

The Pennsylvania State University  
The Graduate School

**THE COLONIAL CONTRACT AND THE COLONIALITY OF GENDER:  
A DECOLONIAL FEMINIST APPROACH TO RE-THINKING THE SELF, EPISTEMOLOGY,  
AND THE ETHICOPOLITICAL**

A Dissertation in  
Philosophy and Women's, Gender, and Sexuality Studies  
by  
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Submitted in Partial Fulfillment  
of the Requirements  
for the Degree of

Doctor of Philosophy

August 2020

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## Abstract

Engaging the work of Latinas and Latinxs, this dissertation develops an account of the “colonial contract” and demonstrates the contributions that decolonial feminisms make to advancing accounts of the self, cross-cultural communication, and political marginalization. Rooting my intervention in a non-Western imaginary, I develop a philosophical reading of the figures of *Las Tres Madres* [The Three Mothers]: *La Llorona*, *La Malinche*, and *La Virgen de Guadalupe*. I argue that *Las Tres Madres* illuminate three key sites of contradiction in the colonial contract: subjectivity and subjection (*La Llorona*), subaltern agency (*La Malinche*), and epistemic resistance to political marginalization (*La Virgen de Guadalupe*). I contend that decolonizing the colonial contract requires decolonial imaginaries that open up new strategies for forging coalitional politics capable of tackling pressing contemporary geopolitical issues that are deeply connected to the continued legacies and histories of colonization.

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## List of Abbreviations

### Chapter 1 –

SC	sexual contract
RC	racial contract
RSC	racia-sexual contract

### Chapter 2 –

BIPOC	Black, Indigenous, and People of Color
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### Chapter 3 –

Sr	Signifier
Sd	Signified
S	Sign
WGSS	Women's, Gender, and Sexuality Studies
MOIFA	Museum of International Folk Art

### Chapter 4 –

CPR	Spivak, Gayatri Chakravorty. <i>A Critique of Postcolonial Reason: Toward a History of the Vanishing Present</i> . MA: Harvard Press, 1999.
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## Acknowledgements

Writing this dissertation would not have been possible without the material, intellectual, and emotional support that has enabled me to undertake this seven year-long endeavor. The final stages of this writing project were supported by a dissertation completion fellowship awarded by The Pennsylvania State University's Philosophy Department and funded by the Andrew W. Mellon Foundation. The release from teaching duties, generous stipend, and ability to work remotely gave me the stability and the time necessary for developing the ideas presented here.

I am overwhelmed by the gratitude I feel for my communities that have supported me at the various stages of my journey and nurtured so many of the facets of my multiplicitous self. I want to thank the intellectual communities that have strengthened these ideas through rich and critical dialogues. I have benefitted immensely from the support and mentorship, of not one but two directors, Eduardo Mendieta and Nancy Tuana. Eduardo's mentorship and unfailing enthusiasm for my project have shaped me as a scholar in profound ways since my early fresh-from-undergrad-straight-out-of-Oklahoma days as a graduate student at SUNY Stony Brook. His support and advocacy was essential in facilitating my transfer to the PhD program at Penn State, one of the best and most difficult decisions I have made during my time in graduate school. Nancy's critical, loving eye and attention to the details has gently guided my work since her seminar on Judith Butler and Donna Haraway my first year at Penn State. Our collaborations—as conference co-organizers, co-editors, co-authors, and work as members of the Philosophy Department's impressive cohort of feminist killjoys—have made me a better feminist and scholar and have grown and stretched me in ways that I could never have anticipated beforehand. I am immensely lucky to have had the opportunity to learn from and work so closely with these two generous and praxis-oriented philosophers.

I also want to express my deep thanks to Mariana Ortega, Kathryn Sophia Belle, and Melissa Wright, all of whom have gone above and beyond the call of duty as members of my committee. Many thanks to Melissa Wright for her support of this project, leadership of the Women's, Gender, and Sexuality Studies Department during my tenure at Penn State, and for her unfailing commitment to feminist scholarship that faithfully bears witness to the many worlds of sense of *La Frontera*. I also owe special thanks to Mariana and Kathryn, women of color who have survived and thrived in the painfully white world of the discipline of philosophy and flourished in spite of it. Mariana has also been a guiding presence on my journey since the early days, and was in the audience of my first ever conference presentation at the meeting of the Caribbean Philosophical Association in St. Louis. She sought me out after the panel was over, gave me her card, and told me I had to come to the Latina/x Feminisms Roundtable. Little did I know how important this moment would become for sustaining me during my years in graduate school, as the space and community she has carved out through the Roundtable has become an important force in my life, personally and intellectually. Since she has joined the community at Penn State, I have benefitted from the immense gift of being her student and *colega* – *muchísimas gracias*, Mariana, for your belief in my work and for helping me and other Latinxs become more at-ease-in-the-world. Kathryn has been an incredible mentor and guiding light during my time at Penn State. The refrain, “as Kathryn Sophia Belle would say,” is often on my mind – a testament to the ways that her coaching has helped me to prioritize balance, radical self-care and self-love, and the power of saying “No” – *muchísimas gracias*, Kathryn, for always reminding me to thank my past self and to always look out for my future self. These words only scratch the surface of acknowledging how profoundly the mentorship of Mariana and Kathryn has impacted me.

I have been lucky to have been surrounded with so many scholar-friends whose love and care have rooted me during the tumultuous years of graduate school. To my Stony Brook cohort, thank you for loving me and teaching me how to be a philosopher as we all learned how to do this together during the early years of graduate school. I especially want to thank Alyssa Adamson, Hannah Bacon, and Chatham Lovette who hold a very special place in my heart. I also want to thank other Stony Brookers who have supported and encouraged me on this path, especially Serene Khader, Daniel Susser, Tim Johnston, and Lori Gallegos de



Castillo. To my Penn State adopted-cohort—Tiffany Tsantsoulas, Eyo Ewara, Romy Opperman—thank you for taking me into your ranks, for sharpening my ideas, and for your constant encouragement and care. I especially want to thank Eyo, Tiffany, and Romy for the numerous co-writing dates, Skype calls, and texts that saw me not only through the roller-coaster emotions of the job market but also the writing of this dissertation. I also want to thank other Penn Staters who have seen me through this journey, especially the members of the graduate seminar on María Lugones’s work, co-taught by Nancy Tuana and I in Fall 2017, where we engaged in the difficult work of coalescing. I am immensely proud of the work that has emerged out of that collective and of the tremendous impact you all are making in changing the discipline of philosophy.

I want to thank my family and friends whose belief in me has brought me to this point. Thank you to my best friends, Marcus Sams and Sarah Plunkett McKenzie, who have been with me through life’s ups and downs. Thank you to my siblings Robert, Greg, and Megan and to my *sobrinos* Presley, Parker, and Paige for your love and support. Thank you to my Grandma Donna, Grandpa Floyd, and *Abuelo* Benito, whose spirits are with me always. Thank you to my *Abuela* and *la jefa*, Emma Gloria, who continues to be the matriarch of the Velez family. Thank you to my parents, Laura and Eduardo, who have always, always, always believed I could do anything I set my mind to. My love of critical questions, story-telling, writing, and reading comes from them. And, last but certainly not least, thank you to my partner and fellow-philosopher, Edward O’Byrn, whose love and care-work has given me the strength and courage to bring this project to fruition.

# Introduction

“As I write this,” Chandra Talpade Mohanty reflects in the preface to *Decolonizing Feminism: Transnational Feminism and Globalization*, “our understandings of feminism, decolonization, and transnationalism are in flux, contested in social movements, state policy, and social and political theory.”<sup>1</sup> As a result of this still shifting terrain, as well as the longstanding and on-going histories of colonization, there is still much work to be done in order to further theoretical articulations of decolonial feminism as an emergent methodological and philosophical orientation. This dissertation contributes to the growing field of decolonial feminism in philosophy and feminist theory. Despite resonances between these disciplines and traditions, the lacuna between them has resulted in a lack of attention to patriarchal and heteronormative structures in decolonial thought and the importance of coloniality in mainstream feminist thought. This is the interstitial gap from which decolonial feminism articulates itself. Decolonial feminism brings these two methodological approaches into conversation with one another and as a result offers distinct contributions to key debates in the fields of philosophy and feminist theory.

To this end, my aims for this dissertation project are two-fold. First and foremost, my intention is to mark out the distinct contributions that decolonial feminists make to advancing longstanding philosophical debates regarding questions of the self, epistemology, and the ethicopolitical. Decolonial feminisms emerge from multi-sited struggles with colonization and, as a result, are rich and heterogeneous. Though I engage many of these rich traditions, my emphasis in the dissertation will be with Latina and Latinx approaches.<sup>2</sup> Latina and Latinx feminists have been

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<sup>1</sup> Chandra Talpade Mohanty. “Preface: Toward a Decolonial Feminism for the 99 percent.” *Decolonizing Feminism: Transnational Feminism and Globalization*. ed. Margaret A. McLaren (London: Rowman & Littlefield Publishers 2017), vii.

<sup>2</sup> The “x” in Latinx is significant. There are many current debates about the linguistic usage of “x”—is it a colonial imposition from English speakers? Is it alienating for non-U.S. based Spanish speakers? Is it a fad? I

key articulators of decolonial feminism and their work has been of particular importance to the theoretical development of decolonial thinking and its uptake in mainstream philosophy and feminist theory. Second, by centering the work of Latina and Latinx feminists as key articulators of decolonial feminism, I trace the longstanding lineage of decolonial feminism *within* decolonial philosophy. As I will demonstrate, their methodological commitment to decolonial thinking enables them to locate agency on the side of the oppressed. Thus, decolonial feminism contributes important insights for exploring possibilities for resistance to oppressive categorial logics like “race” and “gender” as well as to unjust historical material conditions. Thus, it is my argument that Latina and Latinx approaches to decolonial feminism enrich both decolonial theory and feminist theory by bringing together their shared commitments to liberatory theory and praxis.

In order to better situate the interventions of the following chapters, I have organized this introduction in two parts. First, I locate decolonial feminism broadly within what I call anticolonial theory by differentiating decolonial theory from postcolonial theory and decolonial feminism from postcolonial feminism. I also note what I take to be the particular methodological commitments of the decolonial feminisms articulated by Latina feminists María Lugones, Emma Pérez, and Chela Sandoval. Second, I situate my creative engagement with *Las Tres Madres: La Llorona*, Malintzin (*La Malinche*), and *La Virgen de Guadalupe*, the guiding figures of this dissertation. Emerging from the decolonial imaginary described by Pérez, *Las Tres Madres* give us new purchase to re-think questions

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argue, in coalitional solidarity with trans Latinxs, that these debates elide the social and political contexts through which this identifier has emerged in the first place. To paraphrase Alan Pelaez Lopez, the “x” in Latinx signals an *herida abierta*, an open wound. It is the wound of transphobia and femicides, the wound of colonialism and the colonality of gender, the wound of illegibility. In terms of my own usage of “Latina” vs. “Latinx,” I write “Latina and Latinx” when referring to the general body of work and use specific designators like “Latina” when referring to particular individuals. For more see, Lopez, Alan Pelaez Lopez, “The X in Latinx is a wound, not a trend” Color Bloq. October 2018. <http://efnicks.com/the-deep-dive-pages/2018/9/11/the-x-in-latinx-is-a-wound-not-a-trend>; Catalina M. De Onís, “What’s in an ‘x’?: An Exchange about the Politics of Latinx,” Chiricú Journal: Latina/o Literatures, Arts, and Cultures 1, no. 2 (2017): 78-91.

of subjectivation/subjectation (*La Llorona*), subaltern grammars and modes of communication (*La Virgen de Guadalupe*), and epistemic disobedience and resistance (Malintzin).

## 1. Situating Decolonial Feminism<sup>3</sup>

There has been a great deal of theoretical work in a myriad of contexts and traditions that has at its core a critique of the histories, impacts, and experience of colonialism across the world. Though many of these discourses span centuries, the development of work critical of the legacies and impacts of colonialism in philosophy is relatively new, particularly to the mainstream scenes of philosophy and feminist theory. By sketching a topography in which to locate decolonial feminism philosophy, my intent is not to produce an exhaustive or conclusive account of philosophies that are critical of colonialism. Rather, my goal is to remain attentive to the particularity of specific sites, contexts, histories, and experiences of colonialism and the way these impact the workings of the colonality of power, race, and gender. Doing so allows me to draw out what I take to be the contributions made by Latina and Latinx feminist articulations of decolonial feminism as well as by this dissertation. To do this work in the spirit of a decolonial feminist methodology, I believe that it is imperative to first check our desires for grand narratives and origin stories that neatly unpack the way in which these strands of thinking have emerged.<sup>4</sup> Rather, we must feel around, engaging in the

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<sup>3</sup> Some of this material from this section of the Introduction was published as part of the editors' introduction, co-written by Nancy Tuana and I, to the special issue, "Toward Decolonial Feminism," of *Critical Philosophy of Race*. See, Emma Velez and Nancy Tuana. "Editors' Introduction: Tango Dancing with María Lugones: Toward Decolonial Feminisms." *Critical Philosophy of Race* 8, no. 1-2 (2020): 1-24.

<sup>4</sup> For a more extended discussion of the importance of this imperative see, Ofelia Schutte, "Border Zones, in-between Spaces, and Turns: On Lugones, the Colonality of Gender, and the Diasporic Peregrina." *Critical Philosophy of Race* 8, no. 1-2 (2020): 102-118.

practice that Lugones calls *tantear*, to attend to the different threads that make up the distinct patterns and textures in the weave of decolonial feminism.<sup>5</sup>

In this tentative topography, I situate decolonial theory within a broader body of philosophical work that I refer to throughout this project as “anticolonial.”<sup>6</sup> I use the term as the broadest register for naming philosophical work that positions itself against systems of colonial oppression. As Breny Mendoza explains, anticolonial philosophy is a “theoretical and political project that challenges imperialist and colonizing practices, past and present.”<sup>7</sup> The topography I offer also invokes the terms postcolonial and decolonial as a useful heuristic to demarcate two distinct schools and orientations to anticolonial thought.<sup>8</sup> However, it is not sufficient to simply delineate anticolonial thinking into only two schools of thought. Despite its usefulness as a heuristic, the risk of generating such a binary is that these schools might be taken to be largely internally homogenous, to share the same assumptions and methodological approaches, as well as the same response to experiences of a monolithic conception of colonization.

In order to affirm differences among schools of thought in anticolonial philosophy, I further distinguish between decolonial thinking emerging from distinct geopolitical locations and histories of struggles against colonization: for example, Africana contexts, Black American contexts,

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<sup>5</sup> María Lugones, *Pilgrimages/Peregrinajes: Theorizing Coalition Against Multiple Oppressions* (London: Rowman & Littlefield Publishers 2003), 1.

<sup>6</sup> Following Chela Sandoval, I appeal to the language of topography rather than typology in order to avoid hierarchical or linear categorizations of the distinctions we are drawing among anticolonial philosophies. As Sandoval writes, “This new cartography is best thought of not as a *typology*, but as a *topography* . . . from the Greek word *topos* or place, for it represents the charting of psychic and material realities that occupy a particular cultural region” (Sandoval 2000, 53). By choosing the term “anticolonial” to demarcate a large and rich tradition of philosophical thought, I follow the precedent of those like Breny Mendoza (Mendoza 2015). The term anticolonial can also be traced to a broader geopolitical history that tracks resistant to structures of colonial oppression.

<sup>7</sup> Breny Mendoza, “Coloniality of Gender and Power: From Postcoloniality to Decoloniality,” *The Oxford Handbook of Feminist Theory*, eds. Lisa Disch and Mary Hawkesworth (Oxford University Press, Oxford Handbooks Online 2015), 1.

<sup>8</sup> I am using heuristic in the sense of an imperfect, but useful methodological approach to problem-solving. I do not believe that the distinction between decolonial/postcolonial is free of contradiction, but I find it to be useful for denoting the different inflections of anticolonial philosophy.

Caribbean contexts, Indigenous contexts, Latin American contexts, and U.S. Latinx contexts.

Though these strands of decolonial thought mutually influence and complement each other, they are not coterminous or exhaustive of one another nor are they in and of themselves internally cohesive or noncontradictory. This is, in part, due to diverse responses to multiplicitous forms and experiences of current and on-going practices of colonization. These practices are found in settler-colonial contexts such as the United States, as well as in the continued and lasting imprint of past forms of colonization that Quijano has described as coloniality. Each form of decolonial thinking offers its own distinct contributions to anticolonial philosophy as it outlines and prioritizes different sets of decolonial imperatives. Further, I contend that it is important to remain attentive to differences among these imperatives while also building bridges between postcolonial theory and postcolonial feminism, decolonial theory and decolonial feminism, and postcolonial feminism and decolonial feminism. This task is significant because it is only through feminist postcolonial and decolonial theory that questions of sex, gender, and sexuality are brought into each respective school's analysis of colonialism.

Inspired by Edward Said's landmark text *Orientalism*, which unveils the way colonialism relies on an imaginary that generates binary distinctions such as East/West and Colonizer/Colonized, the body of theory that Western academics refer to as "postcolonial studies" tends to point to the work of those in the South Asian Subaltern Studies Group.<sup>9</sup> However, as a school of thought, postcolonial theory is a much wider tradition that reaches far beyond this narrow context. As an intellectual tradition, postcolonial studies—particularly those works influenced by the Subaltern Studies Group—largely responds to the colonial practices of Northern European countries, particularly to

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<sup>9</sup> The South Asian Subaltern Studies Group stems from a multigenerational, multidisciplinary, and international collective of scholars. The Group loosely began in 1979 at the University of Sussex and many members are still actively publishing. Some of the notable postcolonial thinkers who are or have affiliation with the group are: Ranajit Guha, Dipesh Chakrabarty, Partha Chatterjee, Eric Stokes, David Arnold, and Gayatri Chakravorty Spivak. For key texts, see note 6.

British and French imperial/colonial projects. The continued and far-reaching influence of the analytical lens of postcolonial theory on academic discourses is undeniable. As Nivedita Majumdar writes, “Postcolonial theory today is viewed as an indispensable framework for understanding how power works in modern social formations and, in particular, how the West exercises its dominance over the Global South.”<sup>10</sup>

Postcolonial theorists’ engagement with Marxism, postmodernism, and poststructuralism results in distinctive approaches to re-thinking questions of the relationship between capitalism, nationalism, globalism, and colonialism. Indeed, this theoretical background guides the innovative interventions of those like Homi Bhaba, Ranajit Guha, and Gayatri Chakravorty Spivak.<sup>11</sup> Beginning from the perspective of the colonized, postcolonial scholars generate theoretical and epistemological frameworks from which to approach the specificity of the workings of capitalism and modernity in the aftermath of colonization in the so-called, “Global South.”<sup>12</sup> This is especially exemplified in the critical lexicons postcolonial scholars have generated, such as the concepts of subalternity and subaltern subjects. Some of the key claims that many postcolonial scholars hold in common include a rejection of Eurocentrism and Eurocentric paradigms of reason and representation, a critique of modernity, an emphasis on difference, and theorization of the creation of a racialized “subaltern”

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<sup>10</sup> Nivedita Majumdar, “Silencing the Subaltern,” *Catalyst: A Journal of Theory and Strategy* 1(1) (online journal 2017), <https://catalyst-journal.com/vol1/no1/silencing-the-subaltern>.

<sup>11</sup> For key texts see, Homi K. Bhaba, *The Location of Culture* (New York: Routledge, 1994), and *Our Neighbors, Ourselves: Contemporary Reflections on Survival*. (Berlin: Walter de Gruyter, 2011); Ranajit Guha, *Dominance without Hegemony: History and Power in Colonial India* (Cambridge, MA: Harvard University Press, 1997), *A Subaltern Studies Reader: 1986-1995* (Minneapolis: University of Minnesota Press, 2003), and *History at the Limit of World-History* (New York: Columbia University Press, 2003); Gayatri Chakravorty Spivak, “Can the Subaltern Speak?,” in *Marxism and the Interpretation of Culture*, ed. Cary Nelson and Lawrence Grossber, 271–313 (London: Macmillan, 1988); *A Critique of Postcolonial Reason: Toward a History of the Vanishing Present* (Cambridge, MA: Harvard University Press, 1999); and *Nationalism and the Imagination* (Calcutta, India: Seagull Books, 2015).

<sup>12</sup> I place “Global South” in scare quotes here to denote that this term is problematic and is deeply tied to the colonial imaginary and legacies of colonization that this issue sets out to critique and homogenizes the deep global diversity of peoples in these regions of the world.

class under British and French colonial capitalism.<sup>13</sup> Resistance and the agency of the oppressed are also key themes of postcolonial theory.<sup>14</sup> However, concerns regarding the impacts of gender and sexuality were often left unexplored by the approach of the Subaltern Studies Group. It is the work of postcolonial feminist theory that most effectively presents questions of gender and sexuality as inextricable to the theoretical and political projects of postcolonial theory.

The work of Gayatri Chakravorty Spivak has been central to academic articulations of postcolonial feminism. Despite her role as one of the founders of the Subaltern Studies Group, Spivak's insistence on gender and sexuality as primary to the critical work of postcolonial theory led to her departure (and ostracization) from this group of theorists. By foregrounding race, gender, and sexuality as inseparable from postcolonial discourses, postcolonial feminists like Spivak, Chandra Talpade Mohanty, Uma Narayan, and Lila Abu-Lughod have moved away from the homogenizing tendencies of some U.S. mainstream (white, imperial) feminism in order to bring attention to the lived experiences of women in the "Global South."<sup>15</sup> For example, in her landmark text "Under

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<sup>13</sup> Mendoza 2015, Mujumdar 2017; For example, as Mendoza argues, "In the 1990s, the 'colonial' reemerged in social, cultural, and political theory. Following the decline of Marxism, the advent of postmodernism/poststructuralism, and post-Marxist cultural theories, postcolonial theory offered sophisticated critiques of capitalism, modernity, and Western colonialism. Inspired by French philosophers such as Michel Foucault and Jacques Derrida, postcolonial theorists changed the terms with which to think about colonialism, capitalism, and nationalism" (Mendoza 2015, 8).

<sup>14</sup> Mendoza 2015, Mujumdar 2017; As Mujumdar argues, "What makes the postcolonial turn especially important is that it foregrounds precisely those forms of agency and political identity that have tended to remain at the periphery of Marxist and liberal considerations—gender, sexuality, and race in particular. Whereas these forms of oppression have only recently become analytical foci within the traditional left, they have been central to postcolonial theory from its inception" (Majumdar 2017).

<sup>15</sup> For key texts, see Lila Abu-Lughod, *Veiled Sentiments: Honor and Poetry in a Bedouin Society* (1986; Berkeley: University of California Press, 2000); *Writing Women's Worlds: Bedouin Stories* (1993; Berkeley: University of California Press, 2008); *Remaking Women: Feminism and Modernity in the Middle East* (Princeton, NJ: Princeton University Press, 1998); *Nakba: Palestine, 1948, and the Claims of Memory* (co-edited with Ahmad Sa'di) (Columbia University Press, 2009); and *Do Muslim Women Need Saving?* (Cambridge, MA: Harvard University Press, 2013); Chandra T. Mohanty, "Under Western Eyes: Feminist Scholarship and Colonial Discourses," in *Third World Women and the Politics of Feminism*, ed. C. T. Mohanty, A. Russo, and L. Torres, 51-80 (Bloomington: Indiana University Press, 1991); "Under Western Eyes: Revisited: Feminist Solidarity through Anticapitalist Struggles," *Signs* 28, no. 2 (Winter 2003): 499-535; "Transnational Feminist Crossings: On Neoliberalism and Radical Critique," *Signs: Journal of Women in Culture and Society* 38, no. 4 (2013): 967-91; Chandra T. Mohanty, Ann Russo, and Lourdes Torres, eds., *Third World Women and the Politics of Feminism*



Western Eyes” Mohanty challenges the homogenizing assumptions of Western feminist discourses that construct a monolithic image of the “Third World Woman” as a perpetual victim. In this work, Mohanty demonstrates that the epistemic violence contained in these representations erase the political agency of women in the “Global South.” Mohanty argues that by assuming “woman as an already constituted, coherent group with identical interests and desires, regardless of class, ethnic or racial location and contradictions,” Western feminist discourses falsely universalize the experience of “womanhood” as well as the functioning of patriarchy and sexual difference, regardless of cultural or historical contexts.<sup>16</sup> Postcolonial feminists challenge these foundational methodological assumptions in mainstream Western feminist discourses that attempt to prove universality and cross-cultural validity on the basis of a shared experience of “womanhood.” Further, postcolonial feminists challenge the colonizing model of power that undergirds the political principles that motivate these theoretical and methodological approaches.

Decolonial theory, as a distinct school of anticolonial thinking, has multiple roots that span geographical and cultural contexts. Whereas postcolonial thinking tends to focus on the impact of European colonial rule around the world in the eighteenth through the twentieth centuries, decolonial thinking, particularly the body of thinking that emerges from Latin American and U.S. Latinx contexts, appeals to 1492 as a point of departure. This shift in the locus of enunciation brings a longer view of the history of colonialism into focus in order to account for Spanish and Portuguese colonization of the Americas that significantly predates British and French colonialism. Thus, a decolonial lens highlights the history of colonization particular to the Americas that is often occluded in postcolonial theories. As with the rich traditions of anticolonial thinking, decolonial

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(Bloomington: Indiana University Press, 1991); Uma Narayan, *Dislocating Cultures: Identities, Traditions, and Third-World Feminism* (New York: Routledge, 1997); Uma Narayan and Sandra Harding, *Decentering the Center: Philosophy for a Multicultural, Postcolonial, and Feminist World* (Bloomington: Indiana University Press, 2000).

<sup>16</sup> Mohanty 1984, 336-37.

thinking has many strands, each marking a particular experience and reaction to colonization.

Though the trauma of colonization has resonances across many anticolonial texts, to evoke Gloria Anzaldúa, it is important to remain attentive to the specificity of the multiple *heridas abiertas*/open wounds of colonialism, colonization, and coloniality in order to give greater hermeneutic context to the experiences to which decolonial theorists are responding.<sup>17</sup> Thus, in my own engagements with decolonial theory I am mindful of the heterogeneity within decolonial theories and their responses to multiple forms and experiences of colonization and coloniality.<sup>18</sup>

This dissertation centers decolonial theory emerging from Latin American and U.S. Latinx contexts.<sup>19</sup> Decolonial thinking emerging out of Latin American and Latinx contexts is of particular importance to the theoretical development of decolonial thinking and its uptake in mainstream philosophy. Engaged with but seeking to differentiate their work from anticolonial and postcolonial theory, Latin American and Latinx decolonial philosophers emphasize the importance of the still lingering structures of colonialism in power, ontology, epistemology, and its entanglement with the imposed categorial logics of race and gender. This work has been at times influenced by, as well as developed parallel to and in conversation with, decolonial thinking from Indigenous philosophies as well as Black, Africana, and Caribbean philosophies. I align my own decolonial feminist engagements with these rich traditions that emerge from heterogeneous sites, contexts, histories, and experiences of colonization and their subsequent impact on the workings of coloniality.

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<sup>17</sup> Anzaldúa 1987.

<sup>18</sup> Here, I am especially thinking about tensions between Indigenous, Black, and Latin American traditions of decolonial thinking. See, Iyko Day, "Being Or Nothingness: Indigeneity, Antiblackness, and Settler Colonial Critique," *Critical Ethnic Studies* 1, no. 2 (2015): 102-121; Aimee Carrillo Rowe, "Settler Xicana: Postcolonial and Decolonial Reflections on Incommensurability," *Feminist Studies* 43, no. 3 (2017): 525-536; Eve Tuck and K. Wayne Yang, "Decolonization is not a metaphor," *Decolonization: Indigeneity, Education & Society* 1, no. 1 (2012): 1-40.

<sup>19</sup> I utilize the terms "Latin American" and "Latinx" here to designate two distinct yet deeply related traditions of decolonial thinking. I also want to note a slipperiness that exists here between those who are working, thinking, and writing in Latin America and those who are Latin American and are working, thinking, and writing primarily within the academic institutions of the "Global North."

However, as with much of philosophy, the “canon” of decolonial theory is comprised largely of and dominated by heterosexual *cis*-men. This is evident in the centering of Aníbal Quijano, Walter Dignolo, and Enrique Dussel as primary articulators of the “decolonial turn,” particularly in Latin American and Latinx contexts. Intervening into these intellectual genealogies, one of the aims of this dissertation is to trace the specific contributions of Latinx feminisms to the development of the rich weave of decolonial philosophies as well as threads that intersect with other approaches to decolonial and/or post-colonial philosophies. In particular, I argue that decolonial feminism as formulated by Latina feminists Emma Pérez, Chela Sandoval, and María Lugones is central to the development of Latin American and U.S. Latinx decolonial thinking. Neglecting the work of these Latina feminists results in what Mariana Ortega has called “decolonial woes,” that is, the situation in which the very colonial structures that decolonial philosophy seeks to critique are perpetuated through the invisibilizing of the contributions of Latinxs. This is particularly important given what Lugones has called the coloniality of gender, which demonstrates that questions of gender and sexuality are central to decolonial philosophy. For this reason, I argue that it is imperative that we understand decolonial feminism as integral to the formulation of decolonial thought. Indeed, by intervening into the “canon” of decolonial philosophy, I argue, following Lugones, “there is no decoloniality without the decoloniality of gender[, sex, and sexuality].”<sup>20</sup>

Decolonial feminist thinking also holds fundamental implications for feminist theory. Beginning from the standpoint of decolonial thought, decolonial feminism intervenes into narratives about the self-periodization of feminist social movements. Rather than situating decolonial feminism as an emergent new “wave” of feminist thinking, I argue, following Sandoval, that decolonial feminism is best understood as a differential method that has worked across and alongside the

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<sup>20</sup> Lugones 2010, 757n8.

different moments of feminist thinking. Like postcolonial feminism, decolonial feminism centers on a critique of Western feminism and mainstream decolonial theory in order to better account for the experiences of non-Western women of the global South. However, where postcolonial thinking tends to focus on the colonial practices of northern European countries, decolonial thinking that emerges from Latin American and Latinx contexts appeals to 1492 as a point of departure in order to account for Spanish and Portuguese colonization of the Americas. Thus, a decolonial lens brings into view the history of colonization particular to the Americas. This shift in focus undermines the developmental logics of coloniality and, in turn, opens up new avenues into interrogating the categories such as “woman,” “gender,” and “race” in feminist theory. Retooling Lugones’s thesis for decoloniality, I suggest that there is no feminism without decolonial feminism.

In order to further support and illustrate the arguments made above, this dissertation centers on three interlocutors that I take to be key articulators of decolonial feminism in the U.S. Latinx context: Pérez, Sandoval, and Lugones. My engagement with these thinkers weaves across the dissertation. In selecting these scholars as the key figures in the dissertation, it is not my intention to exclude the work of Black, Indigenous, or other feminists of color from the articulation of decolonial feminist theory. Rather, I engage these three thinkers as my key interlocutors because of their distinct position as Latinas whose work, when taken together, discloses new possibilities for rethinking longstanding problems in both feminist and decolonial philosophy regarding the self, epistemology, and the ethicopolitical. They thus provide an important methodological approach for coalitional engagements with the work of other theorists who contribute to decolonial thought.

Trained as a historian, Pérez tackles the question of coloniality from the perspective of the archive. Utilizing the work of postcolonial theorists such as Bhaba and Spivak as well as the work of Michel Foucault, Pérez’s text *The Decolonial Imaginary: Writing Chicanas into History* engages in a critique of colonial discursive and methodological regimes in order to explore new avenues for bringing

Chicana experiences and voices to light. Of particular interest to my argument in the dissertation is the way in which Pérez advocates for the necessity of interrogating what she calls the “colonial imaginary” that circumscribes these regimes. Locating her theory in the “interstitial gaps”—akin to Anzaldúa’s borderlands – Pérez advocates that we attend to silenced and silent voices in order to articulate resistant histories, theories, and subjectivities that cease to perpetuate coloniality. She names this resistant theory the “decolonial imaginary.” Following Pérez, I will argue that in our attempts to decolonize the epistemic, discursive, and ethicopolitical regimes saturated by the coloniality of power we must take seriously the challenge to disrupt, deconstruct, and displace the Western, colonial imaginary.

Critical and cultural theorist Sandoval also takes up the mantle of decolonial feminism by developing the tools necessary for identifying the methodology of decolonial theory and praxis. By mapping the topography of oppositional consciousness through feminist, particularly feminist women of color, struggles, Sandoval articulates what she calls the “five technologies” of the methodology of the oppressed. Through the articulation of these technologies, Sandoval gives us the terminological tools for locating and engaging in the decolonial praxis that she advocates. In addition to these immensely helpful methodological and terminological tools, of particular interest to the dissertation is Sandoval’s development of what she terms “meta-ideologizing.” When paired with the five technologies of the methodology of the oppressed that she describes, the resistant work of meta-ideologizing offers an opening that works to appropriate dominant ideological forms in order to transform them.

Of these thinkers, it is Lugones who contributes the most thorough and sustained engagement with the question of coloniality for feminist thinking. By putting the insights of Black, Indigenous, and Latina/x feminist thinkers such as Gloria Anzaldúa, Audre Lorde, and Paula Gunn Allen into conversation with thinkers in the modernity/coloniality group such as Quijano, Mignolo,

and Nelson Maldonado-Torres, Lugones deepens the philosophical complexity of decolonial as well as of feminist thought. Contending with Quijano's work, Lugones argues that the question of gender is central to a critical analysis of coloniality and to the project of decoloniality. Lugones's thinking traverses questions of identity, epistemology, and the ethicopolitical. It is for this reason that her work is an integral part of the dissertation. Her radical thinking on the question of difference requires that we think subjectivity anew, moving from views of an epistemically unified subject to one that is multiplicitous and plural, a move that is necessary for offering a decolonial account of the self. Further, Lugones's thinking on the problems of colonial epistemologies through her criticisms of binary logics is indispensable to the arguments of this dissertation. And, perhaps most importantly, Lugones's theorizing on the work required to engage in what she calls "deep coalition" with other marginalized and oppressed people, in particular women of color, is what orients my thinking in the dissertation for offering a prescriptive account of decolonial ethicopolitical praxis that seeks liberation through the dismantling of the structures of coloniality.

I read the decolonial feminist accounts of Pérez, Lugones, and Sandoval together in order to sketch the contours of a decolonial feminist methodology. Despite the richness and differences in their respective approaches, I suggest that there are six key aspects of a decolonial feminist methodology that emerge across their bodies of work:

- (1) A focus on the centrality of patriarchal and heterosexist structures to the logics of colonialism and projects of decolonization;
- (2) An insistence on a multiplicitous, relational, and intersectional understanding of the self and subjectivity;
- (3) A demonstration of the ways in which the coloniality of power, race, and gender produce bodies that are subject to the imposition of hierarchical, dichotomous, categorial logics such as gender, race, and sexuality;

- (4) A development of the concept of liminality and in-betweenness in order to describe the multiple crossings and mixings that have resulted from the colonial encounter as well as complicate the categorial logics of the coloniality of power, race, and gender;
- (5) A rejection of totalizing accounts of oppression instead insisting on locating resistant agencies exercised by those who have been colonized, marginalized, and oppressed;
- (6) The generation of concrete possibilities for thinking and being otherwise, particularly by emphasizing the importance of decolonial imaginaries that insist *otros mundos son posible*/other worlds are possible.

These six aspects of a decolonial feminist methodology informed by Latinx feminisms saturate this dissertation. I utilize this methodological approach in the following chapters in order to show how decolonial feminisms intervene and further longstanding philosophical debates on the self, epistemology, and the ethicopolitical.

## 2. Learning from *Las Tres Madres*

In addition to foregrounding Latina feminist approaches to decolonial feminism, I also offer my own generative philosophical engagement with *Las Tres Madres*, the three mothers, of Chicana and Mexicana lore. As Anzaldúa explains in *Borderlands/La Frontera*, “*La gente Chicana tiene tres madres*. All three are mediators: *Guadalupe*, the virgin mother who has not abandoned us, *la Chingada* (*Malinche*), the raped mother whom we have abandoned, and *La Llorona*, the mother who seeks her lost children.”<sup>21</sup> I appeal to *Las Tres Madres* as guiding figures throughout the dissertation. Emerging from the decolonial imaginary named by Pérez, *Las Tres Madres* give us new purchase to re-think

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<sup>21</sup> Gloria Anzaldúa, *Borderlands/La Frontera: The New Mestiza*, 4<sup>th</sup> ed. (San Francisco: Aunt Lute Books, 2012/1987), 52.

questions of subjectivation/subjectation (*La Llorona*), subaltern grammars and modes of communication (*La Virgen de Guadalupe*), and epistemic disobedience and resistance (*Malintzin*).

The importance of theorizing from (sub)alternative and transgressive imaginaries is important for the liberatory aims of both feminist and decolonial philosophy. Indeed, many mainstream feminist philosophers emphasize the importance of the philosophical imaginary for the possibility of liberatory thinking outside of patriarchal structures that have systematically and constitutively excluded women from the production of History, knowledge, and the symbolic order. Feminist critical appropriations of figures such as Antigone, Hipparchia, and Hypatia are a few salient examples of feminist attempts to do precisely this work.<sup>22</sup> However, it is my argument that the continued appeal to these dominant myths of what Tina Chanter calls the “psychic complex” of the West leaves inattention to race, gender, and coloniality intact rather than demystifying them.<sup>23</sup> It is for this reason that I root my philosophical articulation of the interventions of decolonial feminism through the figures of *Las Tres Madres*.

Further, I appeal to *Las Tres Madres* because of their omnipresence in the everyday lives of Chicanxs and Mexicanxs. Departing from the traditional narratives about these three mythological women, I seek to take them up in order to show what they have to teach us about engaging in a decolonial praxis. To do the work of provincializing the dominant racist, sexist, and colonial imaginary we must, as Pérez demonstrates, do our theoretical work through figures that issue from

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<sup>22</sup> See, Fanny Söderbäck, *Feminist Readings of Antigone* (Albany: State University of New York Press, 2010); Bonnie Honig, *Antigone, Interrupted* (Cambridge, New York: Cambridge University Press 2013); Judith Butler, *Antigone's Claim: Kinship between Life & Death* (New York: Columbia University Press, 2000); Tina Chanter, *Whose Antigone?: The Tragic Marginalization of Slavery* (Albany: State University of New York Press, 2011); Mary C. Rawlinson, *Just Life: Bioethics and the Future of Sexual Difference*. (New York: Columbia University Press, 2016); Luce Irigaray, *An Ethics of Sexual Difference*. (NY: Cornell University Press, 1993); Luce Irigaray, *In the Beginning, She Was* (London, NY: Bloomsbury, 2013); Michèle, Le Dœuff, *Hipparchia's Choice: An Essay Concerning Women, Philosophy, etc* (Oxford, UK; Cambridge, MA, Blackwell, 1991); Azizah al-Hibri and Margaret A. Simons. *Hypatia Reborn: Essays in Feminist Philosophy* (Bloomington: Indiana University Press, 1990).

<sup>23</sup> Chanter, *Whose Antigone?*, vii.



transgressive, decolonial imaginaries. When read traditionally, *Las Tres Madres* seem the unlikely heroines of a decolonial feminist praxis that locates agency on the side of the oppressed. *La Virgen de Guadalupe* has been used as a religious icon that works to entrench the *virgen/puta* (virgin/whore) dichotomy in Latinx communities; *La Malinche* has been characterized as the “Mexican Eve” and blamed for the colonization of the Americas because of her multilingual tongue; and tales of *La Llorona* are used to reinforce heteronormative gender roles for both men and women by reducing her to a bad mother and *una loca*. Building from the work of Chicana feminists who have appropriated these myths, I probe the gaps and fissures produced by the ambiguities of these three mythological women in order to generate new philosophical readings. In this dissertation, *Las Tres Madres*, turned *Las Tres Maestras*, serve as pedagogical exemplars for locating agency that persists in the face of oppression.

I argue that rooting my own decolonial feminist method in the figures of *Las Tres Madres* contributes to possibilities for sketching a decolonial feminist praxis that speaks to the lived experience of marginalized and oppressed people, especially Latinxs. Resignifying these myths and images through a decolonial feminist praxis, I seek to develop what Ortega has called “hometactics.” As she explains, “Ultimately hometactics are practices of home-making that do not reify the mythology of home as nurturing, familiar space—the space where I can be me in any way I want—but that allow us to attain a sense of comfort, even a sort of familiarity and belonging in spaces that are not welcoming, safe, or familiar or that are in worlds that ‘undo’ us.”<sup>24</sup> The worlds of academia, particularly the worlds of philosophy, are unwelcoming, unsafe, and unfamiliar for many marginalized and oppressed people, particularly Black, Indigenous, and Latinx women-identified people. As a Chicana Okie from a middle-class background, I speak from experience. By creating

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<sup>24</sup> Mariana Ortega, “Hometactics” in *50 Concepts for a Critical Phenomenology*, eds. Gail Weiss, Ann V. Murphy, Gayle Salamon (IL: Northwestern University Press, 2020), 169. See also, Chapter 7 in Ortega. M. 2016. *In-between: Latina Feminist Phenomenology, Multiplicity, and the Self*. NY: SUNY Press.

these hometactics in the dissertation with *Las Tres Madres*, my ultimate hope is that this work will serve diverse and marginalized communities, helping generate coalitional possibilities and tactics for persistence and resistance in the face of multiple, interlocking oppressions. It is by rooting my philosophical work in these figures that intersectional concerns that reflect my multiplicitous self—such as race, class, sexuality, and coloniality—come into focus. If it is true that as feminist philosophers we seek to do the work of making philosophy more diverse and inclusive—dare I say that if we are interested in *decolonizing* the discipline of philosophy (if such a task is even possible)—then it is imperative that we begin to philosophize from decolonial imaginaries. For, as Gloria Anzaldúa has taught us, it is “[b]y creating a new mythos— that is, a change in the way we perceive reality, the way we see ourselves, the ways we behave— [that we can create] a new consciousness.”<sup>25</sup>

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<sup>25</sup> Anzaldúa 1987, 80.

# Chapter 1 – The Colonial Contract & the Coloniality of Gender

The original contract is merely a story, a political fiction, but the invention of the story was also a momentous intervention into the political world; the spell exerted by stories of political origins has to be broken if the fiction is to be rendered ineffective.

- Carole Pateman, *The Sexual Contract*

*Otro mundo es posible.* / Another world is possible.

- Autonomía Zapatista

In the opening lines of her ground-breaking book, *The Sexual Contract*, Carole Pateman sets the frame for her analysis in the following way, which for the purposes of the opening chapter of this dissertation is worth quoting at some length:

Telling stories of all kinds is the major way that human beings have endeavored to make sense of themselves and their social world. The most famous and influential political story of modern times is found in the writings of the social contract theorists. The story, or conjectural history, tells how a new civil society and a new form of political right is created through an original contract. An explanation for the binding authority of the state and civil law, and for the legitimacy of modern civil government is to be found by treating our society as if it had originated in a contract.<sup>26</sup>

As the founding political story of Western modernity, the social contract is the mechanism that, as Pateman points out, is utilized to explain both the binding authority and legitimacy of the governments and democratic principles of civil society in modernity. However, the rub is that “only half the story is told.”<sup>27</sup> What is left out in this grandiose narrative are the forms of domination and subordination that are constitutive of the very foundations of the social contract. As Pateman famously argues, “We hear an enormous amount about the social contract; a deep silence is maintained about the sexual contract.”<sup>28</sup> Inspired by Pateman’s text, Charles Mills names a second co-constitutive contract of domination: the racial contract. As Mills argues in the opening lines of *The Racial Contract*, “White supremacy is the unnamed political system that has made the world what

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<sup>26</sup> Carole Pateman, *The Sexual Contract* (CA: Stanford University Press, 1988. 2018), 1.

<sup>27</sup> Pateman, 1.

<sup>28</sup> Pateman, 1.

it is today. You will not find this term in introductory, or even advanced, texts in political theory...And this omission is not accidental.”<sup>29</sup> As Mills convincingly demonstrates, the logics of racial domination and white supremacy are not accidents that can be easily corrected because they deeply structure social and political life under the social contract.

In naming the racial and sexual contracts underpinning civil society, Pateman’s and Mills’s paradigm-shifting work unmasks the alleged equality, neutrality, and universality of the social contract and in so doing throw into question its claims to authority and legitimacy. By introducing the terms “sexual contract” (SC) and “racial contract” (RC) into our critical lexicons, they forged a path enabling newfound legitimacy for the consideration of oppression on the basis of race and gender as constitutive to the very foundations of the social contract. In this chapter, I build from these critical lexicons introduced by Pateman and Mills as well as the paths they have forged for an immanent critique of the social contract as “the most famous and influential political story of modern times.” However, I do so through the critical lens of decolonial theory and decolonial feminisms.

What does it mean to enter into the social contract tradition from the point of view of decolonial feminisms? I contend that staging an *encuentro*, an encounter, between these two seemingly disparate traditions, requires approaching the question of the social contract from a different angle, what decolonial thinkers have termed the “underside of modernity.”<sup>30</sup> The decolonial feminist *encuentro* I seek also requires asking who has been excluded, what has remained unnamed, and what silences have been maintained within the “most famous and influential political story of modern

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<sup>29</sup> Charles Mills, *The Racial Contract* (Cornell University Press, 1997), 1.

<sup>30</sup> See, Enrique Dussel, *The Underside of Modernity: Apel, Ricoeur, Rorty, Taylor, and the Philosophy of Liberation*, trans. Eduardo Mendieta (Atlantic Highlands, N.J: Humanities Press, 1996); Linda Alcoff and Eduardo Mendieta. *Thinking from the Underside of History: Enrique Dussel's Philosophy of Liberation* (Lanham, Md: Rowman & Littlefield Publishers, 2000); Nelson Maldonado Torres, *Against War: Views from the Underside of Modernity*. Durham: Duke University Press, 2008.

times,” but this time from the critical perspective of what Gloria Anzaldúa has called the *herida abierta*, the open wound, of colonialism, what Walter Mignolo has named the colonial difference, and what Anibal Quijano and María Lugones have termed the coloniality of power, race, and gender. Doing so, as decolonial thinkers have demonstrated, reveals that coloniality is constitutive of modernity. Further, as I argue in this chapter, this *encuentro* unveils the “dark side” of the social contract: the colonial contract.

The colonial contract exposes that the social contract of the West is predicated upon an inner logic of colonial domination that structures social, political, and economic institutions. The basic structure of this central contract of domination, as I shall demonstrate throughout this dissertation, is the coloniality of power, race, and gender which “introduces the basic and universal social classification of the population of the planet” in terms of hierarchical and dichotomous categorial logics.<sup>31</sup> These imposed logics construct one side of the dichotomy as “naturally” superior to the other, e.g. human/sub-human, culture/nature, mind/body. Understood in this way, as Quijano and Lugones demonstrate, race and gender are categorial logics that are constituted by and constituting of the coloniality of power. It is these logics that I argue are aspects of the basic structure of the colonial contract. As inventions of the colonial imaginary of the colonial contract, race and gender mutually reinforce one another; they are fused and cannot be disaggregated. Thus, at the crux of my decolonial feminist argument regarding the colonial contract, *pace* Mills and Pateman, is that examining race and gender separately necessarily produces a partial and distorted understanding of these constitutive logics of domination. That is to say, the racial and sexual

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<sup>31</sup> Anibal Quijano, “Coloniality of Power, Eurocentrism, and Latin America.” *Nepantla: Views from South* 1, no. 3 (2000): 533-580; Lugones, “Toward a Decolonial Feminism,” 190.

contracts are not separable contracts, rather, they intersect and intermesh in complicated ways as two faces of the colonial contract.<sup>32</sup>

In order to unpack and support these claims and elucidate the contours and mechanisms of the colonial contract, in this chapter I focus on Mills's and Pateman's co-written work *Contract and Domination*. Narrowing my focus to this under-considered text enables me to underscore the interventions of my decolonial feminist account of the colonial contract. *Contract and Domination* is an important work for several reasons. Published a decade after Mills' *The Racial Contract* and nearly two-decades after *The Sexual Contract*, *Contract and Domination* explores the tensions and resonances between Mills's and Pateman's thought as well as offers insights into the evolution in their thinking since the reception of their initial work. I offer close readings of two chapters of *Contract and Domination* that I take be significant developments in the respective work of Pateman and Mills.

In the first section of this chapter, I consider Pateman's essay "The Settler Contract" in order to highlight the importance of Latinx and Latin American decolonial approaches to what I called in the introduction anti-colonial philosophies. Pateman's chapter investigates the ways in which the logics of settler colonialism, particularly the concept of *terra nullis*, are deep-seated in the early-modern texts of social contract theory and British justifications for colonial expansion in the "New World." Pateman's historically narrow focus on British justifications for settler colonialism and the use of the doctrine of *terra nullis* sets the stage for demonstrating how attending to colonality both grants a longer view of the legacies and histories of colonization in ways that deepen our ability to deconstruct the fictions of the social contract as well as to show that undergirding these justifications are the categorial logics of colonality and the colonial difference.

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<sup>32</sup> These are two of many faces, other faces will present themselves in the unfolding of this dissertation, but they are not always the focal point of this analysis.

The second section takes up Mills's chapter "Intersecting Contracts" in order to emphasize the importance of the insights of Latinx decolonial feminist accounts of oppression in the context of colonialism and colonality. Inspired by feminist of color articulations of intersectionality, Mills's chapter attempts to combine the accounts of the racial and sexual contract into what he terms the "racia-sexual contract" (RSC). Building from Kathryn Sophia Belle's critical engagement with Mills's account of the RSC, I contend that not only does the RSC fail to adequately address the scholarship and experience of women of color but, further, that it fails to adequately account for the role of colonization and colonality in the formation and imposition of categorial logics and the hierarchical and oppressive regimes of race and gender.

The third section of this chapter turns more fully to decolonial feminist philosophy, particularly Lugones's concepts of the colonality of gender and categorial logics, in order to articulate what I, and others, have called the colonial contract.<sup>33</sup> In naming the colonial contract, I want to be clear that it is not my intention to construct a counter political origin story. The account I am developing is informed by a decolonial feminist methodology that is wary of the philosophical proclivity to search for origin stories or master narratives that too neatly unpack the heterogeneous workings of the colonial domination. Giving up these quests, a decolonial feminist approach does not seek a foundational account of the complex workings of the colonial contract but instead attends to multiplicity and impurity in order to dismantle the complex and multi-faceted structures of colonality at institutional, social, inter-personal, and personal levels. Our political communities in the West are forged by histories of genocidal violence and oppression that are undeniably racist and

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<sup>33</sup> For other critical analyses of the colonial contract see, Patricia Huntington, "Challenging the Colonial Contract: The Zapatistas' Insurgent Imagination," *Rethinking Marxism* 12, no. 3 (Fall 2000): 58-80; Arlo Kempf (ed.), *Breaching the Colonial Contract: Anti-Colonialism in the US and Canada* (New York: Springer Press, 2009); Christine Keating, "Framing the Postcolonial Sexual Contract: Democracy, Fraternalism, and State Authority in India," *Hypatia* 22, no. 4 (November 2007): 130-145; Robert Nichols, "Indigeneity and the Settler Contract Today," *Philosophy and Social Criticism* 39, no. 2: 165-186.

sexist. However, without an accompanying analysis of the role of colonization, colonialism, and coloniality, we cannot adequately account for the emergence of the regimes of race and gender nor their relationship to other logics of domination.

## 1. The Settler Contract

In this section, I take up Pateman's essay "The Settler Contract." Pateman's important work traces the circulation of the concept of *terra nullis* in the works of 17<sup>th</sup> and 18<sup>th</sup> century political theory and international law. Engaging what she terms the "new scholarship" in political theory examining the justifications for colonial expansion given in early modern texts, Pateman outlines what she takes to be two limitations of this work: their limited considerations of only the North American context and their lack of attention to the way in which the doctrine of *terra nullis* functions in "stories of an original contract."<sup>34</sup> Pateman argues that the political importance of the doctrine of *terra nullis* is that it provided the justification for "one of the most fundamental questions of modernity."<sup>35</sup> As she frames the question, "Why was it legitimate for Europeans to sail across oceans and 'plant' settlers in (i.e. colonize) faraway territories?"<sup>36</sup> Responding to this question, Pateman contends, requires the acknowledgement of what she terms the "settler contract."

At the heart of the settler contract is the doctrine of *terra nullis*. *Terra nullis* finds its origins in the Roman concept of *res nullis* which governed "empty" things or things that belong to no one.<sup>37</sup> Deployed to justify projects of colonialism by Imperial powers, most notably by the British Empire, the notion of *res nullis* is transformed into the "capacious concept" of *terra nullis* once it is applied to land and resources. As Pateman explains, "To call a tract of land *terra nullis* has a range of meanings:

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<sup>34</sup> Pateman, Carole. 2007. "The Settler Contract," *Contract & Domination*. Polity Press, 37-38.

<sup>35</sup> Pateman, 33.

<sup>36</sup> Pateman, 33.

<sup>37</sup> Pateman, 36.



the territory is empty, vacant, deserted, uninhabited, *vacuum domicilium*; it belongs to no one, is *territoire sans maître*; it is wasted, uncultivated, virgin, desert, wilderness.”<sup>38</sup> The concept of *terra nullis*, Pateman aims to show, is at the heart of the foundational texts of modern philosophers like Thomas Hobbes, John Locke, Thomas More, and Hugo Grotius as well as the projects of British colonialism in the “New Worlds” of North America and Australia. These colonial projects in the “New Worlds” are significant, on Pateman’s view, because they were not just attempts to subordinate, exploit, kill, and rape Native peoples in order to make “maximum use of the colonized and their resources and lands” but were also attempts to plant the seeds of new civil societies in order to develop an “international system of sovereign states.”<sup>39</sup> The concept of *terra nullis* at the heart of the settler contract was central to these projects of “colonial planting” because it established the territories of the “New World” as existing in a “state of nature” devoid of civil society. Thus, according to 17<sup>th</sup> and 18<sup>th</sup> century international law and political theory, “if land is *terra nullis* then it may be rightfully occupied.”<sup>40</sup>

However, “the problem was that land without inhabitants were very few indeed.”<sup>41</sup> The presence of already existing Native societies and peoples greatly complicated these colonial aspirations and required the development of sophisticated philosophical and juridical maneuvers in order to justify colonization. It is precisely these colonial maneuvers that Pateman works to uncover through her analysis of the settler contract and *terra nullis* by examining the works of modern political philosophers, in particular More, Grotius, Hobbes, and Locke. Pateman notes that there are two senses of *terra nullis* deployed by defenders of colonization, including the philosophers just named, particularly in the North American context. The first sense of *terra nullis* circulated around

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<sup>38</sup> Pateman, 36.

<sup>39</sup> Pateman, 39.

<sup>40</sup> Pateman, 36.

<sup>41</sup> Pateman, 36.

understandings of land as “uncultivated wilderness.” On this understanding, lands were “open to appropriation” through the “right of husbandry,” which affirmed that “the law of nature required all nations to cultivate their land.”<sup>42</sup> The second sense of *terra nullis* identified by Pateman concerned the inhabitants of the “discovered” lands. On this understanding, Native inhabitants of the “new worlds” had no recognizable form of sovereign government.<sup>43</sup> Because the “discovery” of the “new worlds” lacked any preexisting form of sovereign government, the lands were to be considered as existing in a state of nature.<sup>44</sup> The political and philosophical significance of both senses of *terra nullis* is that the “legitimacy of the states created in North America and Australia is ultimately based on the claim that, in one or another sense of the term, they were created in a *terra nullis*.”<sup>45</sup>

There are two key aspects of Pateman’s argument that I focus on in this section in order to differentiate my own account of the colonial contract informed by Latinx decolonial feminism and Latin America decolonial theory from her account of the settler contract which focuses on justifications based in the doctrine of *terra nullis* for British settler colonialism in the Americas and Australia. The first aspect of Pateman’s argument that I focus on is the limitation of the scope of her considerations to colonization of the “New Worlds” of present-day Canada, the U.S., and Australia. It is this delimitation, I argue, that places the doctrine of *terra nullis* at the heart of Pateman’s analysis of settler colonialism and the settler contract. I problematize this limited scope and show why a longer view of European colonialism, including Spanish and Portuguese forms, is necessary for unveiling the relationship between what Pateman calls the settler contract and what I am calling the colonial contract. Turning to the work of Breny Mendoza, I show that underlying the British justifications for colonization examined by Pateman were ontological assumptions about the

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<sup>42</sup> Pateman, 52.

<sup>43</sup> Pateman, 36.

<sup>44</sup> Pateman, 36.

<sup>45</sup> Pateman, 37.

inferiority of the colonized that relied on what Latin American decolonial thinkers have called “the colonial difference” and the coloniality of power, race, and gender. Second, and perhaps most important for this chapter, I focus on the way in which Pateman brackets consideration of the racial contract and sexual contract for “analytic clarity.” As a result, Pateman’s analysis of the settler contract lacks a substantive engagement with the constitutive role of gender and race in settler colonialism and the doctrine of *terra nullis*. As I will show, these two gaps in Pateman’s argument leave under-addressed the ways in which the settler contract is one piece of a much larger web of domination and expropriation, what I am suggesting we call the colonial contract, that is deeply entangled with the sexual and racial contracts.

### 1.1. Beyond British Settler-Colonialism or, Why 1492 Matters

At the outset of “The Settler Contract,” Pateman explicitly brackets her investigation to the context of British justifications for colonization of North America and Australia. Limiting her analysis in this way enables a close look at the British Empire’s development of the doctrine of *terra nullis* to support the “planting” of colonists in order to foster “civil societies” in the “New World.” As she explains, “When colonists are planted in a *terra nullis*, an empty state of nature, the aim is not merely to dominate, govern, and use but to create a civil society. Therefore, the settlers have to make an original—settler—contract.”<sup>46</sup> On her account, the settler contract is defined as “a specific form of the expropriation contract” that “refers to the dispossession of, and rule over, Native inhabitants by British settlers in the two New Worlds.”<sup>47</sup> Thus, she leaves “open the question whether the idea of a settler contract has any wider relevance” to other forms of European colonialism outside of the

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<sup>46</sup> Pateman, 38.

<sup>47</sup> Pateman, 38.

context of North America and Australia or to “more recent plantings by non-Europeans in the territories of Indigenous peoples around the world.”<sup>48</sup>

In order to better situate the settler contract and *terra nullis*, Pateman shows how British colonialism appealed to justifications for colonization based on occupation and settlement that were rooted both in *terra nullis* and the doctrine of discovery. As Pateman explains, alongside cession, annexation, and conquest, “Occupation (settlement) was one of four forms of legitimate territorial acquisition established by the European powers as part of efforts to regulate their expansion and avoid conflict over trading rights.”<sup>49</sup> Pateman underscores the importance of a conceptual shift within the realm of international law during the late 16<sup>th</sup> century and early 17<sup>th</sup> century from justifications based on “conquest,” which were commonly utilized in the colonial projects of Spain, towards those of “occupation” and “settlement.”

Pateman outlines two reasons for this shift in conceptual language by the British Empire. The first reason for the shift was the necessity to provide legitimate justification on the international stage for their colonies. Unlike the Spanish projects of colonization, which appealed to justifications based on conquest that were backed by papal bulls, the British Empire did not hold the same authorization from the Church and thus required an alternative form of justification. The second reason for shifting to justifications based on settlement was the attempt by the British Empire to distance themselves from the language of conquest because of their denunciation of the brutality of Spanish colonial projects. Citing the British reception of Bartolomé de las Casas’s *A Brief Narration of the Destruction of the Indies* published in English in 1583, Pateman argues that the British sought to distance themselves from the type of colonialism deployed by the Spanish under the banner of the rights of conquest. As she explains, “by the seventeenth century the British had dug a theoretical

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<sup>48</sup> Pateman, 41; Pateman is here thinking especially about the case of Palestine.

<sup>49</sup> Pateman, 41.

gulf between their colonial practice and that of their Spanish enemies and wanted to distance themselves from the atrocities that had accompanied the Spanish conquest.”<sup>50</sup>

Due to her delimited scope and focus on the justifications for British colonialism found in the texts of modern contract theorists, Pateman’s references to the Spanish conquest of the Americas end after the first section of her essay as she narrows her focus to considerations of British settler colonialism via the settler contract. My goal in this chapter is to offer a thicker analysis that builds from Pateman’s analysis in order to investigate the residues of the Spanish conquest in British settler colonialism in North America. Providing a longer view of European colonization of the Americas enables me to trace the ways in which important aspects of the justifications for Spanish colonialism, viz. the right to conquest as authorized by both Church and Crown, persist within the logics of British settler colonialism and the doctrine of *terra nullis*. Tracking key aspects of what Breny Mendoza terms the “interimperial linkages” between the British and Iberian colonial projects unveils what I am suggesting we call, *pace* Pateman, the colonial contract.<sup>51</sup> In order to further unpack these claims, I return to Pateman’s citation of las Casas to situate the British reception of *A Brief Narration of the Destruction of the Indies* as emerging out of the aftermath of the Valladolid Debates of 1550-51. Latin American decolonial thinkers have pointed to the significance of the Valladolid Debates both for laying the philosophical groundwork for ontological assumptions about the inferior nature of the colonized as well as evidence that these ideas were not universally held and agreed upon but rather were a site of intense debate and disagreement.

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<sup>50</sup> Pateman, 44. A theoretical gulf, but in practice Pateman notes that these lines were fuzzy and that British settler colonialism was not exempt from the brutality they repudiated in the Spanish conquest. To wit, she writes, “The history on the ground is very hard to distinguish from conquest in both America and Australia the settlers and the military used extensive violence to overcome the resistance of Native peoples and drive them off their land” (Pateman, 42).

<sup>51</sup> Mendoza, Breny. 2017. “Colonial Connections.” *Feminist Studies* 43(3): 641. For other works that consider the interimperial linkages of colonial Empires see, Lisa Lowe, *The Intimacies of the Four Continents*. (Durham: Duke University Press, 2015).

Connecting the dots between the British and Spanish imperial projects enables us to go further than Pateman's account of settler colonialism with its focus on the legal and philosophical justifications for British colonial expansion in early modern political philosophy. As Latin American decolonial thinkers like Mendoza, Dussel, and Mignolo have emphasized, the Valladolid debates demonstrate that the philosophical arguments surrounding justifications for the colonial project were deeply concerned with more than legal and political concepts but with questions regarding the ontological status of Native peoples. In her essay, "Colonial Connections," Breny Mendoza draws a direct connection between the Valladolid debates and the articulation of the social contract in modern political philosophy. Mendoza argues,

The notion that British colonizers used modern and legal justifications for colonial expansion and dispossession of Indigenous lands using the social contract theory of Locke and Hobbes is not historically accurate. In fact, Hobbesian and Lockean social contract theory can be read as successors and secular translations of the Valladolid debates between Las Casas and Sepulveda, debates that served to legalize the Christian civilizing mission of the Spaniards 150 years earlier.<sup>52</sup>

Reading the foundational texts of social contract theory as inheritors of the arguments presented in the Valladolid debates, as Mendoza urges us to do, enables a longer view of the history of colonization and of the origins of social contract theory. I will argue that carefully considering the relationship between the justifications for the colonial projects of the Iberian Empire and later European colonial projects has significant implications for Pateman's analysis of the doctrine of *terra nullis*. Attending to the justifications given in the Valladolid debates demonstrates that far from a secular argument made purely on the legal basis of the rights of settlement and occupation of "uncultivated" lands and "non-sovereign" peoples, the doctrine of *terra nullis* in both of its senses, both in terms of land and in terms of its inhabitants, relies on ontological justifications for the "natural" inferiority of Amerindian peoples in the "New World."

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<sup>52</sup> Mendoza, 643; see also Dussel, Enrique. 2014. "Anti-Cartesian meditations: on the origin of the philosophical anti-discourse of modernity." *Journal for Cultural and Religious Theory* 13 (1): 11-52.

The Valladolid debates of 1550-51 between las Casas and Gines de Sepúlveda centered on the moral dilemma of the rights of Indigenous peoples in the Americas. The arguments from the debate, particularly those of Sepúlveda, exposed central philosophical justifications for subjugation and expropriation through European colonization. According to Political Scientist Daniel Brunstetter, “As an historical moment at the origins of Modernity when the notion of the human was debated and alternative interpretations presented as the most viable, the Valladolid debates provide the context to explore the ways to attend to Otherness at the heart of civilizational discourse.”<sup>53</sup> More pointedly, Mendoza explains that by setting the foundations for establishing “only the European and the Christian as truly human, the debates provided an ontological vindication of colonizing practices.”<sup>54</sup> This ontological vindication for European colonial projects rests on what Mignolo and Lugones have termed “the colonial difference.”

According to Mignolo, the colonial difference is a direct consequence of the coloniality of power.<sup>55</sup> The colonial difference introduces a fracture between coloniality and modernity under the modern/colonial system. In generating this fracture, the coloniality of power establishes a cleavage between the colonized and colonizer that has philosophical, social scientific, and world historical consequences. Lugones refers to this distinction as the “dichotomous hierarchy between the human and nonhuman” in her theorization of the colonial/modern gender system and the coloniality of gender.<sup>56</sup> This distinction, that is, the colonial difference, ushers in an array of further binary categorial logics that rest at the foundations of the colonial contract including: rational/ irrational, civilized/uncivilized, nature/culture, and man (as male)/woman (as female). It is the Valladolid

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<sup>53</sup> Daniel R. Brunstetter, “Sepúlveda, Las Casas, and the Other: Exploring the Tension between Moral Universalism and Alterity.” *The Review of Politics* 72, no. 3 (2010): 412.

<sup>54</sup> Breny Mendoza, “The Undemocratic Foundations of Democracy: An Enunciation from Postoccidental Latin America. *Signs* 31, no. 4 (2006): 936.

<sup>55</sup> Walter Mignolo, “The Geopolitics of Knowledge and the Colonial Difference.” *The South Atlantic Quarterly* 101, no. 1 (2002): 57–96.

<sup>56</sup> Lugones, “Toward a Decolonial Feminism,” 743.

debates between Sepulveda and las Casas that crystallize the colonial difference as “the fundamental question of whose lives count as human.”<sup>57</sup>

Written in 1542, Dominican friar las Casas’s *A Brief Narration of the Destruction of the Indies* gives a first-hand account of the brutality of the practices employed by the Spanish conquistadors during their conquest of the “New World.” A staunch critic of the Spanish *encomienda* system and aiming to instigate reform, las Casas’s account was directed to King Carlos V and detailed the violence and atrocities carried out by the *encomenderos* against Indigenous peoples.<sup>58</sup> Las Casas’s petition to the King resulted in the passage of the *Leyes Nuevas* (New Laws) of 1542, which were designed to dissolve the *encomienda* system and install protections for the Indigenous peoples of “New Spain” in order to prevent abuse and exploitation by the *encomenderos*. According to historian Bonar Ludwig Hernandez, “The laws were designed to abolish the *encomienda* system within a generation by outlawing its perpetuation through inheritance.”<sup>59</sup> Las Casas’s eyewitness accounts, the passage of the *Leyes Nuevas* of 1542, and the papal bull of 1537 that confirmed Indigenous peoples in

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<sup>57</sup> Mendoza “The Undemocratic Foundations of Democracy,” 936; See also Enrique Dussel, “Anti-Cartesian meditations: on the origin of the philosophical anti-discourse of modernity.” *Journal for Cultural and Religious Theory* 13, no. 1 (2014): 11-52.

<sup>58</sup> The *encomienda* system was a central mechanism of Spanish colonial projects that has roots in the Iberian *Reconquista*. The *encomienda* was a grant that gave its holder, the *encomendero*, rights to labor, resources, and tribute from a designated group of Indigenous peoples. *Encomiendas* were often given in return for service to the Spanish Crown. As Susan Elizabeth Ramírez explains, *encomiendas* were notorious for violent and degrading treatment of Indigenous peoples. She writes, “Harsh treatment of the natives and the catastrophic decline in their numbers due to disease, overwork, starvation, and flight caused the crown and Council of the Indies to reconsider the *encomienda*. Royal officials sent decrees ordering the fair treatment of the natives. These were codified in the Laws of Burgos of 1512 and again in the New Laws of 1542. One clause of the latter abolished the *encomienda* at the death of the holder. *Encomenderos* in Mexico protested this assault on their status and wellbeing. The *encomenderos* of Peru revolted, and eventually confronted the first viceroy, Blasco Núñez Vela. They found him unyielding in his zeal to implement the laws, so they beheaded him, setting off a civil war that was not totally quelled until 1549.” See, Susan Elizabeth Ramírez, “Encomienda.” *Encyclopedia of Western Colonialism since 1450*, edited by Thomas Benjamin, vol. 1 (Macmillan Reference USA, 2007), 437-438.

<sup>59</sup> B.L. Hernandez, “The Las Casas-Sepúlveda Controversy: 1550-1551.” *Ex Post Facto: Journal of History Students at San Francisco State University* X (2001): 98.



the Americas had the capacity to understand and receive the Catholic faith are the background for the Valladolid Debate.

Assembled in 1550 at the order of King Carlos V, the debate between Sepúlveda and las Casas at the Colégio de San Gregorio in the city of Valladolid was staged in order to hear arguments regarding the legitimacy of the Spanish conquest of the Americas. According to Ramon Blanco and Ana Carolina Teixeira Delgado, “The debate developed around a fundamental theological, legal, and philosophical question, namely whether it was ‘lawful for the King of Spain to wage war on the Indians, before preaching the faith to them, in order to subject them to his rule.’”<sup>60</sup> Indeed, as Enrique Dussel contends, this question is “the perennial question of Modernity,” viz. “What right does Europe have to colonially dominate the Indies?”<sup>61</sup> As such the Valladolid Debate can be “understood as the epicenter of the crystallization of coloniality.”<sup>62</sup>

Representing opposing sides, Sepúlveda and las Casas presented two theoretical justifications for the Spanish conquest that revolved around the question of the humanity of the colonized Indigenous peoples of the Americas. Sepúlveda argued that the Spanish Crown was justified in waging a just war against the Indigenous peoples of the Americas. His arguments revolved around four propositions: “first, the Indians were barbarians; second, they committed crimes against natural law; third, the Indians oppressed and killed the innocent among themselves; and fourth, they were infidels who needed to be instructed in the Christian faith.”<sup>63</sup> Sepúlveda’s arguments utilized Aristotelian justifications for slavery in order to reinforce his claims about the barbaric and inferior nature of Amerindian peoples. Opposing Sepúlveda’s arguments, las Casas’s position sought to refute each of Sepúlveda’s four propositions. According to Hernandez, las Casas’s position appealed

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<sup>60</sup> Ramon Blanco and Ana Carolina Teixeira Delgado. “Problematising the Ultimate Other of Modernity: the Crystallisation of Coloniality in International Politics.” *Contexto Internacional* 41, no. 3 (2019): 611.

<sup>61</sup> Dussel, “Anti-Cartesian meditations,” 32.

<sup>62</sup> Blanco and Delgado, “Problematising the Ultimate Other of Modernity,” 610.

<sup>63</sup> Hernandez, “The Las Casas-Sepúlveda Controversy,” 99.

to an argument regarding the “essential unity of humankind.”<sup>64</sup> As he explains, las Casas argued that “though at a different and backward stage of human development than the Europeans,” Indigenous peoples in the Americas “were no less rational and adept to peacefully receive the Christian faith than the peoples of the Old World.”<sup>65</sup> A simplistic reading of “Las Casas as a defender of the Amerindians” and Sepulveda as “arguing for their oppression” covers over that both men approached the debate informed by a colonial imaginary.<sup>66</sup> As Blanco and Delgado argue, “Critically scrutinizing both arguments, what emerges is that the real point of disagreement was only in regards to how to deal with the Amerindian difference, either pacifically or violently...Whether violently or not, both argued that, in essence, the Amerindians should be transformed.”<sup>67</sup>

The Valladolid debates expose the centrality of the colonial difference for the justification of the Spanish conquest of the Americas in ways that had ripple effects for the European colonial projects that follow 1492. In order to gain a fuller understanding of the histories and legacies of colonization, we must attend to what Mendoza calls the interimperial linkages between the colonial projects of the Iberian and British Empires. According to Mendoza, there is a tendency in anticolonial historiographies, particularly within postcolonial studies, to begin their considerations of colonial histories with the British Empire and in so doing omit “the preceding three hundred years of Iberian colonialism.”<sup>68</sup> Mendoza terms this tendency “Iberiantalism,” which like the Orientalism diagnosed by Edward Said, understands the rise of the West according to a colonial imaginary that generates binary distinctions (e.g. East/West) and denies coevalness to the non-Western world and its inhabitants.<sup>69</sup> Mendoza contends that as a result, “Lost is knowledge of the historical continuities

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<sup>64</sup> Hernandez, 99.

<sup>65</sup> Hernandez, 99.

<sup>66</sup> Blanco and Delgado, “Problematising the Ultimate Other of Modernity,” 612.

<sup>67</sup> Blanco and Delgado, 613.

<sup>68</sup> Mendoza, “Colonial Connections,” 641.

<sup>69</sup> Mendoza, 641.

that ties the establishment of Christendom as a system of global domination with the ejection of the Moors and Jews from Spain and how this is linked to the imposition of a caste system based on the principles of the ‘purity of blood’ in Abya Yala.”<sup>70</sup> These bloody logics serve “as the foundation for the idea of race in the coloniality of power established in 1492” that later become translated into “secular terms as scientific racism in the nineteenth century by the British.”<sup>71</sup>

This lineage of the racial logics of the coloniality of power beginning with the Iberian Reconquista is evidenced in the Valladolid debates. Thus, as Mendoza argues, ignoring the “world historical importance of the Valladolid debates” and disassociating Iberian colonialism from British settler colonialism “prevents understanding the modern/colonial gender system that Lugones describes, as it was then that the great divide between the human and nonhuman along gender and racial lines first emerged.”<sup>72</sup> Indeed, this “great divide” between the human/nonhuman and its gendered and racialized logics, what Lugones and Mignolo refer to as the colonial difference, has repercussions for both senses of *terra nullis* outlined by Pateman. In order to unpack and further demonstrate these claims, in the next section I turn to contemporary Native, Black, and Latinx decolonial feminist accounts that underscore the deep connections between *terra nullis*, the colonial difference, and the coloniality of power, race, and gender.

## 1.2. Race, Gender, and *Terra Nullis*

This section considers a further repercussion of the narrow scope of Pateman’s investigation into the British justifications for colonial expansion that she terms the settler contract. In particular, I examine the ways in which *terra nullis* is buttressed by the logics of the coloniality of power, race,

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<sup>70</sup> Mendoza, 641; As Mendoza notes, “Abya Yala is the preferred name to refer to Latin America. It stems from the language of the Kuna and means ‘land of full maturity’” (638n4).

<sup>71</sup> Mendoza, 641.

<sup>72</sup> Mendoza, 642.

and gender. As I will show, a full consideration of the doctrine of *terra nullis* that Pateman identifies as central to British justification for colonialization of the “New World” requires an analysis of the ways in which the colonial difference and the colonality of power, race, and gender are constitutive to the processes of colonization. As I will show, the concept of *terra nullis* is not coherent without the prior imposition of the colonial difference via the colonality of power, gender, and race. In order to unpack these claims, I first consider Pateman’s reason for bracketing the racial and sexual contracts in her considerations of justifications for the settler contract. Next, I turn to the work of contemporary Black, Native, and Latinx decolonial feminists who have argued that settler colonialism is a deeply gendered and racialized process in order to show how both senses of *terra nullis*, regarding lands and peoples, are informed by these categorial logics.

In a footnote to the overview of her arguments in “The Settler Contract,” Pateman notes the following: “Strictly, [the settler contract] includes all three dimensions of the original contract, the social, sexual, and racial, but *for analytic clarity* I am leaving the sexual contract to one side in this chapter. I am also excluding a part of the racial contract, the slave contract, from discussion of North America.”<sup>73</sup> As I show, the unintentional consequence of this move to bracket the racial and sexual contracts in her considerations of the settler contract is that it renders ancillary, rather than constitutive, the operations of gender and race in the processes of colonialism, broadly, and settler colonialism, specifically. I argue that without a careful analysis of race and gender we cannot adequately make sense of the way *terra nullis* was used in British justifications of settler colonialism. In order to better demonstrate these claims, I briefly return to Pateman’s critical analysis of the characterization of America as *terra nullis* as a historical example of what Modern-era social contract theorists have called “the state of nature.”

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<sup>73</sup> Pateman, “The Settler Contract,” 38n6; my emphasis.

The concept of the state of nature is one of the most well-known ideas introduced through the social contract tradition. In her own analysis of the texts of those like Hobbes, Locke, and Grotius, Pateman shows how these canonical thinkers in Western political philosophy deployed the notion of the “state of nature” both as heuristic thought experiments as well as in reference to an actual historical condition. The appeal to the state of nature as an actual historical condition is exemplified in Locke’s writings regarding the “New World.” As Locke infamously proclaims in his *Two Treatises of Government*, “in the beginning all the world was America.”<sup>74</sup>

According to Locke, America was a *terra nullis* because there “is no private property, no husbandry, no money, and no real sovereignty,” all fundamental aspects of proper civil government. Thus, on Locke’s account, “the settlers have found themselves in a state of nature.”<sup>75</sup> Pateman explains the implications of Locke’s position in the following way:

Europeans have discovered a world that is in its first stage of history...This (actual) state of nature waits to be transformed and developed, to be turned into a civil society. The settlers know what they have to build because they are familiar with the opposition between the ‘natural’ and the ‘civil’...between the ‘savage’ and the ‘civilized’...Lacking all attributes of a civil condition, savages cannot undertake the transformation of their lands.<sup>76</sup>

As Pateman notes, the British settlers in the Americas are already, prior to setting foot in the “New World,” familiar with the dichotomous and hierarchical distinction between natural/civil and savage/civilized. This is because, as Pateman notes, “By the early decades of the seventeenth century, Native peoples had already been placed in the category of men who are no more than beasts.”<sup>77</sup> These ideas were further supported by the intellectual community in Great Britain as Pateman shows citing those like Alberica Gentili and Grotius who argue, like Sepúlveda did decades prior, that the Spanish waged a just war against the Native peoples in their colonies. To wit, Gentili

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<sup>74</sup> Locke, John *Two Treatises of Government: And a Letter Concerning Toleration*. New Haven, Conn: Yale University Press, 2003, 2008.

<sup>75</sup> Pateman, “The Settler Contract,” 54.

<sup>76</sup> Pateman, 54-55.

<sup>77</sup> Pateman, 43.

argues in *De Iure Belli* that the Indigenous peoples of the Americas “practiced abominable lewdness even with beasts, and who ate human flesh...such sins are contrary to human nature... against such men, as Isocrates says, war is made against brutes.”<sup>78</sup> These arguments and the related claim that Native people had no “recognizable form of sovereign government,” Pateman explains, “provide justification for the conquest of Native peoples.”<sup>79</sup>

Despite making explicit reference to the categorization of Native peoples as “no more than beasts” whose acts of “abominable lewdness” are “contrary to human nature,” Pateman does not denaturalize these assumptions of the colonial imaginary. Undergirding the assumption that Native people had no sovereign government and thus lived in a state of nature—the second component of the justification of *terra nullis*—is the view of such people as less than human. It is the “abominable” sexual lewdness “even with beasts” and savage nature “against brutes” of the colonized who lag behind modern civil society and exist in a state of nature that justifies the seizure of their lands and resources, that makes their own bodies expendable, fit for expropriation and exploitation. These logics, as Black, Native, and Latinx decolonial feminists have shown, are thoroughly racialized and gendered and rely on the developmental logics of coloniality that deny coevalness to the colonized.<sup>80</sup> As Native feminists have long argued, the structures of gender and sexuality are fundamental aspects of the processes of settler colonialism. “Native feminist theories,” Maile Arvin, Eve Tuck, and Angie Morrill argue, “reveal that a key aspect of the relentlessness of settler colonialism is the consistency

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<sup>78</sup> Alberico Gentili, *De Iure Belli Libri Tres* 1933[1612]: bk 1, XXV, 122; As quoted in Pateman, “The Settler Contract,” 44.

<sup>79</sup> Pateman, “The Settler Contract,” 35, 44.

<sup>80</sup> As Matti Bunzl explains in their foreword to Johannes Fabian’s *Time and the Other* (1983, 2002, 2014), the denial of coevalness is “a term that becomes the gloss for a situation where the Other’s hierarchically distancing localization suppresses the simultaneity and contemporaneity of the ethnographic encounter. The temporal structures so constituted thus place anthropologists and their readers in a privileged time frame, while banishing the Other to a stage of lesser development. This situation is ultimately exemplified by the deployment of such essentially temporal categories as ‘primitive’” (ix). See, Matti Bunzl, “Foreword: Syntheses of a Critical Anthropology,” *Time and the Other: How Anthropology Makes Its Object* (New York: Columbia University Press, 2014).

and thus naturalization of heteropatriarchy and heteropaternalism.”<sup>81</sup> They explain that heteropatriarchy refers to “the social systems in which heterosexuality and patriarchy are perceived as normal and natural, and in which other configurations are perceived as abnormal, aberrant, and abhorrent.”<sup>82</sup> And, by heteropaternalism they mean “the presumption that heteropatriarchal nuclear-domestic arrangements...should serve as the model for social arrangements of the state and its institutions.”<sup>83</sup> In settler colonial projects, the structures of heteropatriarchy and heteropaternalism are fundamental to justifications, like *terra nullis*, for dispossessing Native peoples of their lands. Underscoring the entanglement between “‘proper’ gender roles” and “settler nations’ attempts to limit and manage Indigenous peoples’ claims to land,” Arvin, Tuck, and Morrill argue that settler attempts to undermine the complex structures of government and kinship of Indigenous peoples relied on “the management of Indigenous peoples’ gender roles and sexuality.”<sup>84</sup>

Further, the doctrine of *terra nullis* has and continues to be central to the degradation of indigenous claims to sovereignty. Citing John M. Hobson’s *The Eurocentric Conception of World History*, Mendoza argues that the “very notion of sovereignty is based on Eurocentric, racist, and imperialist premises.”<sup>85</sup> Those rendered “bestial” or “uncivilized” through the colonial difference and the gendered and racialized mechanisms of coloniality are denied sovereignty while the West is granted a “hypersovereignty.”<sup>86</sup> Mendoza underscores that conquest and colonization themselves “are defined by the loss of sovereignty and self-government of the colonized.”<sup>87</sup> As Mendoza explains, “It is not a political logic based on higher forms of civility that elevates ‘men’ above the state of nature, but in

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<sup>81</sup> Maile Arvin, Eve Tuck, Angie Morill. “Decolonizing Feminism: Challenging Connections between Settler Colonialism and Heteropatriarchy. *Feminist Formations* 25, no. 1 (2013): 14.

<sup>82</sup> Arvin, et al., “Decolonizing Feminism,” 13.

<sup>83</sup> Arvin, et al., 13.

<sup>84</sup> Arvin, et al., 15.

<sup>85</sup> Mendoza, “Colonial Connections,” 644.

<sup>86</sup> Mendoza, 644.

<sup>87</sup> Mendoza, 644.

fact a discursive legitimization of conquest and genocide of native peoples.”<sup>88</sup> Native feminists Aileen Moreton-Robinson and Audra Simpson argue further that the discourses of sovereignty legitimized through *terra nullis* are thoroughly gendered and racialized through “the possessive logics of patriarchal white sovereignty.”<sup>89</sup>

Indeed, race is ineliminably bound up in the processes of settler colonialism and intersects in complicated ways with gender. Contemporary Indigenous and critical race theorists who think at the nexus of Black studies and Native studies have argued that, in the U.S. context, both Blackness and Indigeneity are categorial logics that are produced in and through settler colonialism. Responding to the pervasive inattention to race in much of settler colonial studies, Tiffany King argues that settler colonial studies “must contend with the ways that its own discourse of settler and settlement disavows the violent ways that settler human self-actualization depends on the most violent forms of Black and Indigenous death.”<sup>90</sup> What is required to contend with the violence of settler colonialism, Kristie Dotson reminds us, is keeping the triad between settler-native-slave “in focus.”<sup>91</sup> Indeed, our analytical clarity depends on it.

In the U.S., Blackness and Indigeneity have an inverse relationship to one another through racial criterion and taxonomies that are based on “blood” that establish a triadic relationship between settler-native-slave that have their roots, as Mendoza argues, in the bloody logics of the colonality of power beginning with the Iberian Reconquista as was evidenced in the Valladolid debates. Patrick Wolfe, a key figure in settler colonial studies, explains that these logics persist after settlement,

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<sup>88</sup> Mendoza, 644.

<sup>89</sup> Aileen Moreton-Robinson, *The White Possessive: Property, Power, and Indigenous Sovereignty* (MN: University of Minnesota Press, 2015); Audre Simpson, “The State is a Man: Theresa Spence, Loretta Saunders, and the Gender of Settler Sovereignty,” *Theory & Event* 19, no. 4 (2016).

<sup>90</sup> Tiffany King, *The Black Shoals* (Durham: Duke University Press, 2019), 19.

<sup>91</sup> Kristie Dotson, “On the Way to Decolonization in a Settler Colony: Re-introducing Black Feminist Identity Politics,” *AlterNative* (2018): 6.



For instance, Indians and Black people in the US have been racialized in opposing ways that reflect their antithetical roles in the formation of US society...In the wake of slavery, this taxonomy became fully racialized in the 'one-drop rule,' whereby any amount of African ancestry, no matter how remote, and regardless of phenotypical appearance, make a person Black. For Indians, in a stark contrast, non-Indian ancestry compromised their indigeneity, producing 'half-breeds,' a regime that persists in the form of blood quantum regulations. As opposed to enslaved people, whose reproduction augmented their owners' wealth, Indigenous people obstructed settlers' access to land, so their increase was counterproductive.<sup>92</sup>

As Wolfe demonstrates, these racial logics are constructed precisely in order to justify the project of settler colonialism. Further, as Moreton-Robinson demonstrates in *The White Possessive*, the categorial logics of race are intrinsic to the doctrine of *terra nullis*, both in the justifications for British colonization as well as its continued use in the context of Australia, in ways that are especially evident in former British colonies. According to Moreton-Robinson,

In former British colonies such as Australia, 'race' indelibly marks the formation of nation-states and the development of national identity...The intersection between race and property played a definitive role in international common law through the legal fiction of *terra nullis*, which enabled the assumption of patriarchal white sovereignty in the name of the British Crown.<sup>93</sup>

Moreton-Robinson further unpacks the emergence of patriarchal white sovereignty through the shifts from sovereignty as grounded in the "divine right of kings" to the secular sovereignty of the state grounded in the social contract.<sup>94</sup> Citing Mills's *The Racial Contract*, Moreton-Robinson writes, "The universal liberal individual, who is the agent of the social contract theory, was the European white male, who is collectively identified as white and fully human. This racial contract allowed white colonists to treat Indigenous people as subhuman, appropriating Indigenous lands in the name of patriarchal white sovereignty."<sup>95</sup>

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<sup>92</sup> Patrick Wolfe, "Settler Colonialism and the Elimination of the Native." *Journal of Genocide Research* 8, no. 4 (2006): 387-388.

<sup>93</sup> Moreton-Robinson, *The White Possessive*, 138.

<sup>94</sup> Moreton-Robinson, 138.

<sup>95</sup> Moreton-Robinson, 139.

To recap, in this section I have argued that Pateman brackets out of her analysis two constitutive aspects of the ideology of *terra nullis*: race and gender. Without accounting for the relationship between race, gender, and the category of the human we cannot make sense of the claims made under the doctrine of *terra nullis* that America (a) is a historical state of nature which relies on developmental logics of coloniality that deny coevalness to the colonized grounded in the colonial difference and (b) that the land was empty which relies on a dichotomy between the human and non- or sub-human that is deeply racialized and gendered. Because she does not thematize these fundamental aspects of *terra nullis*, Pateman's discussion of the British justification is inadequate. It does not reveal the various assumptions regarding race and gender woven into the use of *terra nullis* as a justification for settler colonialism in the 17<sup>th</sup> century, nor can it serve as a basis for examining the continued impacts of settler colonialism for social and political theory (the modest aims of her own project). In addition, it also fails to consider the interimperial linkages between colonial projects since 1492.

An analysis of the constitutive logics of domination and expropriation of the "original contract" requires examining the deep entanglements between the racial, sexual, and colonial contracts of which the settler contract is a part.<sup>96</sup> Thinking the contracts together is the task that Mills undertakes in his essay "Intersecting Contracts." Focusing specifically on the relationship between the racial and sexual contracts, Mills develops an account of what he terms the "racia-sexual contract." I turn to Mills in the following section in order to investigate the relationship between the racia-sexual contract and what I am calling the colonial contract.

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<sup>96</sup> Just as the slavery contract is an aspect of the racial contract, the settler contract is an aspect of the colonial contract.

## 2. The Racia-Sexual Contract

Mills's essay, "Intersecting Contracts," opens by centering the intersection of race and gender with the expressed intention of examining "when and where (or if and how) women of color enter the social contract universe."<sup>97</sup> In so doing, Mills engages the rich traditions of intersectional thinking by feminists of color, particularly Black feminists, who demonstrate the all-too-frequent inadequacy of mainstream (white) feminism and antiracist theories for speaking to the experience of women of color. Given this long-standing theoretical tradition, Mills reflects, "A book jointly written by...a white woman and a black man, must therefore be particularly self-conscious about not simply reproducing past exclusions, especially given that Pateman's original 'sexual contract' had little to say about race while my 'racial contract' had little to say about gender."<sup>98</sup> Further, Mills attempts to take intersectionality seriously by acknowledging the partial insights of the racial and the sexual contracts that, when articulated as separate contracts, risk extinguishing one another. Mills writes, "For each had as its blind side a complementary darkness about the *full* dimensions of the contract as it affected those at the bottom."<sup>99</sup> Seeking to remedy these "past exclusions" and "partial insights," Mills sets out to bring the insights of Women of Color feminists and intersectionality to bear on his attempt to combine the two contracts into what he terms the "racia-sexual contract" (RSC).

With a gesture to Rawlsian reformulations of social contract theory, Mills contends that in order to begin examining the RSC we must first identify and name the basic structures involved in the structure of domination.<sup>100</sup> In previous accounts, Mills and Pateman identified the basic structures of

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<sup>97</sup> Charles Mills, "Intersecting Contracts," *Contract and Domination* (Cambridge: Polity, 2007), 165.

<sup>98</sup> Mills, 165.

<sup>99</sup> Mills, 198.

<sup>100</sup> Rawls recuperations of social contract theory have been a center of gravity for contemporary conversations in social and political theory. There is also a substantial literature that is critical of his treatment of race, gender, sex, and other marginalized identities but this literature is vast and much of it is beyond the scope of this chapter.

the racial contract (RC) and sexual contract (SC) as white supremacy and patriarchy respectively.

Turning to the work of feminists of color, Mills identifies the “racial patriarchy” as the basic structure underpinning the RSC. Mills explains, “If the sexual contract establishes patriarchy, and the racial contract establishes white supremacy, the racia-sexual contract establishes the white supremacist patriarchal polity.”<sup>101</sup> Acknowledging the long history of analyzing and naming the racial patriarchy within women of color theorizing, much of which has taken place outside of the traditional boundaries of academic philosophy, Mills attempts to bring the term into conversation with social and political philosophy.<sup>102</sup> This is imperative, Mills contends, because “the interlocking nature of the systems means that one cannot speak of the ‘contracts’ in isolation, since they rewrite each other.”<sup>103</sup>

Mills limits his analysis of the RSC to an examination of what he takes to be the two primary intersections: race and gender. Of particular importance to the revised account is the need to better attend to the experience of women of color under these co-constitutive contracts of domination. Indeed, on Mills view, the lack of attention to women of color in the RC and the SC is one of their key flaws. To illustrate the differences between the RC, SC, and RSC, Mills introduces a series of illustrative and complex diagrams. Through the diagrams, Mills shows the by proliferating the number of “status positions” of the prior accounts from two to four, the RSC aims to more accurately depict the differential impacts of race and gender in ways that attend to their historical material effects on the organization of social and political life. The four resulting status positions of the RSC are, in order of rank:

1. White men as full persons and full contractors

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<sup>101</sup> Mills, 173.

<sup>102</sup> Mills cites the work of Anna Julia Cooper, Paula Giddings, Naomi Zack, Cherríe Moraga and Gloria Anzaldúa, Angela Davis, Uma Narayan, Adrian Piper, and Anita Allen among others.

<sup>103</sup> Mills, 172.

2. White women as subpersons and subcontractors
3. Nonwhite men as subpersons and subcontractors
4. Nonwhite women as nonpersons and noncontractors.<sup>104</sup>

On this account, white men are situated as full contractors and primary beneficiaries of the RSC, white women and nonwhite men as subcontractors and quasi-beneficiaries, and nonwhite women as non-contractors and non-beneficiaries. According to Mills, the expanded account of the RSC offers a “far more complicated topography” than the prior accounts of the RC and SC and that by expanding the number of considered contractual status positions to the four positions outlined above, six relations of domination are surfaced. Mills explains, “The four locations denotes one position of unqualified privilege (white men, privileged by both race and gender), two hybrid intermediate positions involving both privilege and subordination (white women, privileged by race but subordinated by gender, and nonwhite men, privileged by gender but subordinated by race), and one position of unqualified subordination (nonwhite women, subordinated by both race and gender).”<sup>105</sup>

Mills quickly establishes a priority between the forms of domination. This is because, on his view, “gender subordination predates racial subordination.”<sup>106</sup> Mills contends that once racialized forms of subordination are introduced through systems of domination such as chattel slavery and colonization the “ancient inferior status of women” undergoes a change.<sup>107</sup> The two systems fundamentally rewrite one another, thus producing the RSC. Mills clarifies, “Or perhaps better (since patriarchy predates white supremacy, and the sexual contract – assuming the premodern incarnation – precedes the racial contract), the racial contract is rewritten on patriarchal terms, and

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<sup>104</sup> For the diagrams see, Mills, 171-173.

<sup>105</sup> Mills, 174.

<sup>106</sup> Mills, 172.

<sup>107</sup> Mills, 172.

the sexual contract is rewritten on racial terms.”<sup>108</sup> As a result, Mills contends, “Once racial patriarchy has been established...race and gender become intertwined, so that one has to speak of gendered race and racialized gender.”<sup>109</sup> However, Mills claims repeatedly in the essay “race generally trumps gender.”<sup>110</sup>

It is this assertion that is at the heart of Kathryn Sophia Belle’s critical Black feminist reflections on Mills’s account of the RSC. Belle’s insightful and careful essay demonstrates that though Mills claims to adhere to a methodological approach informed by the scholarship of women of color, particularly intersectionality theory, he fails to adequately account for the experiences of women of color. In what remains of this section, I turn to Belle’s Black feminist reflections on Mills’s account of the RSC. I do this to show why Mills ultimately fails not only to adequately account for the experiences of women of color, as Belle convincingly argues, but also the way in which race and gender are forged in and through the processes of colonization, a claim I unpack in more detail in section three.

## **2.1. Intersectional Responses to Mills’s Racia-Sexual Contract**

In her essay marking the ten year anniversary of the publication of *Contract & Domination*, “Black Feminist Reflections on Charles Mills’s ‘Intersecting Contracts,’” Belle provides a careful engagement with Mills’s account of the RSC and a challenge to his repeated assertion that “race generally trumps gender.” In particular, Belle contends that in setting out the four status positions of the RSC Mills’s interest in describing the asymmetry among the positions is overly preoccupied with the asymmetry between white women and non-white men in ways that, again, repeat the exclusion

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<sup>108</sup> Mills, 172.

<sup>109</sup> Mills, 178.

<sup>110</sup> Mills repeatedly makes this claim, see Mills, 172, 184, 185, 187.

of women of color that constitutes the failure of the prior articulations of the RC and SC. This is due, as Belle argues, to Mills's unwillingness to address the patriarchal privilege of non-white men. As she contends, he "stops short of describing nonwhite men as dominating non-white women" and thus "underscores the interplay of oppression and privilege for white women, while understating the interplay of oppression and privilege for nonwhite men."<sup>111</sup> For Belle, not only does the prioritization of race over gender present a problem for Mills's call for "transgender solidarity against oppression" but it also undermines the intersectional analysis he attempts to undertake.<sup>112</sup>

After considering of Mills's motivations and giving an overview of the basic structure and status positions of the RSC, Belle's essay aims to "problematize Mills's claim that 'race generally trumps gender'" from the lens of Black feminism and intersectionality in order to "argue for a more nuanced analysis of nonwhite men's participation in patriarchy and privilege."<sup>113</sup> Belle's point regarding the problematic relationship between race and gender under the RSC is nuanced and requires careful attention. Her arguments highlight what I take to be three closely related claims that undergird Mills's repeated assertion that "race generally trumps gender": (1) the problem of gendered subordination under the RSC is not one of "men in general" but "men of a particular race"; (2) white women have historically prioritized racial solidarity over solidarity with nonwhite women; and (3) nonwhite men "have generally been seen by nonwhite women more as fellow oppressed than oppressors."<sup>114</sup> In order to more fully demonstrate why Mills's account of the RSC fails in its attempt to consider the complex intersections of the racial and sexual contracts in ways that do not erase the oppressions experienced by women of color under the "original contract," I

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<sup>111</sup> Gines, 23.

<sup>112</sup> Mills, "Intersecting Contracts," 187; Here, Mills use of transgender appeals to the prefix "trans-" meaning "across" (as in across gender) not the identity category.

<sup>113</sup> Gines, "Black Feminist Reflections," 20.

<sup>114</sup> Gines, 23; Mills, "Intersecting Contracts," 187.

unpack each of Belle's claims and note, when possible, Mills' own responses to Belle in his essay, "Intersectional Mediations."<sup>115</sup>

As evidence for her claims, Belle underscores the tension between Mills's intersectional motivations that are derived from his engagement with the feminists of color and his reluctance to acknowledge the patriarchal privilege of nonwhite men under the RSC. Further explaining this tension, Belle writes, "Contrasting white women with nonwhite women, Mills...underscores the racial privilege of white women before pointing to nonwhite women's ability to identify the problem as white people (white men and white women), rather than men in general."<sup>116</sup> Rendering the problem in this way—as "the white problem"—Belle argues, flattens the intersectional insights of the feminists of color cited by Mills and enables his claim that subordination on the basis of "race generally trumps gender in racial patriarchy."<sup>117</sup>

In terms of the Mills's second claim regarding the collusion of white women with the racial contract, Belle states that he "spends considerable time laying out the tensions between women and nonwhite women related to issues of racial privilege and conceptions of the patriarchy." As Belle notes, Mills draws on key texts by feminists of color from the 18<sup>th</sup> and 19<sup>th</sup> centuries for critiques of key concepts in mainstream white feminism such as conceptions of the family, the public/private dichotomy, and understandings of patriarchy as the overarching source of oppression for all women (monolithically conceived).<sup>118</sup> Mills argues that by breaking up "the undifferentiated category of 'women,' making it explicit that race as a structure of domination lifts white women into a category that is generally privileged," the racia-sexual contract "forces white women to recognize that white

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<sup>115</sup> Gines's essay, Mills's response, and Shannon Sullivan's essay "Smadditizin' Across the Years: Race and Class in the Work of Charles Mills" were published as part of a mini-special issue in *Critical Philosophy of Race* marking the 10<sup>th</sup> anniversary of the publication of *Contract & Domination* and 20<sup>th</sup> anniversary of the publication of *The Racial Contract*.

<sup>116</sup> Gines, "Black Feminist Reflections," 23.

<sup>117</sup> Gines, 24; Mills, "Intersecting Contracts," 185.

<sup>118</sup> Gines, 23.



supremacy exists as well as gender domination, and that their subject location and contractual status are different from that of women subordinated by both.”<sup>119</sup>

The result, Mills argues, is that white women have had incentive to themselves prioritize race over gender due to the racial privileges afforded to them by the RSC. Mills reiterates,

As I claimed at the start, then, *race generally trumped gender*. Thus, the primary concern for most white American feminists of the period [of feminists’ movements from the 1850s-1920s] was the achievement of gender equality with white men..., certainly not the ending of racial inequality. They were contesting the sexual dimension, hoping, one could say, to move from the status of subcontractors to full contractors.<sup>120</sup>

It is on this basis, i.e. that white women choose racial solidarity with white men over solidarity with nonwhite women on the basis of gender, that Mills’ states that nonwhite women have chosen to stand in “transgender solidarity” with nonwhite men. Mills writes,

Understandably, then, nonwhite men have generally been seen by nonwhite women more as fellow oppressed than oppressors. The prime movers and shakers of the social order are not men as such but men of a particular race. And since *race has generally trumped gender*, as illustrated above, the dominant political tendency within nonwhite communities of all kinds has been the affirmation of racial solidarity against the white oppressor (both male and female).<sup>121</sup>

However, as Belle argues in regards to Mills’ third claim, the repeated insistence that “race generally trumps gender” understates nonwhite men’s patriarchal relationship to nonwhite women. In a question that reveals the stakes of the argument, Belle asks, “At what cost have nonwhite women at times prioritized race over gender?”<sup>122</sup> As she explains,

By insisting that ‘race generally trumps gender’ (even when patriarchal relations obtain) Mills bypasses one of the central insights of feminists of color and intersectionality—the necessity to push beyond singular, additive, comparative, or competing analysis of intersecting identities and interlocking systems of oppression that assume race trumps gender (and/or that gender trumps race).<sup>123</sup>

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<sup>119</sup> Mills, “Intersecting Contracts,” 179.

<sup>120</sup> Mills, 184; my emphasis.

<sup>121</sup> Mills, 187.

<sup>122</sup> Gines, 25

<sup>123</sup> Gines, 27.

Indeed, Mills's claim that "race trumps gender" is one that doesn't make sense within an intersectional framework that contends that these systems are co-constitutive of one another and contradict his prior explanation that once they are established "race and gender become intertwined, so that one has to speak of gendered race and racialized gender."<sup>124</sup> It is Mills's insistence on this claim that leads Belle to conclude, "[A] racia-sexual contract that insists that race generally trumps gender also cannot speak adequately for feminists of color."<sup>125</sup>

In his response, Mills argues that Belle's critique regarding his claim that "race generally trumps gender" has "omitted the context" of his contention.<sup>126</sup> The context to which Mills refers is the progression of diagrams charting possibilities for understanding the contractual status positions under the RSC. Mills contends that in his attempt to bring together an analysis of racial and sexual (gendered) domination, there are "two main alternatives": (1) "that men as a group dominate women as a group, so that nonwhite men are positioned above both white women and nonwhite women" or, (2) "that whites as a group dominate nonwhites as a group, so that white women are positioned above both nonwhite men and nonwhite women."<sup>127</sup> Mills argues that the second picture more accurately depicts the history of domination in modernity. As he explains, "In other words, it was not generally the case that, say, black male slaves, or male Amerindians and Australian aborigines, or nonwhite male subjects in the European colonial empires, were socially positioned as superior to white women in slave/white settler/Euro-colonial society. It is in this sense that 'race trumps gender.'"<sup>128</sup>

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<sup>124</sup> Mills, "Intersecting Contracts," 178.

<sup>125</sup> Gines, "Black Feminist Reflections," 27. This assertion is further exhibited in Mills's response to Belle published in *Critical Philosophy of Race* in which he claims that Belle's arguments are "misleading" and perhaps represent a "misreading" of his arguments in the chapter. See, Mills. 2017. "Intersectional Mediations: A Reply to Kathryn Gines and Shannon Sullivan." *Critical Philosophy of Race* 5(1): 29-50.

<sup>126</sup> Mills, Charles. 2017. "Intersectional Mediations: A Reply to Kathryn Gines and Shannon Sullivan. *Critical Philosophy of Race* 5(1): 39.

<sup>127</sup> Mills, "Intersectional Mediations," 39.

<sup>128</sup> Mills, "Intersectional Mediations," 39.

A more robust response to Mills requires that we turn to the framework of decolonial feminism. Through a decolonial feminist lens, I argue that Mills is able to skirt the patriarchal privileges of non-white men in his account of the RSC precisely because of his prior claims regarding the emergence of gender and racial forms of subordination, namely that gendered subordination predates racial subordination.<sup>129</sup> Though referenced by Belle, it is not directly thematized in her critical reflections on Mills's account of the RSC. As I will show in the following section through my articulation of what I am suggesting we call the colonial contract, Mills's twin claims that "gender subordination precedes race subordination" and that "race trumps gender" miss something crucial about the way in which the hierarchical categories of race and gender are produced in and through the processes of colonization and coloniality.<sup>130</sup>

### 3. The Colonial /Social Contract

In his book *The Darker Side of Western Modernity*, Walter Dignolo summarizes a basic thesis held by many Latin American decolonial thinkers: "modernity" is a complex narrative...that builds Western civilization by celebrating its achievements while hiding at the same time its darker side, 'coloniality.' Coloniality, in other words, is constitutive of modernity—there is no modernity without coloniality."<sup>131</sup> One side, the "light side" has been "constantly named and celebrated (progress, development, growth)" and the other side, the "dark side," has been "silenced or named as problems to be solved by the former (poverty, misery, inequities, injustices, corruption,

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<sup>129</sup> This claim leads him to conclude that the "men" who are referred to as subordinating white women are white men because nonwhite men are "originally in no position to play the kind of public patriarchal role...attributed to 'males' in much of white feminist theory" (Mills, "Intersecting Contracts," 186).

<sup>130</sup> I would also contend that these claims sneak in biologically essentialist and universalist assumptions about the category of "woman" in that it the claim that women everywhere were dominated before the advent of race is left unchallenged, but I do not have the space to unpack this claim here.

<sup>131</sup> Walter Dignolo, *The Darker Side of Western Modernity: Global Futures, Decolonial Options*. (Durham: Duke University Press, 2011), 3.

commodification, and dispensability of human life).”<sup>132</sup> Taking up these decolonial insights and placing them into conversation with the critical tradition of social contract theory birthed by Pateman and Mills, it becomes possible to say that the colonial contract is the “dark side” of the social contract of modernity. One side, the ‘light side’ has claimed to usher in a new democratic era founded on enlightenment values of objectivity, rationality, and equality through consensual entrance into civil society that aims to leave behind the “barbarity” and violence of the state of nature. As Will Kymlicka summarizes, “The social contract tradition is usually understood to rest on a commitment to moral equality and consent. Since all persons are moral equals, no one has a natural right to rule over others, and so legitimate power must arise from a process that is justifiable and acceptable to all and that treats all as political equals.”<sup>133</sup> As the critical tradition begun by Mills and Pateman demonstrates, this glowing representation of the social contract is grossly misleading.

On the other side, the “dark side” of the social contract is the colonial contract whose basic structure is coloniality. Far from a community of equals, coloniality/modernity introduces and imposes hierarchical and dichotomous categorial logics that establish who participates and is afforded power and privilege under the social contract and who is exploitable and expropriable. “Coloniality,” Quijano argues, “is still the most general form of domination in the world today, once colonialism as an explicit political order was destroyed. It doesn’t exhaust, obviously, the conditions nor the modes of exploitation and domination between peoples. But it hasn’t ceased to be, for 500 years, their main framework.”<sup>134</sup> As “the most general form of domination in the world today,” I contend that the colonial contract is part of what Mills has identified as “the domination

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<sup>132</sup> Mignolo, xviii.

<sup>133</sup> Kymlicka, Will. 2017. “Connecting Domination Contracts.” *Ethnic and Racial Studies* 41(3): 533.

<sup>134</sup> Aníbal Quijano, “Coloniality and modernity/rationality,” *Cultural Studies: Globalization and the De-Colonial Option* 21, no. 2-3 (2007): 170.

contract.”<sup>135</sup> Indeed, the enlightenment project of the social contract would not have been possible without colonial domination.

The domination contract, according to Mills, names the most general notion of “an exclusionary manipulative contract deployed by the powerful to subordinate others in society.”<sup>136</sup> As Mills and Pateman note in *Contract and Domination*, the racial and sexual contracts are two examples of the domination contract. Kymlicka observes, “This idea of a domination contract has proven very fertile and has inspired a wide range of scholarship. The more we study the history of liberal social contracts, the more we find they are inextricably tied to domination contracts.”<sup>137</sup> Indeed, carrying on this tradition there are important works that have named the ableist and capacity contracts,<sup>138</sup> the species contract,<sup>139</sup> and more recently the intimacy contract<sup>140</sup> as other aspects of the domination contract. There have also been important attempts to track the relationship between the social contracts and the legacies and histories of colonization and colonialism including the settler contract and postcolonial contract and others who have also identified dimensions of the colonial contract.<sup>141</sup>

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<sup>135</sup> Charles Mills, “Race and the Social Contract Tradition,” *Social Identities* 6, no. 4 (2000): 441-462; Mills, “Intersecting Contracts.”

<sup>136</sup> Mills, “Intersecting Contracts,” 82. Mills suggests that the contracts named by he, Pateman, and Rousseau (Mills contends that the *Discourse on Inequality* identifies a nascent “class contract”) “can all be usefully gathered under the heading of the demystificatory domination or exclusionary contract, that is distinguished from the mainstream consensual or inclusivist contract” (Mills, “Race and the Social Contract Tradition,” 443).

<sup>137</sup> Kymlicka, “Connecting Domination Contracts,” 533.

<sup>138</sup> Lucas Pinheiro, “The Ableist Contract,” in B. Arneil & N. Hirschmann (eds.), *Disability and Political Theory* (Cambridge: Cambridge University Press, 2016); Stacy Clifford, “The Capacity Contract: Locke, Disability, and the Political Exclusion of ‘Idiot,’” *Politics, Groups, and Identities* 2, no. 1 (2014): 90–103; Stacy Clifford Simpican, *The Capacity Contract: Intellectual Disability and the Question of Citizenship* (Minneapolis: University of Minnesota Press, 2015).

<sup>139</sup> Claire Jean Kim, *Dangerous Crossings: Race, Species, and Nature in a Multicultural Age* (Cambridge: Cambridge University Press, 2015).

<sup>140</sup> Rachel H. Brown, “Thinking with the Intimacy Contract: Social Contract Critique and the Privatization of US Empire” *Political Theory* (2020): 1-31.

<sup>141</sup> Patricia Huntington, “Challenging the Colonial Contract: The Zapatistas’ Insurgent Imagination,” *Rethinking Marxism* 12, no. 3: 58-80; Arlo Kempf (ed.), *Breaching the Colonial Contract: Anti-Colonialism in the US and Canada* (New York: Springer Press, 2009); Christine Keating, “Framing the Postcolonial Sexual Contract: Democracy, Fraternalism, and State Authority in India,” *Hypatia* 22, no. 4 (November 2007): 130-145; Robert Nichols, “Indigeneity and the Settler Contract Today,” *Philosophy and Social Criticism* 39, no. 2: 165-186.

More than just a rhetorical resignification of these already existing insights, naming the colonial contract as the constitutive underside of the social contract deepens our ability to critically interrogate how the social contract of Western modernity is centrally predicated upon the colonality of power, race, and gender. Further, doing so from within the tradition of decolonial feminism reveals that race and gender, as hierarchical dichotomous categories, are inventions of the colonial imaginary and are imposed by the modern/colonial gender system. A decolonial feminist approach underscores that these (and other) categorial logics mutually reinforce one another and do not stand separately from one another; they intersect and are fused and cannot be disaggregated. Thus, at the crux of my decolonial feminist argument regarding the colonial contract, *pave* Mills, Pateman, and other admirable accounts of aspects of the domination contract, is that examining these categories of oppression separately necessarily produces a partial and distorted understanding of these constitutive logics of domination and the way that they are produced in and through colonality. That is to say, as I will show in what follows, the racial and sexual contracts (and arguably the other contracts named) are not separable contracts, rather, they intersect and intermesh in complicated ways as two faces of the colonial contract.

### **3.1. The Coloniality of Power, Race, and Gender**

First introduced by Quijano in his landmark essay “*Colonialidad y modernidad/ racionalidad*” / “Coloniality and Modernity/Rationality,” the concept of coloniality diagnoses the pervasive infiltration of the logics of colonial forms of domination into structures of power, control, and hegemony that continue to persist and endure in social and institutional structures despite the *de jure*, though not *de facto*, end of colonial rule in many contexts. In the essay, Quijano traces the constitution of a “new world order” through the European conquest of the lands and peoples of

what we refer to today as “Latin America.”<sup>142</sup> According to Quijano, “This process implied a violent concentration of the world’s resources under the control and for the benefit of a small European minority—and above all, of its ruling classes. Although occasionally moderated when faced with the revolt of the dominated, this process has continued ever since.”<sup>143</sup>

These violent processes at the heart of the conquest relied on the production and imposition of hierarchical, dichotomous categorial logics. Key to Quijano’s own analysis of the colonality of power is the imposition of racialized logics of subjugation and expropriation. As he argues pointedly in a later essay, “The idea of race, in its modern meaning, does not have a known history before colonization of America.”<sup>144</sup> Differing from “the old ideas” of the superiority of dominant groups and the inferiority of dominated groups, under European colonialism these prior understandings are “mutated in a relationship of biologically and structurally superior and inferior.”<sup>145</sup> According to Quijano, this biological justification of inferiority not only establishes an inferior “nature” of non-European peoples, but further generates a host of new social identities (e.g. ‘white,’ ‘Indian,’ ‘Black’) which are the basis for new geopolitical identities (e.g. ‘European,’ ‘American,’ ‘African’).<sup>146</sup>

The production and imposition of these new social and geopolitical identities are covered over by the alibi of the “light side” of modernity and the social contract. As Lugones further explains,

Europe came to be mythically conceived as preexisting colonial, global, capitalism and as having achieved a very advanced level in the continuous, linear, unidirectional path. Thus, from within this mythical starting point, other human inhabitants of the planet came to be mythically conceived not as dominated through conquest, nor as inferior in terms of wealth or political power, but as an anterior stage in the history of the species, in this unidirectional path.<sup>147</sup>

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<sup>142</sup> Quijano, “Coloniality and modernity/rationality,” 168.

<sup>143</sup> Quijano, 168.

<sup>144</sup> Quijano, 534.

<sup>145</sup> Quijano, 171.

<sup>146</sup> Quijano, 171.

<sup>147</sup> María Lugones, “Heterosexualism and the Colonial / Modern Gender System.” *Hypatia* 22, no. 1 (2007): 192.

This denial of coevalness to the colonized is evidenced in the doctrine of *terra nullis*, as deftly shown by Pateman, as well as in the categorial logics of race and gender. Aiming to “expand and complicate” Quijano’s approach while preserving his descriptions of the coloniality of power, Lugones introduces the concept of the coloniality of gender in order to demonstrate the deep entanglement of the dehumanizing, racializing, and gendering processes of colonization. In so doing, Lugones aims to demonstrate the depth and breadth of social and political complicity with this racializing and gendering system of oppression. Though Lugones engages with Quijano’s framework, she is critical of the way in which his account naturalizes hegemonic understandings of gender. As she contends,

In Quijano’s model (pattern) gender seems to be contained within the organization of that ‘basic area of existence’ that Quijano calls “sex, its resources, and products.” That is, there is an account of gender within the framework that is not itself placed under scrutiny and that is too narrow and overly biologized as it presupposes sexual dimorphism, heterosexuality, patriarchal distribution of power, and so on.<sup>148</sup>

Far from unproblematically biological, Lugones demonstrates that the modern/colonial system ushered in a sophisticated organization of gendered relations that Lugones terms “the coloniality of gender.”<sup>149</sup> Engaging the work of Kimberlé Crenshaw, Julie Greenberg, Oyérunké Oyewùmí, and Paula Gunn Allen (among others), Lugones provocatively argues that “gender is a modern colonial imposition.”<sup>150</sup> As such, the question of gender is central to a critical analysis of coloniality and to

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<sup>148</sup> Lugones, 193.

<sup>149</sup> See, María Lugones, “Heterosexualism and the Colonial / Modern Gender System,” *Hypatia* 22, no. 1 (2007): 186-209; Lugones, “Colonialidad y Género,” *Tabula Rasa* no. 9 (2008): 73-102; Lugones, “Toward a Decolonial Feminism,” *Hypatia* 25, no. 4 (2010): 742-759; “Methodological Notes toward a Decolonial Feminism,” in *Decolonizing Epistemologies: Latina/o Theology and Philosophy*, ed. Ana María Isasí-Díaz and Eduardo Mendieta (Bronx: Fordham University Press), 2011, 68-86.

<sup>150</sup> María Lugones, “Methodological Notes toward a Decolonial Feminism,” in *Decolonizing Epistemologies: Latina/o Theology and Philosophy*, ed. Ana María Isasí-Díaz and Eduardo Mendieta (Bronx: Fordham University Press, 2011), 78.



the project of decoloniality; that is, there is no decoloniality without the decoloniality of gender, sex, and sexuality.<sup>151</sup>

More than just “sex, its resources, and its products,” Lugones argues that gender is a colonial imposition and “mode of organization of relations of production, property relations, of cosmologies and ways of knowing.”<sup>152</sup> According to Lugones, there are three key aspects of gender under the “light side” of the colonial/modern gender system that are central to the operations of coloniality: (1) biological dimorphism, (2) the patriarchal organization of relations, and (3) heterosexualism. As Lugones explains, “Understanding these features of the organization of gender in the modern/colonial gender system—the biological dimorphism, the patriarchal and heterosexual organization of relations—is crucial to an understanding of the differential gender arrangements along ‘racial’ lines”...Hegemonically, these are written large over the meaning of gender.”<sup>153</sup> Crucially, Lugones underscores that these aspects of the hegemonic understanding of gender, now commonplace in Western modernity, are not universal, biological truths. Rather, they are sophisticated mechanisms of control and domination developed through the processes of colonization and crystallized in the coloniality of power. As she reminds us, gender need not be patriarchal or heterosexual; “They need not be, that is, as a matter of history.”<sup>154</sup>

Lugones’s articulation of the coloniality of gender centers the intersectional insight that the hierarchical and dichotomous categories of race and gender mutually co-constitute one another. Despite her critical remarks regarding the terminology of “intersection,” the influence of intersectionality lies at the heart of Lugones’s writings that sketch out her conception of decolonial

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<sup>151</sup> Lugones, “Methodological Notes.”

<sup>152</sup> Lugones, “Heterosexualism,” 186.

<sup>153</sup> Lugones, “Heterosexualism,” 190.

<sup>154</sup> Lugones, “Heterosexualism,” 190.

feminism.<sup>155</sup> Indeed, intersectionality figures as a major interlocutor in her discussion and development of the concept of the “coloniality of gender.” Explaining the concept, Lugones writes, “Unlike colonization, the coloniality of gender is still with us; it is what lies at the intersection of gender and class and race as central constructs of the capitalist world system of power.”<sup>156</sup> Thus, the coloniality of gender importantly points to the material and epistemic conditions for the generation of the categorial logics that intersectionality seeks to critically interrogate and identify. As I have argued, intersectionality enables us to recognize and contend with the erasure of women of color as multiplicitous selves by the categorial logics of oppression. Decolonial feminism takes up this insight and points us to what undergirds these categorial logics, interrogating their source and imposition. That is to say, through a decolonial feminist frame we see not only the erasure of Black and brown women at the intersection of categories like race and gender but, further, that the oppressive racialization, gendering, and sexualization of those bodies is itself a colonial imposition.<sup>157</sup>

As the insights of intersectionality and decolonial feminism underscore, race and gender are mutually reinforcing and do not stand separately from one another; they are fused and cannot be disaggregated. This means that to examine race and gender separately, as separate contracts, necessarily produces a partial and distorted understanding of these constitutive logics of the domination contract. That is to say, the racial and sexual contracts are not separable contracts, they encompass one another as aspects of the basic structure of the colonial contract, conceived of as the

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<sup>155</sup> For a more thorough treatment of Lugones’s criticisms of intersectionality see my essay, “Decolonial Feminism at the Intersection: A Critical Reflection on the Relationship between Decolonial Feminism and Intersectionality,” *The Journal of Speculative Philosophy* 33, no. 3 (2019): 390-406. For other works that address Lugones’s uptake of intersectionality see, Kathryn Sophia Belle, “Interlocking, Intersecting, and Intermeshing: Critical Engagements with Black and Latina Feminist Paradigms of Identity and Oppression,” *Critical Philosophy of Race* 8, no. 1-2 (2020): 165-198; Bailey K. Thomas, “Intersectionality and Epistemic Erasure: A Caution to Decolonial Feminism,” *Hypatia* 35, no. 3 (2020). *Forthcoming*; Mariana Ortega, *In-between: Latina Feminist Phenomenology, Multiplicity, and the Self* (Albany: SUNY Press, 2016); Selamawit D. Terrefe, “The Pornotrope of Decolonial Feminism,” *Critical Philosophy of Race* 8, no. 1-2 (2020): 134-164.

<sup>156</sup> Lugones, “Methodological Notes.”

<sup>157</sup> Velez, “Decolonial Feminism at the Intersection.”

central domination contract of modernity. In this way, the colonial contract does not constitute a third missing contract and it is not prior to the racial and sexual contracts. Rather, race and gender are two faces of the colonial contract that intersect and intermesh in complicated ways.<sup>158</sup> This insight only comes through decolonial feminism and the long traditions of theorizing oppression by Women of Color. More than just a purely argumentative point, the stakes of understanding both the inseparability of the racial and sexual contracts as well as their role in coloniality has deep implications for the possibilities of resistance and liberation from colonial domination. Indeed, as Lugones argues, “disaggregating oppressions disaggregates the subjective-intersubjective springs of colonized women’s agency.”<sup>159</sup>

### **3.2. Key Contradictions of the Colonial Contract**

In her germinative text *Pilgrimages/Peregrinajes*, Lugones argues that theories of oppression must uphold a “contradictory desiderata.” According to the contradictory desiderata, oppression theory must, on the one hand, theorize oppression in its full force while maintaining, on the other, the possibility for resistance and liberation. Similarly, Walter Mignolo argues that there is a dual force in decolonial theory and praxis: the deconstructive and the creative. Thus, reformulating these key insights we can say that decolonial feminism has a contradictory desideratum: to both deeply and thoroughly interrogate the depth and breadth of the reach of coloniality as well as to hold firmly open the possibility for agency, resistance, and liberation.

This chapter takes up one mode of the contradictory desiderata: the diagnostic register. In presenting the colonial contract as the over-riding domination contract of Modernity’s social

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<sup>158</sup> As I noted previously, there are other faces, described by other contracts, that also need to be understood as constitutive. But, I cannot do justice to each of those here.

<sup>159</sup> Lugones, “Toward a Decolonial Feminism,” 74.

contract, I have attempted to do so as forcefully as possible. Indeed, the work of decolonial feminism demands that we rigorously interrogate the continued reach of coloniality in our everyday lives as well as any lingering attachments that we may have to it. As Lugones reminds us, “The civilizing transformation justified the colonization of memory, and thus people’s senses of self, of intersubjective relation, of their relation to the spirit world, to land, to the very fabric of their conception of reality, identity, and social, ecological, and cosmological organization.”<sup>160</sup> In keeping with the contradictory desiderata of decolonial feminism outlined above, in the chapters that follow I shift to the creative and resistant register. Lugones’s work teaches us that despite the extensive reach of coloniality, which often feels inescapable, the processes of colonization and the logics of coloniality are not totalizing. To wit, Lugones writes,

[I]nstead of thinking of the global, capitalist, colonial system as in every way successful in its destruction of peoples, knowledges, relations, and economies, I want to think of the process as continually resisted. And thus I want to think of the colonized neither as simply imagined and constructed by the colonizer and coloniality in accordance with the colonial imagination and the strictures of the capitalist colonial venture, but as a being who begins to inhabit a fractured locus constructed double, perceiving double, relating double, where the sides of the locus are in tension, in conflict, and the conflict itself, its energy and moves, actively informs the subjectivity of the colonized self in multiple relation.<sup>161</sup>

Because we are never totally made over by the processes of colonization, because other ways of being and practicing gender and sociality have persisted in the face of the genocidal and annihilative forces of colonization, deep inclinations toward resistance exist and persist within and between worlds of sense in ways that keep alive possibilities for “alternative socialites” and “creative inhabitations of the colonial difference.”<sup>162</sup>

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<sup>160</sup> Lugones, “Toward a Decolonial Feminism,” 745.

<sup>161</sup> Lugones, “Toward a Decolonial Feminism,” 78.

<sup>162</sup> Emma Velez and Nancy Tuana. “Editors’ Introduction: Tango Dancing with María Lugones: Toward Decolonial Feminisms.” *Critical Philosophy of Race* 8, no. 1-2 (2020): 1-24.; Lugones, “Toward a Decolonial Feminism.”

Cracks and fissures, slits and perforations, as well as nooks and crannies exist in the seemingly impenetrable armor of the colonial/social contract and the forces of coloniality that buttress its institutions, structures, and organizations of social and political life. The contradictions of coloniality abound. As Anzaldúa has taught us, we must insist on probing and exploring these contradictions, dwelling within them to learn what they have to teach us:

Caught between the sudden contradiction, the breath sucked in and the endless space, the brown woman stands still, looks at the sky. She decides to go down, digging her way along the roots of the trees. Sifting the bones, she shakes them to see if there is any marrow in them...Her first step is to take inventory. *Despojando, desgranando, quitando, paja*. Just what did she inherit from her ancestors? This weight on her back—which is the baggage from the Indian mother, which the baggage from the Spanish father, which the baggage from the Anglo?<sup>163</sup>

It is this careful and close examination and appraisal of the contradictions of the colonial/social contract that I take up in the following chapters with *Las Tres Madres* as my guides.

## Conclusion

I conclude by briefly by returning to the insight from Pateman that I opened with. Namely, that the contract itself is an invention. As Pateman argues, “The original contract is merely a story, a political fiction, but the invention of the story was also a momentous intervention into the political world; the spell exerted by stories of political origins has to be broken if the fiction is to be rendered ineffective.”<sup>164</sup> In order for the spell of story to be broken, she contends that we must cease our quests for political origin stories. To this I would add that we must check our desires for grand narratives that neatly unpack the ways in which these histories of domination and oppression have emerged. Indeed, in naming the colonial contract it is not my intention to construct a counter origin story.<sup>165</sup>

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<sup>163</sup> Gloria Anzaldúa, *Borderlands/La Frontera: The New Mestiza*, 4<sup>th</sup> ed. (San Francisco: Aunt Lute Books, 1987, 2007), 104.

<sup>164</sup> Carole Pateman, *The Sexual Contract* (Stanford, Calif: Stanford University Press, 1988), 219.

<sup>165</sup> For a compelling critique of decolonial philosophy that tends towards origin stories, see: Ofelia Schutte, “Border Zones, In-Between Spaces, and Turns: On Lugones, the Coloniality of Gender, and the Disaporic Peregrina.” *Critical Philosophy of Race* 8, no. 1-2 (2020): 102-118.

Rather, I am trying to point out how thoroughly the racial, sexual, and colonial contract are intertwined as contracts of domination and the subsequent need of philosophers interested in liberation to constantly interrogate the reach of coloniality.

I leave you with some questions: Do we need to decolonize the racial-sexual-colonial contracts towards a better, more inclusive version of the social contract? Or, do we require another, yet to be conceived, organization of the social altogether? Though I have preliminary thoughts regarding these questions, I do not yet have answers (though I will attempt to sketch some tentative responses in the conclusion). Rather, I want to suggest that in order to affirm the Zapatista's decolonial aspiration that *otro mundos son posible* requires an altogether different philosophical approach informed by decolonial imaginaries that surface transgressive and liberatory political and ethical imperatives not yet conceivable within the modern/colonial gender system.<sup>166</sup>

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<sup>166</sup> This translates from the Spanish to “Other worlds are possible” (my translation). Emma Pérez coined the term “decolonial imaginary” in her germinal work *The Decolonial Imaginary: Writing Chicanas Into History* (1999).

## Chapter 2 – *La Llorona* Demands Faithful Witnesses: Subjectivity and Subjection under the Colonial Contract

Si porque te quiero, quieres, Llorona  
Quieres que te quieras más  
Si porque te quiero, quieres, Llorona  
Quieres que te quiera más  
Si ya te he dado la vida, Llorona  
¿Qué más quieres?  
¡Quieres más!  
- Chela Vargas, “La Llorona” (song)

The relationship between subjection and subjectivity is an old problem,  
but not any less prevalent for being so persistent.  
- Avery Gordon, *Ghostly Matters*

In *Black Looks: Race and Representation*, bell hooks argues that, as a political process and praxis, decolonization is “always a struggle to define ourselves in and beyond the act of resistance to domination.” As hooks continues, “we are always in the process of both remembering the past even as we create new ways to imagine and make the future.”<sup>167</sup> Similarly, in her article “On the way to decolonization in a settler colony: Re-introducing Black feminist identity politics,” Kristie Dotson argues for the importance of what she calls “orienting stories” for the development of her own “fiercely independent” and inquisitive sense of self. As she writes, “My parents, Black people from very different class backgrounds, told me stories at different points in my life to explain my seemingly ‘in-born’ independence, so that I would know that I received my sensibilities and dispositions from those who lived before me. They did this so that *my memory of myself would extend beyond my lifespan*.”<sup>168</sup> Both hooks and Dotson are pointing to, I want to suggest, the importance of memory work and the imagination for decolonial struggles. As Lee Maracle, a member of the Sto:lo nation, contends, “Memory is powerful,” but it gains even more potency for liberatory struggles when partnered with our imaginative capacities. Where memory can “twist us in knots,” Maracle

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<sup>167</sup> bell hooks, *Black Looks and Representation* (South End Press, 1992), 4-5.

<sup>168</sup> Kristie Dotson, “On the way to decolonization in a settler colony: Re-introducing Black feminist identity politics.” *AlterNative*. 2; original emphasis.

argues that the imagination has the ability to “untwist the knots, unravel the memory, rework it into blankets that protect, designs that promote, carry, and create new being.”<sup>169</sup> It is this generative possibility for the creation and cultivation of decolonizing sensibilities, worlds of sense, and subjectivities that are not merely oppositional or resistant to coloniality but that open up “new ways to imagine and make the future” that I take up in this chapter.<sup>170</sup>

In particular, I am interested here in asking and sketching responses to these questions: How do decolonial feminisms emerging from U.S. Latinx contexts enable us to rethink Western paradigms of selfhood? What is required for decolonizing (Western, white, imperial) philosophical accounts of the self? Is such a task even possible? And, what transformative possibilities for forging decolonizing subjectivities are opened up through decolonial feminism? I situate my responses to these questions in the nexus between memory work, faithful witnessing, and the decolonial imaginary in order to expose a key site of contradiction of the colonial contract: the relationship between subjectivity and subjection.

As I argued in Chapter One, the colonial contract unveils the inner logics of colonial domination and the coloniality of power, race, and gender that underpin the “social contract” and that continue to structure modern Western social, political, and economic institutions. Establishing a cleavage between those who are human and those who are not, “the dichotomous hierarchy” described by Lugones as central to colonial modernity serves to establish not only the status positions of the colonial contract but further establishes the kinds of subjects who can enter into relationships of mutual recognition and participate in the body politic. Under the colonial contract, these

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<sup>169</sup> Lee Maracle, *Memory Serves: Oratories* (Edmonton, AB: NeWest Press 2015), 31.

<sup>170</sup> Maracle, 31.



subjectivities are always constituted through the subjection of those that fall on the “dark side” of colonial modernity.<sup>171</sup>

In this chapter, I develop these claims to argue that the colonial contract underpins Western philosophical accounts of subjectivity and the self, particularly those predicated on theories of recognition. Engaging the work of Kelly Oliver, María Lugones, and Yomira Figueroa, I demonstrate that the colonial contract undergirds Western philosophical accounts of subjectivity that are based in theories of recognition. Moving beyond recognition theory, I turn to feminist philosophical accounts of witnessing and decolonial feminist accounts of faithful witnessing as accounts of subjectivity that do not rely on the subjection of those racialized and gendered as inferior under the colonial contract. I contend that subjectivities forged through faithful witnessing are “on the way” to forging decolonizing subjectivities and worlds of sense and so hold open transformative possibilities for dismantling the colonial contract.<sup>172</sup>

In order to unpack these claims, I begin and end this chapter with an invocation of *La Llorona* as an orienting *historia* for undertaking this task. I invoke her *historia*—in Spanish this word holds a double meaning of both story and history—as one of the orienting stories, an orienting *historia*, of this dissertation. As such, in the sense used by Dotson, it is instructive in that the lore of *La Llorona*, as an orienting *historia*, hones our ability to begin untwisting the knots of our colonized memories in order to unravel coloniality and dismantle the colonial contract. *La Llorona* is a multilayered and complex figure. Simultaneously, she is taken to embody the experience of an allegedly historical

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<sup>171</sup> As Lugones explains, “having a dark and a light side is characteristic of the co-construction of the coloniality of power and the colonial/modern gender system” (Lugones 2003, 202). Lugones develops her usage of “light side” and “dark side” from Walter Mignolo’s *The Darker Side of the Renaissance: Literacy, Territoriality, and Colonization* (1995).

<sup>172</sup> I use the phrase “on the way” in the sense evoked by Kristie Dotson. As she explains of her own usage of this phrase, “It is not itself decolonization in a settler colony, but rather it is ‘on the way’ to such decolonization by resisting forms of historical unknowing and plays at innocence that further settler futures and anti-Blackness in the guise of liberation” (Dotson, “On the way,” 1).

(though nameless) woman; to be a spectral representative of a collective experience of colonial trauma that is deeply connected to sexualized, racialized, and gendered forms of violence; as well as a feminist figure who is capable of giving voice to contemporary injustices linked to the many instances of the coloniality of power, race, and gender. As a multilayered and polyvalent archetype who straddles many worlds, she is an exemplar of the multiplicitous self. Both a real and spectral being, her presence can indeed be difficult to detect. With the *llantos*, the mournful cries, that give her the name *Llorona*, she calls on those who will listen to faithfully bear witness to subjectivities, sensibilities, and worlds of sense that don't appear from the point of view of the "mainstream."

## 1. *La Llorona* as Orienting *Historia*

The *historia* of *La Llorona* circulates through trauma, memory, mourning, desire, and love. Indeed, in her *historia* they are deeply intertwined, often co-constituting one another as we, the witnesses, are called on to reckon with her act of infanticide. I want to suggest that these themes evoked by *La Llorona* are deeply wedded to philosophical concepts of selfhood. She calls on us to faithfully witness her story, to see ourselves implicated in her acts—even if we don't want to be. As Avery Gordon writes in *Ghostly Matters*, "The whole essence, if you can use that word, of a ghost is that it has a real presence and demands its due, your attention."<sup>173</sup> Demanding our attention, *La Llorona* refuses to be abandoned, forgotten or ignored. Defying the collective amnesia of coloniality, she points to the work still left undone.

*La Llorona's* tale has contested origins and is subject of myriad retellings, reinterpretations, and re-appropriations. Many who study her legend and its legacy locate *La Llorona's* mythology in a 500-

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<sup>173</sup> Avery F. Gordon, *Ghostly Matters: Haunting and the Sociological Imagination* (Minneapolis: University of Minnesota Press, 2008), xvi.

year-old history with Amerindian roots.<sup>174</sup> The most common version of the story goes something like this: *La Llorona* was a beautiful woman who drowns her children in a fit of “crazed anger” against her lover’s betrayal. Overtaken by grief when she realizes what she has done, she takes her own life. And, as a divine punishment, she is condemned to an eternal search for their souls. It is her *llantos*, her mournful cries—*ay! Mis hijos! Donde estan mis hijos?*—that give her the name *La Llorona*. Though the details of the story differ across tellings, it most often takes the form of a tale of infanticide bound up with the conquest. *La Llorona* breaks taboo and does what no mother is ever supposed to do; she kills her children.

Reclaiming the story of *La Llorona* as resistant, Chicana writers open up an alternative historico-mythological archive that speaks back to and against heteropatriarchal and colonial logics and histories of violence and oppression. In particular, in the latter half of this chapter I take up reclamations of *La Llorona’s historia* by Gloria Anzaldúa, Juana Alicia, and the *El Llanto Collectivo*. As noted in several places across her corpus of work, Anzaldúa writes about *La Llorona* with a special feeling of kinship. From her children’s book *Prietita and the Ghost Woman/Prietita y La Llorona* to her unpublished “Llorona book” manuscripts, the *historia* of *La Llorona* provides an opening for Anzaldúa to think through issues of systemic oppression *and* empowerment. Anzaldúa conceives of *La Llorona* as a figure through which we learn important lessons about the spatiality of memory work. As Anzaldúa writes, “For the Chicana feminist exploring her female ancestors, time is collapsed, present, past, future, are like rooms in one house. *La Llorona* for me is such a house.”<sup>175</sup> Complementing Anzaldúa’s resistant re-reading, Alicia’s mural “*La Llorona’s Sacred Waters*”

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<sup>174</sup> See, José E. Limón, “La Llorona, the Third Legend of Greater Mexico: Cultural Symbols, Women, and the Political Unconscious” in *Between Borders: Essays on Mexicana/Chicana History* (Encino, CA: Floricanto Press, 1990); Domino Renee Perez, *There Was a Woman: La Llorona from Folklore to Popular Culture* (Austin: University of Texas Press, 2008).

<sup>175</sup> Gloria Anzaldúa, “Llorona, the Woman Who Wails: Chicana/Mestiza Transgressive Identities” (unpublished manuscript). Gloria Evangelina Anzaldúa Papers, The Benson Latin American Collection at the University of Texas at Austin (2002): box 91, page 11.

reimagines *La Llorona* as a resistant woman determined to rescue her children from the violence and victimization of the conquest. In Alicia's mural, *La Llorona's* sacred waters are depicted as connecting a global community of women and children in the struggle for environmental justice. Alicia links the microsocial to the macrosocial and enables memory work that weaves our present to our past in a call for transnational solidarity against the categorial logics of coloniality. Alicia's call for transnational solidarity finds a response in *Un Llanto Colectivo*. Gathered together by the *Las Maestras* Center for Xicana Indigenous Art & Thought Practices at UC Santa Barbara, *Un Llanto Colectivo* challenges us to consider the question, Who does *La Llorona* cry for today? Reformulating *La Llorona's* cries of grief and guilt to those of mourning over collective loss and mass forms of violence experienced today in the separation and detention of migrant families, the members of *Un Llanto Colectivo* enact a recovery of the Amerindian roots of her *historia*.

Following and engaging with these rich traditions, I invoke *La Llorona* in this chapter in order to weave together an account of subjectivity rooted in the insights of decolonial feminisms emerging from the U.S. Latinx context. Utilizing the conceptual tool of the colonial contract developed in Chapter One, I sketch an account that challenges Western paradigms of subjectivity based in theories of recognition by centering the importance of what Lugones and Figueroa term *faithful witnessing* for the constitution of decolonial subjectivities that can speak back to and against colonial and heteropatriarchal logics. As Figueroa explains, "faithful witness, as a decolonial feminist tool, makes visible the often unseen consequences of the coloniality of power, knowledge, and gender."<sup>176</sup> Building from these accounts of faithful witnessing, I argue that examining Western accounts of the self with the aim of forging decolonial subjectivities requires attending to and examining the ghosts that haunt our philosophical and social imaginaries. Faithfully witnessing collective instances of

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<sup>176</sup> Yomaira C. Figueroa, "Faithful Witnessing as Practice: Decolonial Readings of Shadows of Your Black Memory and The Brief Wondrous Life of Oscar Wao." *Hypatia* (2015): 643.

trauma, particularly the annihilative violence of the modern/colonial gender system, requires that we attend to what we are being called on to re-member, to re-construct memories that are longer than our lifespans.<sup>177</sup>

It is precisely this memory work that, as I envision her, *La Llorona* calls for in her demand for faithful witnesses. In this chapter, I show that to faithfully witness *La Llorona*'s story means colliding with the common sense of vernacular moral sensibilities. Interpreting her act of infanticide as resistant doesn't come without risks. Indeed, faithfully bearing witness risks rending the fabric of the social order that constitutes the colonial/social contract. We, like Chela Vargas must ask *Llorona*, "*Qué más quieres?*"/What more do you want?" This is the fearfully wrought question that already suspects that she wants more than we might be willing and perhaps even able to give.<sup>178</sup> Those who bear witness to her *historia* must face that her answer is yes, she wants more. She wants, she desires, she demands *more*—demands that the colonial/social contract be torn up; demands that we upend colonized understandings of gender and sexuality; demands that we refigure and revolutionize our moral orders to make space for her; demands that we find our selves implicated in her *historia*. *La Llorona*, in the words of Dotson, "demands breaks and not compromises."<sup>179</sup> Her spectral presence demands the deep structural transformations of decolonization, not the absorptive and assimilative tendencies that accompany neo-liberalism's promise of recognition.<sup>180</sup> It is this demanding task of setting out on the way to forging decolonizing subjectivities that this chapter attempts.

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<sup>177</sup> Dotson 2018, 3. I appeal to the term re-member in the sense used by Toni Morrison.

<sup>178</sup> Here, I want to thank Melissa Wright for drawing my attention to Chela Vargas's powerful and queered version of the traditional *La Llorona corrido*.

<sup>179</sup> Dotson, "On the Way," 8.

<sup>180</sup> Glen Coulthard, *Red Skins, White Masks: Rejecting the Colonial Politics of Recognition* (University of Minnesota Press, 2014); Dotson, "On the Way."

## 2. Beyond Recognition

Though the history of Western philosophy has offered many accounts of subjectivity, Hegel's "life and death struggle" for recognition is perhaps one of the most iconic and (in)famous descriptions of the process of subjectivity and subjection. From Frankfurt School critical theory and psychoanalysis to feminist and critical race theories, the impact of the constitutive conflict between "Master" and "Slave" reverberates through a wide array of philosophical texts.<sup>181</sup> Recognition, on Hegel's account, is the process by which the subject gains certainty that he (indeed, for Hegel it is most certainly a "he") is a Self among other selves, not merely a *cogito* who is uncertain of the existence of those outside of his own mind. And moreover, for Hegel even the certainty of one's own existence cannot be ensured without the confirming recognition of the other. This strong intersubjective component of Hegel's account of subjectivity has been a resource for alternative and liberatory philosophical accounts of social, political, and ethical life. Indeed, as an intersubjective account of Self, recognition theory in its contemporary liberal form has been lauded as a promising normative approach to redressing the harms of disrespect, exclusion, and violations of human rights to freedom.<sup>182</sup> Perhaps the most exemplary contemporary attempts to recuperate the Hegelian

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<sup>181</sup> See, Judith Butler, *Subjects of Desire* (Columbia University Press, 1987); Glen Sean Coulthard, *Red Skins, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis, MN: University of Minnesota Press, 2014); Lee Edelman and Lauren Berlant. *Sex, Or the Unbearable*. (Durham: Duke University Press, 2013); Franz Fanon, *Black Skins, White Masks*, trans. Richard Philcox (New York: Grove Press, 1952, 1967); Axel Honneth, *The Struggle for Recognition: The Moral Grammar of Social Conflicts* (Cambridge: Polity Press, 1995); Jacques Lacan, *Écrits: The First Complete Edition in English*, trans. Bruce Fink (New York: W.W. Norton and Company, 2006); Nelson Maldonado-Torres, *Against War: Views from the Underside of Modernity* (Durham: Duke University Press, 2008).

<sup>182</sup> See, for example, Jürgen Habermas, "Struggles for Recognition in the Democratic Constitutional State," in C. Taylor et al., *Multiculturalism. Examining the Politics of Recognition* (Princeton: Princeton University Press, 1994), 107–148; Axel Honneth, *The Struggle for Recognition: The Moral Grammar of Social Conflicts* (Cambridge, MA: MIT Press, 1995); Nancy Fraser and Axel Honneth. *Redistribution or Recognition? A Political-Philosophical Exchange* (New York: Verso, 2003); Axel Honneth, *Freedom's Right: The Social Foundations of Democratic Life*, (New York: Columbia University Press, 2014); Matthias Iser, "Recognition between States? Moving beyond Identity Politics," in *Recognition in International Relations. Rethinking a Political Concept in a Global Context*, C. Daase, et al., (eds.) (Basingstoke: Palgrave Macmillan, 2015), 27–45; Paul Ricoeur, *The Course of Recognition* (Cambridge, MA: Harvard University Press, 2005); H.C. Schmidt am Busch and C. Zürn, (eds.), *The Philosophy*

paradigm of recognition are found in the works of liberal political philosophers like Axel Honneth and Charles Taylor.<sup>183</sup> However, psychoanalytic, feminist, queer, and decolonial theorists have taken issue with these liberal conceptions of recognition as overly accommodationist and, further, as contributing to the problem of misrecognition by valorizing normative subjectivities in ways that erase the possibility for queer and subaltern subjectivities.<sup>184</sup>

In this section I engage feminist philosopher Kelly Oliver's book *Witnessing: Beyond Recognition*, which constitutes one of the most sustained feminist engagements with the paradigm of recognition in an attempt to posit an alternative account of subjectivity through the concept of witnessing that does not continue, either in a critical or recuperative mode, to appeal to the paradigm of recognition.<sup>185</sup> In conjunction with the larger aims of this chapter, i.e. to sketch a decolonial feminist account of subjectivity grounded in the figure of *La Llorona* through the concept of faithful witnessing, this section: (1) outlines Oliver's critique of Western philosophy's preoccupation with

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*of Recognition: Historical and Contemporary Perspectives* (Lanham/MD: Lexington Books, 2010); Charles Taylor, "The Politics of Recognition," in *Multiculturalism: Examining the Politics of Recognition*, A. Gutmann (ed.) (Princeton: Princeton University Press, 1992), 25–73; J. Tully, "Struggles over Recognition and Distribution," *Constellations* 7, no. 1 (2000): 469–482.

<sup>183</sup> Honneth, *The Struggle for Recognition*; Fraser and Honneth. *Redistribution or Recognition?*; Axel Honneth, *The I in We: Studies in the Theory of Recognition* (Cambridge: Polity Press, 2010); Axel Honneth, *Freedom's Right: The Social Foundations of Democratic Life* (New York: Columbia University Press, 2014); Charles Taylor, *Multiculturalism: Examining the Politics of Recognition* (Princeton, NJ: Princeton University Press, 1994).

<sup>184</sup> See for example, the works of Lacan, Butler, Edelman, Berlant, Coulthard, Fanon, and Maldonado-Torres cited in note 11.

<sup>185</sup> Here I am especially thinking of Glen Sean Coulthard's (Yellowknives Dene) important work *Red Skins, White Masks* (2014). Coulthard's work is a through-going critique of the colonial underpinnings of recognition politics that "reproduce the very configurations of colonialist, racist, patriarchal state power" and thus recapitulate colonial relations between settler-colonial States and Indigenous peoples. As Coulthard contends, this radical and decolonial form of recognition politics "is less oriented around attaining a definitive form of affirmative recognition from the settler state and society, and more about critically reevaluating, reconstructing, and redeploying Indigenous cultural forms in ways that seek to prefigure, alongside those with similar ethical commitments, radical alternatives to the structural and psycho-affective facets of colonial domination" (49). However, even Coulthard's radically reconceived politics of recognition that turns towards critical individual and collective forms of self-recognition continues to appeal to the paradigm of recognition itself. It is for this reason that I turn to Oliver, Lugones, and Figueroa to think through an alternative critical lexicon that moves beyond the paradigm of subjectivity based in recognition towards an account of witnessing.

the Hegelian paradigm of recognition; (2) reconstructs Oliver's own account of subjectivity as developed through the concept of witnessing; and (3) shows what is lacking in Oliver's conception of witnessing by placing her work into conversation with Lugones and Figueroa's account of faithful witnessing as well as the account of the colonial contract that I am developing in this dissertation.

In particular, I argue that the concepts of the colonial contract and faithful witnessing enable critical interventions into the debate on recognition in three key ways: first, faithful witnessing offers a relational view of the self not predicated on experiences of recognition/misrecognition and thus subjectivity/subjection; second, faithful witnessing challenges the bi-directionality of recognition relationships by positing the concept of a multiplicitous self; and, third, faithful witnessing enables the critical interrogation of the theme of desire that permeate theories of recognition in order to move towards forging decolonizing subjectivities. This three-fold intervention challenges the assimilative tendency and processes of subjection at the heart of recognition theory.

## **2.1. Oliver's Feminist Critique of Recognition**

Oliver's feminist critique of accounts of subjectivity based in recognition contends that paradigms of subjectivity based in recognition normalize relationships of antagonism and domination in ways that are detrimental to feminist goals of liberation from oppressive structures of racism, sexism, and colonialism. She argues that rather than facilitate the freedom of the self, the paradigm of recognition contributes to the continued subordination of entire groups of peoples in that it leaves intact the very hierarchical organizations of power that produce the logics and operations of domination and oppression that struggles for recognition seek to redress. Explaining her critique of recognition, Oliver writes,

Given that the power relation [wherein one individual or group confers recognition on another] is built into the notion of recognition, I argue that recognition is pathological when it comes to discussing oppression. That is to say, the recognition model requires that the oppressed seek



recognition from their oppressors, the very people who have been withholding recognition from them in the first place.<sup>186</sup>

Attempting to disrupt definitions of subjectivity that issue from the side of hegemonic culture, Oliver instead develops a theory of subjectivity that begins from the point of view of those who have been dominated. As she writes, “by starting from othered subjectivity, we learn that subordination, oppression, and subjectification are not necessary elements of subjectivity itself.”<sup>187</sup> Rather, she argues, subjectivity results from the “address-ability” and “response-ability” innate in each subject, which she terms the process of witnessing.<sup>188</sup> Oliver’s insights regarding the relational constitution of the self through witnessing, which, as I shall develop in detail later in the chapter, resonate with Lugones’s account of faithful witnessing and are extremely valuable to the account of decolonizing subjectivities that I seek to develop in this chapter through the insights of decolonial feminism.

In *Witnessing: Beyond Recognition*, Oliver critically re-evaluates prominent conceptions of recognition in order to motivate her turn to the paradigm of witnessing. Examining Hegelian and “neo-Hegelian” accounts of subjectivity based in theories of recognition, Oliver develops three main lines of critique of recognition: (1) The desire and demand for recognition is a pathology of colonial and oppressive cultures; (2) accounts of subjectivity based in recognition often normalize violence and subjugation as foundational to the process of subject formation; and (3) the processes of recognition work to assimilate rather than sustain difference.

Oliver develops her first line of critique regarding the “pathology of recognition” through a close engagement with Franz Fanon’s analysis of struggles for recognition in the context of colonialism. Rather than reading Fanon’s engagement with Hegel in *Black Skin, White Masks* as an

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<sup>186</sup> Kelly Oliver, “Witnessing,” in *50 Concepts for a Critical Phenomenology*, ed. Gail Weiss, Ann V. Murphy, Gayle Salamon (IL: Northwestern University Press, 2020), 339.

<sup>187</sup> Kelly Oliver, *Witnessing: Beyond Recognition* (Minneapolis, MN: University of Minnesota Press, 2001), 7.

<sup>188</sup> Oliver, 7.

endorsement of the master-slave dialectic, Oliver argues that a close engagement “reveals that rather than merely endorse recognition for colonized people, Fanon problematizes the connection between recognition and identity.”<sup>189</sup> Oliver notes that for Fanon, the Hegelian master-slave dialectic is insufficient for accounting for the structural position and experience of those who have been colonized and enslaved. As she quotes Fanon, “What [the master] wants from the slave is not recognition but work.”<sup>190</sup> Rather than endorse recognition as a path to liberation, Oliver reads Fanon as “seem[ing] to suggest that when there are masters and slaves, recognition is impossible.”<sup>191</sup> Extending Fanon’s analysis of recognition, Oliver argues that “it is possible to interpret the recognition model of identity as the particular pathology of colonial and oppressive cultures.”<sup>192</sup>

On Oliver’s reading of Fanon, it is not so much the internalization of oppressive norms but the process of dehumanization constitutive of colonialism that generates the desire and the need for recognition from the dominant culture. Which is to say, it is the process of dehumanization itself that generates a struggle for recognition of one’s humanity. As Oliver underscores, “It is only after oppressed people are dehumanized that they seek acknowledgement or recognition of their humanity.”<sup>193</sup> These processes of dehumanization generate a need for recognition by one’s oppressor which in turn “operates as cultural currency.”<sup>194</sup> Thus, Oliver contends, struggles for recognition “are caught up in the logic of colonialism and oppression that made them necessary in the first place.”<sup>195</sup>

Contemporary proponents of recognition—Oliver takes up Charles Taylor, Axel Honneth, and Nancy Fraser specifically—are the targets of her Fanonian critique of recognition as pathology.

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<sup>189</sup> Oliver, 23.

<sup>190</sup> Oliver, 28.

<sup>191</sup> Oliver, 28.

<sup>192</sup> Oliver, 23.

<sup>193</sup> Oliver, 26.

<sup>194</sup> Oliver, 26.

<sup>195</sup> Oliver, 27.

According to Oliver, the theories of Taylor, Honneth, and Fraser “presuppose rather than challenge the pathology of recognition inherent in colonial and oppressive cultures.”<sup>196</sup> Fanon’s critical analysis of struggles for recognition unsettle the approach of the three theorists named above who argue that “recognition from the dominant culture is necessary to develop a strong sense of one’s own personal and group identity.”<sup>197</sup> What is at stake, Oliver explains, is that “Within the pathology of recognition, subjectivity is conferred by those in power and on those they deem powerless and disempowered.”<sup>198</sup> By equipping the dominant group as having the power to confer recognition and setting up those in situations of oppression as receivers of recognition, the “pathology of recognition” inaugurates a colonized economy of desire for recognition.<sup>199</sup> Oliver’s critique of Hegel and the neo-Hegelian recuperations of recognition demonstrate that even the best and most radically conceived theories of recognition leave intact the very hierarchical organizations of power that produce the logics and operations of domination and oppression that struggles for recognition seek to redress.

Oliver’s second critique of theories of recognition is levied at accounts of subjectivity based in recognition that normalize violence and subjugation as foundational to the process of subject formation. Of particular concern for Oliver is Judith Butler’s theory of subjectivity. Though she sees Butler as more fully embracing the role of the other in subjectivity, she is critical of the normalization of a primary antagonism with others that she sees as embedded in Butler’s account of the processes of subjectivation. Oliver explains, “By insisting that the structure of subjectivity is one of subjection and subordination, Butler builds oppression and abuse into the foundation of subjectivity.”<sup>200</sup> Citing *The Psychic Life of Power*, *Bodies that Matter*, and *Excitable Speech*, Oliver argues

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<sup>196</sup> Oliver, 23.

<sup>197</sup> Oliver, 23.

<sup>198</sup> Oliver, 24.

<sup>199</sup> Oliver, 24.

<sup>200</sup> Oliver, 62.

that Butler's account of subjectivity construes all forms of trauma as a repetition of the original trauma of "inaugural alienation" inherent in the processes subjectivation.<sup>201</sup> This, Oliver worries, normalizes violence in ways that make "it difficult to argue against unnecessary forms of abuse that could or should be outlawed or deemed unethical or at least unhealthy."<sup>202</sup> This is of particular concern because, as she argues, "extreme forms of violence are not repetitions of the original trauma of subject formation; rather, extreme violence threatens the disintegration of subjectivity."<sup>203</sup> Oliver explains, "Instead of renewing subjectivity through the repetition of an original threat to it, extreme violence undermines the conditions of possibility for subjectivity, the possibility of dependence on another which enables bearing witness to oneself and others."<sup>204</sup>

Oliver traces Butler's "insistence on violence" to an "inability to distinguish between productive power from abusive power."<sup>205</sup> According to Oliver, "Power need not be conceived within an economy of scarcity. Rather power is generated in relationships...In this way, power can be produced in excess of the forces of domination."<sup>206</sup> This space for excess is necessary, Oliver contends, for transformative and liberatory projects. As she writes, "Without the space for excess—whether it is power beyond domination, the unconscious out of bounds of social norms, or the imaginary that cannot be contained within the symbolic—there is no space for transformation or revolution."<sup>207</sup> In other words, conceiving of systemic oppression and violence as constitutive to the formation of subjectivity leaves little room for conceiving of resistant subjectivities or the healing of trauma. Further, Oliver argues that theories of subjectivity that posit a primary antagonism between

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<sup>201</sup> Oliver, 65.

<sup>202</sup> Oliver, 66.

<sup>203</sup> Oliver, 66.

<sup>204</sup> Oliver, 66.

<sup>205</sup> Oliver, 66.

<sup>206</sup> Oliver, 66.

<sup>207</sup> Oliver, 66.

subjects cannot account for what she terms the fundamental “response-ability” of subjectivity. As she contends,

[I]f we start from the assumption that relations are essentially antagonistic struggles for recognition, then it is no wonder that contemporary theorists spend so much energy trying to imagine how these struggles can lead to compassionate personal relations, ethical social relations, or democratic political relations. From the presumption that human relations are essentially warlike, how can we imagine them as peaceful?<sup>208</sup>

It is the ability to address others and be addressed by others that Oliver takes as the cornerstone of the alternative account of subjectivity she develops through the concept of witnessing. Indeed, the normative force of her account stems from the constituting role that address-ability and response-ability play in subjectivity. That is to say, oppression and domination are morally, ethically, and politically wrong precisely because they undermine a person at the level of their socially constituted subjectivity and agential capacities.

Oliver’s third critique of theories of recognition takes up the question of difference. In particular, Oliver contends that accounts of recognition where “what is recognized is always only something familiar to the subject” have an assimilative tendency towards the question of difference such that “difference or otherness becomes impossible.”<sup>209</sup> As she explains, “When recognition repeats the master-slave or subject-object hierarchy, then it is also bound to assimilate difference back into sameness. The subject recognizes the other only when he can see something familiar in that other, for example, when he can see that the other is a person too.”<sup>210</sup> In addition to the Hegelian paradigm of recognition, Oliver is especially critical of the work of both Taylor and Lugones which she argues enact this assimilative tendency toward difference. Taylor, Oliver argues,

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<sup>208</sup> Oliver, 4. I want to make clear that here I am narrating Oliver’s own interpretations and readings of Butler. Developing my own response to Oliver’s possible misreading of Butler takes me beyond the scope of this chapter. However, I will note that *Witnessing: Beyond Recognition* (2001) was published before the release of Butler’s *Giving an Account of Oneself* (2003). A robust consideration of this text from Butler would likely lead to the need for Oliver to reconsider aspects of her position.

<sup>209</sup> Oliver, 9.

<sup>210</sup> Oliver, 9.

advocates a theory of recognition that cements an asymmetrical power differential between recognizer/recognizee. Presented from the side of dominant culture, Oliver contends that Taylor's account of recognition enacts the logics of "market exchange," those in positions of power give recognition in exchange for something determined to be of value for the dominant group. Oliver summarizes Taylor's position in the following way: "While our own worth is never questioned, other cultures and other people are objects of study, which in the best scenario enrich or contribute something of value to our own: if they don't have worth for us, then they don't have worth."<sup>211</sup> It is in a similar vein that Oliver reads Lugones' account of world-traveling. Critical of what she takes to be an "unacknowledged power hierarchy" embedded in Lugones's account of world-traveling, Oliver argues that Lugones's account ultimately "deflects the need to change social institutions (which create the power structure) onto personal and individual attitudes and relationships."<sup>212</sup> Oliver's critique of the treatment of difference in theories of recognition is important, however her claims regarding Lugones's account of world-traveling require more attention. It is for this reason that I return to Oliver's engagement with Lugones in section 3.1.

## **2.2. Witnessing Beyond Recognition**

One of the key touchstones in Oliver's account of witnessing is an academic debate between historians and psychoanalysts at Yale regarding the correct interpretation of eyewitness testimony given by a survivor of Auschwitz. In her testimony, the survivor narrates her experience of witnessing an uprising in the camp. According to Oliver's summary of the survivor's testimony, "The woman reported four chimneys going up in flames and exploding, but historians insisted that since there was only one chimney blown up, her testimony was incorrect and should be discredited

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<sup>211</sup> Oliver, 45.

<sup>212</sup> Oliver, 53.

in its entirety because she proved herself an unreliable witness.”<sup>213</sup> The historians’ insistence on the empirical veracity of the woman’s testimony misses what Oliver takes to be the most important part of the woman’s experience: resistance under conditions of unfathomable oppression. Oliver explains, “She saw something that in one sense did not happen—four chimneys blowing up—but that in another made all the difference to what happened. Seeing the impossible—what did not happen—gave her the strength to make what seemed impossible possible: surviving the Holocaust.”<sup>214</sup>

The tension between history and psychoanalysis revealed in the academic debates surrounding the resistant testimony of this survivor of the Holocaust opens up a space for Oliver to insist on what she terms the “unrecognizable” aspects of witnessing that lie beyond what can be captured in accounts of subjectivity based in recognition. According to Oliver, “The victims of oppression, slavery, and torture are not merely seeking visibility and recognition.”<sup>215</sup> Rather, those who have endured these forms of oppressive violence and domination seek “witnesses to horrors beyond recognition.”<sup>216</sup> Oliver argues that “testimonies from the aftermath of the Holocaust and slavery do not merely articulate a demand to be recognized or to be seen...they bear witness to a pathos beyond recognition and to something other than the horror of their objectification. They are also testifying to the process of witnessing that both reconstructs damaged subjectivity and constitutes the heart of all subjectivity.”<sup>217</sup> It is precisely this move from understandings of subjectivity and social struggle based in recognition to witnessing that Oliver advocates in her text.

In order to develop her account of subjectivity through witnessing, Oliver engages Shoshana Felman and Dori Laub’s analysis of the eyewitness testimony given by the survivor of Auschwitz

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<sup>213</sup> Oliver, 1.

<sup>214</sup> Oliver, 1.

<sup>215</sup> Oliver, 8.

<sup>216</sup> Oliver, 8.

<sup>217</sup> Oliver, 8.

recounted above. Following Laub, she notes that there is an important difference between the impersonal narration of historical facts and the narration of the same history by someone who lived through the events.<sup>218</sup> What is at stake in the survivor's testimony is something that exceeds the accuracy of the facts presented. Rather, as Oliver writes, "It is the *performance* of testimony, not merely what is said, that makes it effective in bringing to life a repetition of an event, not a repetition of the facts of the event, or the structure of the event, but the silences and the blindness inherent in the event that, at bottom, also make eyewitness testimony impossible."<sup>219</sup> That is to say, as Oliver explains, "Witnessing means testifying both to something you have seen with your own eyes and something that you cannot see."<sup>220</sup>

This impossibility points to several tensions that Oliver argues are at the very heart of the structure of witnessing. One of the tensions noted by Oliver is the double sense of "bearing witness" that exists in everyday understandings and uses of the phrase. The first, and perhaps most common, is the juridical sense of witnessing. The juridical sense of witnessing occurs through the eye witness, that person who is able to give a first-hand account of an event. In the juridical sphere, an eye witness is called on to give an objective representation of the facts of the event as perceived. This form of witnessing connotes objectivity, veracity, accuracy, and verifiability. The second form of bearing witness that Oliver emphasizes is the religious or spiritual sense of bearing witness. The religious sense of witnessing attends to that which is not perceptible through the juridical sense of

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<sup>218</sup> Oliver, 85.

<sup>219</sup> Oliver, 86. Here, Oliver is evoking the Levinasian distinction of "the saying of the said": "The performative element of witnessing points to the structure of subjectivity itself, the unsaid in saying. To employ the Levinasian distinction, we could say that the saying challenges the said, not just because the saying performs the unspoken conditions of the possibility of the said—or in Butler's terms, not just because the performance shows or displays the foreclosed condition of possibility of the reiteration of the social norm—but because the saying *enacts* the impossibility of really ever *having said* what happened" (88). For more on this aspect of Levinas' thought see, Levinas, Emmanuel. 1974, 1998. *Otherwise Than Being, Or Beyond Essence*. trans. Alphonso Lingis. (PA: Duquesne University Press).

<sup>220</sup> Oliver, 86.



witnessing, but rather bears witness “to what you believe through blind faith.”<sup>221</sup> This form of witnessing attests to that which transcends the “facts of the matter” and points to what cannot be seen. As she writes, “It is important to note that witnessing has both the juridical connotations of seeing with one’s own eyes and the religious or now political or ethical connotations of testifying to that which cannot be seen, or bearing witness.”<sup>222</sup> This impossibility of eyewitness testimony, structured by the tension between the juridical and religious or spiritual witnessing, is illuminated through Oliver’s engagement with Felman and Laub’s analysis of survivor testimony from the Holocaust. Discounting eyewitness testimony due to inaccuracies, as the historians did in the debate over the exploding chimneys and as the purely juridical sense of witnessing might, elides the truth of the survivor’s testimony – that resistance had taken place under impossible conditions.

In addition to the tension of the double sense of “bearing witness” outlined above, there is an additional tension that runs through Oliver’s account of witnessing which she terms the *finite* and the *infinite*. Oliver explains the relationship between the finite and the infinite in terms of the tension between “subject position” and “subjectivity.” According to Oliver, our subject positions “are our relations to the finite world of human history and relations.”<sup>223</sup> Subject positions denote the “historicity of our experience of time, which is to say the individual-social context and subject positions that make any historical perspective possible.”<sup>224</sup> Describing the subject position of the survivor who testified to the Jewish uprising at Auschwitz, Oliver writes,

As an eyewitness she occupies a particular historical position in a concrete context that constitutes her actuality as well as her possibilities. She was a Jew in the midst of deadly anti-Semitism. She was a prisoner in a concentration camp. She was a woman in the mid-twentieth century. In order to evaluate her testimony as an eyewitness, it is crucial to consider her sociohistorical subject position and not just the ‘accuracy’ of her testimony. Indeed, the accuracy of her testimony has everything to do with her subject position.<sup>225</sup>

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<sup>221</sup> Oliver, 85.

<sup>222</sup> Oliver, 16.

<sup>223</sup> Oliver, 17.

<sup>224</sup> Oliver, 140.

<sup>225</sup> Oliver, 16.

Constituted through sociality, culture, and context, subject positions are imbued with the meaning of “the finite world of human history and relations.”<sup>226</sup> With regards to the survivor’s testimony, Oliver notes that her subject position as a Jewish woman “makes a difference to how she speaks and how she is heard.”<sup>227</sup> Indeed, Oliver contends, “Only by considering her subject position can we learn something about the ‘truth’ of history, even from the ‘inaccuracies’ of her testimony.”<sup>228</sup>

In tension with the finite position of one’s subject position is “subjectivity.” For Oliver, subjectivity entails one’s sense of being an “I” with agency. As Oliver explains in her entry on witnessing in *50 Concepts for a Critical Phenomenology*, “The structure of subjectivity is the structure that makes taking oneself as an agent or a self possible. This structure is a witnessing structure that is founded on the possibility of address and response; it is a fundamentally dialogic structure, in the broadest sense possible.”<sup>229</sup> Stemming from her engagement with Levinas, Oliver conceives of subjectivity as the infinite counterpart to one’s subject position. As she writes, “Subjectivity is held together by the tension between forces of finite history and infinite responsibility.”<sup>230</sup> According to Oliver, as selves whose subjectivity is formed through dialogical relations with others, we are not in a fundamental relationship of antagonism with others but rather in a responsive relationship characterized by our dependency on others. Oliver writes, “If subjectivity is the process of witnessing sustained through response-ability, then we have a responsibility to the response-ability, to the ability to respond.”<sup>231</sup> The on-going nature of this responsibility to other’s ability to respond is

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<sup>226</sup> Oliver, 17.

<sup>227</sup> Oliver, 17.

<sup>228</sup> It is through her account of the historicity of one’s subject position that Oliver’s account diverges from Emmanuel Levinas. As she writes in “Witnessing,” “Even Emmanuel Levinas, who suggests that the subject is ‘hostage’ to the other insofar as it comes into being in responsive relationships, and formulates a notion of ethical responsibility beyond recognition, arguably does not adequately account for subject position or politics in his postphenomenological philosophy” (339).

<sup>229</sup> Oliver, “Witnessing,” 339.

<sup>230</sup> Oliver, *Witnessing*, 17.

<sup>231</sup> Oliver, 18.

infinite in nature. That is to say, it is not something that can be fulfilled according to a utilitarian calculus but rather we must continue to remain attuned to the push-and-pull, the call-and-response, of a community of others. Indeed, the assertion that through the process of witnessing we are faced with an “infinite responsibility” to others is what allows Oliver to tie subjectivity closely to normative political and ethical demands.

Oppression and domination, Oliver contends, threaten both registers of witnessing and therefore are detrimental to the integrity of the self. In particular, oppression and domination threaten one’s “inner witness,” i.e., an addressable other who may be “real or imaginary,” “actual or potential.”<sup>232</sup> It is the inner witness that “sustains psychic life and the subject’s sense of its subjective agency.”<sup>233</sup> According to Oliver, the inner witness “is the structure of subjectivity as address-ability itself, the structure of witnessing.”<sup>234</sup> As such, the inner witness negotiates between one’s subject position and subjectivity. As Oliver explains, “If one’s subject position is the sociohistorical position in which one finds oneself, and one’s subjectivity is the structure of witnessing as infinite response-ability, then the inner witness is where subject position and subjectivity meet.”<sup>235</sup> Oliver’s understanding of the inner witness is borrowed from her engagement with Felman and Laub. As Laub argues, the machinations of oppression and domination work by damaging, undermining, or outright annihilating the inner witness that is “necessary for the process of witnessing to support itself.”<sup>236</sup> It is precisely the destruction of the possibility of this inner witness that took place through the horrors of the Holocaust. Oliver writes, “victims [of the Holocaust] were not only empirically annihilated as witnesses—murdered—but also cognitively and perceptually destroyed as witnesses

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<sup>232</sup> Oliver, 17.

<sup>233</sup> Oliver, 17.

<sup>234</sup> Oliver, 87.

<sup>235</sup> Oliver, 87.

<sup>236</sup> Oliver, 87.

because they were turned into objects and dehumanized.”<sup>237</sup> As a result, testifying to one’s experience “from the inside of otherness” yields a seeming impossibility because the possibility for witnessing is destroyed. “Yet,” Oliver contends in agreement with Felman and Laub, “in order to reestablish subjectivity and in order to demand justice, it is necessary to bear witness to the inarticulate experience of the inside.”<sup>238</sup>

The notion of the “inner witness” at the heart of Oliver’s account of subjectivity appears to cement an inside/outside dichotomy that runs contrary a deeply relational and dialogical account of the self. To address this concern, Oliver turns to Mae Gwendolyn Henderson’s essay “Speaking in Tongues: Dialogics, Dialectics, and the Black Woman Writer’s Literary Tradition.” In the essay, Henderson articulates an account of “speaking in tongues” in order to explore the tradition of contestorial and testimonial literary writing by Black women. Henderson explains, “This tradition is dialogic and interlocutory in that it privileges ‘otherness’ by giving voice to the Other(s) within the Self.”<sup>239</sup> Rather than conceiving of a fixed line between “inside” and “outside,” Henderson “describes a dialogic, dialectical relation of inside to outside that problematizes witnessing in a different way.”<sup>240</sup> It is precisely the polyvocality and plurality of Black women’s experience of being multiply marginalized that presents a challenge to the account of the inner witness Oliver borrows from Felman and Laub. According to Oliver, the point of Henderson’s essay “is that black women survive by learning to speak in tongues, to speak differently to different groups...Speaking in tongues may be as much a matter of negotiating different aspects of social, political, and cultural life in which inner and outer are always intertwined.”<sup>241</sup>

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<sup>237</sup> Oliver, 89.

<sup>238</sup> Oliver, 90.

<sup>239</sup> Mae G. Henderson, “Speaking in Tongues,” *Speaking in Tongues and Dancing Diaspora: Black Women Writing and Performing* (Oxford: Oxford University Press, 2014), 59.

<sup>240</sup> Oliver, *Witnessing*, 94.

<sup>241</sup> Oliver, 95.

Despite problematizing binary understandings of the inside/outside, Oliver argues that Henderson's account of speaking in tongues indicates the possibility for "reconnect[ing] inner and outer voice, or private and public discourse, even as it problematizes that distinction."<sup>242</sup> Connecting Henderson to Felman and Laub, Oliver contends that though these three thinkers deploy the distinctions between inner/outer "in different ways and contexts" their collective "insistence on the split" points to a paradox that inheres in bearing witness to one's own oppression. Describing this paradox, Oliver writes,

Bearing witness to your own oppression is as paradoxical as it is necessary. The heart of the paradox is that oppression and subordination are experiences that attempt to objectify the subject and mutilate or annihilate subjectivity, that is, your sense of yourself, especially your sense of yourself as an agent. Rendered an object, the victim of oppression and subordination is also rendered speechless. Objects do not talk. Objects do not act. Objects are not subjects or agents of their own lives.<sup>243</sup>

Through the processes of domination and oppression, Oliver argues, one's ability to bear witness to their own experience of trauma and violence of being rendered an object, a non-human thing, and a victim is degraded by the annihilation of the inner witness. The paradox, according to Oliver, is that once one is degraded to the status of a thing one ceases to be able to bear witness because "things and objects cannot testify."<sup>244</sup> As she explains, "While the act of witnessing itself is a testimony to one's subjectivity, the narrative of oppression tells the story of one's objectification and silence."<sup>245</sup> Thus, the attempt to tell one's own story when viewed from within the narrative of oppression renders one illegible and requires speaking in tongues.

Witnessing, Oliver argues, has the transformative capacity to restore the inner witness necessary for the agency of subjectivity. "Oppression, domination, and torture undermine subjectivity by compromising or destroying response-ability necessary for subjectivity. Witnessing can restore

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<sup>242</sup> Oliver, 95.

<sup>243</sup> Oliver, 95.

<sup>244</sup> Oliver, 98.

<sup>245</sup> Oliver, 98.

subjectivity by restoring response-ability.”<sup>246</sup> Experiencing life as a subject who is constituted through her relations with others entails that we are always confronted by both the response-ability of that life and the responsibility of that life. This is what Oliver will term, following Freud, the need for “working-through.” Differentiating her account of subjectivity from Butler and Kristeva, Oliver argues that imagining peaceful and caring relations requires “working-through whatever we might find threatening in relations to otherness and difference.”<sup>247</sup> Indeed, she underscores, any social theory aimed at transformation requires the possibility for working-through. In this way, working-through is precisely the transformative, reparative, and restorative activity of witnessing itself. Rather than merely repeating traumatic events *ad infinitum*, witnessing facilitates a working-through that holds open the possibility for transformation and healing.

On Oliver’s account, working-through is a continual process that requires “constant vigilance in self-reflection” such that we are always examining and interpreting our own unperceived and unobserved investments in dominant systems and relations of power. As she explains, “To demand vigilance is to demand infinite analysis through ongoing performance, elaboration, and interpretation...The demand for vigilance as the demand for infinite analysis is the ethical imperative of subjectivity conceived in witnessing beyond recognition.”<sup>248</sup> Connecting the demand for vigilance to Emmanuel Levinas’s writings on insomnia, Oliver notes that the vigilance she calls for is not that of a “self-possessed watchman” but rather entails observing and remaining responsive to things beyond our control; “the vigilance of a self opened onto otherness.”<sup>249</sup> However, skeptical of Levinas’s “talk about hostages” in his discussion of insomnia, Oliver departs from his account

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<sup>246</sup> Oliver, 105.

<sup>247</sup> Oliver, 10.

<sup>248</sup> Oliver, 133.

<sup>249</sup> Oliver, 134.

with the insight that “subjectivity is responsiveness to otherness and vigilance is a movement beyond ourselves toward otherness.”<sup>250</sup>

The transformative power of working-through is actualized through our imaginative capacities to rethink the past in order to envision liberatory future possibilities. Indeed, the possibilities of our future are deeply intertwined with our capacity to work-through the past and imaginatively revisit history. As Oliver eloquently puts the point,

In order to imagine the present impossibilities becoming possible in the future, we need to imagine them as possible in the past: the future opens onto otherness only insofar as the past does too. But this requires a vigilance, an insomnia that refuses to sleep the dogmatic slumber of historical facts inhabiting a determinant past in a world where the past has already caused the future and the future is just like the past.<sup>251</sup>

In our present there are many seeming impossibilities that are produced by the systemic machinations of domination and oppression of what I called the colonial/social contract in Chapter 1. It often seems impossible to inhabit a world not structured by systemic forms of gendered and racialized violence, the theft of Indigenous lands, or the expropriation of Black and brown bodies. But, as Oliver reminds us, bringing future possibilities to fruition requires locating “seeds of future justice in the past.”<sup>252</sup>

Expanding on Oliver’s account of witnessing but also departing from it in significant ways, in what follows I argue that the project of decolonial feminism requires the working-through advocated by Oliver. However, rather than take up Oliver’s Levinasian understanding of vigilance through insomnia, in what remains of this chapter I turn to a different kind of vigilance: haunting. I evoke haunting in the sense articulated by sociologist Avery Gordon in *Ghostly Matters*:

[H]aunting describes how that which appears to be not there is often a seething presence, acting on and often meddling with taken-for-granted realities, the ghost is just the sign, or the empirical evidence if you like, that tells you a haunting is taking place. The ghost is not simply a dead or

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<sup>250</sup> Oliver, 134.

<sup>251</sup> Oliver, 136.

<sup>252</sup> Oliver, 135.

missing person, but a social figure, and investigating it can lead to that dense site where history and subjectivity make social life.<sup>253</sup>

Like Oliver, Gordon indicates that ghosts also “refuse to sleep the dogmatic slumber of historical facts inhabiting a determinant world” where the past is passed.<sup>254</sup> The haunting, located at the nexus of the dense sites of history and subjectivity interject into our present in ways that have deep implications for the organization of social life and worlds of sense. The ghost of *La Llorona*, conceived of as a social figure who beckons us to attend to the *herida abierta* of colonization, haunts this chapter. As I noted at the outset, the haunting presence of *La Llorona* demands our attention, our vigilance in Oliver’s parlance. Defying the collective amnesia and practices of unknowing of coloniality, she points to the need for working-through, to the need for memory-work by faithful witnesses.

### **3. *La Llorona* Demands Faithful Witnesses**

In the previous sections of this chapter, I outlined the prominence of the paradigm of recognition in Western philosophical accounts of subjectivity as well as several major problems with this conception by engaging Oliver’s account of witnessing. I argued, utilizing the work of Oliver, that even the best and most radically conceived theories of recognition leave intact the very hierarchical organizations of power that produce the logics and operations of domination and oppression that struggles for recognition seek to redress. I contend that accounts of subjectivity based in the paradigm of recognition stem from the logics of the colonial contract. Challenging Western paradigms of selfhood based in theories of recognition, this section marks a shift in both voice and interlocutors as I turn to the insights of decolonial feminists. In particular, in this section

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<sup>253</sup> Gordon, *Ghostly Matters*, 8.

<sup>254</sup> Oliver, *Witnessing*, 136.



of the chapter I expand, modify, and problematize Oliver's account of witnessing through the introduction of the concept of the multiplicitous self in order to center the importance of *faithful* witnessing, as articulated by Lugones and Figueroa, for the constitution of decolonial subjectivities that can speak back to and against colonial and heteropatriarchal logics. In what follows, I offer a reading of Lugones's account of faithful witnessing augmented by her conception of *tantear* in order to cultivate sensibilities and sensitivities to multiple worlds of sense and ways of being. In later sections, I suggest that critical world-traveling, *testimonio*, and the decolonial imaginary are three modes of faithful witnessing that help us on our way to decolonizing subjectivities.

Though the concept of faithful witnessing is not one of Lugones' most central or developed concepts (i.e. "world"-traveling, curdling v. fragmentation, the limen), it holds an important place in her theorizing in several key texts across her corpus. The most prominent discussion given to the concept occurs in the introduction to *Pilgrimages/Peregrinajes*. In sketching out an initial snapshot of her understanding of the concept, it is worth quoting her at some length:

To witness faithfully is difficult, given the manyness of worlds of sense related through power so that oppressive and fragmenting meanings saturate many worlds of sense in hard to detect ways. A collaborator witnesses on the side of power, while a faithful witness witnesses against the grain of power on the side of resistance. To witness faithfully, one must be able to sense resistance, to interpret behavior as resistant even when it is dangerous, when that interpretations places one psychologically against common sense, or when one is moved to act in collision with common sense, with oppression. Faithful witnessing leads one away from a monosensical life...a life in allegiance with oppression.<sup>255</sup>

There are several aspects of faithful witnessing that are important to note in this quotation.

According to Lugones, to witness faithfully requires developing new sensibilities and sensitivities to multiple worlds of sense and ways of being—what Lorde calls our nondominant differences, i.e. the abundant diversity of life in its myriad manifestations—"against the oppressive grain."<sup>256</sup> Faithful

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<sup>255</sup> María Lugones, 2003. *Pilgrimages/Peregrinajes: Theorizing Coalition Against Multiple Oppressions*. New York: Rowman & Littlefield Publishers, 7.

<sup>256</sup> Lugones, 7.

witnesses also understand that conceiving of ontology through difference is not destructive, but infinitely generative in ways that cannot be determined ahead of time. Faithful witnesses reject a teleological vision of liberation and embrace possibilities that cannot yet be conceived of under the current modern/colonial gender system of the colonial contract. Faithful witnesses also affirm that we catch glimpses of resistant worlds every day, in the most mundane of details: “Eating pozole may be a resistant activity; sleeping by oneself may be a resistant activity; carrying one’s keys in one’s hands can be a resistant activity; talking to strangers can be a resistant activity.”<sup>257</sup> Further, it is important to note faithful witnessing requires work. It is not a passive mode, but engaged activity with other collaborators at the *herida abierta* of the colonial difference. Faithful witnesses must contend with multiplicity in all of its difficulty and messiness.

In her article, “Faithful Witnessing as Practice,” Figueroa utilizes Lugones’s concept of faithful witnessing in order to read decolonial resistance in literary texts, particularly those of Donato Ndongo and Junot Díaz, designed both for and about oppressed communities. Figueroa begins her essay reflecting on Piri Thomas’s *Down These Mean Streets* as a way to open up a philosophical discussion of the relationship between demands for recognition and Lugones’s concept of faithful witnessing. Figueroa argues that Thomas’s book “offers the reader the opportunity to bear witness to the humanity and lived experiences of working-poor, racialized, and immigrant communities from the Great Depression through the civil rights era.”<sup>258</sup> In bearing witness to the lives and experiences of these communities, readers are called on to develop sensibilities that work against the grain of oppression—a key aspect of Lugones’s articulation of faithful witnessing. As Figueroa contends, literary works like Thomas’s issue a particular injunction for readers “to witness and recognize the hostility and heteropatriarchy and white supremacy, the aftermath of colonization and migration,

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<sup>257</sup> Lugones, 219.

<sup>258</sup> Yomaira C. Figueroa, “Faithful Witnessing as Practice: Decolonial Readings of Shadows of Your Black Memory and the Brief Wondrous Life of Oscar Wao.” *Hypatia* 30, no. 4 (2015): 642.

and the humanity and lived experiences of their subjects.”<sup>259</sup> In this way, following Lugones and Figueroa we can understand faithful witnessing “as a decolonial feminist tool [that] makes visible the often unseen consequences of the coloniality of power, knowledge, and gender.”<sup>260</sup>

On Lugones’s and Figueroa’s accounts, to witness faithfully requires cultivating sensibilities and sensitivities to multiple worlds of sense and ways of being. I want to suggest that in order to undertake this work of faithful witnessing and to learn what *La Llorona* has to teach us about moving towards decolonizing subjectivities, we must engage in the activity of witnessing faithfully through what Lugones has called a “practice of *tantear* for meaning.”<sup>261</sup> Lugones explains that she appeals to a double sense of the word *tantear* in Spanish as both “the sense of exploring someone’s inclinations” and “putting one’s hands in front of oneself as one is walking in the dark.” *Tantear* can also evoke a hesitant searching for something with another person, as in *tantear a alguien sobre algo*.<sup>262</sup> Lugones opens her germinative work *Pilgrimages/Peregrinajes* with an invitation to her readers to engage in *tanteando* by self-reflexively opening themselves to that which might be difficult or impossible to perceive at both intimate and public levels. To put this invitation into the language of the previous sections, it is a solicitation to witness beyond recognition. *Tanteando* attunes us to the subtleties of resistance as well as prepares us for the demands of faithfully witnessing difference and multiplicity.

Lugones’s notion of *tantear*, I want to suggest, enables us to consider how we might begin to bear witness to ghostly matters. Indeed, as Gordon reminds us, “writ[ing] about invisibilities and hauntings...requires attention to what is not seen, but is nonetheless powerfully alive; requires

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<sup>259</sup> Figueroa, 642.

<sup>260</sup> Figueroa, 643.

<sup>261</sup> Lugones, *Pilgrimages*, 1.

<sup>262</sup> The rough translations of this phrase is “to elicit someone’s opinion about something.” Gracias to Eduardo Mendieta for reminding me of this sense of *tantear*. As he notes, “*Tantear* could be translated as hesitant searching, or ‘probing figuring’ as when one *tantea* for a word. *Tantear* invites other to the act of creation. When we *tanteamos*, we are inviting others to help us find the right word. As when I say: Um, how do we translate this word in Spanish into English and we give several cognates until we all agree that x may be the most evocative” (personal communication).

attention to what appears to be in the past, but is nonetheless powerfully present.”<sup>263</sup> As a social figure, the haunting and invisible figure of the ghost “is often a case of inarticulate experiences...of spiraling affects, of more than one story at a time.”<sup>264</sup> It is in this sense that *tanteando*, conceived of as the practice of tentatively exploring and feeling around for alternative sensibilities that provincialize the regime of modernity/coloniality, enables the construction of decolonial subjectivities that faithfully bear witness to the violence and wounds that *La Llorona* bespeaks. It is for this reason that I evoke *La Llorona* and read her in this chapter as *una maestra*, a pedagogical exemplar, who teaches us to witness faithfully. Straddling many worlds—both in and between them—as a multilayered and polyvalent archetype, she is an exemplar of the multiplicitous self. Both a real and spectral being, her presence can indeed be difficult to detect, to bear witness to. As the wailing woman, her affectively laden utterances often remain unintelligible from the point of view of dominant culture—she speaks in tongues. To be the kind of faithful witness that Lugones urges us to be, the kind of faithful witness that *La Llorona* demands, requires colliding with the common sense ethical and moral sensibilities. To bear witness to her act of infanticide, whether it is taken literally or symbolically, as one that is resistant requires risk.

Indeed, to faithfully and unflinchingly bear witness to *La Llorona*’s act of infanticide and understand it as resistant risks upending the colonial contract. To learn what *La Llorona* has to teach us about forging decolonized subjectivities and to be the kind of faithful witness she demands requires faithfully bearing witness to her story with decolonial sensibilities gathered through the practice of *tanteando*. In what remains of this chapter, I outline three practices of faithful witnessing—critical world-traveling, *testimonio*, and the decolonial imaginary—that exemplify the aspects of faithful witnessing noted above.

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<sup>263</sup> Gordon, *Ghostly Matters*, 42.

<sup>264</sup> Gordon, 25.

### 3.1. Critical World-Traveling as Faithful Witnessing

The vision of the multiplicitous self that we find in the works of Latinx feminists—e.g., Anzaldúa’s *new mestiza* and *nepantlera*, Lugones’ world-traveler, and Ortega’s multiplicitous self—pose a direct challenge to the vision of the epistemically unified self characteristic of many accounts in Western philosophy.<sup>265</sup> As Ortega contends, “this multiplicity has been buried in philosophy given its quest for not only more traditional, unitary, accounts of selfhood but also for notions of selfhood that bypass the particularities of our raced, gendered, and classed everyday existence.”<sup>266</sup> Indeed, I argue that even the most relational accounts of the self found in the annals of Western philosophy, such as recognition theory and even Oliver’s own account of witnessing, do not account for the “multiplicitous self caught in between the norms and practices of different cultures, classes, races, or “worlds.”<sup>267</sup>

Ortega’s important germinative text *In-Between: Latina Feminist Phenomenology, Multiplicity, and the Self* offers what is perhaps the most thorough philosophical development of the multiplicitous self. Staging an encounter between Heideggerian phenomenology and feminists of color, Ortega offers a philosophically rich existential and phenomenological account of the multiplicitous self as both multiple and one. As multiplicitous, she explains, “the self has various social identities and the possibility of being in various worlds.”<sup>268</sup> Describing her own multiplicitous self as an example, she notes that she exists in many worlds—“the Latino world, the Nicaraguan world, the lesbian world,

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<sup>265</sup>See, Gloria Anzaldúa, *Borderlands/La Frontera: The New Mestiza* (San Francisco: Aunt Lute Books, 1987); Anzaldúa, *Light in the Dark/Luz en lo Oscuro*. ed. AnaLouise Keating (Durham: Duke University Press, 2015); Lugones, *Pilgrimages*; Mariana Ortega, ““New Mestizas,” “World’-Travelers,” and “Dasein”: Phenomenology and the Multi-Voiced, Multi-Cultural Self.” *Hypatia* 16, no. 3 (2001): 1-29; Mariana Ortega, *In-Between: Latina Feminist Phenomenology, Multiplicity, and the Self* (Albany: SUNY Press, 2016).

<sup>266</sup> Ortega, Mariana. 2016. *In-Between: Latina Feminist Phenomenology, Multiplicity, and the Self*. Albany: SUNY Press, 6.

<sup>267</sup> Ortega, “New Mestizas,” 4.

<sup>268</sup> Ortega, *In-Between*, 66.

the Latina lesbian world, the Spanish-speaking world, the academic world, among others”—and each of these worlds crisscross and overlap in her varied experiences.<sup>269</sup> The simultaneity of the intersections and interweaving of these worlds means that the multiplicitous self is both being-in as well as “being-between-worlds and is deeply aware of the experience of liminality.”<sup>270</sup> Taking these aspects of the multiplicitous self together, she describes the multiplicitous self as “an embodied, situated self in process that is being-in-worlds and being-between-worlds and that is characterized by intersectionality and flexibility.”<sup>271</sup> According to Ortega, the lived experience of the multiplicitous self points to a paradoxical relationship between multiplicity and oneness. She addresses this paradox between multiplicity and oneness through what she terms “existential continuity.” Rather than grounding her account of oneness of the multiplicitous self in a bounded and homogenous conception of the body, Ortega offers an understanding of oneness as “the sense in which I can consider myself and ‘I’ and in which I am aware of my own being, not only by way of my embodiment but also by way of the temporal dimension of my existence, what I regard as *existential continuity*.”<sup>272</sup> Ortega further develops her account of the existential continuity, of one’s sense of oneself as an “I,” through Heidegger’s concept of “mineness.” Explaining her use of the concept of mineness, she writes, “What mineness entails is one’s experience of being aware of one’s being in any particular circumstance, and thus it captures an existential dimension of my self.”<sup>273</sup>

Here, I want to note several points of complementarity between Ortega’s and Oliver’s respective accounts of subjectivity. Ortega’s discussion of the tension between multiplicity and oneness is deeply resonant with Oliver’s discussion of the tension between subjectivity (as infinite)

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<sup>269</sup> Ortega, 66.

<sup>270</sup> Ortega, 66; Here, Ortega is utilizing aspects of Heidegger’s account of *Dasein* as “being-in-the-world.” See, Ortega 2016, 68-71.

<sup>271</sup> Ortega, 77.

<sup>272</sup> Ortega, 78.

<sup>273</sup> Ortega, 80.

and subject position (as finite) that I discussed at length in section 2.2. Ortega's discussion of the mineness of the multiplicitous self is evocative of Oliver's notion of subjectivity in that both describe one's sense of being an "I" and an agent. Indeed, I read Ortega's notion of existential continuity as denoting something akin to Oliver's description of our subject position which denotes the historicity of our temporal experience. However, despite resonances between Ortega and Oliver's respective relational accounts of the self, Oliver's account of witnessing does not hold a complementary discussion or acknowledgement of the multiplicitous nature of the self. More strongly stated, Oliver's account of witnessing fails to capture the multiplicitous nature of selves and worlds.<sup>274</sup> This is problematic not only for the way in which many people, particularly Black, Indigenous, people of color (BIPOC) and other marginalized folks *actually* experience themselves, but also because these traditional accounts of subjectivity neglect the multiplicity of the self and worlds. Thus, I contend, Oliver's account of witnessing finds itself unable to *faithfully* bear witness to the figure of *La Llorona*.

Indeed, this lacuna in Oliver's account of witnessing is especially evident in her own treatment of Lugones's concept of "world"-traveling. Oliver turns to the work of Lugones in order to further motivate her argument that theories of recognition ultimately rely on an underlying logic of assimilation. This is especially problematic, on Oliver's view, because in trying to assimilate difference, theories of recognition treat difference as a problem that ought to be resolved thus placing those situated in different contexts of struggle into an oppositional stance with one another. In particular, Oliver's critique of Lugones circulates around a critique of identity politics. For Oliver, identity politics harbor a conception of "identity as property" and an oppositional understanding of

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<sup>274</sup> Because *Witnessing* was published fifteen years before *In-Between*, it is unfair to expect Oliver to engage with Ortega's own account of the multiplicitous self and the corresponding concepts of mineness and existential continuity. However, the accounts of the multiplicitous self that Ortega draws on, notably those from Anzaldúa and Lugones and even Ortega's own early articulations of the multiplicitous self (2000, 2001), are contemporaneous with Oliver's text.

difference. The rub, so to speak, on Oliver's view is that liberatory theories that stem from the standpoint of identity politics fail to offer truly transformative remedies for problems of recognition.

As Oliver writes,

Affirmative remedies for lack of recognition or disrespect would revalue unjustly devalued groups and individuals while leaving intact the content of the group or individual identity and differential that underlies them—identity politics.<sup>275</sup>

In contrast,

Transformative remedies...would redress disrespect by transforming the underlying structure of cultural valuation by destabilizing existing group and individual identities and thereby changing everyone's sense of self—deconstruction.<sup>276</sup>

Rather than deconstruct harmful binary logics that structure oppressive societies, such as subject/object, Oliver is concerned that theories based in identity politics leave these oppositional logics intact. Critical of what she regards as Lugones's "strong sense of identity politics" in which "identities are worn almost like badges," Oliver begins her critique of Lugones through an engagement with what is perhaps her most well-known essay, "Playfulness, 'World'-Traveling, and Loving Perception." Reconstructing a handful of passages from the text, Oliver outlines what she takes to be two fundamental problems with Lugones's notion of world-travel that stem from a strong adherence to identity politics: a sense of identification that flattens difference and an overly ridged conception of identity and worlds.

The first problem that Oliver identifies with Lugones's concept of "world"-travel is the central role Lugones ascribes to "identification." To illustrate her criticism, Oliver highlights Lugones's narration of her attempts to travel to her mother's "world." Lugones's relationship to her mother is one of the central personal narratives through which she develops her concept of "world"-travel. Utilizing Marilyn Frye's concepts of arrogant and loving perception, Lugones seeks to give an

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<sup>275</sup> Ortega, "New Mestizas," 50.

<sup>276</sup> Ortega, "New Mestizas," 50.



account of “world”-travel that is informed by loving perception. In particular, in the essay Lugones is concerned with a long-held resistance to identifying with her mother, what she characterizes as arrogant perception, that she harbored well into adulthood. For Lugones, this inability to identify with her mother amounted to an inability to love her. As Lugones writes in a long passage quoted by Oliver,

To love my mother was not possible for me while I retained a sense that it was fine for me and others to see her arrogantly. Loving my mother also required that I see with her eyes, that I go into my mother’s world, that I see both of us as we are constructed in her world, that I witness her own sense of self from within her world. Only through this traveling to her ‘world’ could I identify with her because only then could I cease to ignore her and to be excluded or separate from her...So traveling to each other’s ‘worlds’ would enable us to be through loving each other.<sup>277</sup>

Citing this passage, Oliver argues that rather than move to loving perception as she claims, Lugones’s assertion that she can “see with her [mother’s] eyes” remains problematically arrogant. Though she does not fully develop this line of criticism, I take it that Oliver is troubled by what she sees as an assimilative and reductive approach to the fundamental difference between Lugones and her mother that is signaled by the phrase, “I see with her eyes.” Oliver’s cursory overview of “world”-travel reads Lugones as advocating an overly reductive walk-a-mile-in-her-shoes solution to overcoming the marginalizing and oppressive effects of arrogant perception.

I am sympathetic to the concern that Lugones’s emphasis on identification in her concept of “world”-travel is an overly determined and reductive way of approaching serious issues such as marginalization and oppression. However, reading Lugones’s account of “world”-travel in this way glosses over the complexity of the account she develops. Further, and most relevant to the arguments of this chapter, Oliver does not engage Lugones’s own references to witnessing in the very passage through which she develops this line of critique.

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<sup>277</sup> Lugones, María. 1987. "Playfulness, "World"-Travelling, and Loving Perception." *Hypatia: A Journal of Feminist Philosophy*: 3-19.

It is important to note that, for Lugones, the failure to identify with, and so love, her mother is more than abusive behavior by a “bad daughter.” The failure of identification has more far-reaching repercussions. It is a complex failure that harms not only her mother’s sense of self but also her own. As Lugones writes in the portion of the text omitted in Oliver’s quotation,

Only then [through traveling to her “world”] could I see her as a subject even if one subjected and only then could I see at all how meaning could arise fully between us. We are fully dependent on each other for the possibility of being understood and without this understanding we are not intelligible, we do not make sense, we are not solid, visible, integrated; we are lacking. So traveling to each other’s “worlds” would enable us to be through loving each other.<sup>278</sup>

On Lugones’s account, our be-ing – i.e. the possibility to exist as a “solid, visible, integrated” self – is damaged when we fail to identify with one another. This failure of identification should not be equated with a failure of recognition. Lugones has not failed to properly recognize her mother. Rather, as she argues, her failure to identify with her mother is a failure to “witness her own sense of self from within her world.”

As noted at the beginning of this section, witnessing is not merely a passing reference for Lugones. In several pieces from her corpus Lugones utilizes the term “faithful witnessing.” Lugones describes faithful witnessing as the epistemic dimension of the pilgrimage of “world”-traveling. Faithful witnessing, then, is the way in which “world”-travelers seek out and convey resistant “meaning against the oppressive grain.”<sup>279</sup> Because of the manyness of worlds, faithful witnessing is difficult and even risky. As Lugones argues, to witness faithfully beyond that which is recognizable places us against common sense ways of inhabiting the worlds we dwell within, it requires standing against the grain of power. Utilizing Oliver’s own definition of witnessing, we could reformulate Lugones’s inability to identify with her mother as an inability to adequately respond to and address her mother, i.e. *to be a faithful witness*.

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<sup>278</sup> Lugones, “Playfulness,” 8.

<sup>279</sup> Lugones, *Pilgrimages*, 7.

Here it is also important to note the context in which Lugones writes her essay. Not only is Lugones reflecting on her failure to love and identify her mother but she is also reflecting on White/Angla women's failure to love and identify with Women of Color. This point is deeply important because, on my reading, the ultimate aim of the essay is one of feminist coalition building – between White/Angla women and Women of Color as well as between Women of Color themselves. To build these coalitions, Lugones advocates that we make an “epistemological shift” towards what Lorde has called our “non-dominant differences.” Following Lorde's theorization of difference, Lugones offers a nuanced understanding of difference that is overlooked in Oliver's critique. Some differences—dominant differences—are indeed oppositionally wrought through domination. Dominant differences, as Lugones explains, rely on oppressive logics that utilize techniques such as divide and conquer, segregation, fragmentation, real/fake dichotomies, and struggles over resources within economies of domination.<sup>280</sup> It is this form of difference which “leaves social hierarchies intact” that Oliver is rightly concerned about in *Witnessing* and that is centered in accounts of subjectivity based in the paradigm of recognition.<sup>281</sup>

Non-dominant differences, on the other hand, acknowledge the diversity of our strengths, capabilities, and aptitudes as multiplicitous selves as well as differences in our intersectional situatedness such as race, class, age, gender, and sexuality. This nuanced understanding of difference motivates Lugones's assertion that coalition requires that we conceive of identification anew. Rather than utilize conceptions of identification that appeal to dominant differences predicated on sameness, Lugones urges us to think of a mode of identification that stems from cultivating a fluency with our non-dominant differences. As she contends, “This epistemological shift to non-dominant differences is crucial to our [resistant] possibilities.”<sup>282</sup> Conceiving of identification in

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<sup>280</sup> Lugones “Playfulness.”

<sup>281</sup> Oliver, *Witnessing*, 55.

<sup>282</sup> Lugones, *Pilgrimages*, 84.

terms of non-dominant differences recognizes how we constitute one another and how we depend on others for building a healthy sense of self. Like Oliver, Lugones's understanding of subjectivity and identity is deeply relational and seeks to honor difference as "a fund of necessary polarities between which our creativity can spark like a dialectic."<sup>283</sup> It is our non-dominant differences that Lugones urges us to embrace as we faithfully witness and forge identifications with one another through "world"-travel.

Oliver's second critique of Lugones circulates around her concepts of identity and worlds, which Oliver argues are fixed rather than fluid. Oliver rightly affirms that, on Lugones's view, through "world"-travel we have an experience of ourselves as different people in different worlds. Oliver reads this aspect of Lugones's account as inscribing rigid boundaries between worlds and identities that must be "crossed rather than crossed out."<sup>284</sup> I take Oliver to actually be making two separate, but entangled, points here.

The first is that Lugones offers overly rigid and fixed concepts of identity and "worlds" rather than fluid, multivalent ones. On my view, this criticism is overly reductive, missing several key aspects of the account of "world"-travel developed by Lugones. By reading Lugones in this way, Oliver neglects what is arguably one of the most innovative and integral aspects underlying Lugones's account of "world"-travel: *multiplicity*. The multiplicitous account of worlds and selves that Lugones develops in her essay is nuanced and complicated and can be easily missed without a deep engagement with her texts or knowledge of the tradition of Latinx feminist thought that she engages and is a part of. Deeply influenced by BIPOC feminist thinkers, Lugones offers a multiplicitous account of identity and worlds. Indeed, Lugones goes so far as to posit "ontological pluralism" as central to theories of oppression that center liberatory possibilities.<sup>285</sup> This ontological account of

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<sup>283</sup> Lorde, Audre. 2007. *Sister Outsider: Essays and Speeches*. Crossing Press: 111.

<sup>284</sup> Oliver *Witnessing*, 53.

<sup>285</sup> Lugones, *Pilgrimages*, 55.

pluralism is meant to be taken quite seriously throughout Lugones's corpus, both in her conception of multiplicitous selves and worlds. As Lugones explains, "I am different persons in different 'worlds' and can remember myself in both as I am in the other. I am a plurality of selves."<sup>286</sup>

Difference, conceived in Lordean terms as non-dominant, is at the core of Lugones's writings on ontological pluralism, particularly those on identity and "world"-travel. As she explains, her account of "world"-travel is an attempt to sort out the "ontological confusion" that she feels as a woman of color who confronts the multiplicity of her self and her worlds on a daily basis. Lugones is quite clear that her concept of identity is one that is refracted through her account of multiplicitous selves.

The second point I take Oliver to be making, and perhaps the more problematic one for Lugones's account, is that rather than investigating the underlying structures that construct worlds and identities as oppressive, Lugones advocates a kind of escapism whereby we can willfully cross into new worlds and become new selves that are not structured in oppressive or dominating ways when it suits us rather than working to reveal and dismantle the inner logics of these oppressive worlds. On Oliver's view, "world"-travel sneaks back in the very power hierarchies that the concept attempts to subvert. In order to address Oliver's concern that "world"-traveling does not actually offer a transformative remedy to address the underlying structures that produce inequality and oppression, I return to the work of Ortega that attempts to redress this very concern.

Ortega develops a rich engagement with Lugones's concept of world-traveling, further elaborating the concept through what she terms "critical world-traveling." Appealing to the Heideggerian notion of "publicness," Ortega distinguishes between world-travel that maintains the status quo and world-travel that disrupts it. Ortega explains that in her usage, publicness refers to "a leveling down of all differences, a push toward averageness."<sup>287</sup> Indeed, it is this form of world-

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<sup>286</sup> Lugones, *Pilgrimages*, 93.

<sup>287</sup> Ortega, *In-Between*, 125.

traveling that Oliver seems to be critical of. Ortega explains that in order to survive unwelcoming and oppressive worlds, the multiplicitous self might find herself adapting and accepting the norms of the status quo rather than disrupting them. She argues that while publicness is not always bad, it is also not a resistant way of performing world-travel. Resistant world-travel, on the other hand, enacts a disruption of the average tendencies of publicness. As Ortega contends, to resistantly world-travel is to “shatter the so-called background of intelligibility on which the world is to make sense; it is to understand that the background itself can be looked at differently and, thus, that I can have alternative meanings.”<sup>288</sup> To access this resistant and potentially liberatory aspect of world-travel, Ortega argues that the world-traveler must adopt a more critical attitude. She terms this *critical world-traveling*.

As the multiplicitous self experiences and remembers herself differently in different worlds, she gains critical understanding not just of herself but of the worlds she moves between and the “between” itself: the limen. As Lugones explains, the limen is “the place in between realities, a gap ‘between and betwixt’ universes of sense that construe social life and persons differently, an interstice from where one can most clearly stand critically toward different structures.”<sup>289</sup> However, inhabiting the limen as a multiplicitous self is not sufficient for undertaking world-traveling in the critical manner advocated by Ortega. As Lugones cautions in the passage cited by Ortega,

But, of course, merely remembering ourselves in other worlds and coming to understand ourselves as multiplicitous is not enough for liberation: collective struggle in the reconstruction and transformation of structures is fundamental. But this collective practice is born of dialogue among multiplicitous persons who are *faithful witnesses* of themselves and also testify to, and uncover the multiplicity of, their oppressors and the techniques of oppression afforded by ignoring that multiplicity.<sup>290</sup>

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<sup>288</sup> Ortega, *In-Between*, 128.

<sup>289</sup> Lugones, *Pilgrimages*, 59.

<sup>290</sup> Ortega, *In-Between*, 128; my emphasis.

In order to activate the resistant and potentially liberatory possibilities of world-travel the multiplicitous self must be engaged in collective struggle with a community of faithful witnesses.

When read through the lens of the concerns raised by Ortega as well as through other essays by Lugones, we can see that there is merit to Oliver's concern that 'world'-travel falls prey to remaining a merely affirmative remedy for deeper structural forms of domination and oppression. In order to activate the resistant and potentially transformative possibilities of world-travel as a practice of faithful witnessing, it must be undertaken critically and in collective struggle with other world-travelers. It is this account of world-traveling, as an activity of faithful witnessing done in collective struggle, that I want to invoke as I now return to the figure of *La Llorona*.

Indeed, what would it mean to critically travel to *La Llorona's* world knowing that we cannot have direct access to her historical circumstances nor can we turn to an archive to "discover" first-person accounts from *La Llorona* herself? What does it mean to engage in a collective struggle with a community of faithful witness committed to undertaking the difficult work of decolonizing that *La Llorona* demands? Through critical world-traveling we are required to re-attend to *La Llorona's* story to assess the motivations of her act of infanticide anew. Rather than condemn her eternally as the colonial contract urges us to do, critically world-traveling allows us to see "against the grain" of oppression. As Sonia Saldívar-Hull argues, "The infanticide is not an act by an 'insane' or 'insanely jealous' woman; rather, it is a rational, political act of opposition against the Spanish colonizers."<sup>291</sup> Critical world-traveling enables an understanding of *La Llorona's* act of infanticide as one of defiance to the hegemonic regime of colonial power. By killing her children, *La Llorona* engages in one of the most radical acts of resistance against the patriarchy and colonial powers, undermining its heteronormative and patriarchal familial basis and its futurity developed through the logics of the

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<sup>291</sup> Sonia Saldívar-Hull, *Feminism on the Border: Chicana Gender Politics and Literature*. (CA: University of California Press, 2000).

coloniality of gender. In offering such a risky interpretation it is possible to conceive of *La Llorona's* act of infanticide as one that subverts the hegemonic regime of colonial power, which in turn threatens to rip the very fabric of the social order imposed through the colonial contract.

However, we reach limits to doing this work only through critical world-traveling. As Oliver convincingly argues, witnessing requires the reparative and transformative activity of working-through. The liberatory power of working-through is actualized through our imaginative capacities to rethink the past in order to envision liberatory future possibilities. For this reason, in what follows I contend critical world-traveling must be accompanied with two additional forms of faithful witnessing: the decolonial imaginary and testimonio.

### **3.2. The Decolonial Imaginary as Faithful Witnessing**

In addition to bearing witness to legacies of resistance to colonialization, the myth of *La Llorona* testifies to an experience. She bears witness to a legacy of trauma in the colonial encounter that continues to be reckoned with as her story is formed and reformed. The story of *La Llorona* is not retold merely to repeat the traumatic events of a woman who may or may not have historically existed — a fact that is unverifiable — but rather, as the story of someone who signals a collective experience of colonial violence to those who will listen as well as an opportunity to engage in working-through these traumas. I want to contend that it is for this reason that *La Llorona's* story continues to resonate for so many. The truth in *La Llorona's* story is effaced when her *historia* is examined from the point of view of historical verifiability. Indeed, this misses the main point of the message her legacy can impart. As Emma Pérez wisely notes, “There is no pure, authentic, original



history. There are only stories—many stories.”<sup>292</sup> What then, would it mean to faithfully witness *Llorona*’s story beyond recognition?

Recall our earlier discussion of Oliver’s account of witnessing, particularly her evocation of the survivor testimony of uprisings at Auschwitz that contradicted the empirical facts of the event but nonetheless bore witness to the very possibility of resistance to such intense processes of oppression and violence. Indeed, positioning us “against the grain” of the dominant episteme and paradigms of recognition, faithfully witnessing that which is beyond recognition, that which appears most immediately as *unrecognizable*, requires the exercise of our imaginative capacities.

As we noted in section 2.2, Oliver’s account of witnessing as the reparative activity of working-through is deeply tied to our imaginative capacities to rethink the past in order to envision liberatory future possibilities, to imagine our present impossibilities becoming future possibilities. Oliver’s understanding of the imagination is informed by Kristeva and Chandra Talpade Mohanty. Expanding Kristeva’s understanding of the imagination as fundamental to one’s ability to represent experience, Oliver argues that our imaginative capacities are “inaugurated and nourished through relations with others.”<sup>293</sup> This means that the imagination plays a significant role in the constitution of the self. As Oliver strongly puts the point, “Without imagination, that divine space created between people, we lose our ability to represent our experience. We lose our ability to find meaning in life.”<sup>294</sup> It is this meaning making capacity that gives the imagination a transformative and reparative power. Following Kristeva, Oliver states that, “Representation or elaboration, based in imagination, restructures the logic of exclusion. The excluded can return to representation. It can become part of the representable, the visible, existence.”<sup>295</sup> However, Kristeva remains skeptical of

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<sup>292</sup> Emma Pérez, *The Decolonial Imaginary: Writing Chicanas into History* (Indianapolis : Indiana University Press, 1999), xv.

<sup>293</sup> Oliver, *Witnessing*, 71.

<sup>294</sup> Oliver, 72.

<sup>295</sup> Oliver, 72.

the revolutionary capacity for the transformative power of the imagination. The power is “not revolution on the grand scale, but a little revolt that can make all the difference to humanity.”

It is for this reason that Oliver turns to Mohanty’s insistence that working towards social change requires imagining a future in which the injustices that structure our present are a thing of the past. For Mohanty, Oliver explains, “political and social activism requires imagining the determinant future in which our present becomes a history lesson.”<sup>296</sup> She cites the following lengthy passage from the end of Mohanty’s essay “Feminist Encounters: Locating the Politics of Experience” which is worth reproducing here:

I *know*—in my own non-synchronous temporality—that by the year 2000, apartheid will be discussed as a nightmarish chapter in Black South Africa’s history, the resistance to and victory over the efforts of the U.S. government and multinational mining conglomerates to relocate the Navajo and Hopi reservations from Big Mountain, Arizona will be written in elementary school textbooks, and the Palestinian “homeland” will no longer be referred to as the “Middle-East question”—it will be a reality. But that is my preferred history: what I hope and struggle for, I garner as *my* knowledge, create as the place from where I seek to know.<sup>297</sup>

Rather than the assumption of a transcendent position in relation to the question of justice, Oliver reads Mohanty as offering a way of conceiving of the positional relationship between the possibilities of our knowledge and understanding, and transnational sociopolitical and economic histories.<sup>298</sup> Rather than Eurocentric and colonial conceptions of temporality that view history as “an irreversible continuum” that is linear and travels the teleological arch of progress, Mohanty conceives of temporality in a way that opens history to otherness.<sup>299</sup> By historicizing Western, Eurocentric, colonial conceptions of temporality, Oliver contends that Mohanty opens up the possibility for dynamic negotiations through a (re)writing of history.<sup>300</sup>

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<sup>296</sup> Oliver, 138.

<sup>297</sup> Chandra Talpade Mohanty, “Feminist Encounters: Locating the Politics of Experience.” *Copyright* 1 (1987): 42. As quoted in Oliver, *Witnessing*, 139.

<sup>298</sup> Oliver, *Witnessing*, 139.

<sup>299</sup> Oliver, 139.

<sup>300</sup> Oliver, 139.

Oliver's reflections on the capacity for the imagination to instigate social change, as developed through Mohanty, resonate with the account of the decolonial imaginary developed by Chicana feminist historian Emma Pérez. Exceeding the historical facts of the archive, the decolonial imaginary opens up further transformative and revolutionary possibilities to faithfully witness beyond recognition and undertake the practical demand for memory work that is a central imperative for decolonizing projects and forging decolonizing subjectivities. Trained as a historian, Pérez tackles the question of coloniality from the perspective of the archive. Utilizing the work of Homi Bhaba and Gayatri Chakravorty Spivak as well as Michel Foucault and Hayden White, Pérez's book, *The Decolonial Imaginary: Writing Chicanas Into History*, engages in a critique of colonial discursive and methodological regimes in order to explore new avenues for bringing Chicana experiences and voices to light. To do this, Pérez's method blends Foucauldian genealogy and archaeology, Spivakian deconstruction, and Sandoval's differential consciousness in order to articulate a "third space feminism" that occurs within and through what she terms the "decolonial imaginary." Understanding her approach as postmodern, Pérez challenges objective and universalist conceptions of history by highlighting the partiality and fragmentation of historical narratives and archives. Not only are our histories impure and complicit in coloniality, so too are the subjects and subjectivities that these histories produce.<sup>301</sup> Pérez advocates for the necessity of interrogating what she calls the "colonial imaginary" that has circumscribed hegemonic regimes of power.

The decolonial imaginary is integral to Pérez's project of writing Chicanas into history. As she argues, "Like [Chela Sandoval's concept of] differential consciousness, the decolonial imaginary in Chicana/o history is a theoretical tool for uncovering the hidden voices of Chicanas that have been relegated to silences, to passivity, to that third space where agency is enacted through third space

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<sup>301</sup> Pérez, *The Decolonial Imaginary*, 7.

feminism.”<sup>302</sup> The decolonial imaginary can thus be understood as both a critical apparatus for recovering the voices and experiences of Chicanas as well as indicating a transgressive space-time through which decolonizing gestures find possibilities for articulation. As a “time lag” between the colonial moment and the postcolonial, Pérez envisions the decolonial imaginary as a “rupturing space” that refuses the linear conception of time imposed by colonialism.<sup>303</sup> Pérez borrows the term “time-lag” from Bhaba’s *The Location of Culture* (1994). For Bhaba, the temporal break or rupture facilitated by the time-lag offers an important opportunity for the reordering of symbols in the social imaginary.<sup>304</sup> Further, the rupture of the time-lag opens up the opportunity to develop strategies for negotiating decolonizing agencies and subjectivities. As Bhaba argues, “When the sign ceases the synchronous flow of the symbol, it also seizes the power to elaborate— through the time-lag—new and hybrid agencies and articulations. This is the moment for revisions.”<sup>305</sup> This capacity for intersubjectively negotiating the rearticulation and resignification of the signs and symbols imposed through the colonial contract by the workings of coloniality by bearing witness to those who have been relegated to silence, those who are not deemed to be the subjects of History, is precisely the power of the decolonial imaginary as envisioned by Pérez.

She describes the decolonial imaginary as “intangible to many because it acts much like a shadow in the dark. It survives as a faint outline gliding against a wall or an object on which it is cast, moving and breathing through and in-between space.”<sup>306</sup> As the shadow that haunts the psyche of the West,

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<sup>302</sup> Pérez, xvi.

<sup>303</sup> Pérez, 6.

<sup>304</sup> In a footnote to her most theoretically in-depth descriptions of the decolonial imaginary, she references the following passage from Bhaba: “The process of reinscription and negotiation—the insertion or intervention of something that takes on new meaning— happens in the temporal break in-between the sign...Through this time-lag— the temporal break in representation—emerges the process of agency both as a historical development and as the narrative agency of social discourse...It is in the contingent tension that results, that sign and symbol overlap and are indeterminately articulated through the ‘temporal break’” (Bhaba, *The Location of Culture*, 275).

<sup>305</sup> Homi Bhaba, *The Location of Culture*, 2nd edition (Routledge, 2004), 275.

<sup>306</sup> Pérez, *The Decolonial Imaginary*, 6.

the decolonial imaginary emerges from the space-time of the time lag creating a rupture in colonial regimes of temporality that provide the opportunity to engage in the work of decolonizing. It is in this space-time of the haunting, the inter-play between presence and absence, that we find the figure of *La Llorona*. Indeed, *La Llorona's* haunting presence discloses a time lag. Engaging precisely these themes in Toni Morrison's novel *Beloved*, a kin story to *La Llorona* from the Black American tradition, Bhaba quotes the following passage from Morrison's 1988 Tanner Lectures,

Certain absences are so stressed, so ornate, so planned, they call attention to themselves; arrest us with intentionality and purpose, like neighborhoods that are defined by the population held away from them...[Where] is the shadow of the presence from which the text has fled? Where does it heighten, where does it dislocate...what does it release; what does it hobble?<sup>307</sup>

The lore of *La Llorona* bespeaks precisely such an arresting absence. With intentionality and purpose, she beckons us to attend to the lingering effects of the colonial wound.

Anzaldúa, too, reads in *La Llorona's* story the demand for faithful witnesses to the *herida abierta*/open wound of colonization. Contextualizing her *historia* within a centuries old colonial history, Anzaldúa develops an interpretation of *La Llorona* as a “symbol of unresolved grief, an ever present specter in the psyches of Chicanos and Mexicanos.”<sup>308</sup> In her own act of faithful witness to *La Llorona*, Anzaldúa writes, “Betrayed for generations, traumatized by racial denigration and exclusion, we are almost buried by grief's heavy pall. We never forget our wounds.” The five-hundred-year-old haunting constitutes a refusal to forget the betrayals, racialized and sexualized denigration and violence, trauma, and exclusion that are foundational to the instantiation of the colonial contract. Contending with these wounds and taking seriously the depth of the collective

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<sup>307</sup> Toni Morrison, “Unspeaking Things Unspoken: The Afro-American Presence in American Literature,” The Tanner Lectures on Human Values, delivered at The University of Michigan October 7, 1988, 136-137. <https://tannerlectures.utah.edu/documents/a-to-z/m/morrison90.pdf>

<sup>308</sup> Gloria Anzaldúa, “Llorona, the Woman Who Wails: Chicana/Mestiza Transgressive Identities” (unpublished manuscript), Gloria Evangelina Anzaldúa Papers, The Benson Latin American Collection at the University of Texas at Austin (2002), 88

grief and betrayal signaled in *La Llorona's historia*, Anzaldúa reflects on *Llorona's* solicitation to work-through and dwell-with these traumas. As she explains,

For cultural changes to occur, members of that culture must move through stages similar to those in the grieving process: denial, perceiving the damage, anger, blaming others, bargaining, acceptance, and finally, establishing a new direction. If you name, acknowledge, mourn, and grieve your losses and violations instead of trying to retain what you've lost through a nostalgic attempt at preservation, you learn not just to survive but to imbue that survival with new meaning. Through activist and creative work you help heal yourself and others.<sup>309</sup>

In this description, Anzaldúa evokes the multiplicitousness of *Llorona* and, I suggest, the transformative power of the decolonial imaginary. She is depicted as simultaneously mournful, angry, vengeful, and triumphant. Indeed, these affective states parallel Anzaldúa's evocation of the stages of grief. Rather than mere repetition of the traumas of the past, Anzaldúa points to the ways in which faithfully bearing witness to *La Llorona's* story enables us to engage in the important task of working-through.

Recalling Oliver, the need to work-through *is* the reparative and transformative activity of witnessing. Indeed, I want to contend that decolonial feminist praxis entails precisely this kind of memory work — of naming, acknowledging, mourning, and working-through — in order to forge new meanings and ways of being and birth new worlds, a new direction. As both deconstructive and re-constructive, faithfully witnessing requires clearing space to make room for new germination and growth. Indeed, it is through the activities of faithfully witnessing and working-through that it may become possible to dismantle the colonial contract and to heal *el daño*, the harm, of the *herida abierta*, the open wound, of the colonial traumas that continue to haunt us. These attempts at healing do not appeal to curative colonial logics but rather embrace scars and possibilities that cannot yet be

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<sup>309</sup> Anzaldúa, "Llorona," 88.

conceived of under the current modern/colonial gender system through collective struggle with coalitional communities of faithful witnesses and the creative play of the decolonial imaginary.

### 3.3. Testimonio as Faithful Witnessing

As a distinct form faithful witnessing, testimonio is capable of forging coalitions with those situated across power differentials—most notably North/South but also importantly South/South—through the practice of memory work that I suggest is a key pillar of decolonial feminist praxis. Expanding on traditional conceptions of testimonio arising out of the Latin American context, here I link testimonio to the forms of faithful witnessing, critical world-traveling and the decolonial imaginary, discussed in the previous sections.

Testimonio has a rich tradition in Latin American social movements. As a first-hand account from someone who has personally experienced instances of social inequality, marginalization, and oppression, testimonio is an important tool for amplifying the voices of those engaged in liberation struggles in the Global South as well as for generating coalitions across power differentials. In this way testimonio functions as an important practice of faithful witnessing. Fundamentally dialogical, testimonio relies on a listener – a faithful witness – to achieve its liberatory political aims of contesting dominant narratives from the microsocial level, what decolonial philosophers have often described as the underside of history.

Testimonio is evocative of Oliver's account of the tension between eyewitness testimony and the performance of testimony that she develops through her engagement with Felman and Laub. For Oliver, the importance of testimony goes beyond the juridical and historical need for the firsthand knowledge of a reliable witness. Rather, the uniqueness of testimony lies in its performance. She explains, "It is the *performance* of testimony, not merely what is said, that makes it effective in bringing to life a repetition of an event, not a repetition of the facts of the event, or the structure of

the event, but the silences and the blindness inherent in the event that, at bottom, also make eyewitness testimony impossible.”<sup>310</sup> It is this performative element that makes testimony a powerful form of bearing witness.<sup>311</sup> Thus, as Oliver underscores, “Testimonies from the aftermath of the Holocaust and slavery...witness to pathos beyond recognition. The victims of oppression, slavery, and torture are not merely seeking visibility and recognition, but they are also seeking witnesses to horrors beyond recognition.”<sup>312</sup>

It is precisely these powerful and performative aspects of testimonio that are explored in Patricia DeRocher’s work *Transnational Testimonios: The Politics of Collective Knowledge Production*. “True to its namesake,” DeRocher explains, “testimonio addresses witnesses, not just a readership. The very nature of the testifier-witness dialectic suggests a reciprocal social pact, an ethical engagement of two consensual parties, to ‘bear witness’ to a social truth.”<sup>313</sup> Indeed, testimonio entails an ethical demand on the part of the witness/reader/listener. Intervening at the level of dominant cultural imaginaries, the performative power of testimonio holds the power to generate ruptures that are capable of facilitating both “critical consciousness and attitudinal shifts” in order to achieve its liberatory political aims. Infrapolitical in its dealings with power, testimonio tackles social and epistemic injustice by “taking aim at the cultural imaginary.”<sup>314</sup> Testimonio does this through its genre-defying use of creative writing and first-hand testimonial accounts of historical events. It is this explicitly creative aspect of testimonio that differentiates it from the account of testimony Oliver develops through her engagement with Felman and Laub.

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<sup>310</sup> Oliver, *Witnessing*, 86.

<sup>311</sup> Oliver, 85-86.

<sup>312</sup> Oliver, 8.

<sup>313</sup> Patricia DeRocher, *Transnational Testimonios: The Politics of Collective Knowledge Production* (University of Washington Press, 2018), 26.

<sup>314</sup> DeRocher, 27.



Here, I read testimonio as a direct corollate to the paradigm of witnessing because of its demand for reciprocal responsibility as well as its creative capacity for generating subjectivities as a form of “life writing.” Latinx feminists, most notably Anzaldúa and Andrea Pitts, have termed this type of life writing *autobistoria* and *autobistoria-teoría*. Anzaldúa describes these concepts as terms that “describe the genre of writing about one’s personal and collective history using fictive elements, a sort of fictionalized autobiography or memoir; and *autobistoria-teoría* is a personal essay that theorizes.”<sup>315</sup> Further describing the concept in their article “Gloria E. Anzaldúa’s *Autobistoria-teoría* as an Epistemology of Self-Knowledge/ Ignorance,” Pitts outlines the following as key features of Anzaldúa’s conception of *autobistoria-teoría*: (1) it is a collaborative endeavor, (2) it is a sensuously embodied practice, (3) it is productive insofar as it aims to transform subjective and social realities.

These descriptions of *autobistoria-teoría* as a practice of life writing echo DeRocher’s arguments regarding feminist practices of testimonio. As DeRocher argues,

Testimonio’s paradoxical qualities force it to maintain a between-worlds space: it confronts macrosocial flows of power through the telling of intimate, microsocial details of people’s daily lives; it disrupts sequential temporality by insisting on the coexistence of past and present; it utilizes personal experiences to sharpen an understanding of collective histories.<sup>316</sup>

Connecting these insights on the temporal disruptions of testimonio and its “between-worlds” location to Perez’s descriptions of the decolonial imaginary as located in a time-lag, we can see obvious resonances between the two concepts. As a practice of *autobistoria-teoría* that utilizes elements of the fictive in order to fill in the gaps of the colonial imaginary, we can understand testimonio as an exercise of the decolonial imaginary. Collaborative, embodied, and transformative,

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<sup>315</sup> Gloria Anzaldúa, “now let us shift ... the path of conocimiento ... inner works, public acts.” in *The Gloria Anzaldúa Reader*, ed. Ana Louise Keating (Durham: Duke University Press, 2009); quoted in Andrea Pitts, “Gloria E. Anzaldúa’s *Autobistoria-teoría* as an Epistemology of Self-Knowledge/Ignorance.” *Hypatia* 31, no. 2 (2016): 578.

<sup>316</sup> DeRocher, *Transnational Testimonios*, 17-18; my emphasis.

the practice of life writing through testimonio holds open a path for the exercise of decolonizing agency and the possibilities to forge decolonizing subjectivities.

When we conceive of testimonio as a practice of *autohistoria-teoría* emerging from the time-lag of the decolonial imaginary, we are better positioned to understand the way in which those like Juana Alicia and *El Llanto Collectivo* appeal to the figure of *La Llorona*. In what remains of this chapter, I want to argue that these two contemporary appeals to the figure of *La Llorona* sharpen our understanding of a shared collective history of ongoing colonial trauma.

Muralist, activist, and educator Juana Alicia draws attention to issues of social justice, human rights, and environmental health. These commitments are evidenced in Alicia's mural *La Llorona's Sacred Waters* located at the corner of York and 24<sup>th</sup> streets in San Francisco's famous Mission District. The mural expertly weaves together a visual story of the impacts of globalization through the themes of water and women. Significantly, particularly to the arguments of this chapter, Alicia's collaborative mural project centers on a resignification of *La Llorona's historia* for the contemporary moment.



Figure 1: “La Llorona’s Sacred Waters.” Acrylic mural on stucco, 30’ 60”. 24<sup>th</sup> and York Streets, San Francisco Mission District. Juana Alicia © 2004, All Rights Reserved

Alicia's mural, painted almost entirely in shades of blue, features *La Llorona* and her child beckoning the viewer with an outstretched hand to bear witness to the devastating flooding that encompasses the foreground of the mural. *La Llorona's* waters are depicted as connecting a global community of women and children in the struggle for environmental justice as the Mexica goddess of lakes and streams, *Chalchiuhtlicue*, watches and protects from above. As Leticia Hernandez writes in an interview with Alicia,

*La Llorona* weaves the stories of women in Bolivia, India, and at the U.S. Border together. It highlights Bolivians in Cochabamba who have fought to keep Bechtel Corporation from buying the water rights in their country; Indian farm workers in the Narmada Valley protesting in the flooded waters of their homes against their government's irresponsible dam projects; and the women in black protesting the unsolved murders of women in Juarez, in the shadow of the Rio Bravo and the maquiladoras (sweatshops).<sup>317</sup>

An aesthetic act of testimonio that links the microsocial to the macrosocial, Alicia's mural calls for faithful witnesses to these longstanding histories in order to connect them to the coloniality of power, race, and gender.

Drawing on the themes of mourning and grief over lost children, *Un Llanto Colectivo*, also appeals to the *historia* of *La Llorona* in their series of performative public protests over the mass detention of migrants in the U.S. and policies of family separation and detention. Organized by the *Las Maestras* Center for Xicana Indigenous Art & Thought Practices at UC Santa Barbara, *Un Llanto Colectivo* staged a two-day protest on September 15-16, 2019 to bear witness to the separation and detention of undocumented migrant families at the Tijuana-San Diego border under the Trump administration.<sup>318</sup> Calling on the Amerindian roots of *Llorona's* lore that connect her story to the Aztec goddess *Cihuacōātl*, one of the sixth omens signaling the fall of the Aztec's civilization, the

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<sup>317</sup> Juana Alicia and Leticia Hernandez (interviewer). 2004. <http://www.juanaalicia.com/content/57/>.

<sup>318</sup> These dates are significant because they coincide with "*El Grito de la Independencia Mexicana*," the revolutionary cry that is ceremonially performed on Mexican Independence Day.

collective resignifies *La Llorona's historia* for the contemporary moment. As member of the collective Stephany Rubio explains,

*Un Llanto Colectivo* is a ceremonial, theatrical and community-based action, inspired by the original 16th century story of the iconic Mexican mother –“*La Llorona*.” The Weeping woman cries out in mourning, anticipating the loss of the children of the native people that once inhabited what is known today as modern-day Mexico, to the Spanish invasion. She is not the evil figure that Spanish-America has conjured. Instead, she laments, “My children, where can we go? My children, where will I take you?”<sup>319</sup>

In reformulating *La Llorona's* cries of grief and guilt to those of mourning over collective loss and mass forms of violence experienced today in the separation of migrant families, the members of *Un Llanto Colectivo* utilize testimonio and the decolonial imaginary to recover these more ancient forms of *La Llorona's* story that are all but forgotten by the colonial imaginary.

A significant aspect of *Un Llanto Colectivo's* performance involved taking their *llantos* to the scene of the crime: Otay Mesa Detention Center (located 25 miles southeast of San Diego, CA). As Rubio recounts,

We entered the surrounding area ceremonially, carrying the sacred fire, with warrior drums holding down the pace of the procession. We followed the staffs of our female elders, Elvira Colorado and Hortencia Colorado, and the footsteps and birdsongs of Stan Rodríguez of the local Kumeyaay. Refugee testimonios were then rendered theatrically by our cadre of *teatristas*, accompanied by a *coro* of students and community, culminating in our collective outcry with every hope that the detainees inside the Center could hear us. Then the call finally came in, where we were able to hear the smuggled voices of detainees (reverberating through huge speaker system) thanking us for our offering. “*Compañeras*,” one man called us and the word resounded in each of us with new and resolute meaning. “You are not alone,” we promised back. “*No están solos*.”<sup>320</sup>

Sensuously embodied, collaborative, and seeking transformations, the members of the collective can undoubtedly be said to be carrying out a powerful form of testimonio that faithfully bears witness to those inside the Otay Mesa Detention Center. Indeed, the members of *Un Llanto Colectivo* constitute

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<sup>319</sup> Stephany Rubio, 2018. *Un Llanto Colectivo*. September 16. <https://maestraxicana.ucsb.edu/2018/09/16/373/>.

<sup>320</sup> Rubio

a community of faithful witnesses who refuse to ignore or abandon those confined to the detention centers.

## Conclusion

I open and close this chapter with an invocation of the orienting *historia* of *La Llorona*, one of *Las Tres Madres* and a guiding figure of this dissertation. Developing my articulation of an account of subjectivity that is “on the way” to decolonization and forging decolonizing subjectivities by attending to *La Llorona’s historia*, I have argued for the importance of faithful witnessing as a decolonial feminist account of subjectivity not predicated upon master/slave relations whereby one’s sense of self is dependent on the subjection and subjugation of others. Rather, faithful witnessing reorients us to modes of subjectivity imposed through the colonial contract by bearing witness to decolonizing possibilities cultivated through critical world-traveling, the decolonial imaginary, and testimonio. Through these forms of faithful witness, we find the resources to cultivate decolonial desires that enable us to untwist the knots of coloniality in order to begin weaving decolonizing sensibilities and subjectivities with the capacity to dismantle the colonial contract.

These questions of subjectivity are deeply tied to questions of knowledge. Indeed, the epistemic and semiotic dimensions of the colonial contract are some of its most powerful tools for instilling colonial regimes and carrying out the violence of colonial domination. The colonial contract is reliant upon forms of unknowing and epistemicide as constitutive of the process of colonial domination and the logics of coloniality. To better explore the epistemic dimensions of the colonial contract, in Chapter 3 I turn to the orienting *historia* of *La Virgen de Guadalupe*. As perhaps the most iconic of *Las Tres Madres*, *La Virgen* is an extremely important figure for decolonial feminism. Born out of the aftermath of the conquest, her *historia* is deeply intertwined with colonialism and the continued legacy of coloniality in the Americas. *La Virgen* was not only utilized

by the Spanish colonizers and missionaries to convert Indigenous peoples to Catholicism, but the imposition and institutionalization of racial and sexual hierarchies are co-constitutive modes of the colonality of power and the colonality of gender that took (and continue to take) place through the brown-skinned *Virgen*. Yet, despite this colonial history *La Virgen* has been embraced and resignified by Chicanxs and Mexicanxs through the decolonizing technologies that Chela Sandoval has called the “methodology of the oppressed.”<sup>321</sup> Working at both the level of myth and what Sandoval has called “meta-ideologizing,” that seeks to appropriate dominate ideological forms in order to transform them, it is my argument that *historia* of *La Virgen*, as *nuestra madre* [our mother] who protects and cares for Latinx communities, is a site of epistemic disobedience and resistance. Indeed, as I will contend in the next chapter, keeping resistant forms of knowledge alive *La Virgen* is a *maestra* who shows us how to hold open possibilities for dismantling the colonial contract.

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<sup>321</sup> Chela Sandoval, *Methodology of the Oppressed* (Minneapolis: University of Minnesota Press, 2000).

## Chapter 3—Heretical Visions of *La Virgen de Guadalupe*

Pero es difícil differentiating between  
lo heredado, lo adquirido, lo impuesto.  
She puts history through a sieve, winnows out the lies...  
She reinterprets history and, using new symbols,  
she shapes new myths.  
— Gloria Anzaldúa, *Borderlands/La Frontera*

Describing the subtleties of linguistic oppression and resistance in her chapter “How to Tame a Wild Tongue” from *Borderlands/La Frontera*, Gloria Anzaldúa paints a vivid picture of the many embodied practices of memory work, survivance, and resistance deployed by Chicanxs living in *La Frontera*. “There are subtle ways that we internalize identification,” Anzaldúa explains, “especially in the forms of images and emotions.”<sup>322</sup> Conjuring memories from her childhood she describes the rich textures of the smells like the “woodsmoke permeating my grandmother’s clothes, her skin,” sights such as “my mother spicing the ground beef, pork and venison with *chile*,” sounds like “homemade white cheese sizzling in a pan, melting inside a folded tortilla,” and the taste of menudo, *chile Colorado*, and hot steaming tamales that permeate her sense of self.<sup>323</sup> Rather than acculturate to the “whitestream,” these micro acts of resistance are significant for keeping communal and cultural knowledge alive even when it results in suffering. As Anzaldúa explains, “This voluntary (yet forced) alienation makes for psychological conflict, a kind of dual identity—we don’t identify with Anglo-American cultural values and we don’t totally identify with the Mexican cultural values...I have so internalized the borderland conflict that sometimes I feel like one cancels the other out and we are zero, nothing, no one. *A veces no soy nada ni nadie. Pero basta cuando no lo soy, lo soy.*”<sup>324</sup> Caught between colonial borders and histories, Chicanx and U.S. Latinx communities are often left in-between, not fitting neatly into the categorial logics inscribed through colonialism.

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<sup>322</sup> Gloria Anzaldúa, *Borderlands/La Frontera: The New Mestiza*, 4<sup>th</sup> ed. (San Francisco: Aunt Lute Books 2007, 1987), 83.

<sup>323</sup> Anzaldúa, 85.

<sup>324</sup> Anzaldúa, 85.

Indeed, the colonial encounter is carried with us as our bodies become the active sites of colonization and coloniality. The contradictions, Anzaldúa reminds us, threaten to cancel us out. Rejecting these categorical and dichotomous logics of the colonial contract, Anzaldúa (like *La Llorona*) demands more: “[D]on’t give me your tenets and your laws. Don’t give me your lukewarm gods...I want the freedom to carve and chisel my own face, to staunch the bleeding with ashes, to fashion my own gods out of my entrails.”<sup>325</sup>

These insights from Anzaldúa highlight the dimensions of the colonial contract that I seek to take up in this chapter. In particular, this chapter asks: How do decolonial feminisms arising from the U.S. Latinx context disrupt Western epistemic and semiotic paradigms? How have those who are oppressed and marginalized in colonial contexts thwarted active erasure and epistemicide through infrapolitical forms of resistance? What resistant worlds of sense have been carved and chiseled out in colonial contexts? What gods have been fashioned from the entrails of our communities under the nose of coloniality?

In order to investigate these questions, in this chapter I probe the ambiguities and contradictions of the figure of *La Virgen de Guadalupe*. A second orienting *historia* of this dissertation, I take up *La Virgen* precisely because of the contradictions she sustains. Born out of the aftermath of the conquest, her history is deeply intertwined with colonialism and the continued legacy of coloniality in the Americas. *La Virgen* was not only utilized by Spanish colonizers and missionaries to convert Indigenous peoples to Catholicism, but was deployed to impose and institutionalize the racial and sexual hierarchies that are co-constitutive modes of the coloniality of power and the coloniality of gender that took (and continue to take) place through the brown-skinned Virgen. Yet, despite this colonial history *La Virgen* has been embraced and resignified by Chicanxs and

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<sup>325</sup> Anzaldúa, 44.



Mexicanxs toward resistant and decolonial ends. In the words of Anzaldúa, Our Lady, *La Morenita*, is a goddess fashioned out of the entrails of the colonized and their descendants.

## 1. *Nuestra Madre* as Orienting *Historia*

*La Virgen de Guadalupe* is the most iconic of *Las Tres Madres* evoked in this dissertation. Her image can be found adorning everything from *velas santas* and murals to *cobijas* and tattoos on the flesh of the faithful. *Nuestra Madre* (our mother), *La Morenita* (the brown-skinned virgin), or even just *Lupe*, *La Virgen de Guadalupe* is regarded as the patron saint of Mexicanx and Chicax people on both sides of *La Frontera*. As Luz Calvo contends, “The Virgin of Guadalupe is a polyvalent sign, able to convey multiple and divergent meanings and deployed by different groups for contradictory political ends.”<sup>326</sup> The multiplicity that inheres in *La Virgen* is precisely why I invoke her orienting *historia* in this chapter that seeks to investigate the possibilities for decolonizing the logics of coloniality imposed through the colonial contract. As Calvo explains, *Lupe*’s ubiquity and polyvalence lends itself to “semiotic re-signification and cultural transformation.”<sup>327</sup> I contend that this semiotic-resignification, what I’ll explore in relationship to what Chela Sandoval names “meta-ideologizing” in the following sections, is a decolonial praxis that has been working through the figure of *Guadalupe* since her apparition in Tepeyac in 1516 and that continues to operate through her orienting *historia* today.

The *historia* of *Nuestra Madre* is said to begin in the ten years following the Spanish conquest of Tenochtitlan, present day Mexico City. The first serious attempt to record the events of *La Virgen de Guadalupe*’s apparition is found in the *Nican Mopohua* written in 1531. This text, written in

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<sup>326</sup> Luz Calvo, “Art Comes for the Archbishop: The Semiotics of Contemporary Chicana Feminism and the Work of Alma Lopez,” *Meridians: Feminism, Race, Transnationalism* 5, no. 1 (2004): 201.

<sup>327</sup> Calvo, 202.

the four decades after 1492, was authored by a Nahua scholar (most likely Antonio Valeriano), in Nahuatl, for a Nahuatl speaking audience.<sup>328</sup> Written in the tradition of *in xochitl in cuicatl*/ *flor y canto* / flower and song of the Nahua *tlamatinime* / knowers of things / philosophers, the *Nican Mopobua* takes the form of a philosophical song-poem laden with symbolic imagery.<sup>329</sup> As scholar of Mexica philosophy Jim Maffie explains,

Nahua *tlamatinime* turned to what they called *in xochitl, in cuicatl* ('flower and song')—that is, art, poetry, music, symbolism and metaphor—to present (rather than represent) *teotl*. . . The multiple functions of 'flower and song' included the following—genuinely presenting *teotl*, authentically embodying *teotl*, preserving existing cosmic equilibrium and purity, creating new cosmic equilibrium and purity and participating alongside *teotl* in recreation and regeneration of the universe. Its functions did not include depicting, describing or representing *teotl*. When engaged in artistic creativity, Nahua sage-artists both imitated and participated in the creative artistry of *teotl*. In so doing, they participated in the recreation regeneration of the universe itself.<sup>330</sup>

According to Maffie, *xochitl, in cuicatl* is a philosophical and aesthetic expression of *teotl*, the dynamic and “eternally self-generating-and-self-regenerating sacred power, energy or force” that is at the heart of Nahua philosophy and cosmology.<sup>331</sup> Understood as a work written in the tradition of *xochitl, in cuicatl*, the *Nican Mopobua* is embedded in Nahua epistemology, ontology, and cosmology and should be read as a philosophically rich text. Ana Castillo further underscores the importance of reading the *Nican Mopobua* as a work of *flor y canto* in her introduction to *Goddess of the Americas:*

*Writings on the Virgin of Guadalupe*. Citing the Nahuatl text, Castillo demonstrates that in addition to

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<sup>328</sup> As Irene Lara explains, “‘Nahua’ does not refer to any one indigenous ethnic group, but I use it to refer ‘to the Nahuatl speaking peoples of Postclassic [C.E. 900-1521] highland central Mexico’ including the Mexica (Aztecs) who were the dominating power at the time of the colonial encounter and contemporary peoples who trace their genealogies through these groups” (Lara, “Goddess of the Américas,” 100). For arguments about Valeriano’s authorship of the *Nican Mopobua* see, Miguel León Portilla, *Tonantzin Guadalupe: Pensamiento náhuatl y mensaje Cristiano en el ‘Nican Mopobua’* (Fondo de Cultura Económica, 2005).

<sup>329</sup> For a more detailed reading of the significance of the symbolism utilized in the *Nican Mopobua* to describe both Guadalupe and Juan Diego, see Virgil Elizondo, *Guadalupe: Mother of the New Creation* (Maryknoll, NY: Orbis Books, 1999).

<sup>330</sup> Jim Maffie, “Why Care about Nezahualcoyotl? Veritism and Nahua Philosophy.” *Philosophy of the Social Sciences* 32, no. 1 (2002), 83.

<sup>331</sup> Maffie, 83.

identifying herself to Juan Diego utilizing the five names given to *teotl*, Our Lady is enveloped in the rich symbolism of Nahua cosmology. Castillo argues, “To ignore the meaning the account of Her apparition may have had for the Nahua people, merely ten years after the violent conquest and destruction of their world, and despite their recent (imposed) conversion to Catholicism, would be a travesty.”<sup>332</sup> Indeed, the genre, symbolism, and meaning of the *Nican Mopohua* was well understood by the Nahua audience of the time. This subversive meaning remains present and, I contend, informs the decolonial and resistant power of the text and feminist reclamations of the *historia* of *Nuestra Madre*.

The brutality of the Spanish conquistador’s invasion of Tenochtitlan is documented in surviving Indigenous accounts and scholarly interpretations, such as Miguel Leon-Portilla’s *The Broken Spears*.<sup>333</sup> As Virgil Elizondo explains in his book *Guadalupe: Mother of the New Creation*, “It is difficult, maybe impossible, for us today to comprehend the magnitude of the desolation...It was a time of collective trauma among the entire native population — the horrors of their destruction were all around, and those who had not died were in a state of shock.”<sup>334</sup> Some accounts estimate that as many as one-third of the Indigenous population died in the processes of the conquest through acts of war as well as the spread of foreign disease such as the introduction of small pox. As documented in the *Cédula Real* of May 1582, “Many Indians hang themselves, others let themselves die of hunger, others poison themselves with herbs, there are mothers who kill their children to whom they have just given birth, saying that they are doing it to spare them the trials that they are

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<sup>332</sup> Ana Castillo, *Goddess of the Americas, La Diosa De Las Américas : Writings on the Virgin of Guadalupe*. (New York: Riverhead Books, 1996), xviii.

<sup>333</sup> See, Miguel Leon-Portilla, *The Broken Spears: The Aztec Account of the Conquest of Mexico*. trans. Lysander Kemp (Beacon Press, 2006).

<sup>334</sup> Elizondo, *Guadalupe: Mother of Creation*, 26.

enduring.”<sup>335</sup> It is during this period of grief, trauma, and the aftermath of so much death that *La Virgen* appears to Juan Diego at Tepeyac.

The most simplistic retellings of the *Nican Mopobua* go something like this: Our Lady appears to the recently converted Nahua man, Juan Diego, as he is wandering near Tepeyac (the former location of a temple dedicated to Mexica goddess Tonantzin). Dark-skinned with dark hair and mestiza features, the Lady identifies herself in Nahuatl as Tlecuauhutlacupeuh / She Who Comes From the Light Like an Eagle of Fire. She instructs Juan Diego to go to the bishop, D. Fray Juan de Zumárraga, to build a home for her at Tepeyac so that her children may have a place to commune with her. Denied an audience with the bishop until he is able to procure a sign from the Lady herself, it is not until Juan Diego’s third encounter with Our Lady that he is instructed to go to the top of the hill to collect flowers miraculously blooming in December. Juan Diego collects these flowers in his *tilma* and hurries to show the bishop. Finally admitted to an audience with Bishop Zumárraga himself, he opens his *tilma*, the flowers tumble to the bishop’s feet and imprinted on the humble agave fibers is the image of Our Lady. This is sufficient evidence to convince the bishop to build a hermitage in honor of the Lady at the top of Tepeyac. Some of the significant things to note in this retelling are that *La Virgen de Guadalupe* appears to the poor, recently converted Indigenous man, Juan Diego, as a dark-skinned woman with mestiza features who speaks Nahuatl. These are key aspects that are affirmed in nearly every recounting of *La Virgen* and set the stage for her veneration as the patron saint of Mexican, and later Chicanx, peoples.

Elizondo offers an English translation of *Nican Mopobua* as well as interpretations of the significant symbolism found in the poetic writing in the philosophical tradition of *xochitl*, *in cuicatl*. As he contends, “The language of the poem gives great emphasis to visual precision, elegance, beauty,

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<sup>335</sup> As cited in Elizondo, 31. There are also connections to be made here to the persistence of the *historia* of *La Llorona*, discussed in Chapter 2.

sound, and symbolic meaning. Hence every detail and the way the details relate to one another are important to the communication. The language embodies the entire Nahuatl cosmovision, which was totally different from that of the Europeans.”<sup>336</sup> Indeed, the subtleties of the original text are often lost as the Nahuatl language is translated into both Spanish and English.<sup>337</sup>

Developing his own translation of the text into English, Elizondo describes many key aspects of the imagery and language utilized to describe the apparition of Our Lady to Juan Diego. For example, he notes that the opening of the *Nican Mopohua* situates readers in the ten years after the conquest when the “inhabitants of the lake and the mountain had surrendered” and laid down their arrows and shields on a Saturday “when it was still night.” According to Elizondo, this imagery that would have great meaning for the Nahuatl audience of the time who would have understood that *night* was meant to evoke a double meaning. On the one hand, the night would have evoked the pain and despair resulting from the political and social upheaval in the decades following the conquest in which the darkness was “a living nightmare” from which death seemed the only escape.<sup>338</sup> On the other hand, the phrase “when it was still the night” would have been familiar to those knowledgeable of Nahua creation stories as indicating a moment of significant cosmological time signifying the arrival of a new cycle.<sup>339</sup> According to Elizondo, “[I]n the Nahuatl cosmovision, ‘when it was still night’ is an image used for the origins of creation. The image appears several times in the narrative [of the *Nican Mopohua*].”<sup>340</sup> Elizondo contends that from this we can deduce that the author sought to underscore the significance of the historical moment in which Our Lady appears to Juan Diego and, by extension, to the Nahua people. Elizondo narrates this moment in the following way,

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<sup>336</sup> Elizondo, 3.

<sup>337</sup> See also, Leon-Portilla, *Tonantzin Guadalupe*.

<sup>338</sup> Elizondo, *Guadalupe: Mother of Creation*, 31.

<sup>339</sup> Elizondo, 33.

<sup>340</sup> Elizondo, 33.

Juan Diego...appears out of the darkness of the night. It is not just the physical darkness before dawn. It was the darkness of one who has been made ashamed of one's very being, who is bent over with the weight of hard work and humiliating treatment. It is the lifeless darkness of the smoke emanating from the ashes of a defeated and burned city. But when Juan Diego arrives at Tepeyac, there is a radical new beginning – from the darkness of nothingness to the darkness of expectation.<sup>341</sup>

The powerful symbolism of the text evoking Nahua cosmologies indicated a subversive quality to the *Nican Mopohua* that would've been easily missed by non-Nahuatl speakers.

Despite the immense violence of the conquest and conversion for Church and Crown, it is important to underscore that these efforts were not wholly successful or met without pushback from the Indigenous communities who were the target of these processes. As art historian Jeanette Favrot Peterson explains,

In spite of the Catholic church's zealous program of evangelization, by the time of the first Mexican church council in 1555, the failure to eradicate paganism had become patently clear. The hierarchy acknowledged Indian resistance to domination, both overtly in the form of uprisings and covertly in the persistence of traditional religious beliefs. Aggressive methods of indoctrination were intensified, including the substitution of new Christian saints for old gods and the incorporation of parallel beliefs and ritual.<sup>342</sup>

Peterson's recounting of the events also enables us to see that the implementation of Spanish rule and the Catholic faith were not met without resistance. More extreme measures were required to complete these projects. For example, as a constitutive part of the conquest, the conquistadors frequently razed temples and sacred sites of Indigenous peoples in order to install the Catholic Church and begin converting Indigenous peoples to the Catholic faith. The site at Tepeyac was no different. Tepeyac was an ancient sacred site that was dedicated to the veneration of the goddess Tonatzin, which translates roughly to "our mother."<sup>343</sup>

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<sup>341</sup> Elizondo, 33.

<sup>342</sup> Jeanette Favrot Peterson, "The Virgen of Guadalupe: Symbol of Conquest or Liberation?" *Art Journal* 51, no. 4 (Winter 1992): 40.

<sup>343</sup> As Irene Lara explains, "I use 'goddess' here, as do the authors I discuss, even though this term does not adequately convey the significance of Tonantzin and related figures as honored elements of nature or sacred energies representing creation and/or destruction, sexuality, and motherhood within a Nahua religious cosmology" (Lara, "Goddess of the Américas," 100).

Scholars offer speculations about why *La Virgen* could have come to be called Guadalupe, particularly because Nahuatl does not have the consonant sounds of “g” or “d.” One of the earliest explanations comes from the priest Luis Becerra y Tanco who in 1666 proposed that the name Guadalupe comes from a mistranslation of Tequantlanopeuh (She who comes from the summit of the rocks).<sup>344</sup> Others speculate that after the destruction of the temple dedicated to Tonatzin, the Spanish placed a cross at the site and dubbed the hill “Guadalupe” in honor of *Santa Maria de Guadalupe* the patron saint of many Spaniards, including Hernan Cortés, hailing from Castile.<sup>345</sup> Still others, most prominently Anzaldúa, have argued that La Virgen is directly connected to *Coatlapenh*.

Anzaldúa connects *Coatlapenh* to a longer lineage of Mesoamerican fertility and earth goddess that trace back to *Coatlicue*, or “Serpent Skirt.”<sup>346</sup> *Coatlicue* holds an important place for the Nahua as the creator goddess who was the mother to celestial deities including the war god *Huitzilopochtli* and his sister and goddess of the moon, *Coyolxuaqui*.<sup>347</sup> According to Anzaldúa, Tonantzin is another aspect of *Coatlicue* who was revered by the Totonacs who had grown tired of the demand for human sacrifices by the Mexica god *Huitzilopochtli*. The Mexica were a conquering and male-dominated culture who venerated *Huitzilopochtli* above female deities. To achieve this they split the powerful aspects of *Coatlicue*, dividing “her who had been complete.” As Anzaldúa explains, “Tonantsi—split from her dark guises, *Coatlicue*, *Tlazolteotl*, and *Cihuacoatl*—became the good mother.”<sup>348</sup> The split begun by the Mexica was only further re-entrenched by the conquistadors and the Catholic Church,

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<sup>344</sup> Luis Becerra y Tanco. *Origen milagroso del santuario de Nuestra Señora de Guadalupe* (1666), in *Testimonios históricos guadalupanos*. eds. Ernesto de la Torre Villar and Ramiro Navarro de Anda, (Mexico City: Fondo de Cultura Económica 1982), 309-33.

<sup>345</sup> Peterson, “The Virgen of Guadalupe,” 39-40.

<sup>346</sup> Anzaldúa, *Borderlands/La Frontera*, 49.

<sup>347</sup> Anzaldúa, 49.

<sup>348</sup> Anzaldúa, 49.

“making La Virgen de Guadalupe/Virgen Maria into chaste virgins and *Tlazoteotl/Coatlicue/la Chingada* into *putas*; into the Beauties and the Beasts.”<sup>349</sup>

Due to the complexities of her *historia* as bound up in the conquest and the simultaneous imposition of Catholicism, it is important to underscore that *La Virgen de Guadalupe* is not an uncomplicated heroine who signifies only resistance and the potential for decolonial liberation. Claiming her only in this way flattens the complexities and complicities that circulate in and through her *historia*. For example, Peterson emphasizes the way in which *La Virgen de Guadalupe* as a Marian image was deployed in order to convert Indigenous peoples to Catholicism. Peterson contends that “Along with her humble attitude and pious gesture, the Virgin of Guadalupe conveniently reflected the colonial church’s image of the native population that it sought to bring under its control.”<sup>350</sup> Indeed, it is for this reason that both archbishop of Mexico Zumarraga and his successor Alonso de Montúfar y Bravo da Lagunas would encourage devotion to Our Lady, despite the lamentations of Franciscan friar Sahagún that condoning the worship of Guadalupe would not only be confusing to recent Indigenous converts but also excuse continued “pagan” spiritual practices.<sup>351</sup>

*Guadalupanismo* continued to grow in the sixteenth and seventeenth centuries. However, rather than the Indigenous peoples who Our Lady names as wishing to serve in the *Nican Mopohua*, during the so-called “colonial period” of Mexican history the veneration of Guadalupe took on classist and elitist stature through the Spanish *casta* system, particularly for the *criollo* class.<sup>352</sup> As Peterson explains, “Whether by birth or persuasion, the criollo, or creole, was intensely dedicated to the success of the new colony...With their expanding numbers, the creoles would become the most important protagonists in the promulgation of Guadalupe as part of their ambition to create a

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<sup>349</sup> Anzaldúa, 50.

<sup>350</sup> Peterson, “The Virgen of Guadalupe,” 40.

<sup>351</sup> Peterson, “The Virgen of Guadalupe,” 40.

<sup>352</sup> I write “so-called” in scare quotes here to denote the on-going nature of colonialism and colonality in Mexico.



Mexico out of New Spain.”<sup>353</sup> Through the *casta* system, criollos were relegated to a second-class status under the colonial contract. However, they were given status positions that ranked above Indigenous peoples, thus further incentivizing their participation in the colonial project and later ambitions to create an independent nation-state. Peter Villella notes that “By validating, rather than eradicating, the deep legacy of Mexico...Lady Guadalupe and her heavenly counterparts enables the creoles’ reinvention. No longer were they conquering foreigners; they were compatriots and heirs.”<sup>354</sup> Thus, *La Virgen de Guadalupe* takes on further importance as a syncretic figure who is used to validate and symbolize the unity of a new *mestizo* race of people forged in and through colonization — *el Mexicano*.

The use of Guadalupe as a nationalist figure evocative of both *Mexicanidad* as well as aspirations for a nation independent of Spanish colonial rule gained even stronger grounding during the Mexican War of Independence. As Peterson explains, “During the 1810 War of Independence, the creoles found it expedient to side with the lower clergy, mestizos, landless farm workers, and Indians in their struggle against the *gachupines*.”<sup>355</sup> Taken up as a figure with a possibility of transcending class interests of wealthy criollos and the poor (often Indigenous) working classes, Father Miguel Hidalgo utilized the banner of *La Virgen de Guadalupe* to garner support for the independence movement. However, these aspirations and strategic alliances across classes covered over a reality of continued marginalization and subjugation of Indigenous peoples.<sup>356</sup> This was especially evident in the canonical coronation of *La Virgen* as “Queen of the Americas” on October 12, 1895. Sanctioned by a papal bull from Pope Leo XIII, the canonical coronation was centered

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<sup>353</sup> Peterson, “The Virgen of Guadalupe,” 40.

<sup>354</sup> Peter B. Villella, *Indigenous Elites and Creole Identity in Colonial Mexico, 1500-1800*. (Cambridge University Press 2016), 224.

<sup>355</sup> Peterson, “The Virgen of Guadalupe,” 45.

<sup>356</sup> For an extended discussion of the treatment of indigenous peoples during this ceremony see, Peterson, “The Virgen of Guadalupe,”

around societal, political, and religious elites. “With the exception of natives from Juan Diego’s town of Cuahutitlán,” indigenous peoples were largely absent from these events officially venerating Guadalupe as the “Patroness of the Americas.”<sup>357</sup> *La Virgen de Guadalupe*’s status as Patroness of the Americas and Mexican people was further secured through the use of her image during the Mexican Revolution of 1910-20. Both Pancho Villa and Emiliano Zapata, leaders of the Mexican Revolution, invoked *La Virgen* to garner support the revolutionary cause. More recently in the United States, *La Virgen*’s image was used on banners to unify those organizing for rights as part of the United Farm Workers Union, led by Caesar Chavez and Dolores Huerta.

“Today,” Anzaldúa asserts, “*la Virgen de Guadalupe* is the single most potent religious, political, and cultural image of the Chicano/mexicano.”<sup>358</sup> Anzaldúa explains that *La Virgen de Guadalupe* is so significant because, “She, like my race, is a synthesis of the old world and the new, of the religion and culture of the two races in our psyche, the conquerors and the conquered.” Similarly, Irene Lara argues that, “Tonantzin forms part of the story of ‘transculturation,’ that is, of cultural loss, cultural persistence, and the creation of hybrid cultural forms mediated through power relations in sixteenth-century Mesoamerica.”<sup>359</sup> As a syncretic figure, *La Virgen de Guadalupe* binds the Marian image of Our Lady of Guadalupe of Extremadura, Spain to the Nahua goddess Tonatzin. In this way, *La Virgen de Guadalupe* is an example *par excellence* of the processes of semiotic resignification through which the logics of the colonial contract are imposed. Tonantzin, creator-destroyer goddess, is thus relegated to what María Lugones referred to as the dark side of coloniality/modernity and *La Virgen* is consigned to the light side.

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<sup>357</sup> Peterson, “The Virgen of Guadalupe.”

<sup>358</sup> Anzaldúa, *Borderlands*, 53.

<sup>359</sup> Irene Lara, “Goddess of the Américas in the Decolonial Imaginary: Beyond the Virtuous Virgen/Pagan Puta Dichotomy,” *Feminist Studies* 34, no. 1/2 (Spring-Summer 2008): 100.

As I noted in Chapter 1, according to Lugones the colonial/modern gender system has both a light and a dark side that correspond the hierarchical gender system imposed through the processes of colonization. Lugones argues that the light side of the colonality of gender “constructs gender and gender relations hegemonically, ordering only the lives of white bourgeois men and women and constituting the modern/colonial meaning of men and women.”<sup>360</sup> On the light side of the colonial/modern gender system, the meaning of woman is constituted through expectations of the ‘ideal feminine’ including sexual purity and passivity. As Lugones argues, “Sexual purity and passivity are crucial characteristics of the white bourgeois females who reproduce the class and the colonial and racial standing of bourgeois, white men.”<sup>361</sup> Despite her standing as *La Morenita*, these characteristics of sexual purity and passivity are applied to *La Virgen* as a Marian figure. Figured as the idealized and eternal feminine, Guadalupe offers the comforts and protection of the maternal womb. On the dark side of the colonial/modern gender system, the meanings of gender are instantiated in and through violence. According to Lugones’s account of the colonality of gender, the fragility and sexual passivity and purity of white, bourgeois European women was given meaning by juxtaposing them to nonwhite, colonized women. Thus, nonwhite colonized women under the colonial contract are “characterized along a gamut of sexual aggression and perversion, and as strong enough to do any sort of labor.”<sup>362</sup> It is precisely these traits that were applied to Indigenous goddesses like Tonantzin during the conquest. As Irene Lara explains in her essay “Goddess of the Américas in the Decolonial Imaginary,” this “maligning of goddesses transposes to the maligning of actual Nahua women, particularly healers, midwives, and ‘harlots.’”<sup>363</sup> On the dark side of the colonial/modern gender system, Tonantzin is characterized as sexually deviant and perverse and this

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<sup>360</sup> María Lugones, “Heterosexualism and the Colonial / Modern Gender System.” *Hypatia* 22, no. 1 (2007): 206.

<sup>361</sup> Lugones, “Heterosexualism,” 206.

<sup>362</sup> Lugones, “Heterosexualism,” 203.

<sup>363</sup> Lara, “Goddess of the Américas,” 101.

in turn is taken to justify the violence directed against those who fall on the dark side of coloniality/modernity. In this way, the colonial contract installs the *virgen/puta* dichotomy that today is still attached to *La Virgen de Guadalupe* in the form of *marianismo*.

In this section, I have outlined the emergence of the *historia* of *La Virgen* as deeply tied to the colonization of the Americas. In particular, I have attempted to attend to the ways in which the syncretic figure of *La Virgen de Guadalupe* unveils the imposition of what I have termed the colonial contract. As a figure who is birthed from the interstices between cultures, cosmologies, and vastly different worlds of sense, Guadalupe is a synecdoche that bespeaks the foundational contradictions at the heart of the colonial contract that has installed itself as the universal world order. However, despite its efforts at suppression the colonial contract and logics of coloniality are unable to fully suppress the aspects of Guadalupe that have been relegated to the dark side of coloniality/modernity that continue to circulate in serpentine ways through the *historia* of *La Virgen* as *Nuestra Madre* and, as I will demonstrate, serve as resources for decolonial resistance. Indeed, as decolonial thinkers have contended, these claims to universality are ruses of the coloniality of power, race, and gender. It is to these critical decolonial accounts that I turn in the next section.

## **2. The Colonial Contract & the Coloniality of Knowledge**

The figure of *La Virgen de Guadalupe* evidences the processes of domination, erasure, and epistemicide that are primary dimensions of the colonial contract. Supplanting and absorbing Indigenous cosmologies through the resignification of Tonantzin as a Marian figure and the suppression of Indigenous spiritual practices are just a few of the operations through which the colonial contract manifests.

Decolonial thinkers from Latin America, most notably Enrique Dussel, Anibal Quijano, Santiago Castro Gomez, and Walter Mignolo, have highlighted the centrality of epistemic

domination to colonialism and the colonality of power, offering concepts such as “the colonality of knowledge” in order to unveil the alleged neutrality and objectivity of Western philosophy as “epistemic ethnocentrism.”<sup>364</sup> Castro Gomez has termed this tendency in Western philosophical and scientific thinking “*la hybris del punto cero*” / the hubris of the null point.<sup>365</sup> Critical of Cartesian epistemic methods of discerning knowledge whereby the material world is held in such radical doubt that one can have certainty only of their own *cogito*, Castro Gomez attempts to unveil the ways in which the hubris of the *punto cero* is the product of a colonial imaginary. As he explains, “*Por ello, el punto cero es el del comienzo epistemológico absoluto, pero también el del control económico y social sobre el mundo*” [Therefore, the null point is that of the absolute epistemological beginning, but also that of economic and social control over the world].<sup>366</sup> Occupying the perspective of the *punto cero* is precisely what enabled the colonial powers of Europe to claim the authority as the sole arbiters of representation and definition. Mignolo has further developed the concept of the *punto cero*, naming it as a constitutive dimension of the colonality of power.

In order to unmask and dismantle the hubris of the *punto cero* and the colonality of knowledge, Quijano and Mignolo have advocated for delinking from Western traditions. The term “delinking” first appears in Quijano’s germinative article “*Colonialidad y modernidad/racionalidad*.” On Quijano’s account, critical analysis about the limits of Eurocentrism is not sufficient for the task of decolonial thinking. Rather, a more thorough break with Eurocentric power is required in order to “extricate oneself from the linkages between rationality/modernity and colonality.”<sup>367</sup> It is this extrication that Quijano terms *desprendimiento*, or delinking. Taking up this concept but developing the epistemic

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<sup>364</sup> Walter Mignolo, “The Geopolitics of Knowledge and the Colonial Difference.” *The South Atlantic Quarterly* 101, no. 1 (2002): 66.

<sup>365</sup> Santiago Castro-Gómez, *La hybris del punto cero: ciencia, raza e ilustración en la Nueva Granada (1750-1816)*. (Pontificia Universidad Javeriana 2005).

<sup>366</sup> Castro-Gómez, *La hybris del punto cero*, 25; my translation.

<sup>367</sup> Quijano as quoted and translated by Mignolo.

dimensions of the task of delinking, Mignolo describes what he terms epistemic disobedience as a fundamental aspect of decolonial thinking. Mignolo explains,

Epistemic disobedience leads us to decolonial options as a set of projects that have in common the effects *experienced* by all the inhabitants of the globe that were at the receiving end of global designs to colonize the economy (appropriation of land and natural resources), authority (management by the Monarch, the State, or the Church), and police and military enforcement (coloniality of power), to colonize knowledges (languages, categories of thoughts, belief systems, etc.) and beings (subjectivity).<sup>368</sup>

Epistemic disobedience holds open a door to decolonial projects that center the standpoint of those who have been on the receiving end of colonialism and coloniality in its myriad manifestations.<sup>369</sup>

Thus, rather than attempt to find a grounding for decolonial projects on the terms of Western categories of thought that have been complicit in colonial projects, the epistemic disobedience central to delinking “takes us to a different place, to a different beginning.”<sup>370</sup> Mignolo names these openings the “spatial paradigmatic breaks of epistemic disobedience.”<sup>371</sup>

Latina and Latinx feminists, too, have long pointed out the centrality of epistemic domination to colonialism and coloniality but through different vocabularies and sensibilities. Rather than utilizing world-systems accounts of the geopolitics of knowledge that still abstract from the body, Latina feminists have centered the body as an important locus for meaning making and knowledge production of what Anzaldúa and Cherrie Moraga have termed “theories in the flesh.”

The decolonial feminisms articulated in the works of U.S. Latinas and Latinxs return our attention to

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<sup>368</sup> Mignolo, “The Geopolitics of Knowledge,” 45.

<sup>369</sup> Here, I am largely remaining within the bounds of Mignolo’s terminology of epistemic disobedience though I am challenging the notion of de-linking as presented in his work as well as the work of Anibal Quijano. Other decolonial philosophers, like Eduardo Mendieta and Santiago Castro Gomez, have offered other rich concepts such as epistemic and disciplinary insubordination as a way of reclaiming epistemic agency. As Eduardo Mendieta argues, a response to epistemic domination requires not just disobedience, “epistemic domination demands epistemic insubordination” (personal correspondence). See also, Santiago Castro-Gómez and Eduardo Mendieta. *Teorías Sin Disciplina, Latinoamericanismo, Poscolonialidad y Globalización En Debate*. 1a ed. (Mexico, D.F, San Francisco: Porrúa, 1998).

<sup>370</sup> Mignolo, 45.

<sup>371</sup> Mignolo, 45.

the “the physical realities of our lives — our skin color, the land or concrete we grew up on, our sexual longings” and to the ways in which coloniality remains a cactus needle embedded in the flesh.<sup>372</sup>

In her essay, “Thinking Bodies: The Spirit of Latina Incarnational Imagination,” Mayra Rivera Rivera underscores the way in which Western epistemic projects rely on a split between knowledge and spirituality that is naturalized through the Cartesian paradigm that dirempts the mind from the body. As Rivera explains, “In Western epistemological traditions sensuality and bodies have often been considered distractions to be overcome in order to attain true knowledge.”<sup>373</sup> Rivera contends that decolonizing epistemology requires “questioning the privilege of those traditions” in order to think “beyond the legacy of colonial/imperial knowledge” as well as “its disembodied definitions of ‘knowledge.’”<sup>374</sup> Speaking precisely to these dimensions of Western epistemic traditions, Anzaldúa explains, “In trying to become ‘objective,’ Western culture made ‘objects’ of things and people when it distanced itself from them, thereby losing ‘touch’ with them. This dichotomy is the root of all violence.”<sup>375</sup> The decolonial thinking of Latina and Latinx feminists is oriented by a refusal of these categorial and dichotomous logics that splits mind from body, rationality from spirituality, and knowledge from faith. Indeed, the colonial contract utilizes these dichotomies to instantiate the “truth” of “reality,” whose “objectivity” is achieved by making objects of animate beings, human and more-than-human.

Privileging concepts like in-betweenness, liminality, multiplicity, and the interstitial as well as their accompanying resistance to politics based on claims rooted in the logics of purity, the decolonial

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<sup>372</sup> Cherrie Moraga and Gloria Anzaldúa, *This Bridge Called My Back: Writings by Radical Women of Color*. Fourth ed. (Albany: State University of New York (SUNY) Press 2015); Anzaldúa, *Borderlands/La Frontera*

<sup>373</sup> Mayra Rivera Rivera, “Thinking Bodies: The Spirit of Latina Incarnational Imagination,” in *Decolonizing Epistemologies: Latina/o Theology and Philosophy*, eds. Eduardo Mendieta and Ada María Isasi-Díaz (New York: Fordham University Press 2011), 208.

<sup>374</sup> Rivera Rivera, “Thinking Bodies,” 209.

<sup>375</sup> Anzaldúa, *Borderlands/La Frontera*, 59.

thinking of Latina and Latinx feminists pose a challenge to Quijano and Mignolo's calls for de-linking. Namely, is de-linking possible given how thoroughgoing (though not totalizing) the logics of coloniality are under what I have been calling the colonial contract? To this question I would add, in what ways does *La Virgen de Guadalupe* complicate calls to de-link from Western culture and traditions?

## 2.1. Epistemic Disobedience through Meta-Ideologizing

In his contribution to *Goddess of the Americas*, interdisciplinary artist and writer Guillermo Gomez Peña considers the multiple meanings of La Virgen. He describes his reluctance to write an essay on Guadalupe given the way that she has been utilized both as a “demagogic tool of control” by those like the Catholic Church and Mexico's *Partido Revolucionario Institucional* as well as feelings that the “mythology of *la Guadalupe* was an exclusive domain of Chicana artists and writers.”<sup>376</sup> Despite these feelings of reluctance and through the urgings of Castillo, Gomez Peña narrates his own shifting relationship to *La Virgen* through his crossing as a migrant to the United States. In the conclusion of the essay he offers the following musing,

Today in 1996, I don't think I am more or less 'religious' or 'spiritual' that I was twenty years ago. I simply think that as a Mexican immigrant in process of Chicanization, I have learned to understand that symbols, no matter how charged they might be, can be emptied out and refilled; that religion in postmodernity is intertwined with pop and mass culture, and that I, as a border citizen, must constantly reinvent my identity using all the elements that my three cultures have provided me. For this purpose, *la Guadalupe* has been good to me. She understands my multiple dilemmas and contradictions. She stands next to me on every battlefield. And like my mother, she has the unique capability of making me feel extremely guilty when I fuck up.<sup>377</sup>

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<sup>376</sup> Guillermo Gomez Peña, “The Two Guadalupes” in *The Goddess of the Americas*, ed. Ana Castillo (NY: Riverhead Books, 1996), 181.

<sup>377</sup> Gomez Peña, 183.



Reflecting on the continual shifting, shaping, and reforming of *La Virgen's* mythology, Gomez Peña highlights a dimension of Guadalupe's myth that I would like to consider in more detail in this section: the resignification of her *historia* as well as her ability to sustain contradictory meanings. Indeed, these are the very questions I take up, viz. How do we make sense of the kind of epistemic resistance and disobedience at work in the figure of Guadalupe? How does she foreground forms of epistemic resistance and disobedience under the colonial contract that do not rely on calls for de-linking?

In the previous section, I briefly reconstructed the decolonial epistemic critiques of Latin American decolonial thinkers like Quijano, Mignolo, and Castro Gomez. I also showed how the “theories in the flesh” offered by Latina and Latinx feminists pose a challenge to the concept of de-linking. Here, I contend that delinking cannot adequately explain the forms of epistemic disobedience described so well by Gomez Peña that circulate through the figure of Guadalupe. I want to suggest that what is happening is a complex process that is better understood through a discussion of Chela Sandoval's concept of meta-ideology and is further evidenced in the critical re-tellings of her *historia* that are offered in the works of Latina and Latinx feminists.

Critical and cultural theorist Sandoval offers a vision of decolonial feminism in her germinal text *Methodologies of the Oppressed*. Contending with hegemonic periodization of women's liberation movements by mainstream feminism, Sandoval develops a topography of oppositional consciousness through feminist of color, antiracist, and anticolonial struggle that disrupts the linear historical categorization of the three “waves” of feminist movements and consciousness. In doing so, Sandoval draws attention to the long history of theorizing by women of color that is often occluded by the common periodization of feminist movements, leaving women of color as retroactive add-ons comprising a “fourth wave” of feminist thought. To complicate this narrativization Sandoval conducts a topographical survey of oppositional consciousness through

feminist of color, antiracist, and anticolonial struggle. By tracking the resonances between coalitional social movements post-World War II, Sandoval emphasizes the resonances between the varied theoretical, methodological, historical, and disciplinary approaches of U.S. third world feminism.

Despite the sometimes contradictory goals and aims of these varied movements, Sandoval insists that there are shared methodological sensibilities across social movements by folk of color. Mapping these shared sensibilities, the vistas of the topography of oppositional consciousness, Sandoval articulates what she calls the “five technologies” of the methodology of the oppressed: semiotics, deconstruction, meta-ideologizing, democratics, and differential movement. Each of these modes, Sandoval contends, have been utilized in significant ways across various social movements. Rather than separate ideological moments, she argues that these technologies enable “the enactment of the differential mode of oppositional social movement.”<sup>378</sup> Through the articulation of these technologies, Sandoval develops the terminological tools for locating and engaging in the decolonial praxis that she advocates.

Through the methodology of the oppressed and its accompanying technologies, Sandoval disrupts teleological or linear understandings that might privilege some forms of oppositional consciousness over others. As she explains, “The differential mode of consciousness functions like the clutch of an automobile, the mechanism that permits the driver to select, engage, and disengage gears in a system for the transmission of power.”<sup>379</sup> Thus, differential consciousness works to “enable movement between and among ideological positioning” in order to utilize them as “tactical weaponry.” This means that a practitioner of the methodology of the oppressed sees the need for being responsive to the contexts she finds herself in and is flexible to deploy the different tactical technologies that might be required. In this way, rather than acting dogmatically, she deploys her

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<sup>378</sup> Chela Sandoval, *Methodology of the Oppressed*. (Minneapolis: University of Minnesota Press 2000), 82.

<sup>379</sup> Sandoval, 57.

differential consciousness in order to act tactically without the need for purity. For example, in decolonial struggles the tactical strategies of separatism *and* demands for equal rights might both be required to achieve decolonial political ends like sovereignty and land rematriation for Indigenous peoples. Inspired by Anzaldúa's account of mestiza consciousness and *la facultad* as well as Lugones's concept of "world"-traveling, Sandoval's articulation of differential consciousness issues from the interstices between worlds and categorical forms of identity. As a form of consciousness fostered in the liminal space between worlds, differential consciousness affirms difference and the need for multiplicitous forms of identity and social praxes. Though differential consciousness is often produced in the throes of oppression as a mode of survival, Sandoval maintains that when undertaken reflectively it can be a decolonizing practice with the power to transform meanings. As Sandoval explains, differential consciousness is "composed of narrative worked self-consciously. Its processes generate the other story – the counterpoise."<sup>380</sup>

This self-conscious working of a counter narrative is closely connected to what Sandoval terms "meta-ideologizing." As a "technique for moving energy" and function of differential consciousness, meta-ideologizing plays a central role in Sandoval's articulation of the methodology of the oppressed. Sandoval develops the concept of meta-ideologizing through a close reading of Roland Barthes's *Mythologies*. Inspired by his account of "semiology-as-resistance," Sandoval reads Barthes's contributions to semiotics as holding an important place for decolonial praxis. Here, I am less interested in Sandoval's attempts to recuperate Barthes as a decolonial theorist than I am in her transformation of his semiotic account of mythology.

By adding depth to Barthes concept of "revolutionary exnomination" and refashioning it into what she terms "meta-ideologizing," Sandoval develops a unique account of myth and counter

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<sup>380</sup> Sandoval, 162.

narratives as important decolonial technologies. Meta-ideologizing is “the operation of appropriating dominant ideological forms, and using them whole in order to transform them.”<sup>381</sup> To further elucidate the stakes of meta-ideologizing, Sandoval takes a detour from Barthes through Franz Fanon’s *Black Skins, White Masks*. Citing Fanon’s aim in *Black Skins, White Masks* “‘to demonstrate to white civilization and European culture’ that what it ‘often calls the black *soul*’ is, rather, ‘a white man’s artifact,’” Sandoval performs a semiotic reading of this aim as an illustrative work of meta-ideologizing.<sup>382</sup> According to Sandoval, Fanon’s analysis “was viewed by the dominating cultures of the time to be a shocking, heretical act.”<sup>383</sup> Unveiling the fictive underbelly of the soul as an ‘artifact’ and cultural invention was a heretical act because in so doing, Fanon points out that the maneuvers required to “treat racially different ‘souls’ as commodities” to be bought, sold, and exploited required the naturalization of the construction of the colonized as inferior in order to legitimate the social order of the dominant reality under what I have been calling the colonial contract in this dissertation. As Sandoval contends, “Fanon’s challenge exemplified just one more insistently arising and transforming directive from varying and conquered cultures, races, genders, and nations to consider every aspect of colonial rule...as the distorted mirrors, the constructed ‘artifacts’ of a dominating race, sex, and gender politics.”<sup>384</sup> By underscoring the construction of the “artifacts” of

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<sup>381</sup> Sandoval, 82.; Here, Sandoval is exceeding a purely Marxist understanding of “ideology” as the exploitative and alienating mechanisms of capitalism. As Christine Sypnowich notes in her entry “Law and Ideology” for the *Stanford Encyclopedia of Philosophy*, the term ideology was likely coined by Claude Destutt de Tracy in relation to his study of the Enlightenment. As Sypnowich explains of contemporary usage of the term, “Ideology today is generally taken to mean not a science of ideas, but the ideas themselves, and moreover ideas of a particular kind. Ideologies are ideas whose purpose is not epistemic, but political. Thus an ideology exists to confirm a certain political viewpoint, serve the interests of certain people, or to perform a functional role in relation to social, economic, political, and legal institutions.” It is in this sense that Sandoval develops meta-ideology as a technology that can be used to generate images and worldviews that foster decolonial projects. Thanks to Eduardo Mendieta for helping me to make this connection. For more, see Sypnowich, C. “Law and Ideology.” *Stanford Encyclopedia of Philosophy* (online). October 22, 2001; April 23, 2019. <https://plato.stanford.edu/entries/law-ideology/>

<sup>382</sup> Sandoval, 84. Fanon as cited by Sandoval.

<sup>383</sup> Sandoval, 84.

<sup>384</sup> Sandoval, 85.

coloniality and the way in which they are naturalized by the colonial contract, Sandoval argues that space is opened up for the deconstructive and productive work of meta-ideologizing.

As both a deconstructive and reconstructive operation, meta-ideologizing is not a form of de-linking but rather, from the muddy middle of existing dominant and oppressive ideological forms seeks to shape “new and revolutionary meaning systems in order not only to ensure survival for the powerless, but to induce social justice.”<sup>385</sup> As such, meta-ideologizing is a powerful and “absolutely necessary” decolonial technology because, on Sandoval’s account, it has the capacity to make “purposeful interventions in social reality.”<sup>386</sup> Moving beyond the realm of “the being of consciousness itself,” meta-ideologizing moves outward into the material world. This resistant activity of resignification from *within* dominant ideological forms is precisely how I propose we understand the epistemic disobedience and decolonial potential of the *historia* of *La Virgen de Guadalupe*. In order to fully develop this claim that through the semiotic praxis of meta-ideologizing we can better discern the epistemic resistance and disobedience of Guadalupe, it is necessary to briefly reconstruct the semiotic account underlying Sandoval’s concept of meta-ideologizing.

Meta-ideologizing, on Sandoval’s reconfiguration of Barthesian semiology, is one of a set of fundamental technologies of the methodology of the oppressed. This task of “transcoding” Barthes’s terminology is important for Sandoval because of the role she understands semiotics to play in the methodology of the oppressed and social praxes aimed at decolonization. Semiology “can be understood as a sensitivity, a mode of perceiving.”<sup>387</sup> As Sandoval explains, “Throughout the decolonial writings of people of color, from Sojourner Truth to Tracy Chapman, this profound commitment to sign reading emerges as a means to ensure survival.”<sup>388</sup> Despite being identified by

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<sup>385</sup> Sandoval, 85.

<sup>386</sup> Sandoval, 82.

<sup>387</sup> Sandoval, 90.

<sup>388</sup> Sandoval, 85.

those like Truth, Chapman, and Anzaldúa under other names, Sandoval contends that Barthes's own articulation is significant because of the thoroughness of his methodological account. Taking up Barthes's essay "Myth Today" from his 1957 work *Mythologies*, Sandoval situates Barthes as a Western philosopher who attempts to answer these demands of those oppressed by European imperialism and colonialism.

In *Mythologies*, Barthes does this through a semiotic analysis of the role of myth and mythologies and their deep intertwinement with the process of Western colonization. Written during his early Marxist period, *Mythologies* aims to unveil the ruses of bourgeois capitalist culture. Terming these ruses "myth," Barthes seeks to unveil the appropriation of signs by capitalist and colonialist ideology in order to create illusions of stable and fixed social meanings. As Sandoval argues, "I am suggesting that Barthes clearly apprehended the powers permeating cultures in the grasp of colonial and imperial interests...The problem for Barthes in *Mythologies* became how to go about describing the methodology that permitted the colonized to see, hear, and interpret what appeared natural to the colonizer as the cultural and historical productions that they were."<sup>389</sup> In order to substantiate her claim that Barthes clearly apprehended the deep entanglement between myth, capitalism and coloniality, Sandoval quotes his assertion that "Today it is the colonized peoples who assume to the full the ethical and political condition described by Marx as being that of the proletariat."<sup>390</sup> Sandoval also highlights Barthes's semiotic reading of the 1956 cover of *Paris Match* that features a young black man dressed in "the uniform of the French colonial empire."<sup>391</sup> It is these aspects of Barthes's work, i.e. the desire to empower those suffering under capitalist and colonialist/imperialist exploitation by unveiling the ruses of capitalist coloniality/modernity, that Sandoval sees as central to decolonial praxis.

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<sup>389</sup> Sandoval, 86.

<sup>390</sup> Roland Barthes, *Mythologies*, trans. Annette Lavers. (NY: The Noonday Press 1957, 1972), 163n25.

<sup>391</sup> Sandoval, *Methodologies*, 96-97.

Concerned about problems within Barthes's account of semiology within *Mythologies* that have resulted in the lack of uptake of his "method for oppositional and emancipatory praxis," Sandoval undertakes a reconstruction of some of Barthes's key conceptual terms.<sup>392</sup> In her reconstruction and clarification of Barthes's conceptual understanding of myth, mythologies, mythologizing, and the mythologist, Sandoval "transcodes" these terms in the following way:

- Myth "refers to ideology";
- Mythologies "refers to any ideology being analyzed";
- Mythologizing has a double meaning, a practice through which practitioners can "either be naively reproducing dominant ideology" or "participating in powerful, liberatory process of deconstructing those very ideologies";

And,

- The Mythologist, "refers to the heroic and lonely practitioner of 'mythology' understood as liberatory practice, one who semiotically decodes, who 'mythologizes.'"<sup>393</sup>

The slipperiness of these concepts evokes the slipperiness of the practice and concept of mythology itself. As Sandoval explains, "These nominations smudge the differences between object, methodology, and practitioner, eliding the antagonistic relationship between one who acts in concert with dominant ideology and one who acts in resistance to that very ideology."<sup>394</sup> It is as a result of this slippage, Sandoval regretfully concludes, that Barthes's insights have not had significant uptake by those interested in emancipatory social change.

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<sup>392</sup> Sandoval, 87.

<sup>393</sup> Sandoval, 88. I want to note that I am here narrating Sandoval's own creative engagement with and interpretations of Barthes rather than assessing the accuracy of her account.

<sup>394</sup> Sandoval, 88.

Because myth is understood as ideology for both Barthes and Sandoval, it is important to briefly unpack the way in which both understand ideology itself. For both thinkers, ideology is a socially constructed “pattern of meaning, of feeling, and of consciousness itself.”<sup>395</sup> Understanding ideology as a pattern rather than a form enables us to discern the ways in which ideology becomes sedimented into what Sara Ahmed has called orientations. Reproduced through repetition, ideology like orientation can often take on the ease of feeling “natural.” As Ahmed explains, “We might note here that the labor of such repetition disappears through labor: if we work hard at something, then it seems ‘effortless.’ This paradox—with effort it becomes effortless—is precisely what makes history disappear in the moment of its enactment. The repetition of work is what makes the signs of work disappear.”<sup>396</sup> I want to suggest that it is in this way that Sandoval (via Barthes) is pushing us to understand the work of semiotics and ideology. Ideologies are those orientations to meaning produced through historical processes that we gain through the repetition of social construction. In this way, as Sandoval explains, “the processes of ideology are also inductive: they feel and appear to be intelligent, ‘objective’ processes as well as sensuous ones. It is in these linkages between perception, bodily sensation, and intellectual comprehension that much of the power of ideology subsists.”<sup>397</sup> Semiology is the methodological approach that enables ideology to be “perceived, identified, distinguished, and reproduced”; that is to say, semiology enables us to discern the *production* of the meaning through myth (as ideology) whose guise has become naturalized as a “matter of fact.”

In order to further account for the work that meta-ideologizing does at the semiotic level, which is to say at the level of the social construction of meaning, Sandoval wades into Barthes’s theorization of the relationship between signifier, signified, and sign. This is necessary because it is,

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<sup>395</sup> Sandoval, 90.

<sup>396</sup> Sara Ahmed, *Queer Phenomenology: Orientations, Objects, Others* (Durham: Duke University Press 2006), 553.

<sup>397</sup> Sandoval, 95.



as Barthes and Sandoval contend, at the level of ideology that the logics of colonization work to supplant meaning systems that pre-exist the moment of colonial contact. As Sandoval highlights, “Barthes goes so far as to define ideology *as the process of colonization itself*: the occupation, incorporation, and hegemonic domination of meaning — by meaning.”<sup>398</sup> Analyzing the relationship between Signifier, Signified, and Sign, semiologists (like Barthes and Sandoval) seek to unveil the arbitrary connection between signifier and signified that produce the sign. Sandoval explains the relationship between the three semiotic terms in the following way: (1) the Signifier (Sr), “which represents any shape — or form— that meaning can inhabit”; (2) the Signified (Sd), “which represents any concept capable of filling one —or more— of these forms”; and, (3) the Sign (S), “a third object produced in the symbiotic relationship between a Signifier and Signified.”<sup>399</sup> The relationship between signifier and signified is produced through contingent historical and social processes. For both Barthes and Sandoval, the recognition of this contingency holds liberatory and decolonizing possibilities.

It is important to note that this relationship between signifier, signified, and sign as a first-order Sign system is not myth qua ideology. This is because, according to Barthes, ideology is a “second-order semiological system.”<sup>400</sup> To explain this system, it is worth quoting Sandoval’s summary of its operations at length:

*Ideology* comes into being when there is an appropriation of a first-level Sign system in its entirety in a process that transforms it into a *form* alone, a Signifier for a second and newly arrived Signified. The historical and arbitrarily linked meanings of the earlier Sr/Sd/S relationship are sublimated under the power of this incoming, imposed concept, the now hidden yet still present historically verifiable truths of the first-level meaning system, cannibalized to serve new purposes.<sup>401</sup>

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<sup>398</sup> Sandoval, 98.

<sup>399</sup> Sandoval, 91.

<sup>400</sup> Sandoval, 93.

<sup>401</sup> Sandoval, 94.

I want to suggest that this second-order semiological system named by Sandoval (vis-à-vis Barthes) as ideology is a central dimension of what I have termed the colonial contract. The first level sign system is employed by the second-order ideological meaning to naturalize the domination that is fabricated through “a historically produced and power-laden event” such as colonization. Sandoval argues, “This occurs because the previous structure and its historically real links to culture appear and disappear...in a ‘turnstile’ fashion. The historical links are still there..., but only as a present-absence (structurally similar to an ‘alibi’).”<sup>402</sup> According to Barthes, the presence-absence of the alibi as “a place which is full and one which is empty, linked by a relation of negative identity (‘I am not where you think I am; I am where you think I am not’).”<sup>403</sup> Differing from the alibi of myth, the “ordinary alibi” that one might give to the police achieves its end once it has served its purpose. As Barthes contends in the case of the ordinary alibi, “reality stops the turnstile revolving at a certain point.”<sup>404</sup> Myth however, according to Barthes’s account, is a “perpetual alibi” in that “its signifier has two sides” and thus always has “an ‘elsewhere’ at its disposal.”<sup>405</sup> This appearance and disappearance act is evident in the alibi of the colonial contract, particularly when the transmutation of the first level sign system into the second order system of ideology is justified as furthering the goals of “progress,” “modernity,” “salvation,” and “civilized society” — ruses of the colonial imaginary of the colonial contract. The task of the mythologist is to stop the perpetual revolution of the “turnstile of form and meaning,” which is to say the perpetual emptying out and filling up of the duplicitous signifier through myth.

These adept machinations of the semiotic dimensions of the colonial contract are particularly evident in the figure of *La Virgen de Guadalupe*. I want to suggest that a decolonial

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<sup>402</sup> Sandoval, 94.

<sup>403</sup> Barthes, *Mythologies*, 122.

<sup>404</sup> Barthes, 122.

<sup>405</sup> Barthes, 122.

semiotic reading of Guadalupe further underscores the insights from Gomez Peña that I opened this section with, namely that “symbols, no matter how charged they might be, can be emptied out and refilled.” Indeed, the powerful sign of Guadalupe has been emptied out and refilled many times in response to the ideological commitments of the prevailing regime of power, as we traced in the opening section of the chapter. In order to further attend to the movement of these meanings, I want to evoke the “present-absence” of the figure of *La Virgen de Guadalupe* by insisting, like Irene Lara, on the calling her Tonantzin-Guadalupe. As Lara explains,

I hyphenate Tonantzin-Guadalupe to visually mark the process of remembering the figures and their multiple cultural *conocimientos*; for the relationship between Guadalupe and Tonantzin is alive in the cultural memory and practices of many Mexicans and Chicana/os, particularly those who are still connected to their indigenous identities in spite of the colonial legacy that attempts to erase or delegitimize the indigenous link.<sup>406</sup>

As Lara contends, the hyphenation insists on making explicit the present-absence in order to bear witness to the attempted erasure of Tonantzin through the figure of *Guadalupe* as well as the contemporary spiritual practices of Indigenous peoples who continue to honor Tonantzin.

Bearing witness to and remembering Tonantzin as the dark and hidden side of *La Virgen de Guadalupe* deepens a decolonial semiotic analysis. In particular, tracing the meaning structures unveils the contingent relationship between Tonantzin and Guadalupe and renders it discernible as an ideological product of the colonial contract. As Lara explains, “Informed by a rigid Western dichotomy between good and evil and an ideology of distrust toward women, especially racialized women, and anxious about Mexica ‘idols,’ the colonizing Spanish transformed Tonantzin into Guadalupe’s pagan other.”<sup>407</sup> Understood in this way, I want to argue that *La Virgen de Guadalupe* is a sign that is produced through the second-order system of meaning described by Sandoval and Barthes. As an ideological Sign of the colonial contract, she signifies both the successful control and

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<sup>406</sup> Lara, “Goddess of the Américas,” 104.

<sup>407</sup> Lara, 100.

conversion of Indigenous people as well as the production of a new race of mestizo people. The production of the Sign of *La Virgen de Guadalupe* is yet another alibi for the colonization of the Americas. However, as Chicana feminists have deftly demonstrated in their refashioning of Guadalupe, her semiotic meanings do not stop at the first- and second-order levels. This is because, as Sandoval contends though ideology “deprives material and historicized forms of their meanings,” as in the case of Tonantzin-Guadalupe, this colonizing process demands a response in the form of “a new methodology for emancipating consciousness.”<sup>408</sup>

The question of who is the practitioner of this new emancipatory methodology is where Sandoval’s account the methodology of the oppressed takes a significant departure from Barthes’s *Mythologies*. On Barthes’s account, this new and emancipatory mythology is performed and created by the “mythologist.” As noted at the beginning of the section, Barthes’s mythologist “refers to the heroic and lonely practitioner of ‘mythology’ understood as liberatory practice, one who semiotically decodes, who ‘mythologizes.’”<sup>409</sup> According to Sandoval, it is the figure of the mythologist, the lonely theorist whose acute perception of semiotics enables the break down and shattering of the illusions of ideology, that reveals Barthes’s own Eurocentric limitations. “Barthes’s failure,” Sandoval contends, “was that he understood the visions, perceptions, and activities of the oppressed to lie...in a realm that is outside ‘cynical,’ ‘semiotic-mythological,’ or ‘dominant modes of perception. His idea...is that the oppressed do not *theorize* what they see as do the cynic, the semiologist, or the dominant consumer: *they act*.”<sup>410</sup> By excluding the oppressed from the realm of theory and relegating them to the realm of action, Barthes’s forecloses the subject position of the mythologist to the oppressed. As Sandoval explains, “Barthes’s version of the ‘speech of the oppressed’ becomes unilateral and monotonous in its clarity of function; for Barthes’s analysis reduces, then elevates, the

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<sup>408</sup> Sandoval, *Methodologies*, 95.

<sup>409</sup> Sandoval, 88.

<sup>410</sup> Sandoval, 104.

so-called speech of the oppressed to the realm of the ‘real,’ which strangely places this speech outside all the culturally infiltrated methods and forms of consciousness [like that of the mythologist] outlined so far.”<sup>411</sup> By reducing the subject position of the oppressed and their subsequent speech to a realm of naiveté and alterity, Barthes both forecloses possibilities for the oppressed to effect change at the level of meaning at the same time that he romanticizes them as the vanguards of the revolution who speech only becomes transformative once elevated to “a pure language of revolution.”<sup>412</sup> The result, Sandoval contends, is the production of a false binary between the agency of the oppressed and the tactical strategies of meta-ideologizing.

Departing from Barthes’s account of the mythologist, Sandoval’s account of the methodology of the oppressed, in particular the technologies of differential consciousness and meta-ideologizing, seeks to redress the false binary of Barthes’s account that separates the speech of the oppressed from the tactical work of the mythologist. As Sandoval explains, Both technologies, meta-ideologizing and differential movement, are, in Barthes’s terms, suited to ‘wear the mask, to hide’ their names, ‘to generate an innocent metalanguage,’ and to distort themselves into a ‘phony nature’ that, understood through the guiding force of the methodology of the oppressed, is always tactical.”<sup>413</sup> When worked through as a technology of the methodology of the oppressed, meta-ideology is a third-order meaning system that holds open decolonizing possibilities. As she argues, “Meta-ideologizing is the third technology of oppositional powers that moves in, through, then outside of dominant ideology.”<sup>414</sup>

It is in precisely this way that I want to suggest Latina and Latinx feminists take up and engage with the *historia* of Tonantzin-Guadalupe. Rather than de-linking, the Latina and Latinx

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<sup>411</sup> Sandoval, 104.

<sup>412</sup> Sandoval 107.

<sup>413</sup> Sandoval, 110.

<sup>414</sup> Sandoval, 110.

feminists I engage utilize meta-ideology to resignify, this time towards decolonial ends, the *historia* of Tonantzin-Guadalupe. Unveiling these shifts in the meaning of the sign requires what Sandoval terms the “methodology of the oppressed.” Deploying the tools of semiology as construed by Sandoval enables me to travel with other practitioners of the methodology of the oppressed and to bear witness to the various technologies, such as differential consciousness, democracies, and meta-ideologizing, that are deployed towards emancipatory and decolonial ends in the re-appropriation and reclamation of Tonantzin-Guadalupe. Moving in, through, and outside of dominant ideologies regarding Guadalupe and bearing witness to her *historia* as deeply imbricated with the *historia* of Tonantzin, Latina and Latinx feminists carve and chisel a goddess from their own entrails. It is to these *nueva* mythologists (*cum*-practitioners of the methodology of the oppressed) that I turn in what remains of this chapter.

### 3. Heretical Decolonial Visions

In his essay “Epistemology, Ethics, and the Time/Space of Decolonization,” Nelson Maldonado-Torres reflects on the way in which decolonial and “post continental” philosophies “appear as *heresy* to both dominant secular and religious institutions.”<sup>415</sup> Building from the work of Sylvia Wynter, Maldonado-Torres notes in the essay that much of the decolonial thinking that happens within academia is not only highly interdisciplinary but it often takes place outside of the boundaries of traditional disciplines in fields like Ethnic Studies and Women’s, Gender, and Sexuality Studies (WGSS). Created as a response to demands “from below,” both Ethnic Studies and WGSS are themselves often viewed as sites of heretical discourse within the academy. As such,

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<sup>415</sup> Nelson Maldonado-Torres, “Epistemology, Ethics, and the Time/Space of Decolonization: Perspectives from the Caribbean and the Latina/o Americas,” in *Decolonizing Epistemologies: Latina/o Theology and Philosophy*, eds. Eduardo Mendieta and Ada María Isasi-Díaz (New York: Fordham University Press 2011), 200.

Maldonado-Torres argues that these fields are “part of a larger humanist revolution with decolonial intent that is particularly characterized by acts of invention and heresy.”<sup>416</sup> He contends that the goal of these acts of invention and heresy are two-fold. The first goal is to “subvert multiple structures and interlocked chains of oppression.”<sup>417</sup> The second goal involves generative aspects of the decolonial project which Maldonado-Torres defines as “new ways of thinking about our collective humanity and about projects that seek to affirm what is best in it.”<sup>418</sup> He explains, “ethnic studies and related fields are...spaces that foment the systematic exploration of decolonial spatial and temporal imaginaries, as well as philosophical anthropologies, art, ethics, epistemology, and politics that further the unfinished project of decolonization in the United States, the Caribbean, and elsewhere.”<sup>419</sup> These germinative goals are what Wynter has called acts of “revelatory heresy” that empower those who have been oppressed in colonial contexts.<sup>420</sup>

Appealing to this sense of heresy, in this section I take up the heretical decolonial visions of Chicana and Mexican feminist *nueva* mythologists. In particular, I focus on two heretical reclamations of Tonantzin-Guadalupe. First, I discuss Alma López’s *Our Lady* that is now recognized as an iconic piece of Chicana art. Next, I take up Pepe Romero’s semi-autobiographical play *Fancy Lupe* staged in Mexico City in 2017. The play not only offers a queer commentary on Tonantzin-Guadalupe but it also calls on audiences to reflect on and remember the vitriol and violence aimed at an 1981 production by gay play-write Oscar Liera due to Liera’s use of the figure of Tonantzin-Guadalupe. These *nueva* mythologists are practitioners of meta-ideologizing through the revelatory heresy named by Wynter and Maldonado-Torres that works towards “an overall

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<sup>416</sup> Maldonado-Torres, 201-202.

<sup>417</sup> Maldonado-Torres, 201-202.

<sup>418</sup> Maldonado-Torres, 201-202.

<sup>419</sup> Maldonado-Torres, 202.

<sup>420</sup> Sylvia Wynter, “The Ceremony Must be Found: After Humanism” *boundary 2*, no12/13 (Spring-Autumn 1984): 43-44.

rewriting of knowledge” that is the demand of epistemic decolonization.<sup>421</sup> Speaking back to the hegemonic powers of the colonial contract, the revelatory heresy of these *nueva* mythologists denounces the coloniality of knowledge and its corresponding aspects of the colonial contract *from within its very midst* even when doing so is dangerous and risky. Delving into these heretical decolonial visions, I argue, enables us to attend to the multiple worlds of sense opened through the sign of Tonantzin-Guadalupe, and her transformation through meta-ideologizing.

### 3.1. “Our Lady of Controversy”

Mexican-born Chicana artist Alma López gained notoriety for her now famous piece of artwork, *Our Lady* when the image was subjected to backlash from community activists and local officials of the Catholic Church. *Our Lady* is a digital collage piece that confronts the traditional image of Tonantzin-Guadalupe as a demure and modestly-dressed woman with a downcast gaze. López’s *Our Lady* assumes a defiant stance, hands on her hips with a defiant gaze that confronts her viewers. *Our Lady* ditches her traditional rebozo and is clad only in the famous flowers from Juan Diego’s *tilma*, held high by a bare-breasted and pierced angel with butterfly wings. According to López, the piece was inspired by Sandra Cisneros’s essay “Guadalupe the Sex Goddess” as well as the longstanding tradition of Chicana re-fashionings of *La Virgen*’s image. As López describes her own work,

When I see *Our Lady* as well as the works portraying La Virgen by many Chicana artists, I see an alternative voice expressing the multiplicities of our lived realities. I see myself living a tradition of Chicanas who, because of cultural and gender oppression, have asserted our voice. I see Chicanas creating a deep and meaningful connection to this revolutionary cultural female image. I see Chicanas who understand faith.<sup>422</sup>

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<sup>421</sup> Wynter, “The Ceremony Must be Found,” 43-44.

<sup>422</sup> Alma López, “The Artist of *Our Lady* (April 2, 2001)” in *Our Lady of Controversy: Alma López’s Irreverent Apparition*, eds. Alicia Gaspar de Alba and Alma López (Austin: University of Texas Press 2011), 14.



By refusing traditional scripts that reify the *virgen/puta* dichotomy, López's artistic projects seek to highlight the multiplicity of worlds and selves of Chicanas and Mexicanas. For these reasons, I want to connect López's creative resignification of the sign of Tonantzin-Guadalupe to the technology of meta-ideologizing theorized by Sandoval.



Figure 2: *Our Lady* digital print ©Alma Lopez 1999

*Our Lady*, along with pieces by several other Chicana artists, was showcased in a special exhibition titled *Cyber Arte: Tradition Meets Technology* at the Museum of International Folk Art (MOIFA) in Santa Fe, New Mexico in 2001. Seeking to highlight Chicana digital art, *Cyber Arte* was one of the first exhibitions in the U.S. to showcase digital art, let alone art by Chicanas. As curator of the exhibition Tey Marianna Nunn recalls, reviews by top publications in the art world “praised this exhibition for the cutting-edge show that it was meant to be—and that it was.”<sup>423</sup> However, three

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<sup>423</sup> Tey Marianna Nunn, “It’s Not about the Art in the Folk, It’s about the Folks in the Art: A Curator’s Tale,” in *Our Lady of Controversy: Alma López’s Irreverent Apparition*, eds. Alicia Gaspar de Alba and Alma López (Austin: University of Texas Press 2011), 19.

weeks after the opening day of the exhibition MOIFA's directors were visited by two Latino members of the Santa Fe community demanding that López's piece, which had been featured on the promotional materials for the exhibit, be removed immediately. This initial meeting would cascade into waves of sensationalized press coverage after a local paper, the *Albuquerque Journal*, ran a headline that read: "Skimpily Attired 'Our Lady' Protested: Critics Say Nudity, Virgin Do Not Mix."<sup>424</sup> As Nunn recounts, "From that point on, the image of López's *Our Lady* was splashed, in its entirety, all over the local television news and newspapers— above the fold, in color, and rarely with permission."<sup>425</sup> Following the media coverage, call for the removal of López's artwork grew. López described her reactions to the backlash in a letter that she delivered at a press conference,

For me, this experience at times has been confusing and upsetting, primarily because men like Mr. Villegas and Archbishop Sheehan self-righteously believe that they have the authority to dictate how a particular image should be interpreted. They believe they can tell me as well as other Chicanas how to think. I am a woman who has grown up with La Virgen. Who are these men to tell me what to think and how to relate to her?<sup>426</sup>

By refusing these attempts, López reveals the alibi that asserts the Catholic Church's doctrine as the only true and authentic meaning of Tonantzin-Guadalupe and in so doing reclaims her right to make her own meaning.

I want to contend that by explicitly reclaiming her own power to make meaning through Tonantzin-Guadalupe, López takes up the role of *nueva* mythologist and her artwork can be understood as a practice of meta-ideologizing. As Sandoval argues, meta-ideologizing is "the operation of appropriating dominant ideological forms and using them whole in order to transform them."<sup>427</sup> This resistant activity of resignification from *within* dominant ideological forms is precisely how I propose we understand López's *Our Lady*. Moving within and through the dominant forms of

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<sup>424</sup> Nunn, 20.

<sup>425</sup> Nunn, 21.

<sup>426</sup> López, "The Artist," 15.

<sup>427</sup> Sandoval, *Methodologies*, 82.

ideology, particularly regarding gender and sexuality, López refashions Tonantzin-Guadalupe into a *mujer* that reflects the multiplicity of the lived reality of Chicanas.

In her essay, “Art Comes for the Archbishop,” Luz Calvo further underscores the importance of a semiotic analysis for understanding the many levels of meaning through which López’s art, the backlash and controversy, and Tonantzin-Guadalupe herself travel in *Our Lady*. Calvo draws attention to the use of a rights-based discourse by both the museum directors and the artists to combat the protests. As those supporting López contended, displaying these images was an exercise of López’s first amendment right to freedom of speech under the U.S. constitution. But Calvo urges us to exercise caution about the valorization of rights-based discourses to protect creative projects by marginalized artists, particularly those who are racialized, gendered, and sexualized as inferior. As she argues, “rights-based arguments assume that we (artists and critics of color, queers, and other disenfranchised people) already have what we seek to defend, namely, equal footing with the imagined subject of Western liberal democracy.”<sup>428</sup> Thus, Calvo contends, López’s art “poses a critique and a challenge that is about more than free speech or even equal rights.”<sup>429</sup> Indeed, translating these insight into the critical lexicon of this dissertation, *Our Lady* facilitates a rupture of the rights discourse of the colonial contract through its act of revelatory heresy that calls into question the production of the “imagined subject of Western liberal democracy.”<sup>430</sup> This imagined subject, undoubtedly a *cis* heterosexual white man, is precisely whose rights are protected and ensured through the colonial contract. *Our Lady* subverts these hegemonic visions of the imagined subject of the social contract by figuring a queer and brown-skinned Chicana as a subject worthy of veneration. In this way, Lopez’s *Our Lady* is a faithful witness to those who have been and continue to be excluded under the colonial/social contract.

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<sup>428</sup> Calvo, “Art Comes for the Archbishop,” 98.

<sup>429</sup> Calvo, 98.

<sup>430</sup> Calvo, 98.

The controversy surrounding López's feminist and queer revisioning of Tonantzin-Guadalupe's image reveal not only the high stakes for Chicana cultural identity but how deeply nationalistic and heteropatriarchal logics are connected to the sign of Tonantzin-Guadalupe. Calvo contends the *Our Lady* exposes "Chicano/a libidinal investments" in *La Virgen of Guadalupe*. Explaining these libidinal investments in her own reading of *Our Lady*, Emma Pérez explains that, "the making of La Virgen de Guadalupe depended on the colonial moment in the Americas, a coloniality that perpetuates the Chicano nationalist desire for demure, passive brown women who emulate the nation's brown Virgin."<sup>431</sup> *Our Lady*, as an act of meta-ideologizing, works with and against the investments of this colonized libidinal economy by presenting a decidedly feminist and queer re-visioning of the *historia* of Tonantzin-Guadalupe. No longer demure with a down cast gaze, López's *Our Lady* defiantly confronts the viewer inviting them to consider her "as a real, living, loving, sexed, and desiring woman."<sup>432</sup> Indeed, these are precisely the elements of Tonantzin-Guadalupe that are relegated to the "dark side" of the coloniality of power, race, and gender. By challenging what Calvo calls the "imagined collective allegiance to a sexless brown mother," *Our Lady* confronts the ideology of the colonial contract that deploys Tonantzin-Guadalupe as an instrument of coloniality.

### 3.2. Fancy Lupe

Mexican artist, director, performer, and dramaturge Pepe Romero is a leading figure in the queer art, nightlife, and theater scene in Mexico City. Since 2014, Romero has created and directed more than 30 international performances including several large format plays like the semi-

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<sup>431</sup> Emma Pérez, "The Decolonial Virgin in a Colonial Site: It's Not about the Gender in My Nation, It's about the Nation in My Gender," in *Our Lady of Controversy: Alma López's Irreverent Apparition*, eds. Alicia Gaspar de Alba and Alma López (Austin: University of Texas Press 2011), 148.

<sup>432</sup> Pérez, 149-150.

autobiographical play *Fancy Lupe*. The play, staged in Mexico City in 2017 in theater venues and museums as well as queer clubs and music festivals, presents a queer political commentary on *Guadalupismo* as well as the far-right in Mexico.

The autobiographical aspects of the play are based on Romero's initiation and participation in the far-right Catholic political group *El Yunque*. The play also pays homage to the 1981 performance of Mexican playwright Oscar Liera's *Cúcara y Mácara*. *Cúcara y Mácara* takes place in the mythical country of Siquitibum (pronounced "chickety boom") and features a Guadalupe figure who has been recast as the Virgin of Siquitibum. In the middle of the opening night, the play was disrupted when protestors rushed the stage attacking and injuring the performers on stage. Despite the hospitalization of many of those injured, no arrests relating to the incident were made. As writer Caitlin Donohue explains in her interview with Romero, "Sparse evidence remains that the mainstream press reported on the incident—only actors' remembrances and a letter that Romero uncovered, written by the theater community to the government, expressing the members' dismay at the handling of the attack."<sup>433</sup> Informed by his own experiences with *El Yunque*, Romero believes that the attacks were likely coordinated by members of the group. Faithfully witnessing and remembering Liera's play, the world of *Fancy Lupe* also takes place within the fictional country of Siquitibum and revolves around the Virgin of Siquitibum.

*Fancy Lupe* memorializes Romero's own past as well as the repressed history of Mexico City's queer community. As Donohue describes Romero's Lupe, "She is representative of a world in which Mexico is free to love all of its sons and daughters regardless of body type, gender, sexual

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<sup>433</sup> Caitlin Donohue and Pepe Romero, "The Queer Virgin Versus El Yunque: Mexico City's *Fancy Lupe*," *Open Space*, May 23 2017. <https://openspace.sfmoma.org/2017/05/the-queer-virgin-versus-el-yunque-mexico-citys-fancy-lupe/>

proclivity.”<sup>434</sup> Reflecting on the inspirations that informed his creation of the Virgin of Siquitibum, Romero explains,

The character came directly from the Virgin de Guadalupe. She is the principal symbol of Catholicism in Mexico, the maximum mother, the grand señora of Mexico. From the great devotion that people had for this image, I created Fancy Lupe. She had to represent the mother of Mexico, but a more diverse Mexico, a Mexico where I felt included, because I didn’t feel included in a Mexico where the maximum mother didn’t accept her children. The Virgin that they believe in — I’m not there, I’m not her son. Obviously it came from my personal experience, of getting to know different bodies, people, ways of being, of regarding gender.<sup>435</sup>

Reclaiming Tonantzin-Guadalupe and transforming her into a more inclusive and loving mother, Romero’s resignification can be understood in the terms of meta-ideologizing. As noted in section 2.1, meta-ideologizing works within and through dominant and oppressive ideological forms to both ensure survival *and* to engender social justice. Romero’s reflections make clear that Fancy Lupe reclaims Tonantzin-Guadalupe from the “principle symbol of Catholicism in Mexico.”

Indeed, dominant forms of Catholic dogma continue to exclude queerness, non-heteronormative sexualities, and non-normative inhabitations of gender, rendering them abject and sinful. Utilizing the technologies of the oppressed described by Sandoval, I contend that Romero’s Fancy Lupe generates a semiotic rupture that reveals heterosexism and homophobia as artifacts of coloniality that do not necessarily inhere in the *historia* of Tonantzin-Guadalupe. In the words of Anzaldúa, we might say that Fancy Lupe is a Mother for *los atrevesados*. Anzaldúa explains that *los atrevesados* – “the squint-eyed, the perverse, the queer, the troublesome, the mongrel, the mulato, the half-breed, the half dead” – are “those who cross over, pass over, or go through the confines of ‘normal.’”<sup>436</sup> Fancy Lupe disrupts the repetition of the ideological exclusions of *los atrevesados* perpetrated under the name of Tonantzin-Guadalupe and in so doing holds open possibilities for making purposeful interventions into the social through what Sandoval has termed “democratics.”

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<sup>434</sup> Donohue and Romero.

<sup>435</sup> Donohue and Romero.

<sup>436</sup> Anzaldúa, *Borderlands/La Frontera*, 25.

According to Sandoval, democratics is “the purposive guiding strategy [of the methodology of the oppressed] that is interested in challenging the institutionalization of dominant ideology, and the forms of social and psychological inequity it naturalizes.”<sup>437</sup> Through his meta-ideological creation, *Fancy Lupe*, Romero engenders possibilities for a resignification and transformation of Tonantzin-Guadalupe that enact democratics and allow us to catch glimpses of decolonial worlds that might affirm, rather than exclude, *los atrevesados*.



Figure 3: Alan Balthazar as the title character of Pepe Romero's *Fancy Lupe*. Photo by Sergio Orospe; wardrobe by Sanchez Kane; styling by Nayeli De Alba; makeup by Adrián González. (2017)

Far from de-linking from the complexities of Lupe as “the principal symbol of Catholicism in Mexico” and the colonality of gender, Romero works in and through these dominant ideologies in order to create an altogether different Virgen, *Fancy Lupe*. Romero's resistant resignification is

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<sup>437</sup> Sandoval, *Methodologies*, 114.

especially evident in the costuming and design work that bring Fancy Lupe to life on stage. In a promotional image for the play, Romero's Fancy Lupe is brought to life by Alan Balthazar, "an impossibly beautiful Afro-Mexican photographer" who made his stage debut as the title character. In the image, Balthazar is bare chested and wears a formfitting, red leather mini skirt. Rather than Tonantzin-Guadalupe's traditional Marian blue rebozo, Romero's Fancy Lupe is enveloped in red and ruffled tulle that cascades down from a halo above her head and pools like a bridal veil around her feet. Fancy Lupe fixes our gaze refusing to bow her head and avert her eyes and, rather than holding her hands in prayer, she wears red patent leather gloves while holding a bouquet of white long-stemmed roses. Romero's fantastical and queer presentation of *Fancy Lupe*, like Lopez's *Our Mother*, confronts the libidinal investments that surround *La Virgen de Guadalupe* as "the grand señora of Mexico." Romero's *Fancy Lupe* provides a direct challenge to traditional understandings of who is holy and worthy of veneration, replacing the feminine, brown (but not too brown) mestiza body with a queer, Afro-Mexican body.

Further, by evoking the gender insubordination of drag, Fancy Lupe ruptures the strict dichotomous logics of the colonality of gender. Describing his own journey of being queer and departing from the extreme right-wing political group *El Yunque*, Romero reflects that for those like the members of *El Yunque* "being queer is something that isn't normal, that 'doesn't exist,' that is evil."<sup>438</sup> As he continues, "I was beginning to identify in that way and I didn't want to repress myself. It was always very binary, heteronormative—there's a man and a woman and nothing else exists. I began to question all that because I didn't see a space for myself."<sup>439</sup> In this way, writing and producing *Fancy Lupe* allowed a space for Romero to confront these traumas of the violence of the logics of *cis*-heteronormativity and the colonality of gender. As Romero explains, "It's a way of

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<sup>438</sup> Donohue and Romero, "The Queer Virgin"

<sup>439</sup> Donohue and Romero.



healing wounds. It helps me, to make my ideals clear. This all has to do with a certain kind of programming in my head, a relationship that caused me to be aligned with *El Yunque*, which at the end of the day is a physical structure, a mental structure, a political structure.”<sup>440</sup> These physical, mental, and political structures are undergirded, I want to suggest, by the logics of the coloniality of power and the coloniality of gender that are the central mechanisms of the colonial contract. As a *curanderx*, a healer, Romero’s Fancy Lupe holds open possibilities for tending to the festering cactus needle of coloniality that remains embedded in our collective flesh.

## Conclusion

The orienting *historia* of Tonantzin-Guadalupe has guided the insights of this chapter. Sustaining the contradictions imposed through the categorial logics of the colonial contract that work to erase and subsume subaltern and local knowledge, Tonantzin-Guadalupe signals possibilities for resistance through what Sandoval has called the methodology of the oppressed. Rather than echoing Mignolo’s and Quijano’s calls to de-link, in this chapter I have argued that through Tonantzin-Guadalupe we gain insights not only of the semiotic machinations of the colonial contract but also possibilities for epistemic disobedience, insubordination, and insurrection through decolonial feminist praxis that is informed by meta-ideologizing. The revelatory, heretical (re)visions of Latina and Latinx feminists, like those of López and Romero, enable the possibility for carving and chiseling resistant worlds of sense in that reflect the image of *los atrevesados*.

These questions of resistance by those who are marginalized and oppressed in colonial contexts is deeply intertwined with questions regarding the agency of the oppressed. Indeed, the agency of the oppressed is a central concern for decolonial feminism particularly when conditions of

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<sup>440</sup> Donohue and Romero.

extreme violence and oppression make it difficult to enact the forms of agency that have been constructed in terms of the logics of individualism which are pervasive in Western modernity. In order to better examine these questions, Chapter 4 takes up the orienting *historia* of Malintzin (popularly known as *La Malinche*). Widely regarded as the symbolic Mother of a race of mestizos who would go on to become the Mexican people, Malintzin's role as a translator and her sexual relations with Hernan Cortés has been both the source of the denigration of Malintzin as *La Chinagada* as well as the reclamation of *mestizaje* in the works of Latina and Latinx feminists, particularly Chicanas. Engaging in what Gayatri Chakravorty Spivak has termed a "deconstructive politics of reading," I argue in the next chapter that Malintzin's *historia* exposes the contradictions of the categorial logics of the colonial contract and in so doing discloses possibilities for decolonial agency.

## Chapter 4 – Malintzin’s Forked Tongue: Decolonial Agency & the Native Informant

And I myself have been maligned: a fitting  
irony. Malignd I, La Malinche,  
chief of traitors, chief of slaves.  
Betrayed I the father gods,  
the false serpent who claimed  
wings, who flew against  
the grandmother sun declaring  
prior right; who brought  
murder and destruction, gold and jade;  
who dreamed of war as tribute  
for his blood-drenched kings.  
And knowing this, still  
I prayed to the mother of us all,  
she of sun and star who gives  
both life and light,  
anguished did I pray to the serpent  
woman who lies coiled and still, waiting.

- Paula Gunn Allen, “Malinalli, La Malinche, to Cortés, Conquistador” (poem)

The colonial imaginary of the colonial/social contract of the West is beset with native informants. We can immediately call to mind several Indigenous women who have played this crucial role in the colonial encounter between “Old” and “New” worlds, particularly in the Americas: Mataoaka, Sacagawea, and Malintzin. As translators, diplomats, and purveyors of local knowledge these Indigenous women were crucial to the success of the conquest of the Americas. Paula Gunn Allen notes that there are extraordinary parallels between the lives of these three women: “Each was taken hostage by an enemy society; each enjoyed the attention of powerful European invaders; and each has become a major historical popular figure.”<sup>441</sup> Mataoaka, daughter of Chief Powhatan of the alliance of Algonquian speaking peoples in *tsenacommacah* (the tidewater region of present day Virginia), is better known in popular culture by her childhood nickname, Pocahontas. Her role as diplomat, spy, and medicine woman has been eclipsed, and her legacy is now thoroughly captured in the circuit of capital through its Disneyfication. Sacagawea, the Lemhi Shoshone woman who acted as translator and guide to Lewis and Clark, was integral to the

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<sup>441</sup> Paula Gunn Allen, *Pocahontas: Medicine Woman, Spy, Entrepreneur, Diplomat* (HarperOne, 2003), 97.

expedition that would later lead to westward expansion of the United States and who now graces the obverse of U.S. currency.<sup>442</sup> However, Malintzin, the Nahua woman known by many names but most recognizable as *La Malinche*, has occupied a more notorious and less lauded position for her role as translator to Hernán Cortés, the Spanish Conquistador.

It is this contested and fraught figure of Malintzin that I take up in this chapter. Like Anzaldúa's "Shadow-Beast" who rebels against authorities and threatens claims to sovereignty, Malintzin's history and legend evince key sites of contradiction of the colonial contract regarding the agency of those who find themselves on its shadowy underside.<sup>443</sup> The history and legend of Malintzin bears witness to the congealing of the hierarchical, dichotomous categorial logics of the colonial contract: e.g. Civilized/Savage, European/Native, Colonizer/Colonized, Man (as male)/Woman (as female).

Indeed, as Norma Alarcón claims, "Malintzin stands in the periphery of the new patriarchal order and its sociosymbolic contract."<sup>444</sup> Borrowing the term "sociosymbolic contract" from Julia Kristeva, Alarcón explains that in her own usage it is a kind of contract "within which the social life of women (and some men) is expected to conform or live up to a metaphysical (essential) configuration of who we ought to become in the socialization process."<sup>445</sup> Malintzin's alleged complicity with the conquest and subsequent imposition of what Alarcón refers to as the sociosymbolic contract – what I have been referring to in this dissertation as the colonality of power, race, and gender which form the basic structure of the colonial contract—raise a set of thorny questions that this chapter seeks to take up. In particular, this chapter asks: What surfaces from the shadowy underside when we approach the colonial contract through the perspective of

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<sup>442</sup> In particular, Sacagawea's image is located on the obverse of the "Sacagawea Dollar," a dollar coin that was first minted in the US in 2000 in accordance with the Native American \$1 Coin Act signed by president George W. Bush.

<sup>443</sup> Gloria Anzaldúa, *Borderlands/La Frontera: The New Mestiza* 4<sup>th</sup> ed. (San Francisco: Aunt Lute Books, 1987).

<sup>444</sup> Norma Alarcón, "Traddutora, Traditora: A Paradigmatic Figure of Chicana Feminism." *Cultural Critique* 13, no. 1 (1989): 59.

<sup>445</sup> Alarcón, 59.

native informants, like Malintzin, whose knowledge and acumen made European colonial projects in the Americas possible? Does complicating the narrative of Malintzin's complicity challenge the categorial logics of the colonial contract? How might the native informant, when read through the *historia* of Malintzin and from the perspective of decolonial feminism, instruct us in the articulation of decolonial forms of agency? My responses to these questions are situated in interstices between purity/impurity and the (im)possible perspective of the native informant in order to expose another key site of contradiction of the colonial contract: the aporia of subaltern agency.

In order to respond to these questions, this chapter is organized in three sections. The first section offers a re-telling of the orienting *historia* of Malintzin's life and legend. As a central figure of the Conquest, the historical narrative of Malintzin has taken on a symbolic and legendary status as the Mother of the race of *mestizos* that would go on to be called the Mexican people. Her legendary status took on different meanings throughout different periods of Mexico's history, as well as for Mexican-descended people like Chicanxs in the United States. Following Alarcón, I identify three major historical periods and their corresponding representations of Malintzin's *historia*. In section two, I take up Gayatri Chakravorty Spivak's deconstructive account of the figure of the native informant as developed in her germinative text, *A Critique of Postcolonial Reason* (CPR). The native informant, as that deconstructive kin to Spivak's figure of the Subaltern, reliably gives voice to local knowledges and imparts this knowledge to the colonizing other who, despite his position of power, is dependent on the vital knowledge she conveys. It is this deauthorization and dependency of the colonizer on the native informant, as the purveyor of knowledge that they would not otherwise have access to, which acts as the deconstructive lever to the "magisterial texts" of the West. Through her deconstructive reading, Spivak unveils the necessity of the native informant as the constitutive outside to these foundational concepts of the Western modernity—necessary to their articulation but excluded from their definition. Section three places the *historia* of Malintzin in conversation with

Spivak's account of the native informant in to explore the possibilities for locating agency in her *historia*. In particular, I engage the work of Chicana feminists who appropriate *Malintzin's* myth and legend. These readings transform Malintzin from the purely passive "read" position of the native informant into a reader's position, opening up new interpretive possibilities. Credited as Mother to a new *mestizo* people, Malintzin troubles logics of purity and as a result offers possibilities for engaging in new and resistant practices capable of dislodging the categorical logics of the colonial contract.

## 1. Malintzin as Orienting *Historia*

As I noted at the outset of this chapter, the colonial imaginary of the colonial/social contract is beset with native informants, some of whom we know by name. In particular, in the context of the colonization of the Americas, the role of native informant was often filled by Indigenous women. One of these notable women was Malintzin, the Nahua woman who served as translator and attendant to Cortés, a historical and embodied native informant who bore witness to the conquest of the Americas. Called by many names—Malinalli, Malintzin Tenepal, *La Malinche*, *doña Marina*, *La Chingada*, *La Lengua*—what we know about Malintzin is contained in the Spanish chronicles and Nahua codices documenting the Spanish conquest of the Americas.<sup>446</sup> We know from these scant records of her life that that her agency and choices were attenuated due to her own location between vectors of power — between her own people, the Mexica, and the Spanish. As such, she is a liminal figure that travels between historical epochs, cultures, and languages. As one of *Las Tres Madres*, I invoke her *historia* in this chapter in order to consider what she can teach us about decolonial forms

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<sup>446</sup> Of these names, I prefer Malintzin. This is in large part in keeping with the precedent set by two scholars I take to be some of the most faithful witnesses to Malintzin's life and subsequent legacy, Norma Alarcón and Camilla Townsend, but I also utilize this name to underscore her existence as a flesh-and-blood woman.

of agency and complicating the dichotomous, categorial logics of coloniality which underpin the colonial contract.

Before turning to these considerations more fully, in this section I briefly reconstruct some of the major vistas of her *historia* that are most relevant to the goals of this chapter. As a central figure of the Conquest, Malintzin's legendary status takes on different meanings throughout different periods of Mexico's history and the diaspora of peoples with Mexican ancestry, particularly Chicanxs. As a result, the narrative of her life is contested and often contradictory. Alarcón argues that we can identify three historical periods that each hold different readings of Malintzin's *historia* which are imbued with different meanings: (1) Malintzin in her own context who we know through the chronicles of those like Bernal Díaz del Castillo which lay the ground for the invention of her legendary status as *La Lengua*; (2) the shifting views of Malintzin during the period of Mexican independence which "corresponds to the development of the traitor myth and scapegoat mechanism"; and, (3) the contemporary figurations of Malintzin that oscillate between representations of Malintzin as *La Chingada*, the "fucked one," and *La Chingona*, the "agent, choice-maker, and producer of history."<sup>447</sup> In what follows, I focus on Malintzin's figuration in the chronicles of the conquest and contemporary figurations of her myth after the Mexican Revolution.

### 1.1. *La Lengua*: Malintzin of the Chronicles

Malintzin Tenepal's origins, natal name, and inner life remain largely unknown to us today. What knowledge we do have of her life comes to us from the Nahua and Spanish chroniclers of the events of the Spanish conquest of the Americas. In her own time, Malintzin was a liminal figure who traveled between many worlds: her own in Coatzacoalcos, the cosmopolitan Mayan trading port

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<sup>447</sup> Alarcón, "Traddutora, Traditora," 75.

Xicallanco, the high courts of the Mexica, the company of Spanish *conquistadors*, and the emerging new order of ‘New Spain.’ As Historian Camilla Townsend explains in her book-length retelling of both Nahuatl and Spanish accounts of the conquest *Malintzin’s Choices*, Malintzin’s own world in Coatzacoalcos “existed on the fringes of political influence exerted by the particular group of Nahuas known today as ‘Aztecs.’”<sup>448</sup> Due to her command of courtly Nahuatl, which Townsend notes has its own unique grammar, it is likely that Malintzin was raised in the household of a prominent and powerful family that would have been “inextricably involved in any political shifts” of the time. Townsend also notes that prior to being “given” to the Spaniards, the Mexica “would have loomed before Malintzin as something of a sinister specter, for in that era they were attempting to bring the lands close to the coast under their control, and Malintzin’s family would have felt the pressure.”<sup>449</sup>

In circumstances unknown to readers of the archive, sometime between the ages of eight and twelve Malintzin was sold to long-distance Mayan merchants and taken to the Mesoamerican port-city of Xicallanco.<sup>450</sup> In Xicallanco, Malintzin became fluent in two local dialects of the Mayan language, Chontal and Yucatecan.<sup>451</sup> According to del Castillo’s memoir, *The Conquest of New Spain*, Malintzin and nineteen other women were ‘gifted’ as tribute to the Spaniards by the Chontal of the Tabasco region in March 1519 along with various other animals, jewelry, figurines, and clothing.<sup>452</sup> Townsend explains that these twenty women “were not the daughters or sisters of the warriors” but rather were enslaved women who were given over to the Spaniards in order to provide “sexual

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<sup>448</sup> Camilla Townsend, *Malintzin’s Choices: An Indian Woman in the Conquest of Mexico* (Albuquerque: University of New Mexico Press, 2006), 14.

<sup>449</sup> Townsend, 14.

<sup>450</sup> Townsend, 22.

<sup>451</sup> Townsend, 26.

<sup>452</sup> Bernal Diaz del Castillo, *The Memoirs of the Conquistador Bernal Diaz del Castillo, vol 1*, trans. John Ingram Lockhart (The Project Gutenberg, 1568/2010), 81.



services.”<sup>453</sup> Less euphemistically, these captive women were subjected to rape and sexual violence as well as charged with the care of the Spaniards they were forced to serve. According to Townsend, the common practice among the conquistadors was to “have the women baptized before they initiated [sexual] relations with them.”<sup>454</sup> It is in this way that Malintzin acquired her Christianized name “Marina.”<sup>455</sup>

The Spaniards quickly became aware of Malintzin’s linguistic skills in an encounter with emissaries of the Mexica leader Moctezuma. Prior to acquiring Malintzin, the Spanish Franciscan friar Jerónimo de Aguilar served as Cortés’s principle translator. After a ship wreck near the Yucatan Peninsula, Aguilar lived as captive for eight years with the Maya and in that time learned the local Mayan dialect. However, the Mexica were a Nahuatl speaking people. After the battle with the Chontal in Tabasco, the Spaniards had an early encounter with messengers from Moctezuma. Aguilar’s unfamiliarity with Nahuatl meant that he was unable to speak with the emissaries despite Cortés’s demands that he do so. Del Castillo’s chronicle narrates the moment of “coming to understand Doña Marina” (as he referred to Malintzin) in this way:

She was conversant with the language of Guacasualco [Nahuatl], which is the Mexican, and with that of Tabasco [Mayan]. Aguilar, however, merely understood the latter, which is spoken throughout the whole of Yucatan. Doña Marina had, therefore, first to make herself understood to Aguilar, who then translated what she said into Spanish. This woman was a valuable instrument to us in the conquest of New Spain. It was, through her only, under the protection of the Almighty, that many things were accomplished by us: without her we never should have understood the Mexican language, and, upon the whole, have been unable to surmount many difficulties.<sup>456</sup>

This passage of del Castillo’s chronicles makes clear, in no uncertain terms, that Malintzin’s skill as a translator and intermediary was crucial to the Spanish conquest of the Americas and made her an indispensable asset. As Townsend interprets the events, “She did what almost anyone in her

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<sup>453</sup> Townsend, *Malintzin’s Choices*, 36.

<sup>454</sup> Townsend, 36.

<sup>455</sup> Townsend, 36.

<sup>456</sup> del Castillo, *The Memoirs of the Conquistador*, 85.

situation would have done. She worked with Jeronimo de Aguilar to translate conversations between Cortés and the emissaries of Moctezuma. Overnight, she was accorded a new level of respect; some of the men even began to refer to her as doña Marina, just as they referred to noblewomen from Spain.”<sup>457</sup>

Malintzin quickly (over the course of about five years) became fluent in Spanish, enabling Cortés to bypass Aguilar as a translator completely. As Townsend notes, Cortés’s preferred to work with Malintzin as primary translator because she “could do more than repeat what others said in a foreign vocabulary. As a liminal person, she could speak in different registers and thus make a necessary point more effectively.”<sup>458</sup> According to American historian William Brandon,

[T]hroughout the first march on Mexico, after they were joined by Malinalli, the Spanish were forced to fight in only one instance [during the infamous massacre at Cholula]...Otherwise, the road of their first penetration into the country—the perilous interval while they were still without important allies and could have been wiped out a dozen times over—was paved by a string of diplomatic victories as remarkable as so many straight passes at dice.”<sup>459</sup>

These diplomatic victories were due, in large part, to Malintzin’s savvy talents as a translator. As a liminal figure, Malintzin was attuned to the intricacies of many worlds of sense and the nuances of social interactions that the Spaniards would have been oblivious to. Indeed, local Indigenous leaders “could trust her comprehension of their own statements and understand her responses and admonishments clearly.”<sup>460</sup> Her central role in dealings with Indigenous leaders meant that “Malintzin was their initial reference point; others in her party took on meaning in relation to her.”<sup>461</sup> This included Cortés, who was often referred to by Indigenous peoples as “Malintze.”<sup>462</sup> Malintzin’s significance is also evidenced in the sixteenth-century Nahua codices. As Townsend explains, “In all

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<sup>457</sup> Townsend, 42.

<sup>458</sup> Townsend, 59.

<sup>459</sup> William Brandon as quoted in Allen, *Pocahontas*, 101.

<sup>460</sup> Townsend, 56.

<sup>461</sup> Townsend, 56.

<sup>462</sup> Townsend, 56.

the sixteenth-century codices where Malintzin appears...she emerges as a significant presence in the indigenous imagination...Her figure is as large or larger than that of Cortés; she commands speech glyphs and receives tribute, both crucial signifiers in the Nahua world.”<sup>463</sup>

However, Cortés rarely made mention of Malintzin in his writings to the Crown. In his letters to King Charles V, he “referred to Malintzin simply as *la lengua*—‘the tongue,’ ‘the translator.’”<sup>464</sup> Despite downplaying the role of translators in their communications with the Crown, the European colonizers were dependent on the vital knowledge and skills of local peoples. According to the chronicles of the conquest, it is clear that the Spanish would go to great lengths to obtain translators. Townsend notes that “Cortés had waited on the coast for many days to try to make contact with Jeronimo de Aguilar...and he responded with lightning speed when he saw Marina’s capabilities.”<sup>465</sup> This is because, as Townsend explains, the Spanish did not need translators simply to procure basic necessities like food and water:

They needed them for far more than this — for the conquest itself...if they wanted to extend Spain’s dominion—and Cortés explicitly did—then a translator had to be present to convey the meaning of the military victory, the new set of expectations, to those who had been conquered. These early translators had to be liminal people, figures who had lived in both arenas and understood something about both worlds, in order to be truly effective.<sup>466</sup>

It is precisely such a role that Malintzin filled, with great skill and cunning, during the Spanish conquest of the Americas.

In addition to her prowess as a translator and diplomat, another significant aspect of Malintzin’s *historia* is the fact that shortly after the fall of Tenochtitlan she bore Cortés’s son, Martín.

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<sup>463</sup> Townsend, 63. As Patrick T. Hajovsky explains, in Mexica codices, speech glyphs were used to register “an icon of authority rather than a record of what was said” as well as to “indicate a dialogic interaction (*tlahtoa*) between two or more people who face one another in profile” (Hajovsky, 63). That Malintzin commanded speech glyphs in Nahua codices, as did Moctezuma and other high-profile officials, indicates the significance of her role in the encounters between the Spanish and Mexica.

<sup>464</sup> Townsend, *Malintzin’s Choices*, 57.

<sup>465</sup> Townsend, 57.

<sup>466</sup> Townsend, 58.

Due to the untimely death of Cortés's first wife Catalina, Cortés had no heir at the time of Martín's birth.<sup>467</sup> According to Townsend, it is likely for this reason that Cortés was invested in Malintzin's child as evidenced in the fact that the baby was named after Cortés's father as well as the fact he successfully petitioned to have the child legitimized by the pope. Indeed, for a brief time Martín was the sole heir of Cortés and was treated as such in that he was sent to Spain to be educated and lived under the care of Queen Isabel as a page to her son Philip.<sup>468</sup> Martín remained Cortés's sole heir until his marriage to a Peninsular Spanish woman, doña Juana de Zúñiga, and the birth of their son, also named Martín.<sup>469</sup> As Townsend notes, "This son, born to a Spanish mother, was the one who would now inherit the *marquesado*. This was the one who, by virtue of his identical name, would almost erase the existence of his older brother...He became instead the shadowy Martín, displaced by the 'real' Martín—the heir and the new *marqués*."<sup>470</sup>

Malintzin herself was married to Juan Jaramillo, one of the captains in Cortés's original company, in 1524.<sup>471</sup> Townsend speculates that Malintzin likely negotiated for this marriage in return for accompanying Cortés on a treacherous journey to present day Honduras to quash an alleged rebellion. Further, Malintzin was also one of three indigenous people to have ruled over an *encomienda* – as a dowry she was given "unique rights to command labor from Olutla and Tetiquipaque, the place of her birth."<sup>472</sup> Though even less is known of Malintzin's life after the conquest, the archive shows that she and Jaramillo had a daughter together, doña Beatriz, and provides evidence that Malintzin remained a public figure in Mexico City until her death in 1529. According to Townsend, shortly after Martín's departure for Spain Malintzin "at last succumbed to

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<sup>467</sup> Many historians speculate that Cortés murdered Catalina shortly after her arrival in Mexico City. For a more detailed account, see Townsend, 136-138.

<sup>468</sup> Townsend, 195.

<sup>469</sup> Townsend, 152, 197.

<sup>470</sup> Townsend, 197.

<sup>471</sup> Townsend, 154.

<sup>472</sup> Townsend, 155-157.

one of the European diseases that had been accosting her for nearly a decade. Her strength gone, she relinquished a life that she had held to so tenaciously for almost thirty years.”<sup>473</sup>

## 1.2. *La Chingada or La Chingona?: Malintzin of the 19th and 20th century*

It is not until the 19<sup>th</sup> century that Malintzin acquired the reputation of being a traitor to her people. Scholars of her history and legend note that the anonymously authored novel *Xicotencatl*, published in 1826, popularized the representation of Malintzin as a traitor. According to Sandra Messinger Cypess,

The pattern of identifying a scapegoat to blame for the sociopolitical problems of the country is clearly manifest in *Xicotencatl*, along with the obvious republican ideology. Significantly, the scapegoat figure chosen to bear the burden of guilt is La Malinche, who in this cultural script functions as a synecdoche to symbolize the several reasons that could explain the defeat of the republican Amerindians.<sup>474</sup>

Indeed, it is the consolidation of *Mexicanidad*, Mexican identity, after the Mexican revolution that sets the stage for the symbolic and legendary status of Malintzin as an important emblem of Mexican national identity.

This popular understanding of Malintzin is especially evident in Mexican painter José Clemente Orozco’s iconic public fresco “Cortés and Malinche.” Painted by Orozco in 1924-6, the fresco figures Malintzin and Cortés naked and sitting next to one another in a way that is evocative of medieval and renaissance depictions of Adam and Eve. Cortés, painted with ivory, near-gray skin, is seated at Malintzin’s right and holds her hand with his right hand while his left is placed ambiguously across her body. Contrastingly, Malintzin is painted with luminous brown skin, bare breasts, and strong arms and thighs. She, too, holds Cortés’s hand while her left arm remains at her

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<sup>473</sup> Townsend, 171.

<sup>474</sup> Sandra Messinger Cypess, *La Malinche in Mexican Literature: From History to Myth* (Austin: University of Texas Press, 1991/2000), Kindle edition, location 912.

side. The other figure in the painting, the brown body lying prostrate at their feet, presumably a man, might be read as the conquered Indigenous peoples of the Americas. The scene thus envisions the founding couple at the birth of modern-day Mexico.

Another iconic depiction of Malintzin, which Alarcón credits as “the contemporary point of departure for current revisions of the legend and myth,” comes from Mexican writer Octavio Paz’s essay “The Sons of *La Malinche*” from his famous work *The Labyrinth of Solitude*.<sup>475</sup> In this seminal text on Mexican national identity, Paz sets out to articulate the identity of *El Mexicano* through cultural practices, texts, and histories that have been essential to the production of this subject. Writing in a way that recalls Edward Said’s *Orientalism*, Paz compares the “mystery” of *El Mexicano* to “Oriental” subjects. For both there is a mysteriousness and indecipherability in their very subjecthood that results from their “still-living” past. Paz further compares this enigmatic character of *El Mexicano* to the enigmatic figure *par excellence*, Woman. For Paz, “Woman is a living symbol of the strangeness of the universe and its radical heterogeneity.”<sup>476</sup>

It is not mere coincidence that Paz begins his essay “The Sons of *La Malinche*” with this reflection on the radical heterogeneity and alterity of Woman. In so describing Woman, Paz forecloses her from the definition of Man, necessary to the inscription of his name but forever his constitutive outside. *Malinche*, too, takes on this role but this time for *El Mexicano* himself. For Paz, *El Mexicano* is only himself in solitude and continually debases himself to the European and to Capital. This denigrated state of *El Mexicano* is, for Paz, the result of the colonial history from which he emerged. Indeed, he avers, “the character of the Mexican is a product of the social circumstances that prevail in our country, and the history of Mexico, which is the history of these circumstances, contains the answer to every question. The situation that prevailed during the colonial period would

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<sup>475</sup> Alarcón 1989, 64.

<sup>476</sup> Octavio Paz, “The Sons of *La Malinche*.” *The Labyrinth of Solitude* (NY, NY: Grove Press, 1961), 66.

thus be the source of our closed, unstable attitude.”<sup>477</sup> Thus, to make sense of the lasting legacy of the Conquest and ensuing colonial period, Paz claims *La Malinche* as a central figure to the formation of *lo mexicano*, of Mexican identity.

Beginning with an analysis of everyday speech, Paz reflects on what curse words can tell us about a culture’s sense of itself. As Paz asserts, the “bad words” are the “poetry within the reach of everyone.”<sup>478</sup> As such they lend us insight into the secrets of identity and being. Paz identifies the verb “*chingar*,” literally translating “to fuck,” as the quintessentially Mexican curse word. According to Paz, the verb form of *chingar* denotes action and power, but to be the one who receives this action is to be “passive, inert and open.”<sup>479</sup> As Paz writes, “The verb *chingar* signifies the triumph of the closed, the male, the powerful, over the open.”<sup>480</sup> Intimately connected to this verb is the phrase “*hijos de la chingada*,” literally translating “sons of the fucked one,” which Paz identifies as the source of a peculiar sense of solidarity and fraternity amongst *los mexicanos*. *La Chingada*, as the passive receiver of the penetrative action of “*chingar*,” is then conceptualized in terms of her pure passivity. Comparing the passivity of *Malinche* to the revered Mother, *La Virgen de Guadalupe*, Paz describes *La Malinche* in terms of abjection, writing:

The *Chingada* is even more passive [than La Virgen]. Her passivity is abject: she does not resist violence, but is an inert heap of bones, blood and dust. Her taint is constitutional and resides, as we said earlier, in her sex. This passivity, open to the outside world, causes her to lose her identity: she is the *Chingada*. She loses her name; she is no one; she disappears into nothingness; she *is* Nothingness.<sup>481</sup>

Transcending the historical confines of her embodied flesh-and-blood existence, on Paz’s account, Malintzin becomes immortalized as *La Chingada*, The Fucked One. Her motherhood is defined in

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<sup>477</sup> Paz, 71.

<sup>478</sup> Paz, 74.

<sup>479</sup> Paz, 77.

<sup>480</sup> Paz, 78.

<sup>481</sup> Paz, 85-86.

terms of her existence as the object and symbolic recipient of the rape and pillage perpetrated during the Conquest. Thus, to be *La Chingada* is to be the original *malinchista*, the traitor and betrayer.

Beginning with Paz, Alarcón's essay "Traddutora, Traditora: A Paradigmatic Figure of Chicana Feminism" offers what continues to be one of the most comprehensive accounts of prominent attempts by "twentieth-century women and men of letters" to "revise and vindicate Malintzin" from her maligned position in history.<sup>482</sup> Importantly, Alarcón points out the connection between Paz's *The Labyrinth of Solitude* and Alfonso Reyes's "call to explore and discover our [Chicanos/as and Mexicanos/as] links to the past as put forth in *Visión de Anáhuac* (1519)."<sup>483</sup> It is Reyes, Alarcón underscores, that first claimed Doña Marina (as he refers to Malintzin) as "the metaphor par excellence of Mexico, its conquest, oppression, and victimization."<sup>484</sup> Decentering Paz, Alarcón also emphasizes the importance of Carlos Fuentes's *Todos los gatos son pardos* for popularizing the desire "for vengeance against her people" that is often attributed to Malintzin as well as José Emilio Pacheco's poem "Traddutore, traditori" which suggests that the "treacherous acts" of translators involved in the conquest "are rooted in language as mediator, language as substitution."<sup>485</sup>

These four influential accounts of Malintzin form the background for the subsequent Chicana feminist re-visions of the myth of Malintzin.<sup>486</sup> Alarcón contends that in order to break with this tradition, "Chicanas, as writers and political activists, simultaneously legitimate their discourse by grounding it in the Mexican/Chicano community and by creating a 'speaking subject' in their reappropriation of Malintzin from Mexican writers and the Chicano oral tradition."<sup>487</sup> To borrow a

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<sup>482</sup> Alarcón, "Traddutora, Traditora," 64.

<sup>483</sup> Alarcón, 64.

<sup>484</sup> Alarcón, 64.

<sup>485</sup> Alarcón, 66, 68.

<sup>486</sup> Alarcón explains that while she is dealing primarily with the efforts of Chicanas, "some Mexican women writers such as Juana Alegria and Rosario Castellanos have also worked with this figure and have contested male representations" (Alarcón, 72).

<sup>487</sup> Alarcón, 71.



term from Sandra Cisneros, we might say that these feminist recuperations of Malintzin's *historia* seek to transform her role as *La Chingagda*, the fucked one, to *La Chingona*, the fucker. Rather than the dominant actor in heterosexist penetrative sex, Cisneros appropriates the term *chingona* and imbues it with resistant meaning. As Cisneros explains in a recent interview, "I wanted to find a positive way to say a woman who is on her own path and who is powerful and is not being defined by a man but is being defined as a woman on her own path, on her own direction, on her own intuitive powers...I was trying to find a way to place a woman in her place of power when she's following her *camino*."<sup>488</sup>

Alarcón's essay devotes a substantial amount of time to tracing myriad feminist attempts to recuperate and revise Malintzin's *historia*. She weaves together Chicana uptakes of Malintzin ranging from Adelaida R. del Castillo's early figuration of Malintzin as a "choice-maker" to Carmen Tafolla's insistence on Malintzin's intentionality to Adaljiza Sosa Riddel's account of double victimization to Cordelia Candelaria's defiant portrayal of Malintzin as a feminist prototype to Sylvia González's figuration of Malintzin as redemptive mother to Alma Villanueva's Malintzin who seethes with feminist rage to Lucha Corpi's appropriation of biblical discourse used to describe Malintzin as an "Eve" figure to the irreverent Malintzin of Cherrie Moraga and Gloria Anzaldúa who serves as a guide for self-identity and sexual empowerment.<sup>489</sup> Indeed, as Alarcón explains, it is not just Malintzin's own maligned reputation that is at stake in these reclamations but "Chicanas' own

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<sup>488</sup> Sandra Cisneros, "Sandra Cisneros Defines What It Means To Be A *Chingona*," interview by Carolina Moreno, *Latino Voices*, Huffington Post, September 6, 2017. [https://www.huffpost.com/entry/sandra-cisneros-chingona-definition\\_n\\_59ae10ade4b0dfaafcf2030b?ncid=engmodushpimg00000004](https://www.huffpost.com/entry/sandra-cisneros-chingona-definition_n_59ae10ade4b0dfaafcf2030b?ncid=engmodushpimg00000004)

<sup>489</sup> Here, I am writing in a style that riffs off of Kristie Dotson's impressive list of the multiple ways that Black feminists have attempted to think through the nature of multiple oppressions in "Making Sense: The Multistability of Oppression and the Importance of Intersectionality." By listing the Chicana feminist revisions of Malintzin that Alarcon expertly weaves together in this way, I hope to make clear how rich and wide-ranging the work of Chicana's truly is.

cultural self-exploration, self-definition, and self-invention through and beyond the community's sociosymbolic system and contract."<sup>490</sup>

Alarcón's careful weaving demonstrates that each of these writers "privileges a different aspect of Malintzin's 'lives'—that is, the alleged historical experience and/or the inherited imaginary or ideological one."<sup>491</sup> In her reflections at the end of the essay, Alarcón describes these different aspects as a "double etymology." She writes, "Through revisions...contemporary Chicana writers have helped to lay bare Malintzin's double etymology which until recently appeared illusory and hallucinative: one privileges the sociosymbolic possibilities for signification; the second, the existential and historical implications."<sup>492</sup> Alarcón remains wary of the limitations of the second recuperative mode that seeks to engage Malintzin's historical and existential dimensions, a concern I will return to in section 3. However, she notes that through their appropriations Chicanas have facilitated a shift toward a "radical though fragile change in consciousness."<sup>493</sup> This resistantly claimed consciousness and subjectivity enables deeper insights on "Chicanas' present historical situation" by "catching stunning insights into our complex culture by taking hold of the variegated and historical discourses that have informed the constructions of race, gender, and ethnicities in the last five hundred years and that still vibrate in our time."<sup>494</sup>

Stretching Alarcón's analysis of Malintzin as a paradigmatic figure of Chicana feminism, I want to suggest that it is in the tense negotiation between sociosymbolic possibilities for (re)signification and the historical/existential where we can locate possibilities for reading Malintzin's agency as well as lessons for the articulation of decolonial forms of agency. However, thinking these possibilities requires contending with her fraught role as a native informant. Through her complicity with the

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<sup>490</sup> Alarcón, "Traddutora, Traditora," 72.

<sup>491</sup> Alarcón, 73.

<sup>492</sup> Alarcón, 83.

<sup>493</sup> Alarcón, 83.

<sup>494</sup> Alarcón, 84.

conquest as native informant, Malintzin is woven into the folds of the colonial contract but due to her positionality as a Native woman she “crosses over to a site where there is no ‘legitimated’ place for her in the conqueror’s new order.”<sup>495</sup> It is precisely this tension – necessary to, but foreclosed from, the “New World Order”—that Spivak traces in her own considerations of the role of the native informant in Western modernity.

## 2. The Native Informant

In order to more deeply consider and complicate Malintzin’s role in the conquest of the Americas, in this section I turn to Spivak’s efforts to bring the “(im)possible perspective of the native informant” into focus. Spivak’s interdisciplinary work has been central to academic articulations of postcolonial studies, and more specifically, postcolonial feminisms. As Kiran Asher and Priti Ramamurthy have recently argued, “despite their differences” the scholarship and activism of decolonial feminists and postcolonial feminists “have much to offer and learn from [each] other.”<sup>496</sup> Indeed, the authors remind us that postcolonial and decolonial feminisms “are marked by diverse genealogies and histories and emerge from multiple locations.”<sup>497</sup> Rather than re-entrench binary divisions, which are themselves colonial constructs, Asher and Ramamurthy issue a coalitional challenge to anticolonial feminists to learn from one another at the colonial difference. Indeed, they argue that fostering transnational solidarity among anticolonial feminists deepens and historicizes our analyses of race, gender, and indigeneity; enables us to “continue to grapple with knotty questions of representation;” reasserts the imperative to “develop a conceptual vocabulary for the

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<sup>495</sup> Alarcón, 86.

<sup>496</sup> Kiran Asher and Priti Ramamurthy, “Rethinking Decolonial and Postcolonial Knowledges beyond Regions to Imagine Transnational Solidarity” *Hypatia: A Journal of Feminist Philosophy*, special issue 35, no. 3 (2020, forthcoming). Some of these differences between postcolonial and decolonial theory, and postcolonial and decolonial feminisms, are discussed in the introduction to this dissertation.

<sup>497</sup> Asher and Ramamurthy, “Rethinking Decolonial and Postcolonial Knowledges.”

contradictory relationship of subalterns to the state;” and foregrounds the need “to develop ethical practices as scholars ‘learning to think from below.’”<sup>498</sup>

It is in this spirit that I engage Spivak’s germinative interdisciplinary text, *A Critique of Postcolonial Reason* (CPR). The goal of the text, Spivak writes in the preface, is to “track the figure of the Native Informant through various practices: philosophy, literature, history, and culture” in order to develop a critique of what she terms “postcolonial reason.”<sup>499</sup> In keeping with the overarching aims of this chapter, i.e. locating possibilities for articulating decolonial forms of agency that challenge the categorial logics of the colonial contract, and as a reading strategy for navigating Spivak’s dense and ambitious text, this section: (1) offers a reconstruction of Spivak’s deconstructive methodology; (2) sketches the contours of the deconstructive figure of the native informant as it functions in Spivak’s text; and (3) explores places where Spivak indicates the possibility of “a new politics of reading” that invokes (ex)orbitant interpretative possibilities.<sup>500</sup>

## 2.1. Spivak’s Deconstructive Politics of Reading

CPR undertakes a critical examination of the structures and production of what Spivak terms “postcolonial reason.”<sup>501</sup> As she explains in the opening chapter on philosophy, as postcolonial studies and colonial discourse studies have become institutionalized in universities of the Global North, they “unwittingly commemor[ate] a lost object.”<sup>502</sup> By commemorating a lost object, postcolonial studies and colonial discourse studies “can become an alibi” that serves “the production

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<sup>498</sup> Asher and Ramamurthy. The authors quote Spivak, “Introduction,” in *An aesthetic education in the era of globalization* (Cambridge, Mass.: Harvard University Press, 2012).

<sup>499</sup> Gayatri Chakravorty Spivak, *A Critique of Postcolonial Reason: Toward a History of the Vanishing Present* (CPR), (Cambridge, Mass.: Harvard Press, 1999), ix.

<sup>500</sup> The Latin roots might be helpful to note here: “ex-” meaning ‘out, from’ and “orbita” meaning ‘course/track.’

<sup>501</sup> Spivak, CPR, Xiii.

<sup>502</sup> Spivak, 1.

of current neocolonial knowledge by placing colonialism/imperialism securely in the past, and/or by suggesting a continuous line from the past to our present.”<sup>503</sup> In spite of the danger of co-optation, Spivak insists that these studies enact an important and “persistent dredging operation” of the “crystalline disciplinary mainstream.”<sup>504</sup> However, she cautions, “this dredging is counterproductive when it becomes a constant and self-righteous shaming of fully intending subjects.”<sup>505</sup> By this, Spivak means the tendency to reject the “great texts” of the West in ways that deny their deep influences— even for radical thinkers at the margins. As she explains, “I keep hoping that some readers may then discover a constructive rather than disabling complicity between our positions and theirs, for there often seems no choice between excuses and accusations, the muddy stream and mudslinging.”<sup>506</sup> Wading into the muddy waters, Spivak offers a deconstructive method for unlearning the “sanctioned ignorance” of mainstream education by deauthorizing the “magisterial texts” of Western philosophy, literature, history, and culture.

Spivak’s deconstructive reading strategy for deauthorizing the ‘magisterial texts’ is deeply informed by her long-term engagement with Derrida.<sup>507</sup> Deconstruction, for Spivak, involves an approach to reading that is “unaccusing, unexcusing, attentive, [and] situationally productive through dismantling.”<sup>508</sup> Spivak’s citation of the following passage from Derrida’s *Of Grammatology* further elucidates the deconstructive approach she undertakes in CPR, “The movements of deconstruction do not destroy structures from the outside. They are not possible and effective...except by inhabiting those structures.”<sup>509</sup> Working from the inside, the movements of a deconstructive reading

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<sup>503</sup> Spivak, 1.

<sup>504</sup> Spivak, 1.

<sup>505</sup> Spivak, 1.

<sup>506</sup> Spivak, 4.

<sup>507</sup> This engagement began with Spivak’s translation *Of Grammatology* – the first English translation of this major work by Derrida.

<sup>508</sup> Spivak, 81.

<sup>509</sup> Derrida, Jacques. *Of Grammatology*, trans. Gayatri Chakravorty Spivak (MD: The Johns Hopkins University Press, 1976), 24.

demand the proximity of inhabitation, of engaging a text closely, on its own terms. That is to say a deconstructive reading is more than just a form of negation, it is also “critical intimacy.”<sup>510</sup> Through this undertaking, for both Spivak and Derrida, it is possible for the careful and critical reader to locate the lever or moment that demonstrates contradictions immanent in a text’s own logics and definitions.

The critical intimacy of Spivak’s own deconstructive method requires acknowledging one’s own positionality and complicity with the muddy mainstream of hegemonic power. Spivak explains,

A careful deconstructive method, displacing rather than only reversing oppositions (such as between colonizer and colonized) by taking the investigator’s own complicity into account...does not wish to officiate at the grounding of societies, but rather to be the gadfly who alone may hope to take the distance accorded to a ‘critical’ ‘thought,’ as she marks the distance between the ‘writing’ and writing of history.<sup>511</sup>

Taking stock of own’s own proximity to power through the careful deconstructive method Spivak advocates also entails displacing dichotomous, binary logics. The example she gives here is the oppositional dichotomy between “colonizer” and “colonized.” Indeed, the tension between this oppositional pair is at the heart of Spivak’s critique of postcolonial reason and the postcolonial subject who “masquerades as and overwrites the foreclosed position” of the native informant; “the multiculturalist masquerade of the privileged as the disenfranchised.”<sup>512</sup> “One task of deconstruction,” Spivak writes, “might be a persistent attempt to displace the reversal, to show the complicity between native hegemony and the axiomatics of imperialism.”<sup>513</sup>

In this way, the deconstructive approach Spivak advocates constitutes a “politics of reading.” Spivak contends, “A deconstructive politics of reading would acknowledge the determination as well as the imperialism and see if the magisterial texts can now be our servants, as the new magisterium

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<sup>510</sup> Spivak, CPR, 425.

<sup>511</sup> Spivak, 244.

<sup>512</sup> Spivak, 33, 176.

<sup>513</sup> Spivak, 37.

constructs itself in the name of the Other.”<sup>514</sup> Rather than destroy and dismantle the “magisterial texts,” Spivak advocates that we dispossess and master them anew in the name of what they have effaced: the Other. Spivak’s deconstructive politics of reading engenders an ethical and resistant possibility that she terms “the setting to work of deconstruction.” Reading this setting to work in Derrida’s formulation of deconstruction and comparing it to Heidegger’s “Origin of the Work of Art,” Spivak explains,

[I]f responsible action is fully formulated or justified within the system of the calculus, it cannot retain its accountability to the trace of the other. It must open itself to being judged by a setting to work that cannot be defined from within the system... suffice it to say that whereas in Heidegger every conflict of worlding upon resistant ground is posited *in* the lineaments of the work of art as work, for Derrida what the word ‘work’ marks is outside and discontinuous with the formulations of philosophy as an end in itself, with a logical systematicity that is mere calculus... At the origin now is the necessary experience of the impossible, which is lived as a calculus without guarantee.<sup>515</sup>

It is in this sense that Spivak argues that the setting to work of deconstruction, as a resistant modality of reading, does not occur “*in* the lineaments of the work of art as work” but rather in the liminal space that connects the inside to the outside. And, it is in “the necessary experience of the impossible” that Spivak locates both ethics and justice.

## **2.2. The (Im)possible Perspective of the Native Informant**

As I noted at the beginning of this section, the aim of Spivak’s CPR is to “track the figure of the Native Informant through various practices: philosophy, history, culture.”<sup>516</sup> CPR unfolds in chapters that treat each of these key sites of epistemic production in the West, weaving together considerations of “the philosophical presuppositions, historical excavations, and literary representations” of the dominant order with the “subliminal and discontinuous emergence of the

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<sup>514</sup> Spivak, 7.

<sup>515</sup> Spivak, 428.

<sup>516</sup> Spivak, ix.

‘native informant.’”<sup>517</sup> Indeed, the figure of the native informant is the thread that runs through and connects Spivak’s deconstructive readings of these magisterial texts of Western modernity.

Spivak borrows the term “native informant” from ethnography and anthropology where it is used to describe indigenous people who convey local knowledges to outsiders. Within these disciplinary realms, the native informant serves as a guide and translator and as such is crucial to the production of knowledge (by Western social scientists) of the local region. Despite their importance in this epistemic endeavor, the native informant is denied the privilege and power of interpretation as well as the ability to craft and convey their own narrative account. She explains,

In that discipline [ethnography], the native informant, although denied autobiography as it is understood in the Northwestern European tradition (codename ‘West’), is taken with utmost seriousness. He (and occasionally she) *is* a blank, though generative of a text of cultural identity that only the West (or a Western-model discipline) could inscribe.<sup>518</sup>

Though the ethnographic native informant is that very location from which a cultural identity might issue forth, the inscription of such an identity for herself is beyond her grasp. In this way, the ethnographic native informant is akin to Derrida’s conception of spacing (*espacement*) for they are that which provides the very possibility for the inscription of the logics of inside/outside.<sup>519</sup> That is to say, the native informant generates the very differences through which the philosophies that are the focus of Spivak’s attention, namely those of Kant, Hegel, and Marx, can be articulated.

Unlike ethnography and anthropology, the “magisterial texts” that Spivak takes up “do not celebrate this figure.”<sup>520</sup> Rather, “They take for granted that the ‘European’ is the human norm and

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<sup>517</sup> Spivak, xi.

<sup>518</sup> Spivak, 6.

<sup>519</sup> For selected texts on Derrida’s concept of *espacement* see, Jacques Derrida, *On the Name*, Ed. Thomas Dutoit. Trans. David Wood, John P. Leavey, and Ian Mcleod. (Stanford, CA: Stanford UP, 1995); Derrida, Jacques. *Of Grammatology*, trans. Gayatri Chakravorty Spivak 40<sup>th</sup> Anniversary ed. (Baltimore: Johns Hopkins University Press, 1976, 2016); Derrida, “Différance.” *Margins of Philosophy*, trans. Alan Bass (Chicago & London: Chicago University Press, 1982); Derrida, *Rogues: Two Essays on Reason*, trans. Pascale-Anne Brault and Michael Naas, (Stanford, CA: Stanford UP, 2005).

<sup>520</sup> Spivak, CPR, 6.



offer us descriptions and/or prescriptions.”<sup>521</sup> The deconstructive figure of the native informant tracked by Spivak is “a site of unlisted traces” in the “magisterial texts”; an “unacknowledgeable moment...crucially needed by the great texts; and it is foreclosed.”<sup>522</sup> In Lacanian parlance, foreclosure (*forclusion*) is a translation of the Freudian concept of *Verwerfung* as developed in the Wolf-Man analysis.<sup>523</sup> *Verwerfung*, on Lacan’s account, is a key mechanism of psychosis that describes an object that has been rejected from the symbolic order in a way that denies the object as ever having existed. That is to say, the foreclosed object is not repressed in the unconscious, it is expelled from it. Spivak’s use of the concept of foreclosure also evokes Nicolas Abraham and Maria Torok’s concept of cryptonymy, developed in *The Wolf Man’s Magic Word: A Cryptonymy*. According to Abraham and Torok, the crypt “works in the heart of the Ego as a special kind of Unconscious: each fragment is conscious of itself and unconscious of the realm ‘outside the crypt.’”<sup>524</sup> The cryptonymy then “signals the existence of a crypt, a split in the Ego.”<sup>525</sup> As Spivak explains in “*Glas-piece; A Compte-rendu*,” the cryptonymy is a “gesture of mourning.”<sup>526</sup> The fiction of the cryptonym harbors what has been lost, “the always already assumed ground of the self that can never yet be grasped”; the lost object cannot be admitted so cannot be grieved.<sup>527</sup>

It is these senses of foreclosure and cryptonymy that Spivak evokes when she writes, “I shall docket the encrypting of the name of the ‘native informant’ as the name of Man— a name that carries the inaugurating effect of being human.”<sup>528</sup> The native informant, as foreclosed and securing

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<sup>521</sup> Spivak, 6.

<sup>522</sup> Spivak, 6, 4.

<sup>523</sup> Freud, Sigmund. 1917. *The Standard Edition of the Complete Psychological Works of Sigmund Freud, Volume XVII (1917-1919): An Infantile Neurosis and Other Works*. The Hogarth Press and the Institute of Psychoanalysis.

<sup>524</sup> Abraham, Nicholas and Maria Torok. 1987. *The Wolf Man’s Magic Word: A Cryptonymy*. University of Minnesota Press, 80.

<sup>525</sup> Abraham and Torok, 81.

<sup>526</sup> Spivak, Gayatri Chakravorty. “*Glas-piece: A Compte Rendu*.” *Diacritics* 7, no. 1 (1977): 23.

<sup>527</sup> Spivak, “*Glas-piece*,” 24.

<sup>528</sup> Spivak, CPR, 5.

the encryption of the “name of Man,” thus “slips out of the énoncé/Satz/statement of being human.”<sup>529</sup> As she explains, “I think of the ‘native informant’ as a name for that mark of expulsion from the name of Man.”<sup>530</sup> Read in a Lacanian way, it is tempting then, to say that the foreclosure of the native informant is a sign of the psychosis of the West brought on through colonialism and the imposition of the categorial and dichotomous distinction between Human (as Man)/Non-human. However, Spivak states that: “*We* cannot diagnose a psychosis here,” but rather supplement it with the reflection that the rejection of the native informant “served and serves as the energetic and successful defense of the civilizing mission.”<sup>531</sup>

For Spivak, the native informant is intrinsically tied up to the question of the Human as well as the constitution of the colonial and postcolonial Subject. The Human and the Subject are historically fraught categories, marked by exclusions that have had disastrous consequences for the material lives of those who have been barred from these categories. We need only call to mind the violence and genocide of colonization and slavery that have resulted from such exclusions to motivate Spivak’s attempt to deconstruct these categories according to their own logics through the figure of the native informant. The contradictory and aporetic result of this foreclosure is that the Western subject (Man) is at once constituted by and through this “primary process” while, simultaneously, this very constituting process is itself expelled from the definition and Name of the Subject.

It is this foreclosure that renders the perspective of the native informant (im)possible. By placing the (im) in parentheses, Spivak signals what she has called a “double bind” wherein the impossibility of the perspective of the native informant is also the condition of its possibility. As Spivak explains in *In Other Worlds*, “Every production of experience, thought, knowledge, all

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<sup>529</sup> Spivak, 5n10.

<sup>530</sup> Spivak, 6.

<sup>531</sup> Spivak, 5.

humanistic disciplinary production, perhaps especially the representation of the subaltern in history or literature, has this double bind at its origin.”<sup>532</sup> As a subaltern figure, which for Spivak signals the irreducible alterity and opacity of *différance*, the native informant is an elusive figure. To seek a transparent representation or to bestow mutual recognition to this subject commits a violent erasure, further relegating the native informant to the crypt of Western modernity. The challenge, then, is to work to hold space for this irreducible difference and affirm it without committing an act of “masquerade.”

As “cryptonym,” the native informant is the code that encrypts and secures, as one would secure digital data, the name of Man and the ontological conditions of the Human. Through her deconstructive reading, Spivak locates the ciphers that render these encrypted codes of Man and human legible and in so doing provides us with the opportunity to engage in the subversive activity of taking over the “magisterial texts.” However, it is important to note that the native informant is not herself—as aboriginal, migrant, the poorest woman of the global South—the cipher. She is the *means* by which the security of the concepts of Man/Subject and Human are granted and confirmed in the “magisterial texts.” It is for this reason that Spivak seeks out deconstructive levers that reveal the necessity of the native informant as the constitutive outside to these foundational concepts of Western modernity. As she contends, “A deconstructive politics of reading would acknowledge the determination as well as the imperialism and see if the magisterial texts can now be our servants, as the new magisterium constructs itself in the name of the Other.”<sup>533</sup>

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<sup>532</sup> Spivak, Gayatri Chakravorty. *In Other Worlds: Essays in Cultural Politics* (Routledge Classics, 1987/2012), 362.

<sup>533</sup> Spivak, CPR, 7.

### 2.3. Invoking the (Ex)orbitant: Toward New Interpretative Possibilities

The deconstructive politics of reading that Spivak deploys in CPR is put to work through the (im)possible perspective of the native informant. In this way, the native informant can be understood as a deconstructive lever. “Such a lever,” Spivak writes, “can be perceived as a moment of transgression in the text—or a moment of bafflement that discloses not only limits but also possibilities to a new politics of reading.”<sup>534</sup> As deconstructive lever, the figure of the native informant demonstrates the immanent contradictions of the “magisterial texts”: “how Kant foreclosed the Aboriginal; how Hegel put the other of Europe in a pattern of normative deviations and how the colonial subject sanitized Hegel; how Marx negotiated difference”; how colonialism and postcoloniality are figured in the great literary texts of Brontë, Shelley, Baudelaire, Kipling, Rhys, Mahasweta, Coetzee; and the impossibility of the archive for excavating the perspective of the “historian’s informant”; and the aporia of attempting to critique the “history of the vanishing present” while embedded within it.<sup>535</sup>

The new politics of reading that Spivak deploys can, by the “ideologues of imperialism,” be dismissed as “mistaken.”<sup>536</sup> Indeed, Spivak notes that these ideologues (past and present) would object to her “mistaken” insistence on “time-bound details” in her deconstructive reading of Hegel’s remarks on the *Srimadbhagavadgītā*. Spivak explains,

Such a reading is of course also ‘mistaken’ because it attempts to engage the (im)possible perspective of the ‘native informant,’ a figure who, in ethnography, can only provide data, to be interpreted by the knowing subject for reading. Indeed, there can be no correct scholarly model for this type of reading. It is, strictly speaking, ‘mistaken,’ for it attempts to transform into reading-position the site of the ‘native informant’ in anthropology, a site that can only be read, by definition, for the production of definitive descriptions. It is an (im)possible perspective.<sup>537</sup>

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<sup>534</sup> Spivak, 98.

<sup>535</sup> Spivak, x.

<sup>536</sup> Spivak, 49.

<sup>537</sup> Spivak, 49.

Spivak's use of "mistaken" appeals both to the sense of an inaccuracy as well as a "scrupulous travesty."<sup>538</sup> Indeed, as she remarks regarding her self-proclaimed "mistaken" reading of Kant, "My exercise may be called a scrupulous travesty in the interest of producing a counternarrative that will make visible the foreclosure of the subject whose lack of access to the position of narrator is the condition of the possibility of Kant's position."<sup>539</sup> Sending the point home in a wry and ironic citation of Kant's *Foundations of the Metaphysics of Morals*, Spivak writes, "If 'the combination of these talents [among them 'mixing up the empirical with the rational'] in one person produces only bunglers,' let us remember that 'bungling' may be synonym for intervention."<sup>540</sup> It is in this sense that Spivak's 'mistaken' and 'bungled' new politics of reading opens up interpretative possibilities for setting-to-work the deconstructive lever of the native informant's (im)possible perspective.

Though she describes the perspective of the native informant as (im)possible, for their possibility is given only through the epistemic production of colonial-imperial powers, Spivak tasks her readers with the responsibility of making use of this perspective. As she writes,

The possibility of the native informant is, as I have already indicated, inscribed as evidence in the production of the scientific or disciplinary European knowledge of the culture of others: from fieldwork through ethnography into anthropology... But the resistant reader and teacher can at least (and persistently) attempt to undo that continuing subordination by the figuration of the name—"the native informant"—into a reader's perspective.<sup>541</sup>

Resistantly and persistently engaging the master discourse through the (im)possible perspective of the native informant "makes appear a shadowy counter scene."<sup>542</sup> This shadowy counter scene, I want to suggest, is deeply connected to the account of the colonial/social contract that I have been tracing in this dissertation. Like the magisterial works of Kant, Hegel, and Marx, the social contract serves as an alibi for the narrative self-representation of the West as the champion of democracy,

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<sup>538</sup> Spivak, 10.

<sup>539</sup> Spivak, 9.

<sup>540</sup> Spivak, 9-10.

<sup>541</sup> Spivak, 66-67.

<sup>542</sup> Spivak, 37.

rationality, and enlightenment. As the shadowy counter scene of the social contract, the colonial contract is effaced by this self-representation. Far from a community of rational and free equals, coloniality/modernity introduces and imposes hierarchical and dichotomous categorial logics that establish who participates and is afforded power and privilege and who is exploitable and expropriateable. In the spirit of Spivak's new politics of reading I ask, What is dredged up from bottom of the allegedly pristine waters of the "mainstream" when we approach the colonial contract through native informants, like Malintzin, whose knowledge and acumen made the colonial projects of Europe in the Americas possible? What shadowy counter scenes appear? It is to these questions I turn in the following section.

### 3. "Putting Flesh Back on the Object," Re-Visioning the Native Informant through Malintzin

In her essay "Chicana Feminist Literature" published in *This Bridge Called My Back*, Alarcón critically considers the mythologization of Malintzin in Chicana communities. She writes,

In our patriarchal mythological pantheon, there exists even now a woman who was once real. Her historicity, her experience, her true flesh and blood were discarded. A Kantian, dualistic male consciousness stole her and placed her on the throne of evil, like Dante's upside down frozen Judas, doomed to moan and bemoan...Malintzin's excruciating life in bondage was of no account, and continues to be of no account.<sup>543</sup>

Like Alarcón, I want to insist on Malintzin's historicity as I hold it in tension with the sociosymbolic possibilities for (re)signification present in her *historia*. Sustaining this tension enables me to position Malintzin in conversation with Spivak's account in order to attend to Malintzin-as-Native Informant, a new writing of her name that attempts to make present this "double etymology." As a resistant reader and teacher motivated by decolonial imperatives, I am responding to Spivak's entreaty to

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<sup>543</sup> Norma Alarcón, "Chicana's Feminist Literature: A Re-vision Through Malintzin/or Malintzin: Putting Flesh Back on the Object," *This Bridge Called My Back: Writings by Radical Women of Color*, eds. Cherrie Moraga and Gloria Anzaldúa (Kitchen Table: Women of Color Press, 1981/1983), 182.

“undo that continuing subordination by the figuration of the name— “the native informant”— into a reader’s perspective.”<sup>544</sup> In this section, I translate Spivak’s urgings into the question of subaltern agency, formulated here as the agency of the oppressed. Recalling the questions that I opened the chapter with, What possibilities exist for reading agency in the fraught figure of the native informant? How might the native informant instruct us in the articulation of decolonial forms of agency? I want to suggest that as a historical and embodied native informant, Malintzin has something to teach us here. In this section, I position her in conversation with Spivak’s account of the native informant to probe the possibilities of locating agency in her *historia*.

But before proceeding, I want to heed the cautions given by Spivak and Alarcón regarding the delicate intricacies and dangers of such a task. As Spivak cautions, “there is no historically available authentic Indian point of view that can now step forth and reclaim its rightful place in the narrative of world history.”<sup>545</sup> Similarly, reflecting on the works of Chicanas who seek to vindicate Malintzin from her maligned position, Alarcón reminds us,

Malintzin has left us no recorded voice because she was illiterate; that is, she could not leave us a sense of herself and of her experience. Thus our disquisitions truly take place over her corpse and have no clue as to her own words, but instead refer to the words of the chroniclers who themselves were not free of self-interest, motive, and intention.<sup>546</sup>

Indeed, we can have no unmediated access to Malintzin’s own motivations, desires, hopes, dreams, or fears. Rather, as with all interpreters of her *historia*, we are “prey to subjectivized myth making” for what we know of her extraordinary life only comes to us “through the eyes of Cortés, Bernal Díaz del Castillo, Tlaxcaltecas, and many others present at the time.”<sup>547</sup>

While we can have no unmediated access to Malintzin’s historical and existential circumstances, Spivak reminds us that the task of the careful reader is to acknowledge and take

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<sup>544</sup> Spivak, CPR, 66-67.

<sup>545</sup> Spivak, 65.

<sup>546</sup> Alarcón, “Traddutora, Traditora,” 74.

<sup>547</sup> Alarcón, “Traddutora, Traditora,” 74.

responsibility for our role in the mediation as we attempt our own interpretations. In this way, through a new politics of reading, it is possible to attend to radical alterity. As Spivak writes in a footnote,

Rather than have ‘dinosaurs’ and ‘mountains’ as the name of radical alterity...let us...follow the impossible perspective of the native informant and place an always prior agency there instead of in the self...That persistent effort (disclosing responsibility toward the other-as-beneficiary by effacing radical alterity) is micrological, always halfway, but not therefore *only* a ‘muddling through...[with] no rules’ at all.<sup>548</sup>

For Spivak, the name of radical alterity engenders the possibility of holding room for the Other through a “persistent effort” to disclose our own ethical responsibility to attending to the other in their difference. Connecting this “persistent effort” to the account of faithful witnessing developed in Chapter 2, we might say that a faithful witness attends to the radical alterity of the other in order to affirm “an always prior agency” that resists and persists, in mundane and micrological ways.

The decolonial imaginary, as a mode of faithful witness, is a concept that has guided the theoretical undertakings of this dissertation. As we noted in Chapter 2, for Pérez the decolonial imaginary is a deconstructive critical apparatus that works to “unravel colonialist ideology” by disrupting the colonial imaginary of the historical archive.<sup>549</sup> She writes, “I would like to propose a decolonial imaginary as a rupturing space, the alternative to that which is written in history.”<sup>550</sup> As a “time lag” situated in the interstitial space-time between the colonial and postcolonial, the decolonial imaginary engenders an in-between space “where differential politics and social dilemmas are negotiated.”<sup>551</sup> As Pérez explains in ways that echo the insights of Alarcón and Spivak, “The decolonial imaginary is intangible to many because it acts much like a shadow in the dark. It survives as a faint outline gliding against a wall or an object. The shadow is the figure between the subject

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<sup>548</sup> Spivak, CPR, 355 n59. In this footnote Spivak is responding to Richard Rorty.

<sup>549</sup> Emma Pérez, “Queering the Borderlands: The Challenges of Excavating the Invisible and Unheard,” *Frontiers: A Journal of Women’s Studies* 24, no. 2/3 (2003): 123.

<sup>550</sup> Pérez, 6.

<sup>551</sup> Pérez, 6.



and the object on which it is cast, moving and breathing through an in-between space.”<sup>552</sup> As the shadow that haunts the psyche of the West, the decolonial imaginary emerges from the space-time of the time lag creating a rupture in colonial regimes of temporality that provide the opportunity to engage in the work of decolonizing.

Pérez notes that in placing “decolonial” and “imaginary” together, she seeks to “locate the decolonial within that which is intangible.”<sup>553</sup> As she explains, “Here the imaginary conjures fragmented identities, fragmented realities, that are ‘real,’ but a real that is in question.”<sup>554</sup> Holding the ‘real’ in question through the decolonial imaginary, I contend, enables the affirmation of “an always prior agency” that is called for by Spivak. Indeed, it is the question of agency that motivates Pérez’s own account of the decolonial imaginary as set-to-work in her study of the history of Chicanas. Describing her account of the decolonial imaginary as method she writes, “I’ve put forth the notion of the decolonial imaginary as a means not only of finding women who have been so hidden from history, *but also as a way of honoring their agency, which is often lost.*”<sup>555</sup> As Pérez puts it, in the liminal space of the decolonial imaginary “one is neither oppressed or victimized nor oppressor or victimizer,” rather by strategically negotiating her many identities the multiplicitous self works to unravel the “colonial, binary relations that we have inherited” in an exercise of “decolonial agency.”<sup>556</sup> It is this focus on agency that I want to underscore in my own attempts to engage the deconstructive (im)possibilities of Malintzin’s perspective as native informant. In particular I want to ask, following Perez and in the spirit of Spivak, What would it mean to faithfully witness Malintzin’s

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<sup>552</sup> Pérez, 6.

<sup>553</sup> Pérez, 6.

<sup>554</sup> Pérez, 6.

<sup>555</sup> Pérez, 124; my emphasis.

<sup>556</sup> Emma Pérez, “Decolonial Border Queers: Case Studies of Chicana/o Lesbians, Gay Men, and Transgender Folks in El Paso/Juárez,” in *Performing the US Latina and Latino Borderlands*, (eds) Arturo J. Aldama, et al. (Indiana University Press, 2012).

agency as native informant, which is foreclosed from the Name of Man and lost in the dominant narrative of History?

It is precisely these resistant aspects of Malintzin's *historia* that are emphasized by many Chicana and Mexicana feminists. They locate Malintzin as a central figure of colonization but their re-tellings issue from a decolonial imaginary that seeks to restore the agential possibilities of resistance and liberation that are foreclosed by the colonial contract. Sandra Messinger Cypess convincingly conveys what is at stake in Chicana and Mexicana feminist reclamations of Malintzin's *historia*, "The writers who critique the Malinche myth recognize that myths and metaphors—the whole of symbolic activity—do more than merely express reality: they also structure experience. Since the creation of presentational symbols actively structures experience, one way to change behaviors is through the creation of a different symbolic system."<sup>557</sup> Cypess underscores that resistant, and we might add deconstructive, retellings are crucial for holding open possibilities to create symbolic systems with new meanings and potentials for other worlds of sense—the work of meta-ideologizing that we discussed in Chapter 3. What is at stake, then, in the critical revisions and deconstruction of Malintzin's *historia* is not just the possibility of locating agency for Malintzin herself, but for all Mexicanas and Chicanas whose subjectivities are interpolated through her myth.

In the spirit of Spivak, I contend that these re-tellings, understood as enacting a deconstructive politics of reading, enable the transformation of Malintzin-as-native informant from the foreclosed location of the "read" position by insisting on the possibility of inhabiting a reader's position. For, as Spivak reminds us, "One task of deconstruction might be a persistent attempt to displace the reversal, to show the complicity between native hegemony and the axiomatics of imperialism."<sup>558</sup> Malintzin's liminality and complicity in the conquest troubles logics of purity, what

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<sup>557</sup> Cypess, *La Malinche in Mexican Literature*, 171-172.

<sup>558</sup> Spivak, CPR, 37.

Spivak terms “native hegemony” and “the axiomatics of imperialism,” and displaces them by rupturing the categorial logics of the coloniality of power, race, and gender that are at the heart of the colonial contract. That is to say, an account of Malintzin’s *historia* can be offered that exposes the contradiction of the categorial logics of the colonial contract and in so doing discloses possibilities for decolonial agency. In particular, I will argue that a deconstructive reading that attempts to enact the critical intimacy of faithful witnessing Malintzin’s *historia* displaces two dichotomous pairs at the heart of the colonial contract: colonizer/colonized and oppression/resistance.

### 3.1. Displacing the Colonizer/Colonized Binary

Malintzin’s *historia* displaces easy dichotomies between colonizer/colonized. Widely regarded as the symbolic Mother of a race of *mestizos* who would go on to become the Mexican people, Malintzin’s sexual relations with Cortés has been both the source of her denigration as *La Chinagada* in the accounts of those like Paz discussed in section 1 as well as the reclamation of *mestizaje* in the works of Chicana and Mexicana feminists.

Anzaldúa’s concept of “new *mestiza* consciousness” is perhaps the most widely cited reclamation of *mestizaje* in Latina and Latinx feminisms. Anzaldúa’s new *mestiza* consciousness affirms the rupturing power of *mestizaje* which she interprets as capable of displacing binary and categorial logics through its affirmation of multiplicity and heterogeneity. Describing this possibility, she writes, “*La mestiza* constantly has to shift out of habitual formations; from convergent thinking, analytics reasoning that tends to use rationality to move toward a single goal (a Western mode), to divergent thinking, characterized by a movement away from set patterns and goals and toward a more whole perspective, one that includes rather than excludes.”<sup>559</sup> This divergent mode of thinking

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<sup>559</sup> Gloria Anzaldúa, *Borderlands*, 101.

that sustains contradictions rather than seeking to resolve them acknowledges that for *mestizxs* the clash of cultures signified by the split between colonizer/colonized is harbored in the flesh.

Anzaldúa explains, “*Soy un amasamiento*, I am an act of kneading, of uniting and joining that not only has produced both a creature of darkness and a creature of light, but also a creature that questions the definitions of light and dark and gives them new meanings.”<sup>560</sup> Connecting these insights to Spivak’s own suspicion of attempts at mere reversals, we might say that Anzaldúa’s deconstructive embrace of *mestizaje* seeks to displace dichotomous understandings between the logics of colonizer/colonized and light/dark, questioning their definitions in order to locate new interpretative possibilities.

In our discussions of the liberatory possibilities of *Mestizaje*, it is important to remember that the discourse of *mestizaje* has a long and fraught legacy in both Latin American and Latinx communities, particularly in Mexico.<sup>561</sup> Addressing these complexities in her essay “Chicana Feminism: In the Tracks of ‘The’ Native Woman,” Alarcón writes, “The contemporary assumption of *mestizaje* (hybridism) in the Mexican nation-making process was intended to racially colligate a heterogeneous population that was not European. ... However, the *mestiza* concept is always already bursting its boundaries. ... In short, the body, certainly for the past 500 years of the Américas, has been always already racialized.”<sup>562</sup> As a key apparatus of the racialization of a new mixed-race people

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<sup>560</sup> Anzaldúa, 103.

<sup>561</sup> The concept and role of *mestizaje* has a long and complex history in Latin America that is intertwined with the conquest. In addition to playing a major role as the racialized logic of the *casta* system of the Spanish empire, the ideology of *mestizaje* has been utilized in discourses connected to social justice by those like José Vasconcelos’s *La Raza Cósmica*. However, *mestizaje* has also been widely criticized (this is especially true of Vasconcelos) for perpetuating anti-black racism as well as for contributing to the erasure of still-living indigenous peoples. For three recent critical engagements with the concept of *mestizaje* see, Covarrubias, Julio. 2019. “Letting Go of *Mestizaje*: Settler Colonialism and Latin American/Latinx Philosophy” *APA Newsletter on Hispanic/Latino Issues in Philosophy* 18(2): 4-8; Ruiz, Elena. 2020. “Mestiza Consciousness” in *50 Concepts for a Critical Phenomenology*, ed. Gail Weiss, Ann V. Murphy, and Gayle Salamon. (IL: Northwestern University Press); and Vinson, Ben III. 2018. *Before Mestizaje: The Frontiers of Race and Caste in Colonial Mexico*. (NY: Cambridge University Press).

<sup>562</sup> Norma Alarcón, “Chicana Feminism: In the Tracks of ‘The’ Native Woman” in *Living Chicana Theory*, ed. Carla Trujillo (CA: Third Woman Press, 1998), 374.

forged through the conquest, *mestizaje* plays a central role in the categorial logics of the coloniality of power, race, and gender. In particular, as Alarcón underscores, there is a frequent tendency within discourses of *mestizaje* to reject and deny “the dark Indian mother as Indian.” Alarcón explains, “Within these blatant contradictions, the overvaluation of Europeanness is constantly at work. Thus, Mexico constructs its own ideological version of the notorious Anglo-American ‘melting pot’ under the sign of *mestizo(a)*.”<sup>563</sup> Evoking Spivak’s wariness about an uncritical celebration of hybridity that “inadvertently legitimizes the ‘pure’ by reversal,” Alarcón both recognizes the disruptive possibilities of *mestizaje* while also flagging the dangers of the assimilatory tendency of the “melting-pot.”<sup>564</sup> Malintzin’s own liminality and the possibility for what Anzaldúa terms “divergent thinking” are effaced in the unreflective embrace of *mestizaje*-as-melting-pot. As the ‘dark Indian mother,’ Malintzin stands in-between narratives of *mestizaje*. In this way, utilizing the critical lexicon of Spivak, she is a deconstructive lever that indicates the immanent contradictions of the discourse of *mestizaje*. As a deconstructive lever Malintzin-as-native informant indicates the fraught history of *mestizaje* as a key mechanism of colonial oppression in the Americas as well as the liberatory and transgressive possibilities articulated by Anzaldúa. She is, as Chicana poet Pat Mora describes her, “Mexico’s troubled, buried mirror.”<sup>565</sup>

Mora’s poem “Malinche’s Tips: Pique from Mexico’s Mother,” is written in Malinche’s own voice and takes the form of a talk-show interview.<sup>566</sup> In the interview, Malinche addresses the cultural and historical archives that have set her up to be a *vendida*, a traitor and sell out. In “Tip 6” Malinche addresses her maligned reputation as *La Chingada*. The Malinche of the poem warns,

Beware  
historians citing  
only themselves.

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<sup>563</sup> Alarcón, “Chicana Feminism,” 337.

<sup>564</sup> Spivak, CPR, 65.

<sup>565</sup> Pat Mora, “Malinche’s Tips: Pique from Mexico’s Mother,” *Agua Santa* (Beacon Press 1995), 69.

<sup>566</sup> Mora’s poem is part of a quartet that imagines each of *Las Tres Madres* as guests on a talk-show.

...I'm the proud  
mother of mexicanos,  
brown as I am.  
Conceptions happen,  
remember? But,  
the blessed fruit  
of my womb spits  
my name.<sup>567</sup>

Hurt and wounded, Malinche speaks back to the “historians citing only themselves” who malign her *historia* and render her in terms of the categorial logics of the coloniality of power, race, and gender.

While the conception that Mora's Malinche alludes to was certainly not immaculate, she continues to be “the proud mother.” Evoking the denigrating narratives of those like Paz, in Tip 7 she warns “Watch your tongues,” as she reminds *los mestizos*, “the blessed fruit” of her womb, that she is,

A daughter, abused  
Woman, abuser,  
no saint, human  
sold, slave, sexual  
woman, raped  
woman, invisible  
translator, mother  
but, no virgin,  
never immaculate  
enough, never fleshless enough  
never silent  
enough, my eyes—  
Mexico's troubled,  
buried mirror.<sup>568</sup>

Mora's Malinche insists on her complexity, agency, and sexuality. And, as the “troubled, buried mirror” she reflects the shadowy counter scene that haunts the categorial logics of the colonial imaginary. Straddling dichotomies – abused Woman/abuser, human/slave, speech/silence, sexual woman/mother, virgin/Putra – Mora's Malinche issues from a decolonial imaginary as she strategically navigates her many identities as her multiplicitous self in an attempt to unravel these

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<sup>567</sup> Mora, 68.

<sup>568</sup> Mora, 68-69.

inherited logics of coloniality. Mora's Malinche, the "troubled, buried mirror," signals the possibility for undertaking more than mere reversals, but opens up ways to displace the categorial logics of the colonial contract toward ex(orbitant) possibilities.

### 3.2. Displacing the Oppression/Resistance Binary

Bearing witness to Malintzin's agency as a native informant is no easy task. Though the historical archive emphasizes her linguistic talents, her skill for military strategy, and her acumen for mediating tense negotiations between Spanish and Indigenous leaders, she "left us no diaries or letters, not a single page."<sup>569</sup> As I noted at the beginning of this section, Spivak and Alarcón remind us that honoring the agency of those who lived (or continue to live) through unfathomable oppression requires respecting opacity and making peace with unknowability. Imposing one's own reading without heeding these cautions risks perpetuating the reduction of the native informant to the status of a manipulatable object. Locating sites of agency and resistance in the figure of Malintzin requires disrupting the dichotomy between oppression/resistance in order to simultaneously hold space for opacity and impossibility as well as forms of resistant agency that are often rendered imperceptible from the perspective of the 'mainstream.'

Alarcón argues that we cannot straight-forwardly conceive of Malintzin as an "agent, choice-maker, and producer of history" on the terms dictated by what Spivak has called the 'magisterial texts' of the West. As she reflects, "Actually, the whole notion of choice, an existentialist notion of twentieth century Anglo-European philosophy, needs to be problematized in order to understand the constraints under which women of other cultures, times, and places live."<sup>570</sup> Alarcón's reflections pinpoint the insufficiency of the discourse of the "choosing subject" and of the logics of

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<sup>569</sup> Townsend, *Malintzin's Choices*, 5.

<sup>570</sup> Alarcón, "Traddutora, Traditora," 75.

individualism which are pervasive in Western Anglo-European philosophy. It is precisely these categorial logics that Lugones works to undermine in her account of “active subjectivity.”

Lugones develops her account of “active subjectivity” in several essays across her corpus in order to attend to forms of resistance exercised by those who are oppressed.<sup>571</sup> As Lugones explains, “I introduce the concept of ‘active subjectivity’ to capture the minimal sense of agency of the resister to multiple oppressions whose multiple subjectivity is reduced by hegemonic understandings/colonial understandings/racist-gendered understandings to no agency at all.”<sup>572</sup> The modern western conception of agency is informed by a strong attachment to individualism and a unitary conception of the self. According to Lugones, “Agency, in this sense, presupposes *ready-made hierarchical worlds of sense* in which individuals form intentions, make choices, and carry out actions in the ready-made terms of those worlds.”<sup>573</sup> These “ready-made hierarchal worlds of sense” appear as “natural” rather than as sophisticated constructions of the dominant order. This is the fiction at the heart of individual agency that covers over the “institutional setting and institutional backing” required to secure this “mirage.”<sup>574</sup> The result, Lugones argues, is that under this paradigm of agency the resister is disqualified from having agency precisely because they lack the institutional backing required to enact individual agency.

In order to make sense of “the possibility of resistance and its conditions” for the oppressed, Lugones introduces the concept of “active subjectivity.” Lugones identifies two components that are necessary for enacting “active subjectivity”: alternative socialities to dominant social, political, and

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<sup>571</sup> María Lugones *Pilgrimages*; Lugones, “From within Germinative Stasis: Creating Active Subjectivity, Resistant Agency,” in *Entre Mundos/ Among Worlds: New Perspectives on Gloria E. Anzaldúa*, Ed. Ana Louise Keating (Palgrave Macmillan, 2005); Lugones, “Toward a Decolonial Feminism,” *Hypatia* 25, no. 4 (2010): 742-759.

<sup>572</sup> Lugones, “Toward a Decolonial Feminism,” 757, n7.

<sup>573</sup> Lugones, “From within Germinative Stasis,” 86.

<sup>574</sup> María Lugones, “Tactical Strategies of the Streetwalker/Estrategias Tácticas de la Callejera,” *Pilgrimages/Peregrinajes: Theorizing Coalition Against Multiple Oppressions* (Rowman & Littlefield Publishers, Inc, 2003).



economic institutions and a tactical strategic stance. Unlike the “autonomous agent” that “takes all the social backing of his sense for granted, as well as the social efficacy of his agency,” the active subject “treads in the fragility of sense” and is “at every step conscious of recognition or lack of it, searching for back up, aware of the lack of institutional back up at every turn.”<sup>575</sup> In the absence of the institutional backing of dominant collectivities, active subjectivity happens in the inhabitation of alternative socialities “that have an unseen, hidden quality to them.”<sup>576</sup>

Locating these alternative socialities and enacting active subjectivity also requires the inhabitation of a tactical strategic stance. Lugones contrasts her own understanding of tactical strategies with the dichotomy between tactic and strategy drawn by Michel de Certeau. For de Certeau, the tactician and the strategist occupy different positions, understood in spatial terms. Whereas the strategist occupies a position of power and “‘sees’ from a point of view characterized by the distance of height and abstraction,” the tactician is conceived of as ‘weak’ and acts at the micro-scales of the street which are “hidden from the strategist’s frame of reference.”<sup>577</sup> Seeking to disrupt this dichotomy between strategist/tactician, Lugones insists on a position that holds on to both operations at once.

In her initial introduction of the concept of active subjectivity, Lugones attributes the positionality of the tactical strategist to the *callejera*, or “street-walker theorist.” As she returns to the concept of active subjectivity in her “decolonial turn,” Lugones connects the practico-theoretical activity of the *callejera* to the task of the decolonial feminist. “The decolonial feminist’s task,” Lugones writes, “begins by...seeing the colonial difference, emphatically resisting [the] epistemological habit of erasing it.”<sup>578</sup> Acknowledging the colonial difference and the history and

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<sup>575</sup> Lugones, “Tactical Strategies,” 211.

<sup>576</sup> Lugones, “Tactical Strategies,” 217.

<sup>577</sup> Lugones, “Tactical Strategies,” 217.

<sup>578</sup> Lugones, “Toward a Decolonial Feminism,” 753.

lasting legacies of the coloniality of power, race, and gender requires locating resistance and active subjectivity rather than enacting the colonial gaze of “the social-scientific objectifying reading.”<sup>579</sup>

The decolonial feminist does not regard oppression as an accomplished fact of the matter, but rather affirms that “adaptation, rejection, adoption, ignoring, and integrating are never just modes in isolation of resistance as they are always performed by an active subject thickly constructed by inhabiting the colonial difference with a fractured locus.”<sup>580</sup>

It is in this way, as an “active subject thickly constructed” that I propose we understand the *historia* of Malintzin as reconfigured in Mexican novelist Laura Esquivel’s novel *Malinche*. Exploring multiple ways of resignifying Malintzin’s story, Esquivel’s novel issues from a decolonial imaginary that envisions Malintzin as not within the oppressing/resisting dichotomy but as a wielder of the tools of both the strategist and tactician. This is especially evidenced in the set of codices (illustrated by Jordi Castells) drawn from Malintzin’s point of view that accompany Esquivel’s novel. By granting her the control of her own tongue and the creative capacity to generate codices, Esquivel invites us to re-think Malintzin’s *historia* through the novel’s character Malinalli.

Beginning by imagining Malinalli’s birth, Esquivel represents the complexities of her life and attends to her, as Alarcón urges, in the flesh-and-blood. The birth, fraught with a near-death resulting from the umbilical cord that wrapped itself around the infant’s neck, is full of symbolism and destiny. Malinalli’s grandmother plays a central role as midwife, indicative of the role Esquivel will give to her in the novel’s narrative, and the scene of the birth ends with a speech from Malinalli’s father where he prophesies the greatness she will achieve during her lifetime, declaring: “Your word will be the fire that transforms all things...And your tongue will be the word of light, a paintbrush of flowers, the word of colors that your voice will use to paint new codices.”<sup>581</sup> Indeed,

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<sup>579</sup> Lugones, “Toward a Decolonial Feminism,” 753.

<sup>580</sup> Lugones, “Toward a Decolonial Feminism,” 754.

<sup>581</sup> Laura Esquivel, *Malinche*, trans. Ernesto Mestre-Reed (New York: Washington Square Press 2006), 9.

by foreshadowing Malinalli's future role as translator to Cortés, Esquivel grants the character an epistemic power denied to the ethnographic native informant described by Spivak.

Throughout the novel, Esquivel underscores the immense responsibility and creative power that Malinalli wields as translator and primary intermediary of the conquest. Nowhere resembling the passive and inert *La Chingada*, Malinalli is portrayed as a cunning agent who schemes for her own liberation despite her status as a slave in her own society. In this way, Esquivel draws attention to the categorial logics that cast her as a traitor to her own people by complicating the coherence of the imposed category of "Indian" by highlighting pre-existing inequalities among Indigenous peoples. Alluding to the interpretations of those like Jacques Lafaye and Adelaida R. del Castillo, Esquivel's Malinanlli agrees to assist the Spaniards because of the conviction that Cortés is the great Quetzalcóatl whose return will put an end to the oppressive Mexica regime and its thirst for human sacrifice.<sup>582</sup> It is to escape her existing conditions of oppression within her own context that motivates Malinalli to do everything in her power to assist the Spaniards so that she might have freedom.

Cortés in the novel, like the Cortés of history, is dependent on Malinalli's ability to translate as *La Lengua*, the tongue. Esquivel depicts Cortés as a power hungry yet savvy politician who understood well the power of words for, "Without words, without language, without speeches, there was no mission, and with no mission, no conquest."<sup>583</sup> As Spivak convincingly shows us, the colonial projects of Europe required the epistemic skills of native informants to undertake their colonial projects. In spite of their importance in this epistemic endeavor, these native informants were denied the privilege and power of interpretation as well as the ability to craft and convey their own

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<sup>582</sup> See, Jacques Lafaye, *Quetzalcoatl y Guadalupe: La Formación de la conciencia en México (1531-1813)*, trans. Ida Vitale, Mexico: Fondo de Cultura Económica, 1983); Adelaida R. del Castillo, "Malintzin Tenepal: A Preliminary Look Into a New Perspective," in *Essays on La Mujer*, ed. Rosaura Sánchez and Rosa Martínez Cruz (Los Angeles: Chicano Studies Center Publications, University of California, Los Angeles, 1977).

<sup>583</sup> Esquivel, *Malinche*, 37.

narrative accounts. Deconstructing this impossible perspective, Esquivel portrays Mallinali as an active subject whose acts of translation involved both risk and power. Narrating Malinalli's experience as *La Lengua*, she writes, "Never before had she felt what it was like to be in charge. She soon found that whoever controls information, whoever controls meaning, acquires power."<sup>584</sup> As *La Lengua*, Mallinali displaces the dichotomy between oppression/resistance, and instead exercises a resistant agency. Throughout the novel, Esquivel illuminates that language and words were some of the sharpest and most effective tools used in the Conquest, and it was Malinalli who wielded them through her role as translator.

As the novel unfolds, it does not take long for Malinalli to question whether or not Cortés truly is an incarnation of the returned Quetzalcóatl, his interest in gold and violent slaughter of those who threatened insurrection or posed too great a threat betrayed that he was all too human. Growing increasingly concerned over her role in assisting this band of men, Esquivel's Malinalli takes matters into her own hands. Esquivel recounts, "The tongue was the cause of everything. Malinalli had destroyed Montezuma's empire with her tongue. Thanks to her words, Cortés had made allies that ensured his conquest. She decided then to punish the instrument that had created that universe."<sup>585</sup> Malinalli then goes on to pierce her tongue with an agave needle in order to invoke a resistant silence, refusing to allow her tongue to be at the service of anyone other than herself.

This scene (and others) of the Esquivel's novel can certainly be critiqued for over-extending itself in directions that Alarcón and Spivak warn against, namely that it strays too far into the realm of "subjectivized myth making" in its attempt to vindicate Mallinali. However, I want to offer a reading—perhaps "mistaken" in the Spivakian sense—of Malinalli's resistant silence through the lens opacity and alterity. There are indeed many silences that circulate in the folds of Malintzin's

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<sup>584</sup> Esquivel, 65.

<sup>585</sup> Esquivel, 158.

*historia*, and not all of them should be rendered through the colonial binary of Silence/Speech. It is significant then, that Esquivel's Malinalli invokes her own silence. This echoes Spivak's brief mention of Rigoberta Menchú, another important native informant.<sup>586</sup> Describing Menchú's insistence on keeping secrets, Spivak writes,

But we must also attend to Menchú [who] borrowing from a much older collective tactic against colonial conquest [writes]: 'Of course, I'll need a lot of time to tell you about all my people, because it's not easy to understand just like that. And I think I've given some idea of that in my account. Nevertheless, I'm still keeping my Indian identity a secret. I'm still keeping secret what I think no-one should know. Not even anthropologists or intellectuals, no matter how many books they have, can find out all our secrets' (Menchú, 247). That text is not in books, and the secret keep us, not the other way around.<sup>587</sup>

Rather than a subject relegated to passive silence, like Menchú and Spivak we might understand Esquivel's Malinalli as insisting on the resistant and secretive opacity of silence that has long been a tactic of refusal utilized to sabotage the machinations of colonial conquest.

Though a romanticized and at times fanciful revisioning of Malintzin's *historia*, Esquivel's novel importantly attends to the flesh-and-blood point of view of Malintzin the woman. She depicts Malintzin as a strategist and tactician, thus giving nuance to her complicity in the Conquest and enabling us to conceive of her as an active subject. Indeed, Malintzin defied the patriarchal norms of the Mexica as well as European society through her public speech and her high profile and political role as *La Lengua*. As Cypess contends, conceiving of her as less than this reduces her from *La Lengua* to *La Matriz*/the Womb.

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<sup>586</sup> For more on Menchú see, Rigoberta Menchú, *I, Rigoberta Menchú: An Indian Woman in Guatemala*. 2nd English-language ed. (London, New York: Verso, 2009); Enrique Dussel. *Ethics of Liberation in the Age of Globalization and Exclusion* (Durham: Duke University Press, 2013).

<sup>587</sup> Spivak, CPR, 245n73.

## Conclusion

As I noted at the beginning of this chapter, the colonial imaginary of the colonial/social contract is beset with native informants. Malintzin Tenepal, one of the Indigenous women who fulfilled this role, has guided the inquiries of this chapter. I have argued that Malintzin's *historia* discloses key sites of contradiction of the colonial contract regarding the agency of those relegated to its shadowy underside. Through the work of Spivak, Alarcón, and Chicana feminists who have appropriated her myth and legend, I have argued that the critical intimacy of faithful witnessing Malintzin's *historia* is instructive for forging decolonizing agencies capable of displacing and deconstructing the categorial logics of the colonial contract toward ex(orbitant) possibilities.

## Conclusion

We are moving on at a time of crossings, of seeing each other at the colonial difference  
constructing a new subject of a new feminist geopolitics of knowing and loving.  
María Lugones, "Toward a Decolonial Feminism"

By way of concluding this dissertation, I return to the questions concerning the colonial contract that ended the first chapter: Do we need to decolonize the colonial contract towards a better, more inclusive version of the social contract? Or, do we require another, perhaps yet to be conceived, organization of the social altogether?

Before turning to my own tentative responses to these questions from the perspective of decolonial feminism, I want to briefly consider the dialogue staged between Charles Mills and Carole Pateman in *Contract and Domination*. The transcribed dialogue covers a range of topics, but perhaps most interestingly it provides extended reflections regarding their different views on the possibilities of recovering the social contract tradition for feminist and anti-racist ends. Mills believes that there is much to be gained in attempting to recuperate and transform contract theory to be more attentive to contemporary feminist and anti-racist critical analyses, whereas Pateman remains much more skeptical of attempts to ameliorate the metaphor of the contract that has more often worked to exclude than to promote the aims of social justice.

Despite Mills's criticisms of racialized and gendered forms of inequity that have been perpetrated through contract theory, he remains invested in the usefulness of contract theory for mediating matters of social justice. This is because his own work operates with a weak sense of contract theory that endorses a minimalist set of assumptions informed by a commitment to political liberalism. According to Mills, his use of contract theory "draw[s] normatively on central liberal-democratic ideals and factually on the simple insight that humans create the sociopolitical, and in the process themselves."<sup>588</sup> Endorsing the values of political liberalism, Mills contends that at the heart

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<sup>588</sup> Carole Pateman and Charles W. Mills. *Contract and Domination* (Cambridge: Polity, 2007), 14.

of contemporary recuperations of the social contract tradition (he names John Rawls and Thomas Scanlon in particular) is an “overriding commitment to respecting others’ personhood.”<sup>589</sup> Further, Mills contends that he continues to engage with contract theory because it is one of the most prevalent and influential discourses for philosophical conversations regarding rights and justice. He explains, “[I]f you’re working on a marginal topic (race), as I am, then translating racial justice issues into a contract framework seems a natural route for mainstreaming topics not normally discussed in the literature... That doesn’t mean they’re going to listen, of course... but in theory at least you’re raising a question which they should feel philosophically obligated to answer.”<sup>590</sup> Working to critique contract theory from the inside, Mills attempts to rethink liberalism and contract theory towards radical ends in order to “see subversive contract theory become mainstream contract theory.”<sup>591</sup>

Where Mills endorses a weak version of contract theory informed by the general commitments of political liberalism, Pateman questions whether concerns with social justice must be discussed or adjudicated through the “metaphor of the contract.”<sup>592</sup> Putting the point more strongly, Pateman contends that “there is more than one form of free agreement and. . . these are not exhausted by contract.”<sup>593</sup> Explaining further, she writes, “Why not start by trying to move to another model of free agreement? It is very hard to get rid of the baggage, and most political theorists do not attempt to. Why not find other terms... that also convey the meaning of a voluntary mutual undertaking and offer some hope at least of moving away from all the associations and assumptions of ‘contract.’”<sup>594</sup> In order to create a “more democratic and more free society,”

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<sup>589</sup> Pateman and Mills, 19.

<sup>590</sup> Pateman and Mills, 23.

<sup>591</sup> Pateman and Mills, 23. See Mills’s recent attempts to sketch a vision of “Black radical liberalism” in *Black rights/white Wrongs: The Critique of Racial Liberalism* (New York, NY: Oxford University Press), 2017.

<sup>592</sup> Pateman and Mills, 14.

<sup>593</sup> Pateman and Mills, 15.

<sup>594</sup> Pateman and Mills, 15.



Pateman contends that contemporary contract theory, even its subversive strands, is insufficient; “[W]e need an alternative political theory.”<sup>595</sup>

I am inclined to agree with Pateman. Despite the generativity of immanent and deconstructive critique, in the case of social and political philosophy even the most insubordinate and subversive attempts to recuperate the contract remain saturated with the logics of the colonality of power, race, and gender. “The decolonial feminist’s task,” Lugones reminds us, “begins by...seeing the colonial difference, emphatically resisting [the] epistemological habit of erasing it.”<sup>596</sup> Taking on the task of decolonial feminisms, in the words of Kristie Dotson, “demands breaks and not compromises.”<sup>597</sup> Continuing to compromise in order to make our theories – liberatory, feminist, anti-racist, decolonial – legible and palatable from the point of view of hegemonic power often risks recapitulating the kind of recognition politics that I critiqued at length in Chapter 2.<sup>598</sup> Indeed, rather than advocate for a better and more inclusive version of the social contract I contend that any political theory informed by the methodological commitments of decolonial feminism requires a break from contract theory. Such a break engenders possibilities for moving toward what Lugones has called “a new feminist geopolitics of knowing and loving” rooted in another, yet to be fully conceived, organization of our social and political worlds.<sup>599</sup>

Lugones’s call for a new feminist geopolitics comes at the end of her germinative essay “Toward a Decolonial Feminism.” Reflecting on the coalitional imperative of decolonial feminism, Lugones invites her readers and co-conspirators at the colonial difference to take up “an ethics of

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<sup>595</sup> Pateman and Mills, 20.

<sup>596</sup> María Lugones, “Toward a Decolonial Feminism,” *Hypatia* 25, no. 4 (2010): 753.

<sup>597</sup> Kristie Dotson, “On the Way to Decolonization in a Settler Colony: Re-Introducing Black Feminist Identity Politics,” *AlterNative: An International Journal of Indigenous Peoples* 14, no. 3 (2018): 8; See also, Eve Tuck and K. Wayne Yang. “Decolonization is not a metaphor.” *Decolonization: Indigeneity, Education, & Society* 1, no.1 (2012), 31.

<sup>598</sup> For more on the limits of liberal versions of recognition politics, see, Glen Sean Coulthard. *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis: University of Minnesota Press), 2014.

<sup>599</sup> Lugones, “Toward a Decolonial Feminism,” 756.

coalition-in-the-making in terms of both be-ing, and be-ing in relation that extends and interweaves its peopled ground.”<sup>600</sup> The coalitional imperative of decolonial feminism does not seek a synthesis with hegemonic power in its many guises, but rather “maintain[s] multiplicity at the point of reduction...in the tense workings of more than one logic.”<sup>601</sup> Lugones explains,

*The responses from the fragmented loci can be creatively in coalition, a way of thinking of the possibility of coalition that takes up the logics of de-coloniality, and the logic of coalition of feminists of color: the oppositional consciousness of a social erotics that takes on the differences that make be-ing creative, that permits enactments that are thoroughly defiant of the logic of dichotomies. The logic of coalition is defiant of the logic of dichotomies.*<sup>602</sup>

It is through the embrace of the ethico-political coalitional imperative that seeks to affirm non-dominant differences and multiplicity that Lugones suggests we can make a turn toward decolonial feminisms. Indeed, as Lugones reminds us, this possibility comes to us because “[w]e are moving on at a time of crossings, of seeing each other at the colonial difference constructing a new subject of a new feminist geopolitics of knowing and loving.”<sup>603</sup>

## Future Directions

In this dissertation, my aim has been to contribute to the decolonial feminist project of constructing a new feminist geopolitics of knowing and loving. With *Las Tres Madres* as my guides, I

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<sup>600</sup> Lugones, “Toward a Decolonial Feminism,” 755; Lugones explains that be-ing, in the gerund, works against the frozen, ossified logics of coloniality and instead seeks to affirm “tense movement, people moving: the tension between the dehumanization and paralysis of the coloniality of being, and the creative activity of be-ing” (754). For more insights on Lugones’ appeal to the gerund “be-ing,” see, Alejandro Vallega, “The Aesthetic-Cosmological Dimension of María Lugones’ Decolonial Feminism,” *Critical Philosophy of Race* 8, no. 1 (2020): 61-83.; For more on the coalitional imperative of decolonial feminism see, Shireen Roshanravan, “Compelled to Cross, Tempted to Master: Affective Challenges in Lugones’s Decolonial Feminist Methodology,” *Critical Philosophy of Race* 8, no. 1-2 (2020): 119-133; Emma D. Velez, “Decolonial Feminism at the Intersection: A Critical Reflection on the Relationship Between Decolonial Feminism and Intersectionality,” *Journal of Speculative Philosophy* 33, no. 3 (2019): 390-406.

<sup>601</sup> Lugones, “Toward a Decolonial Feminism,” 755.

<sup>602</sup> Lugones, 755; original emphasis. Lugones cites Chela Sandoval on social erotics and Audre Lorde on difference.

<sup>603</sup> Lugones, 756.

have traced the possibilities for inhabiting decolonizing subjectivities, agencies, and tactics of resistance through the critical tools of faithful witnessing, meta-ideologizing, and deconstruction. However, I am mindful that this dissertation project works largely at the conceptual level as I engage a decolonial feminist methodology to re-think questions of subjectivity, epistemology, as well as the conditions required for the exercise of resistant agency in oppressive contexts structured by the logics of coloniality under the colonial contract. For this reason, I want to conclude by sketching two future and more immediately praxical directions for setting-to-work the insights of this dissertation: tracing the diverse lineages of decolonial feminism and decolonial care.

One important future direction of this project responds to the coalitional imperative of decolonial feminism. As I noted in the introduction, decolonial feminisms emerge from multi-sited struggles with colonization and as a result are rich and heterogeneous, each marking a particular experience and reaction to colonization. Though the trauma of colonization has affective resonances across many anticolonial texts, we must remain attentive to the specificity of the multiple *heridas abiertas* of colonialism, colonization, and coloniality in order to give greater hermeneutic context to the experiences to which decolonial feminists are responding. Thus, the starting point for decolonial feminists must be one that centers on coalitional politics. In order to begin to learn from one another's peopled grounds and memories, I suggest that it is imperative that we begin to more concertedly trace the diverse lineages of decolonial feminisms.<sup>604</sup> This is especially important not only for tracking the resonances between these traditions, but also sustaining moments of contradiction and tension, indeed perhaps even incommensurability, in order to be mindful of multiplicity and heterogeneity *within* decolonial theories.<sup>605</sup> For example, attending to the diverse lineages of decolonial feminisms requires a critical examination of the contested history of *mestizaje*

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<sup>604</sup> Lugones, 746, 754.

<sup>605</sup> For more on incommensurability between decolonial approaches see, Tuck and Yang, "Decolonization is not a metaphor."

and its place in the articulation of key concepts like liminality and multiplicity. Relatedly, taking seriously the diverse lineages of decolonial feminism requires a critical exploration of the tensions between Black, Latin American, Latinx, and Indigenous decolonial thinking in regards to concepts like the coloniality of power and settler colonialism. In order to enact transnational solidarity among anticolonial feminists, considering the diverse lineages of decolonial feminism must learn from one another through dialogues at the colonial difference rather than generating or re-entrenching binary divisions, which are themselves colonial constructs.<sup>606</sup>

The second future direction of this work is responsive to the imperative that decolonial feminist theory and praxis be rooted, grounded, and emplaced in ways that are attuned to on-going nature of colonial projects. Inspired by Lugones's solicitation to engage in a coalitional feminist geopolitics of knowing and loving, I suggest that an important aspect of this task involves what I have termed "decolonial care."<sup>607</sup> Building from the theoretical insights and tools of this dissertation, my account of decolonial care demonstrates the importance of a decolonial feminist lens for examining pressing geopolitical questions such as those regarding borders and migration, violence directed against migrant communities, and other on-going effects of colonization and coloniality. In particular, I suggest that a decolonial feminist geopolitics emphasizes the importance of decolonial feminist critique and resistance rooted in place-based practices of decolonial care.

Differing from the abstract impartiality often employed by traditional ethical theories, care ethics is a feminist ethical approach that centers complex, contextualist, and intimate relations. Care, understood as kind of reparative labor, is aimed at attending to the needs that results from our

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<sup>606</sup> For an especially generative reflection on this imperative see, Kiran Asher and Priti Ramamurthy. "Rethinking Decolonial and Postcolonial Knowledges beyond Regions to Imagine Transnational Solidarity" *Hypatia: A Journal of Feminist Philosophy*, special issue 35, no. 3 (forthcoming 2020).

<sup>607</sup> Emma Velez, "Toward a "Care-ful Geopolitics" of *La Frontera* in the Era of Trump" *Journal of Speculative Philosophy* (forthcoming 2020). Some of the material from this section of the Conclusion appears in more detail in this forthcoming essay.

fundamental vulnerability and dependency as embodied beings. As described by Hilary Malatino, care ethics emphasize “the embodied, person-to-person practices of assistance and support that foster capacities for personal and communal flourishing.”<sup>608</sup> Care, then, is especially useful in the context of feminist geopolitics because it foregrounds forms of resistance and political action that are not often legible from the standpoint of dominant epistemes.

But what does it mean to consider the question of care in the contemporary geopolitical climate of the U.S. from the standpoint of decolonial feminism? This is a particularly important question given compelling critiques of feminist care ethics as essentialist, parochial, and incapable of redressing systemic and institutionalized forms of oppression. At worst, on this view, care ethics can be understood as recapitulating the very paternalistic logics that have been utilized to morally justify systems of oppression. This tendency is what Uma Narayan has described as “the self-serving collaboration between elements of colonial rights discourse and care discourse” that she terms a “colonialist care discourse.”<sup>609</sup> Properly historicizing political and moral appeals to the discourse of care is imperative for, as Narayan contends, “care discourse can sometimes function ideologically, to justify or conceal relationships of power and domination.”<sup>610</sup> This means taking seriously the ways in which Indigenous, enslaved, and colonized peoples have been cast as childlike and so in need of paternalistic forms of care that justified the institutions and structures of slavery and colonization. I contend that taking these concerns seriously does not undermine the project of care ethics. Rather, it allows for more attention to the complexities and complicities that undergird unreflective and unattenuated accounts of care. Thus, the work of this dissertation unveils the urgent need to

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<sup>608</sup> Hilary Malatino, “Tough Breaks: Trans Rage and the Cultivation of Resilience,” *Hypatia* 34, no. 1 (2019): 130.

<sup>609</sup> Uma Narayan, “Colonialism and Its Others: Considerations on Rights and Care Discourses,” *Hypatia* 10, no. 2 (Spring 1995): 133-134.

<sup>610</sup> Narayan, 135.

differentiate between forms of *colonial care* and *decolonial care*.<sup>611</sup> Colonial care operates within the colonialist care discourse named by Narayan. It is hierarchical, paternalistic, and carries an air of moral superiority. We can recognize forms of colonial care when they are implemented in marginalized and oppressed communities ‘for their own good.’ My goal is to contribute to the development of an alternative vision of care, what I call *decolonial care*, that differs from the colonial care discourse named by Narayan. Decolonial care, as I conceive of it, is contextualist and informed by local practices of care of those who are historically marginalized and oppressed in colonial contexts.

A new feminist geopolitics of knowing and loving informed by decolonial care has the potential to open new avenues for contending with pressing contemporary geopolitical issues such as crimmigration, family separation and detention, and femicide that are deeply connected to the continued legacies and histories of colonization. These complex crossings require the construction of new subjects, epistemologies, socialities, worlds, and imaginaries. What I have offered in this dissertation are my own attempts to contribute to the construction of other worlds of sense not organized according to the machinations of the colonial contract. But this is a communal and coalitional endeavor, and we are still “on the way” toward these decolonizing projects.<sup>612</sup> “In the meantime,” Gloria Anzaldúa reminds us, “*tenemos que hacerla lucha*,” we must continue to fight with the conviction that *otros mundos son posible*.<sup>613</sup>

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<sup>611</sup> Here, I am inspired by the work of Carolyn Ureña who, in the context of love studies, distinguishes between ‘colonial’ and ‘decolonial’ forms of love. See, Carolyn Ureña, “Loving from Below: Of (De)colonial Love and Other Demons,” *Hypatia* 32, no. 1 (2016): 86-102.

<sup>612</sup> Dotson, “On the way.”

<sup>613</sup> Gloria Anzaldúa, *Borderlands/La Frontera: The New Mestiza*, 4<sup>th</sup> ed. (San Francisco: Aunt Lute Books, 1987/2007), 85.

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2015 M.A. Philosophy, SUNY Stony Brook University  
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2013 B.A. Political Science and Philosophy with minor in Economics (*magna cum laude* with honors), Oklahoma City University

**AREAS OF SPECIALIZATION:** Latinx feminisms, feminist philosophy, decolonial theory (esp. Latin American and U.S. Latinx)

**AREAS OF COMPETENCE:** social/political philosophy, critical social theory (esp. Frankfurt School), continental philosophy, critical philosophy of race

### FELLOWSHIPS & AWARDS:

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2018 Philosophy Graduate Prize for Excellence in Research, The Pennsylvania State University  
2017 Honorable Mention, "Best Submission by a Graduate Student," Society for Phenomenology and Existential Philosophy (SPEP)  
2015 Honorable Mention, Ford Foundation Pre-Doctoral Fellowship  
2013-2015 W. Burghardt Turner Fellow, SUNY Stony Brook

### PUBLICATIONS:

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- 2020 Velez, Emma. "Towards a 'Care-ful Geopolitics' of *La Frontera* in the Era of Trump," *The Journal of Speculative Philosophy* (SPEP issue; forthcoming).  
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2019 Velez, Emma. "Decolonial Feminism at the Intersection: a critical reflection on the relationship between intersectionality and decolonial feminism," *The Journal of Speculative Philosophy* (SPEP issue), 33(3): 390-406.

#### Edited Projects

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