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Monday, July 15, 2013

A Latina Law Professor's Personal Perspective after the Zimmerman Trial Verdict by Professor Maritza Reyes

By Immigration Prof



When Dean Kevin Johnson invited me to submit this blog posting with my reaction to the Zimmerman case, I initially told him I would have to think about it. As a lawyer, I have been trained to be objective when looking at a case and to narrow my assessment to the evidence as presented pursuant to the evidentiary rules, but it is hard for me to do that in this case. I hesitated to speak out because this case is personal to me. After reflection though, I concluded that I must share my personal perspective. Legal scholars have a duty to lend our voices on issues that impact law and society, including on those issues that are personal. As a law professor, a Latina, a mother, a resident of Florida, and a person who loves this country, there is no way for me to avoid feeling the personal aspect of this tragedy. Further, my hope is that as more of us see the personal in racial injustice and oppression, we as a country will move closer to equality.

The child who was killed, Trayvon Benjamin Martin, could have been my son or my brother. Trayvon lived in an area of Miami where I grew up. In fact, Trayvon attended the same high school in Miami as my two sons; and, during one of those years, he attended at the same time as my youngest son. Like my sons and me, Trayvon was a Miami Heat fan. Trayvon's friend, Rachel Jeantel, the last person to speak with Trayvon, attends the same high school that my brother and I attended years ago. I also know Benjamin Crump and Daryl Parks, the lawyers who represent Trayvon's mother and father. One of my former students, Shayan Modarres, has also assisted in the representation of Trayvon's family.

But even if the personal circumstances that I have described were not present, this case would still be personal to me. A child left home to get some snacks and did not return home because he was killed; this is a parent's nightmare. There are pictures of Trayvon where he reminds me of my brother when he was around his age. President Obama made a similar familial association last year when he voiced his condolences to the family and stated that if he had had a son he would have looked like Trayvon. I also see similarities between Trayvon's facial expressions and my sons' facial expressions in pictures beginning in the preschool years. The mother in me aches for the loss of a teenager who wore clothes similar to what my oldest son wore when he was a young teenager like Trayvon.

It is personally frustrating for many of us when it often takes this type of tragic incident to open a conversation about the legacy of race and racism as it continues to morph among people of all races in today's United States. Many Americans want to obviate the obvious—race matters in our daily interactions and in institutional systems. When I first saw the news report of Trayvon's shooting, the facts of the case caught my attention: an African-American teenage boy from South Florida was shot and killed in Central Florida by a White man who was following him while the teenager was walking home from the store with Skittles and an iced tea in hand. Police documents and 911 witness accounts initially described the shooter, George Michael Zimmerman, as White. After accusations of racism began to emerge, some media outlets reported that Zimmerman has a White father and a Latina mother (an immigrant from Peru). The phrase "White Latino" began to permeate media coverage. After the accusations of racism continued, Zimmerman's family also disclosed that he has African ancestry on his mother's side of the family.

Whether Zimmerman is considered to be White or White Latino, the elephant of race has been in the room since the beginning of the events that led to the Zimmerman prosecution, but many actors in the institutional systems have been afraid to tackle the subject in a straight-forward, aware, educated and informative manner. Here I am not labeling Zimmerman a racist because I do not know enough about him to make such a judgment. But I am recognizing that the reactions of some Americans to this incident, including the sadness that many are feeling after the verdict and the lack of criminal punishment, are more than reasonable when judged against the background of the history of race and racism in the United States. This evolving history includes the current trends in our criminal justice system which investigates, charges, prosecutes and punishes nonwhites more harshly than Whites. Further, history, as outlined in case law, suggests that the lives of nonwhites are valued less in the legal system and in society than the lives of Whites.

The case is personal as I know too well about racial profiling. My son was sometimes profiled while walking and while driving in our own neighborhood. I remember warning my son that his Latino appearance and his urban streetwear clothing may cause some people to make negative assumptions about him, even though he was a straight "A" student who earned admission to and graduated from an Ivy League university. I feel the pain of every mother who must issue these warnings to her children. Other family members and I have been profiled as potential criminals or "illegal aliens." This is why I understand the reaction of those Americans who identified racial profiling as the reason why Zimmerman chose to follow Trayvon. Racial profiling personally impacts and harms, so we must be able to discuss and remedy it as a society. Sometimes these conversations are halted when others have knee jerk reactions to claims of racial oppression in America and seek to silence this reality. But we must overcome this fear of talking about race and racism because silencing the dialogue will not make real problems go away.

I hope that one of the legacies of Trayvon's life will be that we will ask ourselves what we can do individually to foster racial equality. We should personally explore whether there are explicit and implicit racial biases that cause us to act and react in one way or another, depending on another person's race, in our interactions. We should also analyze whether we spend our lives voluntarily segregated within our own racial groups without getting to know, really getting to know, people of other races. Sure, we may be forced to interact with people of different races in workplaces, but these interactions are not voluntary, are often superficial, and may even cause opportunities for acting on conscious and unconscious biases. Then, when we go home, to church, or to school, statistics show that voluntary segregation within our own racial groups is the norm for a majority of Americans. This was not the dream of Dr. Martin Luther King, Jr.

Let's make racial equality and racial justice personal. Our communities, including schools, churches and work environments are places where we can combat racism and racial stereotypes. We can begin by welcoming and establishing meaningful, personal connections with people of all races. Admittedly, it may be easier to feel comfortable interacting beyond our racial groups for those of us who grew up playing and forming bonds with people of different races since we were children. However, it is never too late, even as adults, to open ourselves to genuine and deeper interactions with people of different races. I grew up in a diverse community in Miami and attended public schools where children of different races shared our daily lives at school and in our homes, became lifelong friends and even formed family-like bonds. I learned early on that I share a common humanity with people beyond socially constructed races and that people of all races have the same propensities for good and evil. Therefore, race should not be the measure for assumptions or suspicions about people. And when racial assumptions create oppression, all of us should take it personally.

I pray that communities across the nation will come together to share and understand our particular and similar struggles, histories and perspectives. In order to personally see ourselves in the pains and wrongful oppressions of others of different races, we need to get to know each other and care about each other regardless of our races. Racial equality must be embraced as an American project that requires solidarity between people of all racial groups. Solidarity should not be limited to our own racial group; otherwise, such a limitation becomes an impediment to the accomplishment of Dr. King's dream. We need to move toward human solidarity. And this could be a part of Trayvon's legacy. I send my prayers and sympathy to Trayvon's parents, his brother, other family members and friends.

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<https://lawprofessors.typepad.com/immigration/2013/07/a-latina-law-professors-personal-perspective-after-the-zimmerman-trial-verdict-by-professor-maritza-.html>

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