

## ON TWO ITALIAN PUBLICATIONS BY THE CUBAN ANTHROPOLOGIST FERNANDO ORTIZ (1881-1969)

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### ABSTRACT

*Fernando Ortiz was a Cuban anthropologist as well as one of the most prominent figures in 20<sup>th</sup>-century Latin-American culture. His interests spanned from law to criminology, from anthropology to sociology, from psychology to ethnomedicine, and from folklore to musicology. In this paper, we will focus on two essays that he wrote in Italian, "Criminality of the Black in Cuba" and "Criminal superstitions in Cuba". Noteworthy is the relationship between Ortiz and the Italian school of criminology. He spent several years in Genoa where he met Cesare Lombroso, one of the leading figures of the "positive school". Ortiz drew inspiration from Cesare Lombroso and contextualised these ideas in Cuban society.*

**Key words:** *Fernando Ortiz, criminal anthropology, criminal superstitions.*

DOI: 10.19193/0393-6384\_2017\_3\_069

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**Received** November 30, 2016; **Accepted** February 02, 2017

### Biographical notes

Fernando Ortiz<sup>(1-2)</sup> was not only one of the most prominent intellectuals in the recent history of Cuba, but also one of the most representative figures in 20th-century Latin-American culture. He was born on 16 July 1881 in Havana; his father was Spanish and his mother was Cuban. Some years later, his family moved to Minorca, in the Balearic Islands, where he attended primary and secondary schools. He studied law at the universities of Havana, Barcelona and Madrid. After his PhD, between 1903 and 1906, he worked in Cuban diplomacy as First Secretary of the Consulate in La Coruna, Marseille and Genoa. He spent several years in this city in Liguria, where he attended uni-

versity courses and met the criminologists Cesare Lombroso and Enrico Ferri among others. Then he went back to Cuba, where he became university professor at the Faculty of Law, teaching various subjects in the field. In the following years, he was actively engaged in politics (from 1931 to 1933 he lived in voluntary exile in the United States, since he did not approve of the type of government established in Cuba). All his life, he was passionately involved in organizing and promoting cultural activities (he published books and articles, edited various series, and founded and directed scientific societies). As a scholar, he devoted himself to anthropological research from early on, at first of a criminological nature (which was closer to his background in law).

He later dedicated himself increasingly to the study of Cuban society which was the astonishing result of multiple and mutual exchanges among deeply different cultures (black and white, Spanish-Americans and Africans, Christians and animist-polytheists, etc.). Moreover, Ortiz is also attributed the introduction in anthropology of the term “transculturation”<sup>(3-4)</sup> which his colleague and friend Bronislaw Malinowski (1884-1942) contributed to spreading at international level<sup>(5)</sup>.

He lived in the center of Havana in an art nouveau house (“Villa Isis” which was named after the daughter he had from his first wife). We know how his study was and what kind of books were in it, when a visitor at the end of the 1930s wrote that “Near the shelves packed to the ceiling with books of law, etymology, psychiatry, with works of Dante and Unamuno, near heaps of magazines of poetry, politics, folklore, among the dusty cases full of yomba rattles, tureens from *Eleggia*, votive paper-mâché turtles, concrete heads from *Ochùn*, pins, necklaces, ritual objects of the Indians, now the professor has begun finding a place for a series of drums and musical instruments. He had put them around his desk, which was big and always full of documents.”

Widowed, he married a second time at the age of 61 and three years later a second daughter was born.

In 1968, Fernando Ortiz, as a delegate to the Cultural Congress in Havana, was acclaimed as the “scientist who has put science at the service of his country, mankind and the relationship between Africa and the West”. He died in Havana the following year, on the 10 April 1969.

### **Fernando Ortiz and the Italian school of criminology**

A true polygraph, his interests spanned from law to criminology, from anthropology to sociology, from psychology to ethnomedicine, and from folklore to musicology. Suffice it mention just some of the works from his vast and composite production: “Los negros brujos” (1906), “Entre cubanos. Psicología tropical” (1913), “Los negros esclavos. Estudio sociológico y de derecho público” (1916), “La fiesta afrocubana del Día de Reyes” (1920), “Los Cabildos afrocubanos” (1921), “Flosario de afronegrismos” (1924), “Los negros curros” (1926), “Contrapunteo cubano del taco y del azúcar” (1940)<sup>(6)</sup>, “Las cuatro culturas indias de Cuba”

(1943), “La Africana de la Música Folklórica de Cuba” (1950), and “Notas de Etnomusicología afro-americana” (1956).

The two short essays which are subject of this paper were written by Ortiz in Italian to be published on the prestigious journal “Archivio di psichiatria, neoropatologia, antropologia criminale e medicina legale,” directed by Cesare Lombroso. The two articles, both dealing with criminology issues, were published in 1905 (“Criminality of the Black in Cuba”) and in 1906 (“Criminal superstitions in Cuba”)<sup>(7)</sup> respectively. Both essays clearly bear witness to the sympathy and esteem of the young Cuban lawyer for the Italian school of criminology, which Ortiz had the chance to approach and become acquainted with during his long stay in Genoa. The so-called “positive school” prevailed at the time in law and criminology<sup>(8-9)</sup>; moreover, its major representatives, such as Cesare Lombroso (1835-1909), Enrico Ferri (1856-1929) and Raffaele Garofalo (1852-1934), enjoyed international reputation and fame.

### **Criminality of the black in Cuba**

At the beginning of the first part of the essay “Criminality of the black in Cuba”, Fernando Ortiz stated the relativity of the conclusions, which a scholar may come to, due to the lack of statistical data on this subject. He observed, however, a higher frequency of criminal behaviors in free blacks as compared to whites in the Cuban society. On the contrary, he noted a lower crime rate among black slaves compared to free blacks due to a number of reasons (control wielded by the masters, less opportunity for slaves to become affiliates of criminal organizations, sanctions and punishments directly inflicted by the master without intervention of public authorities or statistical offices). He also highlighted the higher frequency of criminal behaviors among blacks of Creole origin as compared to other blacks. His conclusion was a probable increased tendency to crime of blacks as compared to Creoles and whites. The second part of the essay dealt with the Afro-Cuban witch-doctor who he described as follows: “Almost always a criminal; a scoundrel without rest, often a thief, sometimes a murderer; profaner of graves whenever he can. Lewd, reaching the wildest sexual debasement; concubinary and polygamous; lustful inside and outside cult practices; instigator of other’s prostitution. A true social parasite for the general exploitation of uncultured

people and for that of his cohabiters.” The author, however, added that the witch-doctor of African origin was often in good faith, since he believed in his idols and his spells; his activity was not meant to be to the detriment of others, but was intended to fight spells cast by others. This good faith could be found less often among witch-doctors of Creole origin who could be considered a habitual criminal.

The interpretation given by Ortiz to the Afro-Cuban witch-doctor partially breaks away from the position of Lombroso from whom he nevertheless drew inspiration. This person who he labelled as a “born criminal” is not the fruit of “atavism” (that is to say a regression of the individual to a more primitive stage of evolution), but an evolutionary defect, meaning that he has not changed in the passage from a less developed environment (Africa) to a more developed one (America).

### **Criminal superstitions in Cuba**

In the essay “Criminal superstitions in Cuba”, Fernando Ortiz dealt with some particularly repellent and deplorable practices attributable to Afro-Cuban witch-doctors, such as the violation of tombs and the use of human remains for magic and religious rites<sup>(10)</sup>.

The author linked such criminal behaviors to the African roots of Cuban sorcery, citing similar practices in African populations. In particular, he recalled the custom of keeping the skull of dead people, especially of those who had a good reputation in order to tap their powers. He then went on to describe Afro-Cuban witch-doctors, frequently resorting to corpses for the preparation of their magical potions. He also cited recent news dealing with murders of children or thefts of fetuses and bones, speaking in this respect of “atavist fanaticism which eats away the ignorant base of the nation.”

According to Ortiz, such behaviors were not to be attributed to religious elements of Afro-Cuban society, but only to magic beliefs. The author ended his essay stressing a certain difference of criminal behaviors in Cuba between country and city witch-doctors. He wrote that “In the fields, where the range of action of social power is almost zero, where we find blacks living in a truly African way, it is not astonishing that fetishism has preserved all its features of primitive barbarism, without showing even the slightest progress in the evolution of religious ideas and, in general, of intelligence; it has

been relinquished by their urban colleagues, who, though forced, follow the route-step of the progress of Cuban society”.

### **The relationship between Lombroso’s theory and Ortiz ideas**

As noted before, the sympathy of the young anthropologist for the theories of Cesare Lombroso is evident in both essays. Lombroso himself had accepted the articles on his journal and wrote a preface to Ortiz’s first book “Los negros brujos”. After having slightly departed from the ideas of his mentor, substituting the hypothesis of the “leap backward” with the one of a missing “leap forward” in the genesis of Cuban criminality, Ortiz felt the need to confirm Lombroso’s conceptual framework. He thought that “on the contrary, the study of this type shows the validity of Lombroso’s theory of atavism as an explanation of delinquency. If the witch-doctor is primitive because his environment has rapidly evolved and he hasn’t been able to bridge the gap that could make up for the lack of adaptation, criminals in civilized societies are also primitives, because they have made a leap backward, unable to achieve a superior level of moral progress. In the first case, it is the environment that changes; in the second, the individual; in both cases, the outcome is maladjustment and the effects are identical”<sup>(11)</sup>.

Lombroso’s new “criminal science” intended, in fact, to identify the anthropological features of atavism in born criminals, trying to interpret all those behaviors which were considered to be too rough and primitive to be socially accepted by the civilized and developed man of Europe at the turn of the 19th century in terms of legacy and evolution. According to Lombroso, crimes were tightly connected to ancestral factors (atavism), regressive factors (degeneration) or pathological factors (epileptoidism) which some individuals possessed as specific personal features. For the “positive school,” which was founded on these premises (with authoritative representatives such as Ferri, Garofalo and Niceforo), the fundamental aspect was the concept of “social defense” from a legal and criminological perspective.

According to this principle, it was not a matter of punishing the author of a crime, but of banishing him from society as long as he was declared dangerous.

## Conclusions

In the two early works examined, Fernando Ortiz relied on the Italian authors cited above, some of whom he had met personally or at least had read the major works of<sup>(12)</sup>. In those same years, he became acquainted with the Latin-American milieu of those authors through a series of articles such as: “La ultimo obra de Lombroso” (Azul y Royo, 1902), “El fundador de una ciencia: César Lombroso” (Derecho y Sociologia, 1905), “La glorificaciòn d’un genio [Cesare Lombroso] (El Mundo Ilustrado, 1906), “El Museo de Lombroso” (El Figaro, 1906), “Enrique Ferri” (El Mundo Ilustrado, 1906), Cèsar Lombroso” (Cuba y America, 1909)<sup>(13)</sup>.

In conclusion, we can maintain that the two essays, though unambitious in terms of length and conceptual structure, should not be neglected compared to the overall production of the author. First of all, they expressed the sympathy of a young “abodado avanero” for a nation and a culture which had a certain influence on his education; secondly, they afford a glimpse into how the socio-anthropological interests that characterized Ferdinando Ortiz’s brilliant intellectual path were born and developed.

## References

- 1) Ortiz F. Miscelanea II of Studies dedicated to Fernando Ortiz (1881-1969). Society of Arts and Letters of the Americas, 1998; New York.
- 2) Matos Arevalos J.A. La historia en Fernando Ortiz. Fundaciòn Fernando Ortiz, 1999; La Habana.
- 3) Aliverti M. Tra Psichiatria ed Antropologia. La storia della “Psichiatria transculturale”. Passaggi. Rivista Italiana di Scienze Transculturali. 2001; 1: 7-15.
- 4) Iznaga D. Transculturacion en Fernando Ortiz. Editorial de Ciencias Sociales, 1989; La Habana.
- 5) As for the term “transculture,” Ferdinando Ortiz stated that it “can express, for example, the miscellaneous phenomena that originate in a place like Cuba, the very complex cultural transmutations that take place there; without knowing them, it is impossible to understand the evolution of a people, especially Cuba’s, neither in its economic aspect, nor in institutional, legal, ethnic, religious, artistic, linguistic, psychological, sexual terms, etc.”
- 6) Riva V. L’estate di Varadero in Ortiz F. Contrapunteo cubano del tabaco y el azucar (Italian edition). Rizzoli, 1982; Milan.
- 7) The two cited articles were not the only ones prepared by Ferdinando Ortiz for the “Archivio di psichiatria, neuropatologia, antropologia criminale e medicina legale”. In 1906, a short essay by the Cuban lawyer was

in fact published on the magazine directed by Cesare Lombroso with the title “Suicide among blacks”.

- 8) Borgo M, Martini M, Bragazzi NL, Paluan F, Vecchio I, Licata M. Corpus loquens: the speaking body and Abele De Blasio (1858-1945). Acta Medica Mediterr. 2017; 33: 95-100.
- 9) Licata M, Iorio S, Badino P, Tornali C, Vecchio I. Leopoldo Maggi: physician, anthropologist and archaeologist. Acta Medica Mediterr. 2016; 32: 1569.
- 10) A typical expression of the “transculturation” processes described by Ortiz in the Cuban society is the Santeria, a syncretic religion that combines polytheism of African origin (primarily of Yoruba matrix) with the Catholic cult of saints.
- 11) We can mention here that the “theory of atavism” had some success in European psychiatry in the last decades of the 19th century as an attempt of positivistic culture to give a scientific explanation to the phenomenon of deviance. In this perspective, the criminal or mad behavior was at first compared to the one of primitive peoples and then interpreted as the resurfacing of emotional and cognitive expressions of primitive man in the civilized man. The concept of “atavism” is derived from the theory of “degeneration”, developed by the French psychiatrists Bénédict Morel (1809-1873) and Victor Magnan (1835-1912), as well as from the evolutionary theories that posit the possibility of the transmission of inherited ancestral features to future generations.
- 12) Moreover, Fernando Ortiz considered Italy “a second homeland”, since he had lived there for some years, had met his first mentors and enjoyed his early intellectual success.
- 13) It is worth mentioning that the Cesare Lombroso’s thought found particularly fertile ground in Latin America. The criminological theories of the Italian author, with their biological and deterministic assumptions, were positively greeted by the ruling classes which had to face social, political and economic unease resulting from the fact that a single development model had been imposed on multiple cultures.

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