races were virtually primordial; the idea that the most important of these

In 1903, Montané received the brain of an executed murderer sent by the president of the *Audiencia de Santa Clara*, along with a note in which he asserted the scientific value of the brain. Included as well were a long description of the crime, the process of conviction and sentencing to hang, and a character analysis that included details of the convict's behavior just before dying. The author repeated his suggestion, already presented to the Secretary of State and Justice, that the anthropological museum ought to be the repository of all the skulls and brains of criminals who had died in prison. Montané was fortunate enough to receive the brains of Domingo Bocourt and Victory Molina, two men of African descent executed in 1906. Accused of killing a little white girl, Zoila, in 1904 and of using her blood and body parts for ritual purposes, by the time they took their places at the Anthropological Museum the controversy surrounding the accusations had sown the seeds of what would be an longstanding Cuban obsession with *Negros Brujos*.⁵⁷

That these contributions were deemed valuable at all is a reflection of the introduction of the theory, formulated primarily by the Italian anthropologist Césare Lombroso, linking evolutionary stages to criminality with claims to the physical and

differences were those involving the human skull and brain and the assumption that out of the heterogeneity of modern populations there could be reconstructed types which were representative of the pure races from whose mixture these modern populations derived." p.56.

⁵⁷ See also Reinaldo Román, "Conjuring Progress and Divinity: Religion and Conflict in Cuba and Puerto Rico, 1899-1956." Ph.D. diss., University of California at Los Angeles, 2000; Stephan Palmié, "Una Salación Científica: The Work of Witchcraft and Science in Cuban Modernity," in his *Wizards and Scientists*; Aline Helg, *Our Rightful Share*, pp. 109-14; and Alejandra Bronfman, "Reforming Race in Cuba, 1902-1940," Ph.D. diss., Princeton University, 2000, for accounts of the Zoila case.

therefore measurable manifestations of those characteristics. Lombroso's theory of atavistic criminality explained the existence of what he called "born criminals" by positing that mistakes of nature could reverse evolutionary progress and produce "evolutionary throwbacks in our midst."⁵⁸ Criminals, who behaved like the savages they were, were fortunately visible to society through physical markers that revealed their dangerous nature. Criminal brains would then prove useful in the more precise identification of those features that signaled atavism and degeneration.⁵⁹

Lombrosian theory linked race to criminality under the cover of evolutionary thought. According to his theory, which ranked races according to level of civilization, the atavistic savages of the evolutionary past had not quite disappeared in the modern world, persisting as what he called "inferior peoples." Committed to morphology as the indicator of criminality, Lombroso mapped the propensity to crime onto entire races.⁶⁰ Since Montané taught Lombrosian theory to his anthropology students at the University, the donated brains would have proven convenient for illustrative purposes.

The museum also held artifacts from archaeological excavations. During the late nineteenth and early twentieth century archaeologists had conducted a number of expeditions in search of traces of the island's original inhabitants. The discourse directing the "search for the Indian" was very different from the

⁵⁸ Gould, *The Mismeasure of Man*, p. 124.

⁵⁹ Lombroso responded to criticisms, settling ultimately on a rather uneasy combination of degeneration and atavism to explain innate criminality. See Daniel Pick, *Faces of Degeneration: A European Disorder, c. 1848-1914*. Cambridge: Cambridge University Press, 1989.

⁶⁰ Gould, *The Mismeasure of Man*, p. 125; Césaire Lombroso, *L'Uomo Criminale*; Pick, *Faces of Degeneration*.

emerging discourse linking race and crime. It was instead more reminiscent of an older (and kinder?), gentler ethnological tradition, dominant before the discipline’s seduction by positivism and “the allure of numbers.”⁶¹ Cubans imagined the Indian with a nostalgic view of vanished purity and integrity more resonant of Rousseau or Las Casas than Spencer or Lombroso.⁶² “The place in our prehistory ought justly to be reclaimed” wrote one scientist, “it ought to be known that the peoples of our past possessed this knowledge, that a just historical science claim their merit, appreciate their merit, and do away with the longstanding stigma as ‘savages,’ which opinion has only been fed by ignorance and with a desire to obfuscate the truth.”⁶³

Finally the museum displayed the confiscated objects whose trajectory this essay has traced. Historians of anthropology have followed the journeys and classifications of other artifacts as they oscillated between the scientific and aesthetic, moving from anthropology museum to art museum, exhibited “in context” or as “masterpieces.”⁶⁴ Yet few, if any, have observed objects passing through a stage as criminal evidence before becoming cultural artifacts. Arjun Appadurai has suggested that things have social lives, taking on different meanings and performing different

⁶¹ Gould, *The Mismeasure of Man*, p. 74.

⁶² See Stocking, *Race, Culture and Evolution*.

⁶³ Enrique Gómez y Planos, “Prehistoria de la Isla de Cuba,” *Anales*, v. 37, December 9, 1900, p. 72.

⁶⁴ Elizabeth Williams, “Art and Artifact at the Trocadero: Ars Americana and the Primitivist Revolution;” and James Clifford, “Objects and Selves,” in Stocking (Ed.), *Objects and Others*.

functions as they travel between contexts.⁶⁵ The trajectory of the objects taken during the arrests of “*ñáñigos*” reveals their importance both in the production of knowledge about the world of unorthodox religious practices and in the institutionalization and legitimation of anthropology and science. In addition, the objects as artifacts/evidence informed an emerging concept of race, the local version of a larger trend in which “the racial hierarchy of nineteenth-century polygenism and the cultural hierarchy of the eighteenth-century historians became part and parcel of one scheme of universal organic evolution.”⁶⁶ The objects’ trajectory through the courts and metonymic relationship to their former owners rendered them the overdetermined material evidence of this reconfigured evolutionary scheme. Torn from their context as the ritual stuff of an alternative belief system, they were put in boxes (literally) and understood to lend empirical weight to the imbrication of race, crime and evolution.

But if proximity and familiarity with the cultures on display enabled this overdetermined formulation of a racial scheme, it was precisely those qualities which destabilized fixed categories of “primitive” and “civilized” on which that scheme was based. Ultimately, it was difficult to pin *brujos* and *ñáñigos*, as represented by their seized and peripatetic possessions, to a less evolved past⁶⁷ and argue from there about the progress of Cuba towards civilization. Not only were these groups and associations a visible and vocal presence in the social life of the city, the

⁶⁵ Appadurai (Ed.), *The Social Life of Things*. See also Kopytoff, “The Cultural Biography of Things,” for a discussion of transitions between commercial and non-commercial spheres.

⁶⁶ Stocking, *Race, Culture and Evolution*, p. 121.

⁶⁷ Johannes Fabian, *Time and the Other: How Anthropology Makes Its Object*. New York: 1986.

boundaries between elite politics and uncivilized “disturbances” were never clear. The Liberal Party, for example, was known to have cultivated relationships with “African” *sociedades*, which embellished Liberals’ populist appeals during election campaigns with their music and dances. Nor was the boundary between the intellectuals shaping the nascent science of anthropology and the Afro-Cubans whose possessions became objects of study clearly defined. In 1912, Ramiro Guerra, Secretary of the “*culto de Santa Bárbara*,” submitted a letter with drawings of drums to the provincial governor of Havana, with copies to the governor’s secretary, the president of the Republic, and Montané, director of the museum. “On this date” he wrote, “I present to you the drawings of drums used to produce the music the cult of Santa Barbara uses in its civic and religious festivals.”⁶⁸ He sent the letter and drawing just after the 1912 uprising, when the massacre and its aftermath contributed to a heightened suspicions of things “Afro-Cuban.” As if to preempt misunderstanding that could lead to persecution, Guerra took matters in his own hands and rendered potentially suspect objects legitimate in official eyes through his deft descriptions. As a mediator between a religion which understood itself very differently from official descriptions, and the state which produced those (mis)understandings, his translation was intended to deflect persecution.

By the same token, the purpose of the objects’ confinement was never entirely clear in official eyes. Word of the museum’s new acquisitions reached the highest levels of government. In August, the Secretary of State and Justice conveyed to the

⁶⁸ Instituto Literatura y Lingüística, Fondo Fernando Ortiz, Carpeta 34C. See Elazar Barkan and Ronald Bush, *Prehistories of the Future: the Primitivist Project and the Culture of Modernism*, Stanford: Stanford University Press, 1995, for a discussion of the ways in which the appropriation of objects destabilizes distinctions between savage and civilized, as the act of appropriation inevitably mixes violence with aestheticism, inadvertently valorizing what it sets out to excoriate.

Supreme Court the thoughts of Tomás Estrada Palma, President of the Republic, on the matter of the objects' future. He noted that it would be beneficial in a number of different ways for the things to remain at the museum: first, they would serve as examples for analogous cases, second, they could be displayed "*como cosas curiosas*" —as curiosities. Finally, he argued that the penal code's Article 61 requirement that objects of illicit commerce be "rendered useless," i.e., not be used again, could be accomplished by keeping them at the museum.⁶⁹

New legal structures and the growing status of science offered new modalities in which to shape racial theories and practices. Yet if one tried to read from the above statement or the museum's variegated collection the purpose of anthropology in the eyes of the state, one would derive a view of a rather undisciplined discipline. In effect, it called into question the kinds of distinctions drawn by museums in other contexts. Rather than creating a clear line between the "national body" and the "non-civilized other," this museum displayed the "non-civilized other" as part of the national body itself. Not only was there a lack of clarity between categories ("national" and "other"), there was a great deal of messiness *within* categories as well. The multiplicity of understandings underscores Stocking's argument that "in spite of the all-embracing etymological singularity of the term anthropology, the diverse discourses that may be historically subsumed by it have only in certain moments and places been fused into anything approximating a unified science of mankind."⁷⁰ Anthropology, with its bundled understanding of

⁶⁹ Archivos Nacionales de Cuba, Audiencia de la Habana, Legajo 223 #4, 24 Mayo 1902, against Pascual García Almirante and Juan Llanes Basallo for "*asociación ilícita*."

⁷⁰ See Bennett, *The Birth of the Museum*, for this interpretation of the function of museums. Stocking, *The Ethnographer's Magic and other Essays in the History of Anthropology*. Madison: University of Wisconsin

race, cannot be described as a totalizing agent of the state, ordering a coherent past, and displaying that past to the public. Rather, shaped as it was by Broca's French school, older ethnological concerns with culture grafted onto new Lombrosian concerns about criminality and a nostalgic archaeological pursuit of Indians, it is perhaps more convincing to say that it engaged in “feverish imagining” of its past and its present.⁷¹ To these feverish imaginings the objects lent concrete manifestations. Yet their peripatetic roamings suggest just how unstable the narratives encasing them were. Far from consolidating in this period, understandings of race multiplied.

Press, 1992, p. 346.

⁷¹ See Benedict Anderson, *Imagined Communities: Reflections on the Origins and Spread of Nationalism*, London: Verso Press, 1991, especially Chapter 10.

LA DISCIPLINA QUE CULTIVAMOS: THE FUTURE OF THINGS

This imagining continued throughout the first quarter of the 20th century, as the museum continued to collect but also continually shifted the source of its materials, following different logics at different times. Scientific fashion, local events, international ties and professional relationships, pragmatism, and cost-effectiveness alternated in providing the impetus for acquisitions. The museum's changing collecting strategy shows how protean the science of race was in the first part of the twentieth century. Increasingly interested, apparently, in displaying a universalistic story of the evolution of races, rather than a museumized "display of the nation," the Montané museum began to gather specimens from international sources. The museum of ethnography in Buenos Aires sent some (unspecified) items after Professor Montané traveled there for the *Congreso Científico Internacional Americano* in 1910. Almost a decade later, the directors of the Montané museum were drawn into the commercialized traffic in skeletons and other samples practiced by North American companies such as the Anatomical Laboratory of Charles Ward. Ward's company offered more than the standard "busts, life masks, 10 model brains of the races of man and other basic necessities." It also offered special items: "the heads of American Indians, he wrote in 1919 to Aristides Mestre, then director of the Montané museum, "described on page 121 are still priced as in catalogue. They are particularly good, and very cheap."⁷²

⁷² Archivo de la Universidad de la Habana, Expediente #390, Administración Secretaría General 1900, "del *catedrático de la escuela de ciencias Dr Luis Montané y Darde*." Personal archive of Professor M Rivero de la Calle, Carpeta 4, note from Ward to Mestre, December 1, 1919.

By 1930, another shift in the organization of knowledge and disciplines had transformed the Montané Museum into the Museum of Legal Medicine. The sources are silent on this transition, but by 1930 the Museum of Legal Medicine seems to have absorbed all of the Montané holdings, except the archaeological artifacts which remained at the University, making anthropology and criminology a subcategory of legal medicine. This change was apparently important enough to be commemorated in an article written by four prominent intellectuals. Raimundo de Castro, professor of legal medicine at Havana’s medical school, Israel Castellanos, at that time director of the *Laboratorio Central de Antropología Penitenciaria*, and two assistants, Juan Blanco Herrera and E. Valdes Castillo, co-authored a pamphlet apparently meant for public consumption, describing the purpose and holdings of the museum. Seeming to forget its recent history of looking outward for donations and acquisitions, the pamphlet smooths the restless history of the museum’s holdings with a teleological account that situates objects and body parts in a natural and national order of things as representatives of “the Cuban.” The museum had received its justification, according to these authors, at the 1906 Congress of Criminal Anthropology in Turin, whose participants had declared that “the Congress advises that each Government gather all confiscated objects, which might otherwise be neglected or even destroyed, in a museum which will greatly contribute to the legal studies and assist the police.” It would thus fulfill many functions in Cuba, including “responding to the needs of the University, to the teaching program of Legal Medicine in the Medical School in Havana, and to an international accord.”⁷³ The national quality of

⁷³ Raimundo de Castro, Israel Castellanos, Juan Blanco Herrera, E. Valdés Castillo, “El Museo de la Cátedra de Medicina Legal de la Universidad de la Habana,” Havana: Imp. El Universo, 1930, p. 5.

the museum mattered, not because of some misplaced chauvinism but because, they argued, the materials it held were important contributions to emerging disciplines. The Cuban museum boasted specimens from races not available in Europe. Thus the Cubans had found “normal” examples of blacks, whites, and mulattos as well as locating and putting on display specimens of the criminal and the insane for each of the races. Finally, the collections of objects related to *brujería* and *ñañiguismo* proved an asset the authors boasted of as evidence of the uniquely Cuban criminal types, who remained little understood by the international scientific community.

When the objects settled in 1930, at least long enough to become part of a published description of the institution housing them (under the rubric of “*Etnografía Criminal*”), they did so alongside a still cacophonous collection meant to represent the full range of subcategories falling under the rubric of legal medicine. This collection included specimens of hair, human and animal, (under the category “Hair”), sculptures made from bread crumbs and an “*aero-buey fantástico*” crafted by inmates at the *Hospital de Dementes de Cuba* (under “Psychiatry”), watches made by Cuban inmates of the national prison, coffee made by inmates of Sing-Sing in New York (under “*trabajos de criminales*”), assorted skulls, assorted bones, a scrap of skin with a tattoo on it which had belonged to a mulatto, bits of bones rescued after an explosion in an explosive factory (“*piezas diversas*”), guns, and works of art depicting *ñáñigo* processions or groups of doctors taking the Hippocratic Oath.⁷⁴

If the museum would bring to light the full range of Cuban crime, physiological and psychiatric aberration, it could also, according to the authors, unite the nation as a community of collectors in the service of science. Their aim was a patriotic one:

⁷⁴ De Castro, Castellanos, et al. “El Museo,” pp. 8-16.

“we hope, in the end, that all lovers of scientific progress, will, from the remotest corners of the nation, wherever there may have been an interesting autopsy, a necroscopy which clarifies the cause of a death, or if some anatomico-pathological specimen is found that may explain a death, we hope that those who are interested will gather those items and donate them to the Museum of Legal Medicine in Havana to further the pursuit of knowledge.”⁷⁵ The convergence of these fragments in the Museum, they assured, would light the “eternal lamp of glory for the culture of the *patria*.” The museum, paradoxically, didn’t fix meaning as much as provide a venue for the rewriting of meaning of objects collected under the sway of intellectual fashion, financial constraints, and nationalist aspirations.

⁷⁵ De Castro, Castellanos, et al., “El Museo,” p. 8.

CONCLUSION

This essay has examined the making of race in a period of transition. Just as state and citizen were reconfigured to allow for a relative expansion of rights and opportunities to express political voice, the unorthodox versions of citizenship came to be more zealously policed. As a result of legal transitions ritual objects whose original meaning and purpose derived from a complex set of religious practices served as evidence that those who used them were committing crimes against public health. Paradoxically, provisions about rights to religious practice meant that African-derived religions were immune from prosecution even as law enforcers and state officials imagined them to be a blight on progress and civilization. The heightened legitimacy of positivistic science provided new tools with which to encase and redefine threatening practices. Out of this legal, political and scientific conjunction was elaborated a set of understandings of race, in which Cubans of African descent, especially those presumed to be linked to African cultural practices, were deemed deviant, unfit for citizenship, and thus occupying a very ambiguous position in a national scheme. These understandings ran counter to both colonial and official nationalist ideologies. As colonial subjects, Cubans of African descent had been either slaves or freed workers whose religious practices were of little interest to a ruling elite. In nationalist discourse, Cubans of color had achieved the status of citizen, however ambivalently predicated on a promise of their good behavior. In the newly independent Republic, Cubans of color seemed to come under much more intense scrutiny than ever before, a scrutiny which produced contradictory notions of African-derived religions and their practitioners as at once powerful, threatening, incoherent, and fascinating. Ultimately the objects and their owners refused clear categorizations. The final stress must remain on the transitional nature of the early Republic, as law and anthropology

shifted with competing currents, and the objects on which they focused never stood still.

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