Writing beyond Reason:
Literature, Counterinsurgency and Sovereignty in Contemporary Latin America

by

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to the ghosts that haunt these pages—
dead and alive; known and unknown.

to sybelle, my daughter—
hoping that you would never need to tell me
to stand less between the sun and you

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…only through time time is conquered

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Introduction

> In both countries it was clearer than crystal to the lords of the State preserves of loaves and fishes that things in general were settled forever.
>
> Charles Dickens, *A Tale of Two Cities*

> He surveyed through the park railings the evidence of the town's opulence and luxury with an approving eye. All these people had to be protected. Protection is the first necessity of opulence and luxury. They had to be protected and their horses, carriages, houses, servants had to be protected; and the source of their wealth had to be protected in the heart of the city and the heart of the country; the whole social order favourable to their hygienic idleness had to be protected against the shallow enviousness of unhygienic labor.
>
> Joseph Conrad, *The Secret Agent*

In the epigraph above, Charles Dickens seems to merely be referring to the lords' self-confidence in England and France before the French Revolution. "That things in general were settled for ever" would thus point to the blithe attitude that comes with the certainty that power and the privileges and benefits associated with it are secured, and the legal, political and economic structures preserving these privileges properly working; or, in Joseph Conrad's words in the second quotation above, that the "whole social order favourable to their hygienic idleness" is being protected "against the shallow enviousness of unhygienic labor."

Dickens' passage thus seems to allude to the comfort found in knowing that everything one is and has, one will still be and have tomorrow; that expectations are the logical and undisputed outcome of previous experience; that there is no reason to worry either in the present or in the future. In brief, Dickens' passage seems to be alluding to the carefree and content awareness that comes from "deservingly" holding power, from being, in a word, sovereign. Yet, we know better. The passage appears on the novel's first page; by the end, revolution has given way to terror, the lords are no longer lords, the preserves no longer theirs. Given its ironic undertone, the passage seems thus to point to the ever-present tension and, sometimes, actual conflict between those who believe to have the (divine, economic, social, political and/or cultural) right to the state preserves and those who disagree: the satiated lords and the hungry many, the friends and the enemies.

Granted: loaves and fishes have been exponentially supplemented by a blatant array of commodities, the state preserves have been replaced by industrial complexes, corporations and financial institutions, and the lords do not commonly answer to that name anymore. Protection, nonetheless, still remains the first necessity of opulence and luxury. In any case, the gap between opulence and luxury, on the one hand, and "unhygienic labor" has in fact exponentially increased over the past hundred odd years to the point that, in a world of plenty, the many do not even have access to, quite literally, loaves and fish.

Dickens' tension and conflict between the sovereign lords and the hungry many as well as Conrad's protection of luxury and opulence lie at the very center of this work. More specifically, this dissertation examines the tension between sovereign reason and

those who contest or challenge it *through* the lens of the recent internal armed conflicts between three different Latin American states and three insurgent movements that, at least in theory, took up arms to fight the State in the name of the hungry, excluded many—the Guatemalan guerrilla, the Peruvian Sendero Luminoso (Shining Path) and the Mexican Zapatista Army of National Liberation (Ejército Zapatista de Liberación Nacional or EZLN). As such, this dissertation is not, per se, a comparative or historical study of these insurgencies; nor is it an examination of their revolutionary projects or the specificities of the relation between each state and each insurgency. This work instead offers, through a critical analysis of literary works, political texts and official documents such as laws, decrees and speeches pertaining to these specific conflicts, a critique of counterinsurgency discourse and sovereign reason, as well as an examination of the possibilities or potential spaces opened up or suggested by this critique.

My choice of discussing these three state-insurgency configurations is, however, not arbitrary but instead responds to two main factors. First, these states are multiethnic countries with a high percentage of indigenous people who have historically been on the receiving end of the vagaries of sovereign reason. As such, and regretfully so, the parameters for exclusion and inclusion in the community of brothers are both more legible and acute that in other, more homogenous Latin American societies (which is not to say that in these other societies marginality and exclusion are non-existent). Moreover, in these three states, the insurgent movements I discuss herein took up arms, at least discursively, as a response to the systematic marginalization and exclusion of the indigenous from the political. Yet, each insurgent group conceptualized insurgency and revolution in a different way, enabling therefore a discussion of the above-mentioned

problematic from different perspectives.[1] Likewise, each State reacted to the threat posed by each insurgent movement in a different way, thereby allowing for a more complex understanding of counterinsurgency. Given these differences, it should be noted that throughout this work I use the word "insurgency" and "insurgent" in an ample sense to refer to any organization that challenges the state's discourses and sovereignty via the taking up of arms, regardless, however, of their specific discourses, strategies, tactics or goals, or, for that matter, of how the state discursively named them (terrorist organization, guerrilla, armed rebels, etc.).[2]

As my starting point, I provide at the beginning of Chapter 1 a critical, historical overview of counterinsurgency measures in Peru, Guatemala and Mexico. As the name of the chapter suggests, I then move to the examination of one of the two main discourses

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[1] In a few words, the Peruvian Sendero Luminoso opted for the use of indiscriminate violence in an attempt to fulfill the Maoist maxim of encircling the cities from the countryside in order to take power; the Guatemalan guerrillas followed, instead, a mainly *foquista* approach in their quest to also take power; and the Mexican EZLN disdained the traditional objective of insurgent movements—that of reaching the capital city and taking power—and chose instead to remain in their original geographical space and fight the war against the sovereign within the sphere of discourse.

[2] Undisputedly, the insurgent movements herein examined were in great part a response to the inability or unwillingness of Latin American states to bring about the profound changes promised by their modernizing discourses and the ideas of progress, order and nationhood. This unfulfilled promise in truth became—up to, speaking in general terms, the end of the twentieth century—an unremitting process of deterioration of the political, economic and social conditions for the majority of the population, which in turn led to increasing levels of discontent that, fueled by the Cuban Revolution and the 1968 wave of protests around the globe, reached their peak in most Latin American countries by the beginning of the 1970s. What Julia Kristeva calls the spirit of contestation, which "expresses a fundamental version of freedom: not freedom to change or to succeed, but freedom to revolt, to call things into question" (*Revolt, She Said* 12), thus led to a marked increase in state repression and the ubiquitous rising to power of military regimes and infamous dictators such as Jorge Videla in Argentina, Augusto Pinochet in Chile, the Somozas in Nicaragua and Efraín Ríos Montt in Guatemala. In this sense, Sendero Luminoso, the Guatemalan guerrillas and the EZLN do share a common ground even if the actual materialization of their concern with the marginalized varies tremendously.

the State draws upon to discredit organized revolt and justify counterinsurgency, namely, the friend-enemy distinction and the logic of fraternization. I discuss Carl Schmitt's problematic yet conspicuously relevant argument that the political can be reduced to the distinction between friend and enemy. I argue, via Jacques Derrida's critique of the politics of friendship, that this reduction of the political is traversed by a restrictive and exclusionary logic of fraternization that is used by the State as a parameter for political inclusion-exclusion. I show that, on the one hand, the pairing of the friend-enemy distinction and the logic of fraternization enables the State to construct the nation as an ideal community of equal brothers while, on the other hand, concurrently opening up the possibility for the State, when need be, to exclude and eventually kill or disappear those it considers a threat to the survival of this ideal community of brothers. The insurgent, I conclude, is considered by the State as an existential threat to the continuous survival of the ideal community of brothers because he or she reveals the dangerous double-faced nature of the State's discourse, pointing thereby to the limitations and dangers of reducing the political to the friend-enemy distinction.

Drawing from Carl Schmitt's conceptualization of the sovereign as he who decides on the exception, Hobbes' "classic" exegesis of sovereignty and Giorgio Agamben's discussion of the state of exception, I then discuss in Chapter 2 the second main discourse the State constructs to discredit organized revolt and justify counterinsurgency, namely, sovereignty and the recourse to emergency power. I argue that these discourses of sovereignty also have a double-faced nature. On the one hand, they promise full inclusion in the sphere of political participation and representation, as well as equal protection, rights and duties. Yet, on the other hand, by generally presenting

organized revolt as an attack to national sovereignty (or national security, as it is increasingly called nowadays), these same discourses open up the possibility, so as to suppress dissent and organized revolt, to the use of wanton violence, the implementation of extreme measures such as the state of exception and martial law, and the suspension of allegedly inalienable rights such as *habeas corpus*. I further argue that Schmitt's articulation of the state of exception to the legal order through the figure of the sovereign becomes the counterpart of the friend-enemy distinction I examined in Chapter 1: if the latter provides the political rationalization to kill the enemy-brother, Schmitt's conceptualization of the sovereign provides the legal justification. I contend that Schmitt's conceptualization of sovereignty and the sovereign decision deliberately does away with the aporetic tensions in Hobbes' concept of sovereignty in which the subject concurrently can and cannot disobey. As a result, sovereignty becomes indivisible at *all* times and in *all* circumstances and the subject, for its part, is stripped of its right to resistance, laying thereby the foundations of a legal and political framework that allows for the elimination of rebels, dissenters and insurgents *without* any real political or legal consequence. In other words, if Hobbes was willing to acknowledge that obedience is promised only after security has been guaranteed, Schmitt inverts the terms of the sovereign relation by holding that security follows obedience, that is, that security is provided only after the subject has agreed to obey *unconditionally*.

Chapter 3 bridges the theoretical discussion of counterinsurgency discourses and sovereign reason with the literary analysis in this and the following chapters. Through a critical analysis of Julio Ortega's story "Adiós Ayacucho," as well as Peruvian Sendero Luminoso's discourse, I argue that *manchay tiempo* (the "time of fear" that lasted from

roughly May 1980 to September 1992) not only refers to the very actual fear of violence but also stands for the profound fear resulting from being caught between two sovereign reasons—the State and Sendero Luminoso—aiming for the total annihilation of the other by resorting to the very same underlying discourses I discussed in the previous chapters. This fear, I indicate, transforms the Hobbesian fear of another man into fear of the sovereign, thereby leading to the rejection of the sovereign relation itself by suggesting that the only possible site for a new configuration of the political is exclusively to be found in the *without* an order, that is, in a space or network where the friend-enemy distinction, the logic of fraternization and sovereign reason are no longer, for lack of another word, *sovereign*. As such, this chapter sets the conceptual framework for the exploration, in the last two chapters, of other "insurgent" subjectivities such as the ghost, the mad, the animal or the old that might be conceived as existing *without* an order because, given their immateriality, physical limitations and/or alleged incapacity for language and reason, they cannot easily be coopted by sovereign reason or incorporated in the process of production, exchange and consumption. These subjectivities, I contend, both reveal and react to a shift in the locus of sovereignty from the strictly political to the economic by means of which inclusion in the community of brothers is determined less by political or ideological affinities than by the ability to partake in the capitalist market economy as exchangers and consumers, a process that is increasingly placing everyone always-already in a relation of exception.

Through a close reading of Horacio Castellanos Moya's novel *Insensatez* (*Senselessness*), I then develop in Chapter 4 the conceptual categories of 'noise' and 'reasonable senselessness' as possible responses to the silencing and calculating logics of

sovereign reason and what Michel de Certeau calls the scriptural enterprise, that is, power's permanent production and reproduction of order and sovereign reason through "writing." I begin by discussing what I call the criminalization of the insurgent as a discursive strategy that casts him or her as an enemy of the state, the community of brothers and "civilized" life in general, and questions its ability and right to speak, transforming thereby the insurgent's political discourse into irrational and senseless acts of violence that can and should be confronted with unlimited force. I then trace and analyze this process of criminalization in Guatemalan dictator Efrain Ríos Montt's moral discourse. Drawing from Michel Foucault's analysis of madness, I argue that Ríos Montt's construction of subversion as a mental disease that was corrupting Guatemala from the inside out enables to posit madness as a conceptual category that has the potential to disrupt the very foundation of sovereignty, the protection-obedience principle. I suggest that the narrator's paranoia and alleged madness in this novel is in fact a *reasonable senselessness* that introduces "noise," understood as the hidden and silenced knowledges that threaten to disrupt the calculations and rationality of sovereign reason and the scriptural enterprise, into the political. The narrator's reasonable senselessness thus becomes in the novel not only the marker of a collective pathology in which madness is the result of a descent into sovereign reason's heart of darkness, but also what enables to disjoint the scriptural enterprise's coupling of work, exchange and order, revealing thereby the inner logics underscoring sovereign reason. This, in turn, suggests the possibility of a space or network beyond production for exchange and goals set in advance, as well as the appearance of an *other* reason able to account for and reckon with the incalculability and "senselessness" of the reasonable. Given the critical

and subversive qualities of madness, its capacity to disjoint the association of reason, work, order and exchange, Castellanos Moya's *Insensatez* ultimately points to the emergence of new insurgent subjectivities that both reveal and react against the shift in the locus of sovereignty from the political to the economic I mentioned above.

If the previous chapter posits the possibility of an *other* reason, in Chapter 5 I discuss how the Mexican Zapatista Army of National Liberation's (Ejército Zapatista de Liberación Nacional or EZLN) political texts as well as Marcos' (the EZLN's spokesperson) literary works attempt to imagine this possibility as lived experience. I suggest that the EZLN's critique of sovereign reason is in great part associated with the recuperation and reinterpretation of certain practices and attitudes of ancient Cynicism. These practices and attitudes, I argue, are more evident or clearly identifiable in Marcos' literary works such as the novel *Muertos incómodos* (*The Uncomfortable Dead*), which he co-wrote with Paco Ignacio Taibo II, and his stories of Don Durito de la Lacandona and El Viejo Antonio (Old Antonio). In these works, I contend, the main characters share with the ghostly narrator of Julio Ortega's "Adiós Ayacucho" and the mad narrator of Horacio Castellanos Moya's *Senselessness* the ability to potentially escape the dictates of sovereign reason and the scriptural enterprise, thereby revealing and reacting to the shift in the locus of sovereignty I discuss in Chapter 4. Moreover, I suggest that *Muertos incómodos'* clearly experimental and improvisational quality captures the dialogic nature of the Zapatista revolt and discourse exemplified by their motto *preguntando caminamos,* which attempts to counter the overbearing decisionism and calculations of sovereign reason. Additionally, I suggest that the Zapatista critique of neoliberalism is more poignant and ironic in the tales of Don Durito, and that Marcos' stories of Old Antonio

rework and re-signify the indigenous communities' history of struggle and resistance into fecund, living memory. This fecund, living memory, I hold, can be regarded as what the Greeks called *mētis,* which I understand as forms of knowledge embedded in local experience that are opposed to and sometimes subvert the state/sovereign's abstract knowledge and calculations. Taking as its basis a certain Cynicism, Durito's critique of neoliberalism*,* Old Antonio's *mētis* and Elías Contreras' (the main character and narrator in *Muertos incómodos*) critique of modern cynicism, I argue that the Zapatistas' political practices and discourse, as well as their refusal to take power, can be read as the attempt to construct a space or network beyond sovereign reason, a possibility postulated by two of their mottos—*mandar obedeciendo* and *preguntando caminamos*—working in tandem with what I call, via Alan Badiou, the Idea of dignity. I argue that the Idea of dignity seems to respond much more directly to the indigenous *mētis* and their experience of colonialism, imperialism, subjugation and marginalization than Badiou's Idea of communism, ultimately enabling the Zapatistas to introduce a contingent in the space opened by the indeterminate nature of the sovereign's performative utterance in order to extend an invitation to the dialogic construction of an *other* reason, one that does not yet exist but knows that things in general are not settled forever and are, therefore, open to the incalculable of the reasonable.

Chapter 1

Of Friends, Enemies, Partisans and Guerrilleros: The Concept of the Political and the Logic of Fraternization

> In all of history men have been taught that killing of men is an evil thing not to be countenanced. Any man who kills must be destroyed because this is a great sin, maybe the worst sin we know. And then we take a soldier and put murder in his hands and we say to him, "Use it well, use it wisely." We put no checks on him. Go out and kill as many of a certain kind or classification of your brothers as you can. And we will reward you for it.
> .
> John Steinbeck, *East of Eden*

When on April 5, 1992, the democratically-elected president Alberto Fujimori appeared on national television to announce that he was assuming emergency powers, he was just announcing the latest if most drastic emergency measure introduced by the Peruvian State in the last twelve years in its attempt to defeat Sendero Luminoso, the radical, maoist insurgency that had been able to bring the country to its knees. In his televised speech, Fujimori stated that he was partially suspending the 1979 Constitution, temporarily dissolving the bicameral National Congress, stripping the Judicial Branch of any real power, and arrogating legislative powers. Fujimori justified these extreme measures by claiming that the opposition parties, who were in control of both the House of Representative and the Senate, were unwilling to enact the laws and norms Fujimori

deemed necessary to both restructure the shattered economy and successfully fight against Sendero Luminoso.

The next day, Fujimori's announcement was enacted as law by the publication of Decree-Law No. 25,418 or "Ley de Bases del Gobierno de Emergencia y Reconstrucción." The decree spelled out the legal framework, justification and aims of what became known as Fujimori's self-coup or *autogolpe*. Article 2, for instance, stated the goal of the emergency government: "Constituye objeto fundamental del Gobierno de Emergencia y Reconstrucción Nacional la reforma institucional del país, orientada a lograr una auténtica democracia, que eleve sustancialmente los niveles de vida de la población creando las condiciones humanas para una mejor realización de la persona humana." Article 2 also summarized the measures that should be taken to achieve "la reforma institucional del país": modify the Constitution to promote development; bring morality to the administration and the institutions of justice; modernize the state and its institutions; pacify the country within a legal framework that guarantees drastic punishments for terrorists; reorganize education, health and housing services; and promote a market economy within a legal framework that provides security, encourages efficiency and competition among economic agents, fosters economic stability, and stimulates national and international investments. Moreover, Article 4 ordered the dissolution of the National Congress; Article 5 authorized the President to rule by decree; and, just in case someone would argue that the decree was unconstitutional, Article 8 suspended any article of the 1979 Constitution or any legal norm that was explicitly

opposed to measures such as Decree-Law 25,418.[1] It goes without saying that the decree was indeed unconstitutional given that Article 82 of the 1979 Constitution explicitly stated that "Nadie debe obediencia a un Gobierno usurpador ni a quienes suman funciones o empleos públicos en violación de los procedimientos que la Constitución y las leyes establecen. Son nulos los actos de toda autoridad usurpada. El pueblo tiene el derecho de insurgir en defensa del orden constitucional." By claiming the faculty to annul this and other articles from the 1979 constitution, Fujimori's decree was granted *de facto* supremacy over the 1979 Constitution[2]

Fujimori had two crucial allies. First, the Peruvian Armed Forces who, fed up with the scornful treatment meted out by Peru's two previous presidents and their inconsistent counterinsurgency strategies, fully supported Fujimori's decision by, for instance, sending tanks to close Congress and the Supreme Court, taking over the offices of opposition parties, shutting down the newspapers' presses and even capturing dissenting political leaders and journalists immediately after Fujimori's announcement and during the days that followed. Likewise, most ordinary citizens, tired of more than a decade of economic hardships, ineffectual social and political policies and Sendero Luminoso's wanton and devastating violence, overwhelmingly supported Fujimori's emergency measures. According to polls conducted in the aftermath of the coup, between 78 and 95 percent of those interviewed partially or fully agreed with Fujimori's

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[1] See http://en.wikipedia.org/wiki/Decree_Law_25418 for the full text of Decree-Law 25,418.

[2] For a detailed account of the safeguards and exceptions included in the 1979 Costitution, see Cornell and Roberts, "Democracy, Counterinsurgency, and Human Rights: The case of Peru," 541-44; and Freeman, *Freedom or Security*, 154.

emergency measures; most high-ranking officials and the business community also supported Fujimori's coup.[3]

Fujimori's arrogation of emergency powers, as I mentioned, was however not the first time such measures were taken by the Peruvian State in its struggle against Sendero Luminoso. After two years of dismissing the insurgents as "petty cattle-lifters" and "common delinquents" organized by international conspirators who could be controlled by police forces, a miscalculation by all means, President Fernando Belaúnde first declared in December 1982 a state of emergency in seven provinces in the south-central highlands where Sendero Luminoso was more active.[4] Belaúnde handed control of the emergency zone to the Armed Forces by creating military commands known as Comandos Político-Militares, giving them complete political authority. Moreover, the commander or Jefe Político-Militar of each emergency zone reported directly to the Military Joint Command and not to any civil authority. The lack of civilian oversight inevitably led to increasing levels of state violence. For instance, in the year after the military assumed control of the emergency zones, Philip Mauceri notes, "the number of civilian casualties in the war increased nearly tenfold" ("Military Politics" 92). In his carefully researched account of the first years of Sendero Luminoso's uprising, Gustavo

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[3] Among those who did support Fujimori's emergency measures were the Prime Minister, the Minister of Agriculture and the Vice-President Máximo San Román, who was formally sworn into the presidency by members of congress but never became *de facto* president. Likewise, most Peruvian politicians, intellectuals and journalists rejected Fujimori's seizure of power. For an analysis of Fujimori's self-coup, see Eduardo Ferrero Costa, "Peru's Presidential Coup"; for a critical appraisal of Fujimori's regime, see Catherine M. Conaghan, *Fujimori's Peru.*

[4] By 1991, eleven years after Sendero Luminoso's uprising began, "47 percent of Peru's population lived under a state of emergency, including the citizens of Lima, which had been declared an emergency zone in 1986" (Freeman 155). This fact not only shows how real was Sendero Luminoso's threat but also the level of despair of the Peruvian state's counterinsurgency efforts.

Gorriti expressed the dangers of giving the military unchecked control in an institutionally weak country such as Peru: "Al encargar la Guerra a las fuerzas armadas, en un país donde las limitaciones del control civil sobre el aparato militar eran y son evidentes, pocos dudaron que la región convulsa quedaría sujeta a un régimen diferente al del resto de la nación. Y que, durante un tiempo breve y violento, iba a correr mucha sangre. Salvo en lo del tiempo, en esto ultimo nadie se equivocó" (*Sendero* 425).

Despite the ample powers arrogated by the executive branch and the Armed Forces, the emergency measures taken by the Peruvian State were, in any case, only tangentially responsible for the eventual defeat of Sendero Luminoso.[5] In fact, Abimael Guzmán, Sendero's pseudo mythical founder, leader and ideologue was captured on September 12, 1992, through good, old-fashioned detective work done by the Grupo Especial de Inteligencia, an intelligence unit of the National Directorate Against Terrorism directed by Antonio Ketin Vidal and under the direction of the Peruvian National Police.

In any case, the emergency powers and laws enacted by executive decree did allow for several so-called "excesses", particularly those enacted in the aftermath of Fujimori's self-coup. In May 1992, for instance, Fujimori passed an anti-terrorism

[5] As Lewis Taylor indicates, "the personality cult ultimately proved to be the Achilles heel of the rebel organization. Guzmán's arrest severely dented *senderista* morale and undermined their belief in a victorious outcome … Such sentiments were encouraged by the clever ploy of parading a caged and overweight Guzman before the press (dressed in risible convict attire) and allowing him to deliver an incoherent rant" ("Counter-insurgency strategy" 51). Guzman's capture did not completely eliminate Sendero Luminoso but it did greatly reduce its strategic capabilities and political relevance so as to no longer be considered a threat to the Peruvian state. For a journalistic account of Guzman's capture, see Santiago Roncagliolo, *La Cuarta Espada* (149-67). Guzman's arrest has also been fictionalized in Nicolas Shakespeare's novel *The Dancer Upstairs*, which was later turned into a homonymous film directed by John Malcovich.

decree-law that broadened the definition of terrorism and increased the penalties in relation to previous anti-terrorism laws.[6] As Simon Strong recalls in *Shining Path*, the decree defined terrorism as any act "capable of causing havoc or grave disturbance of the public peace or affecting international relation or the security of society and the state" (18), an obviously ambiguous, catchall definition that leaves much room for the repressive force's interpretation and maneuvering.

The May 1992 decree-law also increased penalties for terrorism up to perpetual imprisonment and ordered "that terrorism trials be conducted by judges with their faces covered to protect their identity; that police accusations of terrorism be sufficient in themselves for a case to be heard … and that police detention of suspected terrorists in zones of emergency could be indefinite. Further, the right to file for *habeas corpus* was prohibited at all police and juridical stages" (18). Likewise, in November of the same year, an additional decree turned terrorism, including "apology for terrorism", into an act of treachery to the motherland.

The infamous Grupo Colina, a death squad made out of members of the military that carried out extra-legal executions and disappearances of individuals suspected of being members of Sendero Luminoso, illustrates the excesses these decree-laws and emergency powers allowed for. Grupo Colina's existence finally came into public light after a series of well-publicized massacres were linked to it, for instance, the November 1991 Barrios Altos massacre, in which fifteen people mistakenly regarded as members of Sendero Luminoso were assassinated during a party; the May 1992 Santa massacre, which took the life of nine peasants, also mistakenly assumed to be Sendero Luminoso

[6] A complete list and analysis of anti-terrorism laws in Peru during the 1980s and 90s can be found in Comisión de la Verdad y Reconciliación, *Informe Final*, Vol. 6, 387-496.

cadres, in the Andean province of Santa; and the July 1992 massacre of La Cantuta, in which a professor and nine students from La Cantuta University suspected of being supporters of Sendero Luminoso were kidnapped and disappeared, their bodies found months later with marks of torture.[7] As Angela Cornell and Kenneth Roberts indicate, "the Peruvian case demonstrates that 'national security doctrines' that sacrifice human rights on the altar of internal security are not the exclusive property of military regimes" ("Democracy, Counterinsurgency, and Human Rights" 551).[8]

Prior to Fujimori's self-coup, reports by Amnesty International and Americas Watch had already documented the use of torture, deliberate arbitrary arrests, disappearances and extrajudicial killings. One of the most ominous cases was the massacre of prisoners accused or convicted of terrorism following the simultaneous taking over of three prisons on June 18, 1986, by Sendero Luminoso inmates, which led, after then President Alan García authorized the armed forces to retake the prisons, to the killing of 249 prisoners, some of which had already surrendered. As Philip Mauceri indicates in *Militares, Insurgencia y Democratización en el Perú*, "La masacre [en las prisiones] demostró claramente los límites del control político ejercido por civiles en un

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[7] For an analysis of La Cantuta massacre and his repercussions in the present, see Sandoval, "El olvido está lleno de memoria. La Matanza de estudiantes de La Cantuta."

[8] For a detailed account of Grupo Colina's origin and activities, see Umberto Jara, *Ojo Por Ojo: La Verdadera Historia del Grupo Colina*. See also Ricardo Uceda, *Muerte en el Pentagonito: Los cementerios secretos del Ejército Peruano* for a thoroughly researched journalistic account of the excesses committed by the National Intelligence Service and its *de facto* director Vladimiro Montesinos, Fujimori's personal advisor. Uceda also relates the activities of Grupo Colina.

contexto de autonomía militar y control operacional sin supervisión o superintendencia civil" (56).[9]

In any case, the alliance between Fujimori and the Armed Forces led to widespread corruption, manipulation of the media, cooptation of many popular organizations, and the silencing of opposition.[10] As Freeman indicates in *Freedom and Security*, "Not only were the emergency powers ineffective at eliminating or even reducing the level of violence [in Peru], they also contributed to widespread human rights abuses including torture, extra-judicial killings, and disappearances," mostly because of "the abdication of civil authority to the military in the emergency zones" (171).

The use of emergency powers was also the preferred politico-legal strategy of the Guatemalan State in its thirty-six-year long fight against different guerrilla groups, particularly during the 1980s. For instance, after taking power in a palace coup on March

[9] For a scholarly appraisal of human rights violations during the 1980s in Peru, see Cornell and Roberts (note 1 above). For reports on human rights violations during the same years, see Amnesty International reports *Peru: Human Rights in a Climate of Terror* (New York, Amnesty International, 1991), and *Peru: Summary of Amnesty International's Concerns Since 1983* (New York, Amnesty International, 1992). See also Comisión de la Verdad y Reconciliación, *Informe Final* (Lima: CVR, 2003), Volumes VI and VII. The prisons episode is recounted in Strong, *Shining Path,* 142-50; and Amnesty International report *Peru: "Disappearances," Torture and Summary Executions by Government Forces after the Prison Revolts of June 1986* (London: Amnesty International, 1987). A detailed account of the Peruvian Armed Forces' counterinsurgency strategy from 1980 to Guzman's capture in 1992 can be found in Carlos Tapia, *Las Fuerzas Armadas y Sendero Luminoso* (Lima: Instituto de Estudios Peruanos, 1997). For an official account (and justification) of the Armed Forces' counterinsurgency operations, see Coronel Teodoro Hidalgo Morey, *Sendero Luminoso: subversión y contrasubversión* (Lima, Perú: Aguilar, 2004), Part II; and, specially, Roberto Clemente Noel Moral, *Ayacucho: testimonio de un soldado* (Lima: Publinor, 1989). Noel Moral was a former director of the National Intelligence Service (SIN) and the first Jefe Polítco-Militar in Ayacucho after it was declared an emergency zone in December 1982. He was accused of numerous human rights violations, especially in the early 2000s, but was never convicted. He died in 2005.

[10] For an account of Fujimori and the Armed Forces' grip on the political, the judicial and the social, see Kruijt and Del Pilar, "From Military Reformists to Civilian Dictatorships."

23, 1982, General Efrain Ríos Montt—a born-again Christian who had been defrauded of electoral victory back in 1974 when he ran as presidential candidate for the National Opposition Front lead by the Christian Democrat Party—suspended the 1965 Constitution and the National Congress, imposed a state of siege to prevent political activities (Decree-Law 24-82), and set up Tribunales de Fuero Especial (Decree-Law 46-82), among other measures.[11] Decree-Law 24-82 also enacted a Fundamental Statue of Government "to legally regulate the country" as well as "implement a juridical-political structure in the Nation … based on honesty, stability, legality, and security," as Jennifer Schirmer notes in her aptly titled book *The Guatemalan Military Project: A Violence Called Democracy* (28).[12]

Two main reasons can be identified for the March 23 coup. First, the indiscriminate and massive killings—even for Guatemalan standards—of "subversives,"

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[11] The Tribunales de Fuero Especial were made up of judges with covered faces and whose identity was unknown. They could be civilians or members of the military and were directly assigned by the President. These special courts were mostly in charge of political cases (widely defined), summary trials were the norm, the defendant was not given access to his file in advance and the death penalty was a common sentence (see Schirmer, *The Guatemalan Military Project* 143-5). For the best analysis so far of General Efrain Ríos Montt's "presidency" and public life, including his ties to the U.S. and political currency in Guatemala during the 1990s and 2000s, see Virginia Garrard-Burnett, *Terror in the Land of the Holy Spirit*. A shorter account focused on his time as "president" can be found in George Black, *Garrison Guatemala,* chapter 6.

[12] In this book, Schirmer provides what can so far be considered as the best account and analysis of the Guatemalan Military's grip on power, the extremely violent and cruel counterinsurgency campaign during the 1980s and what she calls their "self-referential, self-validating and self-justifying" use of law. She also discusses in detail the 1986 "transition" to democracy, sponsored and organized by the Military, and its consequences for counterinsurgency. See also Schirmer's articles, included in the references section, for specific aspects of her argument. For an official version of the Military's counterinsurgency strategy and the transition to democracy, see General Hector Alejandro Gramajo Morales, *De la guerra… a la guerra: la difícil transición política en Guatemala.* General Gramajo was, among other posts, Chief of the Guatemalan National Defense Staff in 1986 and Minister of Defense from 1987 to 1990.

"communists" or, in fact, "anyone suspected of dangerous opinions" under President-General Fernando Romeo Lucas García had disenchanted the elite, the business community and, more significantly, a large part of the Military officer class, who started to demand a change. Among the most notorious killings was the assassination of Manuel Colom Argueta, ex-mayor of Guatemala City, secretary-general of the political party Frente Unido de la Revolución and one of the leaders of the opposition, by a Military command on March 1979; the killing of Alberto Funes Mohr, founder of the Democratic Socialist Party and also a leader of the opposition, in January 1979; and the burning of the Spanish Embassy on January 31, 1980, in which all protesters (among them, Rigoberta Menchu's father), members of the Comité de Unidad Campesina, the Spanish consul and embassy personnel were killed.[13] The violence was so widespread that, according to George Black, "by 1981, the body count during Lucas' term of office had reached 6,000," among them "311 peasants activists … killed during 1980 alone, and 400 students and faculty members of the [public] University of San Carlos butchered over a period of four months" (51, 52).[14]

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[13] The embassy was burnt after being occupied by members of the Comité de Unidad Campesina, students and leaders of the opposition to protest the kidnapping and murder of indigenous peasants in El Quiché, Guatemala. See Victoria Garrard-Burnett, *Terror,* 47-50.

[14] It was also during these years that the Military began to target the guerrilla's support base in the countryside through scorched earth campaigns and massive killings of alleged guerrilla sympathizers. The climate of terror was exacerbated by the increasing number of death squads with ominous names such as Ejército Secreto Anticomunista or Nueva Organización Anticomunista. (Death squads such as Mano Blanca, Ojo por Ojo, Organización Nacional Anticomunista or Buitre Justiciero had also blossomed during the 1960s, when the Guatemalan Military fought against the first wave of guerrilla organizations). The death squads, linked to both the army and private individuals, openly published death lists, tortured their victims and left their bodies in pubic places, commonly with a note pinned to them saying, "this is how traitors die." Tellingly, the radical left-wing Sendero Luminoso would commonly leave the very same message next

A second reason for the March 28 coup was the mounting popular discontent—including the usually supportive urban middle-class—regarding General Lucas's counterinsurgency strategy and mismanagement of the economy, which was in fact widening mass resistance and providing more militants to the increasingly stronger guerrilla groups.[15] The discontent reached its limit when on March 9, 1982, it was announced that Defense Minister General Aníbal Guevara, handpicked by Lucas García to succeed him, had won the evidently fraudulent elections on March 7. The civilian opposition and, particularly, a large part of the Military officer class who wanted to implement a coherent, less indiscriminate (though by no means less violent) counterinsurgency strategy started to demand Lucas García's dismissal. Ultimately, a bloodless palace coup lead by young officers on March 23 put an end to his Regime. As George Black notes, "it was the first time in 19 years that the military had been forced to resort to a *coup d'état* to perpetuate its rule" (130).

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to tortured and/or executed victims. For an informed discussion of death squads in Guatemala, see Black, *Garrison Guatemala* 50-53; and Aguilera Peralta, "Terror and Violence," 110. Black's book also provides an analysis of key events in Guatemala's history from roughly the fall of Arbenz in 1954 to the rise of Ríos Montt in 1982, including the Lucas García regime. For an overview of Lucas' period, see Garrard-Burnett, *Terror,* 45-50.

[15] By the early 1980s, three Guatemalan guerrillas had been able to reach a high level of military development and attract a wide social base composed in part, and with varying degrees, of indigenous peasants: (1) the Organización del Publo en Armas (OPRA, Organization of the People in Arms); (2) the Fuerzas Armadas Rebeldes (FAR, Rebel Armed Forces); and (3) the Ejército Guerrillero de los Pobres (EGP, Guerrilla Army of the Poor), which was the most active and widely supported. A comprehensive, detailed and analytic account of Guatemala's guerrillas during the 1970s and 80s remains to be written; for an overview, see Edelberto Torres-Rivas, *Revoluciones sin cambios revolucionarios* (422-65); Gabriel Aguilera Peralta, "The Hidden War;" Black, *Garrison Guatemala,* Chapter 5; and Proyecto Interdiocesano de Recuperación de la Memoria Histórica, *Guatemala: Nunca Más,* Vol. 3**.** For a detailed account of the first wave of guerrilla organizations in Guatemala in the 1960s, see Aguilera, "Terror and Violence;" Black, *Garrison Guatemala* (Chapter 4); Richard Gott, "Soldiers and Peasants in Guatemala;" and Adolfo Gilly, "The Guerrilla Movement in Guatemala."

General Efraín Ríos Montt, nonetheless, did not actively participate in the coup but was rather called upon to assume the presidency of a Government Military Junta also formed by General Horacio Maldonado Schaad and Colonel Francisco Luis Gordillo.[16] The Military Junta made public the day of the coup its main goals, among them, to make the citizenry feel that the authority is there to serve the people and not to be served by the people; achieve individual safety and well being based on an absolute respect for human rights; achieve a nationalist spirit and create the basis for the integration and participation of the different ethnic groups which comprise the nation; achieve the recovery of the national economy; restructure the Judicial Branch; eradicate administrative corruption; improve the population's standard of living; restructure the electoral system to foster democracy and political participation so as to avoid popular frustrations; reorganize the public administration; and reestablish the country's constitutionality, among others. Given the unquestionable evidence of systemic human rights violations and the use of extreme violence and cruelty, the Junta's statement of purpose ought to be regarded as one of the most cynical documents in Guatemala's history.[17]

The true face of the coup, however, was evident in Ríos Montt's first's televised speech, which he delivered on the day of the coup. In the speech, he shared his

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[16] On June 9, however, the Military removed the latter two from their posts, dissolved the Junta of Government and declared General Efrain Ríos Montt president, granting him full executive and judicial powers, as well as the command of the Armed Forces. For an account of the palace coup and an analysis of its contexts and background, see George Black, *Garrison Guatemala,* 121-34.

[17] For the complete list of the Military Junta's objectives and the most important aspects of the Army's strategy, see Black, *Garrison Guatemala,* Appendix 1. For a thorough account of human rights violations during Ríos Montt's "presidency," see Garrard-Burnett, *Terror,* Chapter 4; and the 1983 "Report on the Situation of Human Rights in the Republic of Guatemala" prepared by the Inter-American Commission on Human Rights of the Organization of American States, which can be found online at http://www.cidh.oas.org/countryrep/Guatemala83eng/TOC.htm.

conceptualization of sovereign reason, commanded the members of the guerrillas to depose their arms and explained his unique version of legality:

> Por favor señores de la subversión, tomen nota de los siguiente, solo el Ejército de Guatemala debe tener las armas y ustedes dejen las armas, porque si no dejan las armas nosotros les vamos a quitar las armas. Y oigan bien señores, no aparecerán asesinados en las orillas de las carreteras; se irá a fusilar a quien esté en contra de la ley, pero asesinatos ya no, queremos respetar los derechos del hombre, ejercitarnos en ello, es la única manera de aprender a vivir democráticamente. (*Mensajes del Presidente de la República* 10)[18]

In this speech, Rios Montt not only explicitly admitted previous human rights violations by the Military ("asesinatos ya no") but also expressed clearly the army's twisted "self-referential, self-validating and self-justifying" (Schirmer, *TGMP* 129) conceptualization of law and the legal order. For the Guatemalan Military, the difference between being assassinated or being executed by a firing squad was just a matter of having the "right" law and, of course, being on the "right" side of the conflict: on the one hand, the guerrillas, being outside the law, always assassinate and, since their violence is unjustifiable and illegal, must pay for their crimes; the military's use of violence is however justifiable and can thus legally execute them with the use of a firing squad. The fact that the military itself concocted the law is, of course, rendered irrelevant. As Giorgio Agamben notes, "The normative aspect of law can be obliterated and contradicted with impunity by a governmental violence that—while ignoring

[18] Between March 23 and December 26, 1982, Ríos Montt regularly addressed the country through radio and national television—broadcasting TV and radio stations *had to* transmit the General's messages. Always beginning by kindly thanking the viewers' hospitality for "sharing" the intimacy of their homes with him, Ríos Montt imparted morality lessons, spoke of law and justice, and shared his vision for a better Guatemala. In Chapter 4, I will examine Ríos Montt's speeches and discuss his moral discourse in relation to insurgency and sovereign reason.

international law externally and producing a permanent state of exception internally—nevertheless still claims to be applying the law" (*State of Exception* 87).

Contrary to Peru's case, then, the emergency powers arrogated in Guatemala by the Military Regimes along with a counterinsurgency strategy that combined brutal repression with protection and development programs to win the "hearts and minds" of the indigenous population were highly effective in controlling the guerrillas and "subduing" the supporting population.[19] As Dirk Kruijt indicates, "in the period between

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[19] The Military's success was in great part the result of the Plan Nacional de Seguridad y Desarrollo, which the Ríos Montt and the Military put into practiced right after the Junta took power. The Plan Nacional detailed a politico-military strategy that combined brutal repression with development programs and civil action measures in order to defeat the guerrillas by separating them from the mostly indigenous supporting population—the water in which the guerrilla fish swims, in Mao's words—and winning over their hearts and minds. As George Black sardonically notes, the plan allowed for "murder with a scientific purpose and philosophy, not random carnage for its own sake," as was the case during Lucas García's tenure as General-President (*Garrison Guatemala* 144). The plan had three phases. The first one, Victoria 82, was designed as a mostly military phase whose aims was to gain control over the territory and the population, isolate the guerrilla fronts, and eliminate their civilian support base through scorched-earth campaigns. Concurrently, the military gave indigenous communities the option to resettle in so-called "development poles" or "model villages" so as to receive assistance and protection. This mix of repression and rewards was officially called "Fusiles y Frijoles" (Bullets and Beans). This first phase also had a civil action component called "Techo, Trabajo y Tortillas". During the second phase, Firmeza 83, the Military shifted the balance from brutal repression to population control, civic action and developmental measures. The Patrullas de Autodefensa Civil, which were obligatory for all man between the ages of 15 and 60, also became highly organized during this phase. By the end of this phase the guerrillas were, for all practical purposes, defeated. The last phase, Encuentro Institucional 84 / Estabilidad 85, was thus primarily political. It was, nonetheless, not presided by Ríos Montt given that he had been overthrown from power in another palace coup lead by his Defense Minister Óscar Humberto Mejía Victores in August 1983. During the political phase of the Plan Nacional, the Military called for elections—first, for a National Constituent Assembly to draft a new constitution in July 1984 and then, in November 1985, for general elections—to reestablish political legitimacy. Yet, it would be an error to conclude that the Military modified its counterinsurgency strategy, stopped meddling in political decisions or, for that matter, gave up an iota of power. Instead, the "democratic" transition allowed the Military to consolidate "the existing military structure institutionally while utilizing the vocabulary of democracy and human rights"

1980 and 1985 (the years 1982 and 1983 being the most violent), approximately 100,000 civilians were killed; 450 villages and hamlets were completely destroyed; 60,000 indigenous peasants were 'relocated' in 'strategic hamlets'; one million people had chosen 'internal displacement'; 500,000 migrated abroad; and several thousands were 'disappeared'" ("Exercises in State Terrorism" 49).[20] Even if the precise numbers vary from one account to the next, the sheer brutality of the Guatemalan Military counterinsurgency campaign is indisputable.[21]

(Schirmer, "The Looting of Democratic Discourse" 86). For a detailed account of the Military's Plan Nacional de Seguridad y Desarrollo see Schirmer, *The Guatemalan Military Project,* Chapters 1, 2 and 3; Schirmer also discusses the Patrullas de Autodefensa Civil and their role in the Military's counter-insurgency strategy in Chapter 4. A detailed analysis of the Guatemalan Patrullas de Autodefensa Civil can be found in Ricardo Sáenz de Tejada, *¿Víctimas o vencedores?*; see Mario Fumerton and Simone Remijnse, "Civil defense forces," for a comparative analysis between Guatemala's Patrullas de Autodefensa Civil and Peru's Comites de Autodefensa Civil.

[20] For a detailed account of human rights abuses by the Guatemalan Military, see the final report of the Comisión para el Esclarecimiento Histórico, *Guatemala: Memoria del Silencio*, Vol. 2 and 3; see also the final report of the Proyecto Interdiocesano de Recuperación de la Memoria Histórica, *Guatemala: Nunca Más*, Vol. 2. Both reports conclude that the government forces and their allies were responsible for more than 90 percent of the atrocities committed during Guatemala's thirty-six-year long civil war from 1960 to 1996. Victoria Sanford, among other scholars, claim that the Guatemalan Military's counterinsurgency campaign during them1980s should be regarded as genocide against the indigenous population; see her *Buried Secrets* for a detailed ethnographic account of numerous massacres committed by the Guatemalan Army and the evidence she provides to support her argument. A shorter version of her argument can be found in Victoria Sanford, *Violencia y Genocidio en Guatemala.*

[21] Even some members of the military, although anonymously, have themselves admitted that so-called "excesses" did happened. For instance, an anonymous Guatemalan intelligence colonel told Jennifer Schirmer, "Everyone, everyone was a guerrilla; no difference was made in killing them. The big difference in strategy after the 1982 coup was that we couldn't eliminate them all. Some were captured and their lives spared so they could serve as informers" (*TGMP* 52). Likewise, when Jennifer Schirmer asked Ríos Montt in 1991—that is, more than 7 years after he was "president" of Guatemala—what happened to the 112 Tribunales de Fuero Especial prisoners that were released, he cynically answered, "They were later assassinated [by the army] on the street, in their homes, in the countryside, because they were dangerous" (*TGMP* 144). Only recently have those responsible for the atrocities committed during Guatemala's internal war

In the Mexican case, the Mexican State did not resort to the use of emergency powers to attempt to control the Ejército Zapatista de Liberación Nacional's (EZLN) uprising. This was in great part the result of the EZLN openly presenting itself as an army conducting military operations, thus giving cause to a justified and legal defense of the state's sovereignty according to the Mexican Constitution. Political reasons, however, were equally important. Given that the Zapatistas strategically chose to initiate their armed revolt in Chiapas on January 1, 1994, the day the North American Free Trade Agreement (NAFTA) came into effect, opting for brutal repression and wanton violence, as the Guatemalan and Peruvian State did, would have sent the wrong message to an already hesitant public "hoping through NAFTA to establish itself in 'the First World'" (Womack, "Chiapas" 44). Moreover, then president Carlos Salinas de Gortari had to listen, especially during an electoral year, to the Mexican civil society who in great numbers and through different channels made it clear that "they were for the poor Indians in Chiapas, and they were against war" (44). All this led to Salinas' declaration of a unilateral ceasefire on January 12, which was promptly accepted by the Zapatistas, by then in a clearly defensive position and forced to retreat by the Military to their original area of influence.[22]

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began to face formal accusations. In January 2012, for instance, Ríos Montt was bound over for trial on charges of genocide and crimes against humanity by a Guatemalan Court. Likewise, in February of the same year, a different Guatemalan Court sentenced four members of the Army's Special Forces (Kaibiles) to more than 6,000 years for their participation in the murder of more than 201 inhabitants of the town of Dos Erres in December 1982.

[22] For a concise yet insightful historical analysis of indigenous revolts in Chiapas and the origins and first years of the EZLN uprising, see Womack, "Chiapas;" for a more detailed account of these same topics, as well as the political an social implications of the Zapatista revolt, see Montemayor, *Chiapas: La rebelión indígena de México.*

Yet, giving the Mexican State's repressive tradition, the measures taken by the Mexican State and the Military should not be taken as genuinely conciliatory. Even if the Mexican State did not resort to emergency powers, initiated peace talks for political reasons and showed certain initial disposition to actually listen to the Zapatistas' demands, it did nonetheless opt, especially after Zedillo took power in late 1994, for a low-intensity counterinsurgency strategy that has led to the militarization of Chiapas.[23] Although some measures were explicitly taken to defeat the EZLN militarily—for instance, in February 1995 Zedillo ordered an offensive to capture the high command of the EZLN that failed on that account but managed to surround the Zapatistas and reduce their area of action—the main goal of the low-intensity counterinsurgency strategy was to isolate the EZLN politically and economically, as well as undermine its support among the local population. A central component of this strategy was the support of paramilitary groups, which led, in December 1997, to the massacre of 45 members of Las Abejas—a pacifist and Catholic civil association that even if sympathized with the EZLN actually promoted non-violent resistance—in the small village of Acteal in the municipality of Chenalhó. According to some accounts, soldiers at a nearby military outpost did not intervene during the attack. As Alejandro Nadal notes,

> Acteal was the predictable result of the Zedillo government's counterinsurgency approach … [which] rests on a strong military presence in Chiapas in order to neutralize and, if possible, destroy the EZLN … a façade of being actively engaged in a peace process … [and the] growing set of paramilitary groups that are the backbone of the counterinsurgency war in the North and Los Altos regions of Chiapas. (21)

[23] Accounts vary but somewhere between 35,000 and 70,000 troops (that is, between one-sixth and one-third of the Mexican Armed Forces) were stationed in Chiapas by 1997. For a detailed account of the Mexican army counterinsurgency strategy during the first years of the Zapatista uprising, see Sierra Guzmán, *El enemigo interno,* chapter 4.

Preposterous as it may seem, the Acteal massacre was actually used by the government to justify an even greater militarization of Chiapas.[24]

This brief exposition of how various Latin American States established and used emergency powers in relation to counterinsurgency raises many questions. The first, of course, is why does the State, whose *raison d'être* is supposedly the protection of its subjects, resort to emergency powers and commit these despicable acts against some of its very own subjects? What are the underlying political and even ethical discourses that, on the one hand, allow the state to present itself as the expression of the people's will and interests yet, on the other, serve as justification for fighting against and even slaughtering the very same people whose will and interests it purportedly represents? Or, as Virginia Garrard-Burnett asks towards the end of her careful analysis of Rios Montt's regime, "What conditions conspire to make it not only possible but even likely that neighbors turn against one another and that a state treats its own citizens as internal enemies?" (*Terror* 168).

Garrard-Burnett reasons that people kill their neighbors because they have been effectively manipulated to believe "in a virulent ideology, religion, or nationalism that demands it" (*Terror* 169). Moreover, she rightly claims that "the people who order the [mass] killing and many of those who carry it out do so because they are convinced that it is the right thing to do—they believe they are serving the interests of a compelling moral imperative or utilitarian purpose within life's metanarrative" (169), which is essentially

[24] For accounts of the Acteal Massacre, see Womack, "The Civil War in the Highlands;" Moksnes, "Factionalism and Counterinsurgency in Chiapas;" and Nadal, "Terror in Chiapas." These three articles also discuss some aspects of the Mexican counter-insurgency strategy.

what Hannah Arendt called "the banality of evil," the normalization of the unthinkable allowed for by the suspension of sound thinking and judgment.

Notwithstanding the validity of Garrard-Burnett's observations, we must be careful with this line of reasoning because it assumes, as James C. Scott rightly points out in *Weapons of the Weak*, that "the exploited group accepts its situation as a normal, even justifiable part of the social order … that elites dominate not only the physical means of production but the symbolic means of production as well, and that this symbolic hegemony allows them to control the very standards by which the rule is evaluated" (39).[25] This line of reasoning, moreover, tends to ignore that despicable acts of violence such as those carried out by the Guatemalan or the Peruvian army are always executed with the complicity of at least part of the population**.** As Garrard-Burnett suggests, "there are many others who willingly and mindfully embrace authoritarian regimes because they value and appreciate certain dividends that the regime seems to, or actually does, offer: safety, security, and orderliness, for example" (176). In other words, there are always some (or many) who directly or indirectly benefit from these regimes and their policies

[25] Scott's observation is based on a famous passage in the *German Ideology* in which Marx articulates what we now call hegemony: "The ideas of the ruling class are in every epoch the ruling ideas, i.e. the class which is the ruling material force of society, is at the same time its ruling intellectual force. The class that has the means of material production at its disposal has control at the same time over the means of mental production, so that thereby, generally speaking, the ideas of those who lack the means of mental production are subject to it. The ruling ideas are nothing more than the ideal expression of the dominant material relationships, the dominant material relationships grasped as ideas; hence of the relationships which make the one class the ruling one, therefore, the ideas of its dominance. The individuals composing the ruling class possess among other things consciousness, and therefore think. Insofar, therefore, as they rule as a class and determine the extent and compass of an epoch, it is self-evident that they do this in its whole range, hence among other things rule also as thinkers, as producers of ideas, and regulate the production and distribution of the ideas of their age: thus their ideas are the ruling ideas of the epoch."

and, even if passively, support them. As the British historian Ian Kershaw acutely remarked, "The road to Auschwitz was built by hate, but paved with indifference" (quoted in Garrard-Burnett, *Terror* 170). In any case, Garrard-Burnett's observations, insightful and valid as they are, are nonetheless more related to the *how* and *why* of individual actions than the *how* and *why* of counterinsurgency in and of itself, that is, the political, philosophical and even ethical underpinnings of counterinsurgent discourse, which is what interests me here the most.

In what follows, I will analyze and provide a critique of one of the discourses the State draws upon to discredit and undermine organized revolt as well as justify and legitimize counterinsurgency: the political distinction between friends and enemies. I will argue that this discourse is traversed by a restrictive and exclusionary logic of fraternization that is used by the State as a parameter for political inclusion-exclusion. On the one hand, the logic of fraternization enables the State to construct the nation as an ideal community of equal brothers. On the other hand, however, this very same logic and the friend-enemy distinction opens up the possibility, when need be, for the State to (a) implement questionable legal measures such as the state of exception and martial law; (b) suspend supposedly inalienable rights like *habeas corpus*; and/or (c) exclude, disappear and eventually kill dissenting voices regarded as a threat to the survival of the ideal community of brothers; those, that is, who from the very beginning were never really deemed as true brothers.[26] Moreover, I will argue that the State regards the insurgent as

[26] Herein, the apocryphal brother refers mostly to the indigenous other but a similar argument could be made for any group or individual that is part of the population but not a *real* brother, for instance, women, blacks or homosexuals.

an existential threat to the continuous survival of the community of brothers because she reveals the double-faced nature of the constitutive discourse I mentioned above.

1.1. The concept of the political

To note that states think of other states in terms of friends and enemies, to suggest that in politics one should always have at least one easily discernible enemy, or to indicate that notorious criminals are regarded as public enemies would hardly be considered an original or insightful statement. In fact, the very notions of *enemy* and *enmity*, and thus of *friend* and *friendship*, have been intrinsic to the development of Western philosophy and political thought since its origins. It is rather telling that Plato begins *The Republic* by discussing justice in relation to the distinction between friends and enemies, and that Aristotle devotes Book V of his *Nicomachean Ethics* to justice, and Books VIII and IX to friendship.[27] If we take these two cornerstones of western thought at face value, it should be concluded that justice and the friend-enemy distinction have been constitutive elements of western political and ethical thought since its origins and could thus be considered as crucial components of the foundations upon which the whole edifice of political life is constructed.

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[27] For Plato's argument see *The Republic,* Book I, 327a-336a. Socrates concludes this passage by stating that "it wasn't a wise man who said that justice is to give every man his due, if what he meant by it was that the just man should harm his enemies and help his friends. This simply is not true: for as we have seen, it is never right to harm anyone at any time." Regretfully, the last sentence seems to have been entirely forgotten. Aristotle, on his part, goes so far as to consider friendship the consummation of justice: "Friendship also seems to be the bond that holds communities together, and lawgivers seem to attach more importance to it than to justice; because concord seems to be something like friendship, and concord is their primary object—that and eliminating faction, which is enmity. Between friends there is no need for justice, but people who are just still need the quality of friendship; and indeed friendliness is considered to be justice in the fullest sense" (*Nicomachean Ethics,* Book VIII, 1155a20-30).

Yet, it is precisely because talk about enemies of any kind has become a commonplace and phrases such as "public enemy," "enemy of the state," "the enemy within" and even "enemy of the revolution" permeate legal and political discourse that I believe it is necessary to reexamine what notions such as *enemy* and *enmity* actually preclude or allow for and what are in fact their political and theoretical limits, inconsistencies and, especially, dangers. More precisely, I would like to start this investigation on the discourses the State draws upon to discredit organized revolt and justify counterinsurgency by examining Carl Schmitt's articulation of the notions of *friend* and *enemy* to politics, sovereignty and insurgency.

As Gabriella Slomp notes in *Carl Schmitt and the Politics of Hostility, Violence and Terror*,

> Schmitt's claim that the friend/enemy principle describes the function of the political is by no means a bolt from the blue sky of political thought. Rather, it simply makes explicit a basic assumption that has always been implicit in western theorizing, namely that in order to provide security and protection a political entity must be able to detect its enemy" (8).

What is original and significant about Schmitt's argument, though, is his assertion, first advanced in 1927 in *The Concept of the Political* [*CP*], that the distinction between friend and enemy *is* "the specific political distinction to which political actions and motives can be reduced" (26). For Schmitt, then, the friend-enemy distinction not only defines the function but, more importantly, the *essence* of the political (Slomp 8).

Schmitt's concept of the political thus seems to prioritize and directly address the ever-present tension between the few, satiated lords of the state preserves who think and feel that things are and should be settled for ever, and the hungry many who disagree and sporadically organize themselves to attempt to unsettle the unfair settlement, which

translates in this context to the conflict between the Latin American states and the insurgents. Moreover, Schmitt directly links the concept of the political to what he calls the theory of the partisan, which, according to him, flows into the concept of the political and might provide the key to an understanding of political reality.

Schmitt does not only link the political with the partisan or insurgent but his friend-enemy distinction as the kernel of the political has not lost its currency, as George W. Bush's justification for the "war on terror" and the invasion of Iraq exemplifies. As it is not hard to see, Bush's "either you are with us or you are with the terrorists" directly translates into "either you are our friend or our enemy," a reductive opposition that by holding that any transgression or form of protest is detrimental to the common interest leaves no room for dissent or discussion, not even among those who should have been considered friends by the very same logic.[28] As Judith Butler notes, "the binarism that Bush proposes in which only two positions are possible … makes it untenable to hold a position in which one opposes both and queries the terms in which the opposition is framed" (*Precarious Life* 2).[29] Indeed, those few (Susan Sontag, for instance) who did

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[28] *Address to a Joint Session of Congress and the American People*, September 20, 2001 Bush's operational distinction between friends and enemies is perhaps the most famous recent example of this type of discourse, but it is of course not the only one. In the context of Latin American counterinsurgency, for instance, an unnamed Guatemalan army officer argued along the same line during the harshest years of the country's armed conflict, "Si tu estás con nosotros, te alimentaremos; si estas en contra nuestra, te mataremos" (Simon, *Guatemala: Eternal Spring, Eternal Tyranny* 119). Bush's address can be found on-line.

[29] The impossibility of questioning "the terms in which the opposition is framed" might in fact be part of what Derrida, in discussing the reaction of the American administration in the aftermath of September 11, describes as a clear example of an autoimmunitary process, that "strange behavior where a living being, in quasi-*suicidal* fashion, 'itself' works to destroy its own protection, to immunize itself *against* its 'own' immunity" ("Autoimmunity" 94). In the aftermath, writes Derrida, "We see an American administration … claiming that in the war against the "axis of evil", against the enemies

express that to wage a "war on terror" was not the best way to respond to September 11 were accused of being un-American even if they felt equally outraged and incensed by the attacks as the proponents and supporters of the "war on terror." In fact, one could only be a patriot or a traitor, an uncanny restatement of Saint-Just's proclamation during the height of the Terror: "A patriot is he who supports the Republic in general; whoever opposes it in detail is a traitor" (quoted in Camus, *The Rebel* 126). It goes without saying that Bush's appeal to the reductive friend-enemy distinction was convincing enough.

The question that lingers in the air, however, is *why*? Why is this reductive logic so appealing so as to enthuse large segments of the population and amass such levels of consent and support? And what is its underlying political and discursive mechanism? By partially drawing upon Derrida's critique of the canonical model of friendship and what he calls the logic of fraternization, I will present in what follows a critique of the most germane aspects of Schmitt's argument so as to show that his reduction of the political to the friend-enemy distinction is not only problematic and tendentious, but might also lead to dangerous consequences.

1.2. Of friends and enemies

In *The Concept of the Political*, Schmitt argues that the distinction between friend and enemy is "the specific political distinction to which political actions and motives can be

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of freedom and the assassins of democracy throughout the world, it must restrict within its own country certain so-called democratic freedoms and the exercise of certain rights by, for example, increasing the powers of police investigations and interrogations, without anyone, any democrat, being really able to oppose such measures. One can thus do little more than regret some particular abuse in the a priori abusive use of the force by which a democracy defends itself against it enemies, justifies or defends itself, of or from itself, against its potential enemies. It must thus come to resemble these enemies, to corrupt itself in order to protect itself against their threats" (*Rogues* 40).

reduced" and therefore, "all actions with a political meaning can be traced" (*CP* 26) back to this distinction. The political enemy, Schmitt notes, "need not be morally evil or aesthetically ugly; he need not appear as an economic competitor … but he is, nevertheless, the other, the stranger … existentially something different and alien, so that in the extreme case conflicts with him are possible" (*CP* 27). Moreover, the enemy is not "the private adversary whom one hates" but rather "exists only when, at least potentially, one fighting collectivity of people confronts a similar collectivity" (*CP* 28). As such, "the enemy is solely the public enemy, because everything that has a relationship to such a collectivity of men, particularly to a whole nation, becomes public by virtue of such relationship" (*CP* 28). The public enemy, however, can be internal or external, a distinction that for Schmitt translates into two qualitatively different types of conflict: "war is armed combat between organized political entities; civil war is armed combat within an organized unit" (*CP* 32). In the former the enemy is external, usually another state; in the latter, the one than interests me the most here, the enemy is internal and, as Schmitt suggests it is usually the case in the twentieth century, goes by the name of partisan or, I would add, insurgent, *guerrillero* and even terrorist.[30]

Schmitt makes this distinction between war and civil war by briefly referring to a passage in Plato's *Republic* in which Socrates holds that "When Greek fights barbarian or barbarian fights Greek we shall say they are at war and are natural enemies, and that their quarrel is properly called 'war'; but when Greek fights Greek we shall say that they are

[30] When *The Concept of the Political* was originally published back in 1927, the scope and scale of what nowadays is regarded as international terrorism was unforeseeable. This fact alone points to the internal limits of Schmitt's reduction of the political to the friend-enemy distinction and his conceptualization of war and civil war. For instance, could a terrorist organization be considered an organized political entity in Schmitt's terms?

naturally friends, but that Greece is sick and torn by faction, and that the quarrel should be called 'civil strife'" (Book V, 470c). According to Plato, then, the internal enemy is always a fellow Greek and can only be regarded as a private enemy. Fighting him remains in the realm of *stasis,* of insurrection, upheaval, rebellion, civil strife or civil war. What Plato is expressing with this distinction, Schmitt holds, is "that a people cannot wage war against itself and a civil war is only a self-laceration and it does not signify that perhaps a new state or even a new people is being created" (*CP* 28, note 9). Yet, in another passage, Schmitt claims that civil war entails "the dissolution of the state as an organized political entity, internally peaceful, territorially enclosed, and impenetrable to aliens" (*CP* 47). In these cases, he continues, it is by the power of weapons, outside the constitution and the law, that the fate and destiny of the political entity, the state, must be decided. For Schmitt, thus, civil war concurrently leads and leads not to the dissolution of the state, which is, at best, a confusing line of argument. This perhaps intentional slip in Schmitt's argument will become critical when I examine who might possibly be, within the state or any organized unity, the friend and who the enemy.

If the political can be reduced to the friend-enemy distinction, he who gets to decide on the enemy, and consequently on the possibility of war, is invested with almost absolute political power and his identity, motives and intentions become therefore of the uttermost importance for this discussion. For Schmitt, this decision falls solely upon the State. It is to the state, he asserts, that belongs "the real possibility of deciding in a concrete situation upon the enemy and the ability to fight him" (*CP* 45), a possibility that gives the state "the right to demand from its own members the readiness to die and unhesitatingly to kill enemies" (*CP* 46). Likewise, the state also has the power to decide

"in critical situations . . . upon the domestic enemy" (*CP* 46), those who threaten internal peace.[31] What this threat to peace entails, that is, whose peaceful life is endangered and for whom must the state keep the peace, Schmitt does not say. An internal contradiction in his argument might however point to the implied answer.

If it were true that "the concept of the state presupposes the concept of the political" (*CP* 19), as Schmitt affirms at the very beginning of his analysis, it would logically follow that even before the birth of the state as a specific organization of political life and being-in-common, the friend-enemy opposition already existed. The State thus becomes just one of, at least in theory, infinite possibilities for structuring and organizing both political life and being-in-common. Just as Foucault suggests that "an analysis, made in terms of power, must not assume that the sovereignty of the state, the form of the law, or the over-all unity of a domination are given at the outset" but are rather "the terminal forms power takes" (*History of Sexuality* 92), could it not be argued that the State might in fact be the result of a given and particular conceptualization of the friend-enemy opposition? If this were true, it could thus be argued that the state is, in its present, most ordinary configuration, the result of *one* particular way of dealing with and resolving the friend-enemy opposition, perhaps a way of keeping the friends' enemies in check or, recalling Joseph Conrad's observation in *The Secret Agent*, to protect the wealthy, their opulence, luxury, source of wealth, and "the whole social order favourable to their hygienic idleness" from "the shallow enviousness of unhygienic labor" (11); that

[31] In *Political Theology,* Schmitt directly links this decision to sovereignty by stating that "sovereign is he who decides on the exception" (5). The exception in this context entails a moment of extreme danger such as war or civil war that threatens the continuous existence of the state itself. I will come back to this point in Chapter 2 when I discuss the State discourse on sovereignty and the rule of law in relation to insurgent movements.

is to say, to protect the few, satiated lords of the state preserves from the hungry many who sporadically organize themselves and rebel.

Schmitt also asserts that the enemy "can neither be decided by a previously determined general norm nor by judgment of a disinterested and therefore third party" (*CP* 27), a statement that seems to contradict the previously quoted axiom that "the concept of the state presupposes the concept of the political." On the one hand, the state must willy-nilly presuppose something that only an already-constituted state can decide upon (the friend-enemy distinction); yet, on the other hand, it is only the state that has the right to decide upon the enemy. If the enemy cannot be chosen or decided upon *a priori* yet the friend-enemy distinction—which evidently demands already knowing who the enemy and who the friend are—is not only what defines the political but also what presupposes the state's own existence, isn't Schmitt being tautological? As Alberto Moreiras points out, "either the friend/enemy division is supreme, for a determination of the political, or the order of the political is supreme. Both of them cannot simultaneously be supreme" ("A God Without Sovereignty" 80). Isn't Schmitt rather trying to justify and naturalize an existent condition instead of theorizing or explaining it?

Schmitt states, and this is a fundamental point, that the adversary, the enemy, "intends to negate his opponent's way of life and therefore must be repulsed or fought in order to preserve one's own form of existence" (*CP* 27). The striking resemblance to Bush's rhetoric in justifying "the war on terror" is not gratuitous. According to the friend-enemy logic, those who threaten *our* way of life and form of existence must be destroyed in order to preserve *ours*, and it does not really matter if the threat is ideological, political, economic or cultural, or if the threat is real or just perceived as such. The

enemy, the adversary, can be tolerated as long as they do not present an actual threat, that is, as long as they keep their own way of life and form of existence constrained to their own physical spaces. Or, as Slavoj Žižek puts it, "the Other is just fine, but only insofar as his presence is not intrusive" (*Violence* 41). Once they intrude, once they cross the line, they must nonetheless be annihilated.[32]

Who are *really* the friends and who the enemies? Why are they "our" enemies? And, most importantly, what is *it* that "we" friends must protect ourselves against, within and outside the specific organization of political life and being-in-common we call the state or, to complicate things even further, the nation-state? In sum, to who does this *us* implicit in "our way of life and form of existence" refer? These are questions Schmitt avoids or deals with in too schematic a fashion, questions that point to the theoretical and practical dangers of Schmitt's reduction of the political to the friend-enemy distinction. Before attempting to answer these questions, however, I will first turn to Derrida's critique of the canonical model of friendship and to what he calls the logic of fraternization, which will prove helpful for a critique of Schmitt's argument.

1.3. Of some friends and some enemies: the logic of fraternization

From the previous discussion it is easy to deduce that Schmitt privileges the enemy in his concept of the political, leaving the friend as the underdeveloped and undertheorized

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[32] The nature of this *line*, however, has changed dramatically in recent decades. Given the global nature and scope of capitalism nowadays and the ever-changing fluxes of people across and around the globe, the physical and constrained space where the *other* might go on with his way of life without posing a threat to mine (to use Schmitt's terms) has definitely become more porous, amorphous and difficult to define. The concept of "pre-emptive war" points to this problematic. It also points to a new conceptualization of the state of exception that demands the suspension of law not because a threat or danger actually exists but rather because it *might* exist in the coming future.

category. Schmitt even allows, as Tracy Strong suggest in her foreword to *The Concept of the Political*, "his notion of enemy to generate his idea of friend," which becomes an "overly simplistic notion" (*CP* xxiv). Derrida takes precisely this weakness in Schmitt's argument as the starting point of his critique of Schmitt's concept of the political in *The Politics of Friendship.* Instead of choosing the enemy, Derrida chooses to choose the friend and what he calls the canonical model of friendship in Western thought to deconstruct the friend-enemy opposition in order to show that it is precisely because of the internal contradictions inherent to the concept of friendship, and therefore to those of friend and enemy, that the political should not be reduced to this opposition.

Derrida attempts in *The Politics of Friendship* a general critique of the traditional or canonical concept of friendship in Western political philosophy by deconstructing and showing the limits and structural failings of friendship in several canonical philosophical texts**.** At a deeper level, Derrida's argument can also be read as a critique of a hegemonic concept of democracy via a particular concept of friendship that insidiously traverses the former since its origins; a critique that, Derrida argues, could open up the possibility for thinking a different, truly egalitarian arrangement of being-in-common. Yet, what interests me the most in the context of my argument is Derrida's conceptualization of brotherhood and fraternization, and how it relates to Schmitt's concept of the political.

"From Plato to Montaigne, Aristotle to Kant, Cicero to Hegel," Derrida argues, "*the great philosophical and canonical discourses on friendship* … explicitly tied the friend-brother to virtue and justice, to moral reason and political reason" (*Politics* 277; unless otherwise noted, all italics are in the original). Moreover, friendship has played in Western political thought an organizing, sometimes even discriminatory role and must

therefore be taken seriously as a *political* category. For Derrida, the canonical model of friendship begins with Aristotle, who speaks of three types of friendship: (1) the higher friendship based on virtue, which has nothing to do with politics or the political; (2) political friendship as such, which is grounded on utility or usefulness; and (3), on a lower level, the friendship grounded in pleasure.[33] Aristotle's very conceptualization of friendship, Derrida notes, is already contradictory not only because it simultaneously is and is not political, but also because "friendship supposes both *love* and *respect*" and therefore "it must be equal and reciprocal: reciprocal love, equal respect" (*Politics* 253). These two essential qualities of friendship—no possibility of friendship without respect, no real friendship without love—present for Derrida "the major difficulty in the very idea of friendship, inherent in the *contradictory* character and hence the unstable balance of these two feelings which are opposed *qua* fusional 'attraction' (*love*) and 'repulsion' which keeps at a distance (*respect*)" (*Politics* 254). How can one love what must be kept at a distance, what is removed and hence inaccessible?

Furthermore, Derrida claims that Nietzsche's reversal of the famous aphorism attributed to Aristotle—O my friend, there is no friend!—did not overturn the values and hierarchies of Western thought or introduced something radically new to the canonical thinking of friendship, as Nietzsche thought. Instead, Nietzsche's "Enemies, there is no enemy!" only disclosed the always-present reversibility of the relationship between the friend and the enemy. In Derrida's words, "the two concepts (friend/enemy) intersect and ceaselessly change places … [they] cannot help but haunt one another … every time, a concept bears the phantom of the other. The enemy the friend, the friend the enemy"

[33] See Aristotle, *The Nicomachean Ethics* Book VIII, particularly section iii.

(*Politics 72*). Both the aporetic quality of the concept of friendship and its reversibility not only illustrate that the friend-enemy opposition is in fact a false dichotomy, but also point to a rather problematic aspect of the concept of the political, democracy and perhaps even justice: what Derrida calls the logic of fraternization.[34]

Throughout his *Politics of Friendship,* Derrida continuously brings to our attention the issue of numbers in at least two ways: first, the necessity of enumerating or counting friends; and second, the implicit limit in the number of friends. Since friendship implies actively loving, a limit to the number of people one can love and be friends with has to be reached at some point. Friendship is thus an exclusive experience. One can potentially be friends with anyone but in one way or the other, at one time or the other, at one place or the other, one must choose among possible friends: "one must choose and prefer: election and selection between friends and things, but also between possible friends;" consequently, "one must prefer *certain* friends" (*Politics* 19). Friendship thus becomes an aporetic experience. On the one hand, one can theoretically become friends with anyone since it is only a matter of choosing among the almost unlimited number of possible friends. On the other hand, however, one will unavoidably betray most of those possible friends by the very act of choosing. By preferring some, one necessarily excludes others; by calling him or her "my friend," one excludes the rest. This betrayal, this unavoidable exclusion, which is intrinsic to the canonical thinking of friendship, is what Derrida calls the logic of fraternization.

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[34] One only has to remember the French Revolution's motto—*liberté, égalité, fraternité*—to see the extent to which fraternity is associated to democracy in modern political thinking. For a critique of fraternity as part of this motto, see Jacques Derrida, *Rogues,* Part I, §5.

In the canonical model of friendship, then, brotherhood is always already at work, dictating that my friend should be, must be and can only be my brother, the other son of the same mother, the filial same, the homologous but never the heterologous, never the *other,* the son of another, different mother. If friendship opens and welcomes the possibility of becoming friends with anyone, brotherhood—understood not only as the relation between the sons of one and only one Mother but also as what link these brothers to place, soil and ancestry, and hence to state, nation and identity—closes this possibility by *enforcing* a bond that dictates one's allegiances and thereby limits or annuls one's responsibility, ability and capacity to choose and decide who to befriend.

During his examination of major political texts about friendship Derrida shows that the figure of the brother, and therefore that of fraternity and fraternization, have always been central to the Western canonical model of friendship. It is rather telling, as we shall see, that this model is based on the brother while the sister remains unnamed, neglected and excluded. Yet, even if this exclusion does not necessarily mean that in practice, in everyday life, women cannot experience friendship, it does imply that, within the canonical model of friendship, brotherhood and fraternization, the excluded (women in this case but we can also think for instance of the indigenous and the homosexual) are neither part of the political nor necessary for conceptualizing, legitimizing or understanding it.[35]

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[35] Derrida not only takes the exclusion of the sister in this model of friendship as a paramount example of the limits of fraternization and democracy but even goes so far as to suggest that the woman might in fact be the absolute partisan: "If the woman does not even appear in the theory of the partisan—that is, in the theory of the absolute enemy—if she never leaves a forced clandestinity, such an invisibility, such a blindness, gives food for though: what if the woman were the absolute partisan? And what if she were the

Derrida suggests that all fundamental concepts in the Western political tradition (concepts such as sovereignty, power and representation, to name a few) are directly or indirectly marked by the canonical model of friendship and the logic of fraternization. Democracy, too, has been tainted since its inception by this canonical model and has had to be consequential with this privilege granted to man, brotherhood and fraternization. Democracy implies, in its most minimal conceptualization, equality; yet, democracy, Derrida suggests, is structured around the same problematic and contradictory dichotomy as friendship:

> There is no democracy without respect for irreducible singularity or alterity, but there is no democracy without the 'community of friends' … These two laws are irreducible one to the other, tragically irreconcilable and forever wounding. The wound itself opens with the necessity of having to *count* one's friends, to count the others, in the economy of one's own, there where every other is altogether other. (*Politics* 22)

Just as friendship must attain a balance between love and respect, democracy has to somehow reconcile equality with singularity, with difference. While aiming for equality among all, democracy also sets a limit shaped around the question of fraternization: an equality restricted to the few, the friends, the brothers, the fraternal same. Given his reduction of the political to the friend-enemy distinction, it is not surprising that Schmitt's conceptualization of democracy privileges the limit imposed by the logic of fraternization. As Müller notes,

> Schmitt defined democratic equality as internal substantive homogeneity, which pointed to and depended on some external 'other' which could be excluded, thereby establishing the identity of the demos. In Schmitt's

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absolute enemy of this theory of the absolute enemy?" (*Politics* 156-7). The meaning of Derrida's statement should become clear in what follows.

> words, "democracy requires, therefore, first homogeneity and second—if the need arises—elimination or eradication of heterogeneity". (27)[36]

Taken to its usual limit, Schmitt's "internal substantive homogeneity" equates to *a* people and can always potentially be translated into the frequently virulent and violent ideology of nationalism, which more often than not serves to unite the "homogenous equals" against the threat posed by the "heterogeneous others." As a result, democratic equality is reduced to a principle of birth: "Everything seems to be decided where the decision does not take place … at birth" (Derrida, *Politics* 99). Moreover, since "equality of birth (isogony) founds *in necessity* legal equality (isonomy)" (Derrida, *Politics* 93), the laws are determined in advance leaving no place for decision, no place for responsibility and thus no place to choose the friend, who *must be* the brother, the son of the same mother. This democracy founded on a purportedly natural bond will necessarily remain limited, exclusive and unequal. Just as the canonical concept of friendship is inseparable from the notions of brotherhood and fraternization, which demand choosing the few and excluding the many, democracy is itself self-contradictory: equality cannot be reconciled with isogony.

Derrida's purpose in *The Politics of Friendship* is to link democracy to a different, non-canonical concept of friendship, a democracy no longer reducible to citizenship, to isogony and isonomy. What matters the most for my argument though is the way in which the logic of fraternization pervades the friend-enemy distinction and therefore Schmitt's concept of the political. It is now possible to return to the questions posed above: Who are *really* the friends and who the enemies? Why are they "our" enemies?

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[36] Schmitt's quote comes from his 1923 *The Crisis of Parliamentary Democracy* (Cambridge, Mass: MIT Press, 1985), 9.

And, most importantly, what is *it* that “we” friends must protect against? In sum, to whom does this *us* implicit in “our way of life and form of existence” refer to?

1.4. Of our friends and our enemies

The friend-enemy rhetoric is so entrenched in political, legal and social discourse that the nefarious possibilities opened up by Schmitt’s reductive concept of the political are perhaps hard to see. Furthermore, Schmitt is almost successful in hiding the logic of fraternization, the false dichotomy of the friend-enemy distinction and their possible dreadful consequences behind a thick veil of pragmatism, concreteness and “what has been called a kind of philosophical ‘double talk’, shifting the meaning of concepts central to his theory and scattering allusions and false leads throughout his work” (Müller 7).

As I mentioned when I discussed George W. Bush’s justification for the “war on terror” and the impossibility of dissent and/or discussion (with us or against us, patriot or terrorist), the logic of fraternization underlying the friend-enemy distinction demands absolute obedience on the side of the friend, even more so when the state, the alleged bearer of sovereign right and the will of the people, has already decided upon the enemy. As preposterous as it sounds, Schmitt’s concept of the political in fact forestalls politics. Once the enemy has been named and recognized as such there is no place for dissent since it becomes unadvisable and even dangerous to disagree among friends; to do so, it seems, would not only be a symptom of weakness but would also put at risk the preservation of the friends’ way of life and form of existence. Hence, the internal dissident, she who does not agree with the rest of her brothers and acts accordingly, becomes a traitor. Paradoxically then, Schmitt’s concept of the political precludes, by its

own logic, the possibility of politics, which might perhaps be precisely his aim if we were to consider politics, as Jacques Rancière does, as "the interruption of the simple effects of domination by the rich," that is, as an interruption in the natural order of domination "by the institution of a part of those who have no part" (*Disagreement* 11).

What makes the logic of fraternization embedded in the friend-enemy distinction, which implies as I have discussed the idea of brotherhood, truly dangerous for the possibilities it allows for is the fact that it automatically deems all those who are like the declared enemy also enemies; that is to say, all those who look like the declared enemy, those who share the same way of life and form of existence, those who must thus be sons of the same mother and therefore brothers, also become enemies. Resorting to the same example, after the attacks of September 11, 2001, all Arabs and all Muslims became, perhaps not literally but figuratively, public enemies. It did not really matter if they were Sunni or Shia Muslims or what Wahhabism is; not even the simple and obvious fact that not all Arabs are Muslims and vice-versa was enough to stop the pro-war discursive machinery. Moreover, having an Arab and/or Muslim friend, or just someone slightly resembling the stereotype, became almost an act of defiance. Under the friend-enemy logic, *a* people—no matter how diverse, how heterogeneous or how acute the cultural, political, social and/or economic differences among them—becomes *the* people, a brotherhood of fraternal *sames* who share *one and the same* way of life and form of existence and who must fight collectively and without internal fissures or dissent another people; that is, *a* people that must be, the same logic presupposes and demands, also a brotherhood of homogenous fraternal *sames* (or, to put it more accurately, *others*) with a way of life and form of existence that has become a threat. Consequently, this twisted

logic opens up the possibility for the most wanton, execrable and indiscriminate violence against anyone who is supposed to be on the side of the enemy, anyone who *might* be his brother.

The logic of fraternization and its inherent problematic consequences can perhaps be more easily grasped and examined when it entails two or more states, each with its own legal framework and political system and, sometimes, even culture; or, perhaps, when a state is threatened by a stateless, external organization (as is the case for the example I discussed above). In these circumstances, it is frequently possible (and perhaps even reasonable within this same logic) to resort to nationalism, patriotism, national culture or any other similar identity-based category in order to defend a way of life that is, up to a level, commonly shared in relation to the external enemy that threatens it. Yet, if we think of multiethnic societies such as Peru, Guatemala and Mexico—societies where "the people" does, for all practical reasons, never include the indigenous population, for instance—we can start to grasp the extent to which the friend-enemy distinction, and therefore fraternization and brotherhood, not only becomes problematic for a concept of the political, but also plays a dangerous, discriminatory and frequently even repressive role when justifying the power and privileges of the lords of the state preserves: the *true* brothers.

For these lords, anyone wanting or even menacing to take away their political and economic privileges is, by definition, threatening their way of life and form of existence. Following Schmitt's logic, she becomes the enemy and must therefore, and necessarily so, be annihilated. Alas, given Latin America's long and dreadful tradition of discrimination, exclusion and repression dating back to colonialism, this is not merely a

hypothetical scenario. In Latin America, the indigenous people have, since 1492, never been part of *the* people.[37] They are not and have never been a friend, a brother, the fraternal same, the son of the same mother. Even more, they have never shared the lords' way of life and form of existence. The dire reality is that the indigenous enemy has, in fact, been fought without mercy when she has dared to threaten the lords' way of life and the political, social, economic and/or cultural privileges that make their way of life possible; when she has disturbed internal peace (understood here as the continuous and uninterrupted enjoyment of these privileges); or when she has tried to unsettle what is and should be settled for ever.

However, the lords of the states preserves do need the indigenous population, if only as cheap labor, and completely eliminating them would be damaging to their, mostly, economic interests. A discourse of fraternization is thus articulated and put into place to give the appearance of a truly, all-encompassing community of equal brothers.[38] Political concepts such as sovereignty, the will of the people, democracy and the sacrosanct rule of law become also part of this rhetoric of fraternization. Even Schmitt seems to acknowledge the asymmetrical nature of the rule of law:

> The rule of law means nothing else than the legitimization of a specific *status quo,* the preservation of which interests particularly those whose political power or economic advantage would stabilize itself in this law … [Hobbes] has emphasized time and again that the sovereignty of law

[37] As I mentioned before, the same argument, with some variations, could be made for any group or individual that is part of the population but is not a *real* brother, for instance, women, blacks or homosexuals. In relation to what I'm discussing here, it is the indigenous population that interests me because the Latin American the indigenous and the insurgents have, to a greater or lesser degree, traditionally fought on the same side.
[38] The discourse of nationalism, which is usually based on an allegedly common identity that more often than not tries to erase any cultural particularities of those included, can be considered an example of this the double-faced logic of fraternization.

> means only the sovereignty of men who draw up and administer this law. (*CP* 66-7)

The actual purpose of this discourse is thus to maintain the perpetual peace so dear to the lords of the state preserves and inhibit the indigenous, who notwithstanding the phony rhetoric of fraternization always remains the *other*, from rebelling, from taking over or even sharing the lord's privileges. In *Muertos Incómodos*—a novel co-written by Paco Ignacio Taibo II and Subcomandante Marcos, the spokesperson of the *Ejército Zapatista de Liberación Nacional*—one of the characters, Alakazam, explains in plain words to his friend Elías Contreras, the main character and only member of the Zapatista Investigation Commission in the novel, how the rhetoric of fraternization actually works:

> [Alakazam] me explicó que hay dos agendas: la agenda de los poderosos y la agenda de los jodidos. Y entonces la agenda de los poderosos es lo que es más importante para ellos, que sea aumentar sus riquezas y sus poderes. Y entonces la agenda de los jodidos es lo que es más importante para nosotros, que sea luchar por la liberación. Y entonces el Alakazam me explicó que los poderosos, que sea los ricos y sus malos gobiernos, quieren convencer a todos que su agenda, que sea la agenda de los poderosos, es la agenda de todos, hasta de los jodidos. Y entonces que ahí nos tienen escuchando todo el día de sus preocupaciones de los ricos y nos convencen que eso es lo más importante y lo que es urgente que tenemos que hacer. Y entonces nos tienen mirando para ese lado y no miramos que por otro lado se están robando todo … Y entonces la maldad no nada más está en que estamos distraídos, sino que también arresulta que sus preocupaciones de los ricos las agarramos como que son nuestras. Y entonces la política moderna, dice el Alakazam, se trata de que la democracia sea que la mayoría, que sea los jodidos, trabaje y se preocupe porque le vaya bien a la minoría, que sea los poderosos. Y entonces también se trata de que todos los jodidos miremos para otro lado mientras nos roban nuestra tierra, nuestro trabajo, nuestra memoria, nuestra dignidad. Y entonces los poderosos quieren que hasta les aplaudamos con votos. (*Muertos incómodos* 192)[39]

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[39] If Alakazam's explanation of the two agendas sounds vaguely familiar, it probably is because they echo Thrasymachus' explanation of why what is "right" for the subject is always in the interest of the rulers: "Each type of government enacts laws that are in its own interest, a democracy democratic laws, a tyranny tyrannical ones and so on; and in enacting these laws they make it quite plain that what is "right" for their subjects is what

Yet, when the indigenous *does* start to look to her own side and tries to advance her own agenda, the "real" brothers, that is, the lords of the state preserves and their friends who do share a way of life and form of existence resolutely leave aside the phony logic of all-embracing fraternization and wage war against the indigenous enemy in the name of allegedly universal yet always particular concepts and values such as sovereignty, freedom, democracy, the rule of law and even humanity. In these cases, wars are waged with the possibility of the uttermost execrable consequences, as Schmitt suggests is the case when wars are waged in the name of humanity: "To confiscate the word humanity, to invoke and monopolize such a term probably has certain incalculable effects, such as denying the enemy the quality of being human and declaring him to be an outlaw of humanity, and a war can thereby be driven to the most extreme inhumanity" (*CP* 54). One only has to think of the Holocaust or the genocides in the Balkans, Africa or Latin America to realize that what Schmitt notes is not a mere possibility but the inherent and very real risk of reducing the political to the friend-enemy distinction and the logic of fraternization, real or fictitious brotherhood notwithstanding.

Now we can start to see why the partisan or *guerrillero* might provide the key to an understanding of political reality, and thus of the political and the friend-enemy distinction, as Schmitt holds in *The Theory of the Partisan* [*TP*]. As we will see, the partisan/insurgent is feared and despised by the lords of the state preserves because she,

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is in the interest of themselves, the rulers, and if anyone deviates from this he is punished as a lawbreaker and "wrongdoer". That is what I mean when I say that "right" is the same thing in all states, namely the interest of the established government; and government is the strongest element in each state, and so if we argue correctly we see that "right" is always the same, the interest of the stronger party" (Plato, *The Republic* Book I, 338e-339a). I will come back to the *Muertos Incómodos* in Chapter 5.

by siding with the enemy, unmasks the phony rhetoric of fraternization and thereby reveals the true nature of political reality.

1.5. Of partisans and guerrilleros

The real enemy, Schmitt holds, is an adversary against whom "one fights according to recognized rules and whom one does not discriminate against as a criminal" (*TP* 89, note 90). In the context of war, the real enemy is solely the adversary one encounters in regular war; that is, a war "waged between states, between regular states armies, and between sovereign bearers of a *jus belli* [right to war]" that was fought under explicit rules that recognized "clear distinctions, above all between war and peace, combatants and non-combatants, enemy and criminal" (*TP* 9). Regular war is thus bracketed war, that is to say, war contained by a specific and allegedly respected set of laws and regulations. This bracketing of law was for Schmitt one of the great achievements of the *ius publicum Europaeum* because it impeded the criminalization of the opponent and the denigration of the real enemy into the absolute enemy, foreclosing thereby the possibility of absolute enmity.[40]

The emergence of the modern partisan, however, put this achievement in danger since "the denial of real enmity paves the way for the destructive work of absolute

[40] The *ius publicum Europaeum* refers to the Eurocentric global order that resulted from the 1648 Treaty of Westphalia, which acknowledges the right of sovereign states to wage war but according to a clear set of norms and regulations. The bracketing of war thus refers to war conducted within limits, within a fixed and respected set of norms and regulations, which results in limited hostility and limited enmity, that is, enmity limited to specific military targets such as the opposing or invading army. For Schmitt, the *ius publicum Europaeum* started to decline at the end of the nineteenth century and essentially came to an end with the targeting of civilians and non-military facilities during the First World War.

enmity" (*TP* 94).[41] The partisan thus becomes problematic, Schmitt argues, because he does not respect this bracketing of war; instead, he "refuses to carry weapons openly … fights from ambush … uses the enemy's uniform … true or false insignias and every type of civilian clothing as camouflage. Secrecy and darkness are his strongest weapons, which logically he cannot renounce without losing the space of irregularity, i.e., without ceasing to be a partisan" (*TP* 37).[42]

Moreover, the partisan "does not fight on an open battlefield, and does not fight on the same level of open fronts." He rather "forces his enemy into another space [and] displaces the space of regular, conventional theaters of war to a different, darker dimension—a dimension of the abyss" where war might potentially be conducted without constraints and regulations, as well as with total disregard for traditional laws of engagement (*TP* 69).

It is precisely the partisan's irregularity and disdain for bracketed war (and Schmitt does not even mention the more pragmatic reasons for not engaging openly with the military such as the abysmal difference in manpower and resources) that turns him into the absolute enemy, "a lawless opponent whom one must fight to the death and

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[41] Schmitt argues that before the twentieth-century the partisan remained a marginal figure in war and that it was Lenin who, in his theory of war, "blindly destroyed all traditional bracketing of war." This de-bracketing of war thus enabled war to become absolute war, and the partisan to become "the bearer of absolute enmity against an absolute enemy" (*TP* 89).

[42] Derrida notes in *Politics of Friendship that* "in vein would you look for a figure of a woman, a feminine silhouette [or] the slightest allusion to sexual difference" (156) in Schmitt's oeuvre because the Schmittian individual is exclusively male. For the sake of consistency, and simplicity, I thus use the third person masculine here and in what follows to discuss Schmitt's argument.

destroy" (*TP* 89, note 90).[43] As a result of the partisan's "decision" to move away from "the conventional enmity of controlled and bracketed war," he should not expect "neither law nor mercy from the enemy" (*TP* 11) and does not have "the rights and privileges of [regular] combatants;" instead, the partisan should be regarded as a "criminal according to ordinary law" that "should be made harmless with summary punishment and repressive measures" (*TP* 25). The partisan as the absolute enemy thus stands "outside of right, law, and honor" (*TP* 30).

Schmitt's intention seems noble enough: losing the enemy would entail not being able to distinguish between friend and enemies, which would bring about the end of the political and, with it, the criminalization and denigration of the enemy into the absolute enemy and the possibility of indiscriminate, open and wanton violence. Consequently, it is to avoid this violence—a violence, it seems, that that can be precluded by the mere existence of regulations and laws—that the partisan should refrain from attempting to unsettle what should remain settled for ever. As Derrida suggests, "losing the enemy

[43] Irregularity, along with intense political engagement, increased mobility and the telluric character (i.e. the partisan's "tie to the soil, to the autochthonous population, and to the geographical particularity of the land—mountain-ranges, forests, jungles, or deserts" [Schmitt, *TP* 21]), are for Schmitt the four quintessential characteristics of the partisan. These four criteria, however, are at best "quasi-concepts, criteria of degree of intensity—that is, indefinitely extensive" (Derrida *Politics* 142) and consequently can only be defined or measured in relation to something or someone else's irregularity, intensity, mobility or 'telluric' quality. Even among insurgencies these criteria vary immensely. For instance, the EZLN is quite stagnant spatially since its physical actions and mobility are limited to a rather small and greatly constrained geographical area. Yet, the intensity of its political engagement is (or at least was) quite global in scope. The Shining Path, in contrast, had tremendous mobility within Peru and was able to perpetuate armed actions almost all over the country; its political and international engagement, nonetheless, was minimal. Schmitt's criteria are, at best, helpful for comparative purposes but do not and cannot determine or define the partisan. The criteria or essence of the partisan, that which defines her/him unequivocally, is to be found somewhere else.

would not necessarily be progress, reconciliation, or the opening of an era of peace and human fraternity. It would be worse: an unheard-of violence, the evil of a malice knowing neither measure nor ground" (*Politics* 83).

For Schmitt, then, the political—the friend-enemy opposition within a given legal framework and bracketed war—is precisely what precludes humanity from annihilating itself. Killing the enemy, it turns out, is suddenly not a despicable act but a necessary, perhaps even good, deed. This twisted argument is akin to the way Schmitt justifies war:

> There exists no rational purpose, no norm no matter how true, no program no matter how exemplary, no social ideal no matter how beautiful, no legitimacy nor legality which could justify men in killing each other for this reason. If such physical destruction of human life is not motivated by *an existential threat to one's own way of life*, then it cannot be justified. (*CP* 49, my emphasis)

There is no rational purpose and no legitimate justification for killing *unless* what is threatened is a way of life. The question upon which everything seems to depend is thus the following: Whose way of life merits and justifies the "physical destruction of human life," and what exactly might be destroyed and therefore needs to be protected?[44]

The partisan, Schmitt holds, "suddenly reappeared as the focus of a new type of war, whose meaning and goal was the destruction of the existing social order" (*TP* 72), which amounts, as was discussed above, to the things that were, are and should be settled for ever; to the internal peace so revered by the lords of the state preserves; and to the

[44] Herein lies perhaps the reason why neither the United States nor the Soviet Union resorted to the use of atomic weapons during the so-called Cold War. These weapons would not have only obliterated the "existential threat to one's own way of life" (that is, the other super-power), but also "one's way of life".

protection and preservation of the lords' privileges, way of life and form of existence.[45] These are the people Conrad has in mind in the passage quoted above.

The theory of the partisan does flow into the question of the concept of the political and it does provide the key to an understanding of political reality, as Schmitt affirms at the very beginning of his *Theory of the Partisan.* Yet, it does not in the way Schmitt argued for, that is, the partisan as the figure that by turning real enmity into absolute enmity calls into question the state's monopoly on the friend-enemy distinction and therefore opens the door for the withering away of the political and, with it, the demise of the state.[46] Instead, the partisan provides the key to an understanding of

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[45] Schmitt differentiates between traditional and modern partisan warfare. The former is waged against an invader or an occupying colonial power. Paramount examples of this type of partisan warfare are the Spanish partisan warfare against Napoleon forces in the early nineteenth century, the Russian and Yugoslavian resistance against Nazi occupiers and "national liberation" wars against a colonial or imperial power such as the Algerian National Liberation Front war for independence against France. Oppositely, modern partisan warfare is waged by some members of a polity against the constituted government and the armed forces of the same polity, which is commonly referred to as civil or revolutionary war or, more euphemistically, as an internal armed conflict. As can be noticed, what Schmitt calls traditional partisan warfare also took place during the twentieth-century, which seems to contradict his previously mentioned argument about the partisan being a marginal figure before Lenin. Even if the distinction remains diffuse throughout his essay, Schmitt seems to be suggesting that absolute war, and therefore absolute enmity, can only take place when supposed brothers (that is, those who are part of the same community, polity, nation, state) fight each other. Again, it is not clear if the aim here is to avoid wanton violence or, rather, to provide a "rational" justification for not engaging in insurgency and/or revolutionary wars. Given his line of argument, however, the second interpretation seems more plausible.

[46] As Slomp argues, "Schmitt was captivated by the total bond that the partisan has with his group and saw in that bond the foundation of a truly political unit. He was fascinated by the telluric partisan's commitment to his friends, by his complete dedication to his political cause and by his unshakable willingness to kill and be killed in order to defend and protect the members of his groups and their political purpose" (122). Given that Schmitt was an open supporter of the *ius publicum Europaeum* yet was aware that it had become inadequate in the twentieth century for limiting hostility, Slomp concludes that for Schmitt the partisan held the key to the political because "the telluric partisan and his real enmity, bound by the love of specific territory, could inspire a new ground for

political reality because he brings into sharp light all the contradictions and potential dangerous consequences intrinsic to the reduction of the concept of the political to the friend-enemy distinction. More importantly, the partisan disrupts the logic of fraternization necessary for the production and reproduction of the existing social order by making evident and concurrently denouncing its phony intentions, limits and double-faced nature. As Derrida observes,

> The absolute war Schmitt talks about, the revolutionary war that drives the theory of the partisan to its extremity, the war that violates all laws of war, can be a *fratricidal* war. And thereby have the fraternal figure of the friend return as a brother enemy. If … *absolute* hostility can aim at the brother and convert, this time, interior war into true war, into absolute war, hence absolute politics … and if the brother is also the figure of the absolute enemy, what does fraternization mean? (*Politics* 148-9)

Actually, not much; and especially not for a concept of the political that might consider exploitation, repression, exclusion, inequality and injustice as what it should address and deal with.

In fact, the *fratricidal* war only appears to be fratricidal. The enemy-brother, the *other*, is and has never been a true, *real* brother. Even if discursively the enemy-brother was made to believe he was a real brother, under this pervasive logic of fraternization he never stopped being the enemy. Even if he was made to believe that he could be a true brother, even if he was invited to the lord's table and offered a part of the benefits being a member allegedly confers—rule of law, democracy, equality, freedom, economic

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limited enmity, a ground that was concrete, and possibly valid across different cultures" (94). Slomp's interpretation of Schmitt's argument is textually accurate. Yet, it does not take into account that Schmitt seemed to be looking for a new manifestation of the friend-enemy principle as the concept of the political, one that would preserve, even if under a different disguise, Schmitt's vision of the state as a homogenous entity where no dissent or opposition arises, and of democracy grounded in the elimination of heterogeneity. My reading of the partisan as the key to political reality should thus be read as criticizing this neutral reading of Schmitt, as should become clear in what follows.

prosperity, progress, etc.—it was all along only out of convenience, never out of genuine care, never because he was regarded as a real, if forgotten, brother; as a fellow, if lost, son of the same mother. The enemy-brother, nonetheless, ought to think of himself as the lord's brother, a disfavored, underprivileged and hapless brother perhaps, but a brother all the same and thus never as an enemy; never as someone who could or should think of unsettling what is and should be settled for ever, never as someone wanting to take over the state preserves or destroy the lord's way of life and form of existence. The partisan or *guerrillero* becomes then within this logic of fraternization not only an enemy or a dissident but also a traitor. As a member of the middle or upper class, as was almost always the case, the partisan is a true, real brother turned enemy-brother. He, who enjoyed the same way of life and form of existence, not only sided with and actively helped the enemy but betrayed his brothers, those who had welcomed him to the state preserves.[47]

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[47] I am here mostly referring to those who initiated insurgent movements in Latin America and later became their leaders or *comandantes*. As Wickham-Crowley notes in *Guerrillas and Revolution in Latin America,* "the leadership of the guerrilla movements was, with few exceptions, drawn from the urban middle and upper classes and from rural elites. In all these groups the university-educated predominated . . . The free professions—doctors, lawyers, architects, and engineers—were also overrepresented in the guerrilla leadership" (23-4). This was the case for Fidel Castro, Ernesto Guevara, Subcomandante Marcos (EZLN), Abimael Guzmán (Sendero Luminoso's leader and ideologue), and the Guatemalan *comandantes* Rodrigo Asturias, Mario Payeras and Gustavo Porras, to name a few. In this context, insurgent leaders could thus be regarded, to use Angel Rama's concept, as *letrados* who turned against their lettered brothers and used *la letra* not to articulate but to fight power. For a detailed account of the social origins of Latin American guerrilla leaders, see Wickham-Crowley, Chapters 2 and 9, and Appendixes A and B;) and McClintock, chapter 6, who focuses her discussion on Sendero Luminoso and the Salvadoran Frente Farabundo Martí para la Liberación Nacional (FMLN).

The partisan, and the insurgency waging partisan warfare, shatters the logic of fraternization because it exposes its sinister, insidious and dangerous double-faced nature (and that of the friend-enemy distinction as well). On the one hand, in "peaceful" times—or, to put it more accurately, in order to maintain the "peaceful" order of things, "the whole social order favourable to their hygienic idleness"—the logic of fraternization enables the State to construct the nation as an ideal community of equal brothers, thereby helping to justify and naturalize an unjust arrangement of the being-in-common. Yes, the argument goes, there are differences among ourselves; yes, we do not all have access to or enjoy the same things or opportunities; yes, we are not all equally "lucky" but *you know what?*, we are all brothers, we are all essentially equal and identical, we are all sons of the same Mother and, Oh brothers! we assure you, you will all, in a future-to-come, have all the privileges we have and enjoy exactly the same way of life we enjoy: Trust us!

Yet, on the other hand, when the alleged brother realizes that the promised future will of course never come; that as long as things are settled the way they are he will remain *the* disfavored, underprivileged, hapless brother because it is in the lord's best interest that he remain so; that he in fact is not and will never be the lords' true brother and therefore starts to look to his own side, to advance his own agenda, to try to unsettle what is supposed to be settled for ever; when he, in short, realizes that "theoretical equality conceals great factual inequalities" and thus becomes an existential threat to the lords' way of life and form of existence, the veil falls and he is no longer the brother, not

even discursively: he becomes the absolute enemy.[48] The logic of fraternization is then turned against him and, consequently, all those who look like him, those who are or might be sons of *his* mother, those who share a way of life that threatens ours become the public enemy who must be killed.

The logic of fraternization thus opens up the possibility, when need be, for the State to exclude, disappear and/or eventually kill those regarded as a threat to the survival of the ideal community of brothers; those, that is, who from the very beginning were never really deemed as true brothers: women, the indigenous, the homosexual, the ethnic or racial other, etc. The partisan, who sided with the enemy and helped him realize he is not a true brother, who "betrayed" his brothers, who exposed the true nature of the political, must be fought ferociously and mercilessly; the partisan and all his friends, his new brothers, our absolute enemies, must also die.

* * *

In the previous discussion I have tried to show the problematic and perilous consequences of reducing the political to the friend-enemy distinction. On the one hand, the friend-enemy dichotomy shows itself as a false dichotomy. Neither friend nor enemy is a categorical or absolute concept; they rather haunt each other and are perhaps even interchangeable, especially in the political sphere. On the other hand, the friend-enemy distinction is traversed by a model of friendship and enmity that carries within it the

[48] Albert Camus notes in *The Rebel* that "the spirit of rebellion can exist only in a society where a theoretical equality conceals great factual inequalities" (20). The logic of fraternization, in this sense, works as a concealing element.

exclusionist and potentially treacherous logic of fraternization, a logic that can be traced back to the origins of western political tradition.

This logic of fraternization has been used by the State to give the false appearance of an inclusive community of equals in which all—regardless of culture, ancestry, social class, gender or any other identitarian category—are brothers who work, cooperate and look after each other. In fact, the logic of fraternization serves to exclude those who are not regarded as friends, as true brothers, from the rights, privileges and opportunities granted or readily available to the real brothers, that is, to those regarded as the truly equal members of the community. In this way, the logic of fraternization helps to keep those who are not truly the children of the same mother—and who are in most cases also those marginalized, oppressed, excluded, forgotten—in control through the deceitful offering of equal opportunities, expectations, rights, and the like.

The insidious logic of fraternization thus points to the limitations and dangers of reducing the political to the friend-enemy distinction, in great part because, as Derrida reminds us*,* it opens the door for the "political dictatorship of fraternocracy" and, thus, for the possibility of the use of extreme violence against alleged brothers:

> There is no worse war than that between enemy brothers. There is never any war, and never any danger for the democracy to come, except where there are brothers. More precisely: not where *there are brothers* (there will always be brothers, that's not what's wrong, there's no wrong in that), but where the fraternity of brothers *dictates the law,* where a *political dictatorship* of fraternocracy comes to be imposed. (*Rogues* 50)

The possibility of a "political dictatorship of fraternocracy" being imposed is particularly great in communities that are not culturally homogeneous, which happens to be the case for the three Latin American states I'm concerned with: Peru, Guatemala and Mexico.

Given these premises, it becomes easy to see that that both the friend-enemy distinction and the logic of fraternization are used as a parameter of political inclusion/exclusion. Yet, despite its unsuitability for posing as the essence of the political, the friend-enemy distinction is regularly used as a guideline for political behavior, in great part because it provides a seemingly simple, straightforward and pragmatic explanation for conflict that serves to manipulate ideologically profound sentiments already entrenched in notions such as people, nation, mother or fatherland and patriotism.

As I mentioned above, the friend-enemy distinction and the discourse of sovereignty are regularly used by the state to discredit organized revolt and justify counterinsurgency because both serve as parameters for political inclusion-exclusion that enable, on the one hand, the construction of the nation as an ideal community of equal brothers while, on the other, allowing for the implementation of questionable legal measures that curtail civil liberties and unleash the possibility of using extreme violence, including the disappearance and killing of those regarded as a threat to the survival of the ideal community of brothers. Having discussed the friend-enemy distinction, I will discuss in the next chapter how a particular discourse of sovereignty and the recourse to emergency powers are used by the state to silence insurgents as well as justify and legitimize counterinsurgency.

Chapter 2

Emergency Powers
and the (Forgotten) Limits of Sovereignty

> Peace, though beloved of our Lord, is a cardinal virtue only if your neighbors share your conscience
>
> David Mitchell, *Cloud Atlas*

From the State's perspective, insurgencies of any kind are always perceived and portrayed as a threat to national sovereignty or, as it is increasingly the norm these days, to national security.[1] This threat, it is argued, brings about an emergency situation that merits and justifies the implementation of emergency powers. The need to resort to emergency powers has usually been grounded in the ineffectiveness of deliberative political bodies when pressed with an urgent, changing and unforeseeable situation that demands expeditious and continuous decisions. In what can be regarded as the classic argument in these matters, John Locke, in his *Second Treatise on Civil Government,*

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[1] In *The Guatemalan Military Project: A Violence Called Democracy*, Jennifer Schirmer provides a detailed analysis of how the doctrine of national security "actually became an integral part of *traditional, democratic,* and *legal* structure and discourse" in Guatemala (4). She notes that "national security has been viewed as a tailor-made rationalization for the overthrow of civilian governments or as a justification for using exceptional law as a form of law enforcement" (4). National security, however, has also been used to rationalize so-called self-coups (for instance, Alberto Fujimori's self-coup in Peru in 1992) and palace coups, that is, the overthrows of a military government by usually younger members of the military, as happened in Guatemala in March 1982 and then again in August 1983.

justifies the use of emergency powers (or prerogative powers, as he calls them) in the following terms:

> Where the legislative and executive power are in distinct hands … the good of the society requires that several things should be left to the discretion of him that has the executive power … This power to act according to discretion, for the public good, without the prescription of the law, and sometimes even against it, is that which is called prerogative: for since in some governments the lawmaking power is not always in being, and is usually too numerous, and so too slow, for the dispatch requisite to execution; and because also it is impossible to foresee, and so by laws to provide for, all accidents and necessities that may concern the public, or to make such laws as will do no harm, if they are executed with an inflexible rigour, on all occasions, and upon all persons that may come in their way; therefore there is a latitude left to the executive power, to do many things of choice which the laws do not prescribe. (Chapter 14, Sections 159-60)

Underlying this justification is the assumption that constitutional states are designed to function under normal and peaceful conditions and that therefore the balance between the branches of government during an emergency situation must be altered to whatever degree it might be necessary to control, manage and overcome the unexpected situation. Yet, resorting to emergency powers is never an inconsequential decision given that it always involves, as the renowned historian and political scientist Clinton Rossiter notes, "a government of a stronger character; that is, the government will have more power and the people fewer rights" (quoted in Freeman 6).

The concrete measures taken by government to increase its power vary from case to case but always curtail, in one way or another, civil rights and liberties. Emergency powers might, as Michael Freeman suggests in *Freedom and Security,*

> Suspend normal due process laws [thus] allowing the police to conduct searches without warrant, arrest citizens without charge, hold them in jail without bringing them to trial (denying them the right of habeas corpus), and use abusive interrogative methods. Emergency powers may also limit other liberties, such as the right to free speech or assembly (by

> establishing curfews) [or] suspend the political separation of powers. (Freeman 28)

Resorting to emergency powers such as those described above involves in most cases the declaration of a state of exception, emergency or siege, perhaps *the* favored recourse not only of states involved in counterinsurgency but also of totalitarian and/or repressive states. As Giorgio Agamben indicates, the state of exception concerns "a *suspension* of the order that is in force in order to guarantee its existence. Far from being a response to a normative lacuna, the state of exception appears as the opening of a fictitious lacuna in the order for the purpose of safeguarding the existence of the norm and its applicability to the normal situation" (*State of Exception* [*SE*] 31).

Alberto Fujimori's self-coup in April 1992 in Peru might be regarded as an example of the use of emergency powers and the state of exception in order to guarantee the order's existence. Not all emergency powers or states of exception, however, are decreed to guarantee the existence of an existing order; military coups, for instance, frequently resort to emergency powers and states of exception to eliminate a present threat and then establish a new legal and political order that, sometimes, serves the military's purpose, as was the case in Guatemala during the 1980s.

As I mentioned in Chapter 1, the Guatemalan Military called for elections for a National Assembly in 1984 and a civilian president and a new congress in 1985 not because it considered that the threat posed by the guerrillas had been completely eliminated and normality could be restored but, rather, to be able to "legally" eliminate them while concurrently improving the country's image internationally.[2] As Jennifer Schirmer notes, "the final purpose to such legal finagling was not to reestablish the

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[2] See Chapter 1, note 19, above

previous constitutional order but to ‘restructure’ and ‘align’ law to fit purposes of security and to create, in the end, a new kind of counterinsurgent constitutional order” (*The Guatemalan Military Project* 130). Accordingly, when the new Constitution was promulgated on May 31, 1985, a so-called Transitory Article 16 that approved all previous decrees emitted between March 23, 1982, and January 14, 1986, was also ratified by the new Congress.

The differences exemplified by the Peruvian and Guatemalan cases point to Carl Schmitt’s distinction between “commissarial dictatorship” and “sovereign dictatorship”. The former, closer to Agamben’s conceptualization and exemplified by Fujimori’s self-coup, deals with an exceptional situation as the agent of an existing and legitimate power and, as such, tends to set a time limit to the state of exception and attempt to restore the state of affairs that existed prior to the declaration of the state of emergency. “Sovereign dictatorship,” on the other hand, is unlimited and attempts to create or establish a new legal and political order.[3]

Examples of the use of emergency powers and the state of exception abound. Besides the Peruvian and Guatemalan cases I discussed in the Chapter 1, it is worth remembering that immediately after taking power Hitler issued on February 20, 1933, the Decree for the Protection of the People and the State, which essentially amounted to the suspension of the articles of the Weimar Constitution directly concerned with personal liberties. Since the decree was never repealed, “from a juridical point of view the whole of the Nazi regime can be considered a state of emergency that lasted for twelve years”

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[3] For Agamben, the difference between the two can be expressed through the relation between force and law: “commissarial dictatorship represents a state of the law in which the law is not applied, but remains in force. Instead, sovereign dictatorship represents a state of the law in which the law is applied, but is not formally in force” (*SE* 36).

(Agamben, "State" 285). Gareth Williams makes a similar case for Mexico. As he notes, the state of exception implemented during the Second World War when Mexico declared war on Germany was in fact never repealed. As a result, "the modern sovereign state of exception has been the norm in Mexico for decades" ("The Mexican Exception" 18). Likewise, the United States has been under an ongoing state of national emergency ever since September 14, 2001, when then president George W. Bush decreed it in the aftermath of the attacks of September 11, 2001.[4] These examples and other similar and

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[4] The state of national emergency is still in effect given that President Barack Obama renewed it for another year in September 2010. Among other faculties, the current state of emergency allows the president to suspend regulations and laws regarding the limit on the number of commissioned officers, the promotion and retirement of military personnel, and the duration of active duty. It also allows the president to wave the limit on army reserves, grow the size of the military beyond the legal appropriation, and order any retired officer to active duty. Among the Constitutional Rights the president might revoke during the state of emergency is the right of *habeas corpus*. In the United Sates, the declaration of a state of national emergency is regulated by the 1976 National Emergencies Act (Title 50 Chapter 34 of the United States legal code), which grants certain powers to the president during an emergency situation. This Act is to a great extent a direct consequence of Report 93-549, which was prepared by the Senate's Special Committee on the Termination of the National Emergency in 1973. The report is particularly interesting because it amounts to an official recognition of the perilous nature of emergency powers. As the report's foreword states, "Since March 9, 1933, the United States has been in a state of declared national emergency. In fact, there are now in effect four presidentially proclaimed states of national emergency … These proclamations give force to 470 provisions of Federal law. These hundreds of statutes delegate to the President extraordinary powers, ordinarily exercised by the Congress, which affect the lives of American citizens in a host of all-encompassing manners. This vast range of powers, taken together, confer enough authority to rule the country without reference to normal Constitutional processes. Under the powers delegated by these statutes, the President may: seize property; organize and control the means of production; seize commodities; assign military forces abroad; institute martial law; seize and control all transportation and communication; regulate the operation of private enterprise; restrict travel; and, in a plethora of particular ways, control the lives of all American citizens" (n. pag.). Even if the 1976 National Emergencies Act put an end to these older states of national emergency, was intended to prevent the president from creating an open-ended state of emergency and granted Congress some level of control over the emergency powers of the president, it nonetheless allows the president to renew an existing state of emergency by notifying Congress, which is precisely what first Bush and then Obama

increasingly frequent cases seem to have finally made it clear what Benjamin had already realized more than sixty years ago; namely, that "the 'state of emergency' in which we live is not the exception but the rule" ("Thesis" 257).[5]

The increased proliferation of the use of emergency powers and the state of exception points, as Agamben notes, to the proximity that exists between them and civil war, insurgency and resistance. As he remarks, "because civil war is the opposite of normal conditions, it lies in a zone of undecidability with respect to the state of exception, which is state power's immediate respond to the most extreme internal conflicts" (*SE* 2). Agamben also notes the lack of a theory of civil war (or *stasiology*, as he calls it) and argues that the reason for this theoretical lacuna might precisely be this proximity between the state of exception and insurgency, and their common "undecidable" nature. The discussion that follows can be read as an attempt to theorize this lacuna.

Agamben traces this close relation between the state of exception and civil war to two legal figures in ancient Roman right, the *tumultus* (which he equates to civil war) and

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have done for the last ten years. Both the 1976 National Emergency Act and the Senate Report 93-549 can be found online.

[5] According to Peter Sloterdijk, the state of emergency that is no longer the exception but the rule essentially covers the whole globe and presents itself in two forms: "in liberal democracy as a post-democratic politics of order, which expresses itself as the degeneration of politics into policing and in the transformation of politicians into agents of consumer protection; and in frustrated countries torn by civil war, wherein armies of powerful, superfluous people continue to annihilate one another" (*Rage and Time* 40). In Guatemala, the state of emergency became the rule with the 1985 Constitution, which, as Jennifer Schirmer notes, "permits the military to claim a constitutional mandate to control 'enemies of the state' as they see fit, to operationalize citizens' 'rights' as 'obligations,' and to define human rights as forms of 'juridical security' … The result is to make repression part of the legal fabric of State power such that states of exception are no longer necessary" (*TGMP* 149-50).

the *iustitium* (which he identifies with the state of exception).[6] As Agamben explains, *iustitium* literally means "to bring to a stop, to suspend the *ius*, the juridical order … Not simply a suspension in the administration of justice, but an abeyance of the law as such …the production of a juridical vacuum [during which] no act is lawful; but, reciprocally, neither is any 'transgression' possible" ("State" 286-7). What interests me here the most, however, is not so much the state of exception or the use of emergency powers as legal or political figure in and of themselves but, rather, their relation to sovereignty and insurgency. In order to examine this relation, I will take as my point of departure Schmitt's conceptualization of the sovereign as he who decides on the exception and Agamben's discussion of the state of exception. I will argue that Schmitt's articulation of the state of exception to the legal order through the figure of the sovereign should be regarded as the counterpart of the friend-enemy distinction and the logic of fraternization I examined in the previous chapter. If these provide the political justification to kill the enemy-brother, Schmitt's conceptualization of sovereignty provides the legal justification. Likewise, through a close reading of some key aspects of Hobbes' *Leviathan,* I suggest that by equating sovereignty with the exceptional situation, Schmitt not only attempts to deny the subject's right to resistance, dissent and rebellion but also reinstates the personal element present in "exceptional" sovereignty to "normal" sovereignty, thereby making sovereignty not only indivisible at *all* times and during *all*

[6] Agamben describes the relation between *tumultus* and *iustitium* in the following way: "When the Roman *senatus* was informed of a situation that seemed to threaten or endanger the *res publica*, it would ask the consuls to take any measures possible in order to ensure the security of the state. This involved a *decretum,* a decree that declared a *tumultus* (that is to say, a state of emergency arising from inner disorder or an insurrection) and had as a consequence the proclamation of a *iustitium*" ("The State" 285-6). For a fuller elaboration of the *iustitium* in Roman law, see Agamben, *SE,* chapter 3.

circumstances but also granting the sovereign, once again, the right over life and death. This right is for Schmitt what ultimately guarantees the survival of the friends' way of life and form of existence.

2.1. Carl Schmitt and the sovereign's exception

As we have already seen in Chapter 1, Schmitt regards the enemy as a threat to the friends' way of life and form of existence and thus as a danger to the continuous existence of the state, whose unity is precisely founded and in great part constructed through a decision on and in opposition to the enemy. This moment of extreme danger constitutes for Schmitt the ultimate political moment: given that the state has "the right to demand from its own members the readiness to die and unhesitatingly to kill enemies," it brings about a situation where the possibility of death is always imminent (*Concept of the Political* [*CP*] 46). Just like the decision on the enemy, this moment or situation of supreme danger that threatens the very existence of the state is always an exceptional situation that deviates from the norm and, by definition, "can neither be decided by a previously determined general norm nor by judgment of a disinterested and therefore third party" (*CP* 27). Understandably then, knowing who gets to decide on and during such an exceptional situation is of the uttermost importance. For Schmitt, he who decides if there is a moment of extreme danger and what to do about and during this exceptional and extreme situation is sovereign. As he remarks at the very beginning of his *Political Theology* [*PT*], "sovereign is he who decides on the exception" (*PT* 5) and, as such, he "decides whether there is an extreme emergency as well as what must be done to eliminate it" and has, when need be, "the authority to suspend the law" (*PT* 7). Moreover,

the sovereign has the power to determine what constitutes public order and security, when are these disturbed, and whether the danger has passed and daily life can regain normality (*PT* 9).

Three elements are intertwined in Schmitt's succinct definition of the sovereign: (1) a particular concept of sovereignty, (2) the act of deciding, and (3) the exception, that is, a moment or situation of supreme danger that threatens the very existence of the state and that given its unforeseeable nature cannot be codified in laws or norms, which, in any case, can only state *who* decides on these exceptional cases. And he who decides is, for all practical purposes, sovereign. Therein, states Schmitt, "resides the essence of the state's sovereignty, which must be juristically defined correctly, not as the monopoly to coerce or rule, but as the monopoly to decide" (*PT* 13).

The essential faculty of the sovereign, what defines him as such, is thus the capacity to make decisions when there is a threat to the survival of the state. Yet, making decisions without these decisions being obeyed and followed would be pointless and inconsequential. It thus follows that for Schmitt sovereign is he who not only decides on the exception but also, and perhaps even more importantly, he whose decisions are absolutely and inescapably binding, he who can elicit unconditional obedience from its subjects. There is in fact nothing new in Schmitt's linkage of sovereignty with decision; Hobbes had already made this connection:

> And because the end of this institution is the peace and defense of them all, and whosoever has right to the end has right to the means, it belongeth of right to whatsoever man or assembly that hath the sovereignty, to be judge both of the means of peace and defense, and also of the hindrances and disturbances of the same, and to do whatsoever he shall think necessary to be done, both beforehand (for the preserving of peace and security, by prevention of discord at home and hostility from abroad) and, when peace and security are lost, for the recovery of the same. And

> therefore … it is annexed to the sovereignty to be judge of what opinions and doctrines are averse, and what conducing, to peace, and consequently, on what occasions, how far, and what men are to be trusted withal. (*Leviathan* xviii, 8-9 [113])[7]

What is nonetheless original in Schmitt's conceptualization of sovereignty is his attempt to articulate the exception to the juridical order *through* the figure of the sovereign, even if, as Agamben notes, it is a paradoxical articulation "for what must be inscribed within the law is something that is essentially exterior to it, that is, nothing less than the suspension of the juridical order itself" (*SE* 33). If, on the one hand, the sovereign has to decide when the law or the legal order ought to be suspended, on the other hand this power to decide is granted by the very same law or legal order that is being suspended. Yet, given that the exception can only be regarded as such in relation to the norm to which it should comply but does not, "the most proper characteristic of the exception is that what is excluded in it is not, on account of being excluded, absolutely without relation to the rule" (Agamben*, Homo Sacer* [*HS*] 17). In this sense, the exception is included in the norm exclusively through its exclusion; a relation Agamben calls "relation of exception" (*HS* 18). Accordingly, both the sovereign who decides on the exception and the state of exception are "relations of exception" for both are concurrently inside and outside the juridical order.[8]

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[7] All direct quotes from Hobbes throughout this chapter are taken from the Hackett edition of *Leviathan* published in 1994; in the parentheses, the first number refers to the chapter and the second to the paragraph. The number in brackets refers to the page number of the specific edition from which I'm quoting.

[8] William Rash notes, in "From the Sovereign Ban to Banning Sovereignty," the formal similarity between the sovereign's "relation of exception" and Bertrand Russell's barber paradox: Suppose there is a town with just one barber. The barber shaves *only and all those* in the town who do not shave themselves. Does the barber shave himself? If he does, then he does not *only* shave those who do not shave themselves; and if he does not, then he does not shave *all* those who do not shave themselves. Russell "solved" the

Schmitt justifies this ambivalent or paradoxical characteristic of the exception by clarifying that “the state suspends the law in the exception on the basis of its right of self-preservation”; yet, he clarifies, “in such a situation it is clear that the state remains, whereas law recedes”, thereby “proving” the state’s “superiority over the validity of the legal norm” (*PT* 12). Schmitt’s argument that the sovereign (and thus the state) is above the legal norm should not come as a surprise given that, throughout his life, he wrote against any objective concept of sovereignty based on regulations and legal norms that attempt to eliminate the decision or any subjective element in the exercise of sovereignty.[9] Moreover, in what can be regarded as his lifelong project, Schmitt tirelessly criticized constitutional liberalism, which he considered a political system based on perennial negotiations and everlasting discussions that aimed to indefinitely suspend any dispute and avoid making a decision.[10]

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paradox by making the barber live outside the town, which prompted Wittgenstein to remark that, “The laws of logic cannot in their turn be subject to laws of logic. (There is not, as Russell thought, a special law of contradiction for each ‘type’; one law is enough, since it is not applied to itself)” (*Tractatus Logico-Philosophicus* 6.123). For Rash, however, the barber paradox exemplifies sovereign self-exemption: “It is not so much that the proposition … falls *outside* the set of all propositions; rather, remaining inside, the proposition excludes itself from its own workings. It simply cannot be subject to the same judgment that it exercises … Thus, self-exemption “solves” the paradox of totalizing paradoxes by rudely and insolently *becoming* the paradox. The barber who shaves only and all those who do not shave themselves … is chosen to *rule* [the town]. He is, at one and the same time, *of* the town and *over* it. In a word, the barber is sovereign, for the paradox that both Russell and Wittgenstein ponder is the neat trick of sovereign self-exemption” (93). The full implications of this sovereign self-exemption should become clear in what follows.

[9] See Gabriella Slomp, *Carl Schmitt and the Politics of Hostility*; and Jan-Werner Müller, *Dangerous Mind*.

[10] One cannot but partially agree with Schmitt on this point. The endless discussions in parliaments around the world feel sometimes precisely like this. There is, however, an abyssal difference between criticizing parliamentary democracy and advocating absolute, boundless sovereignty.

What is rather arresting, however, is Schmitt's affirmation that "although [the sovereign] stands outside the normally valid legal system, he nevertheless belongs to it" (*PT* 7). This seemingly minor difference—the difference between on the one hand standing concurrently outside and inside though not belonging to either and, on the other, standing outside the valid legal system yet belonging to it—allows Schmitt to ground, through the sovereign himself, any decision taken and any act committed during the state of exception *within* the legal order and thus assert that "because the exception is different from anarchy and chaos, order in the juristic sense still prevails even if it is not of the ordinary kind" (*PT* 12). In this way, by being both inside and outside the juridical order yet belonging to it, the sovereign is able to anchor the state of exception to the juridical order. In this sense, the sovereign becomes the guarantor of the legal order when the law is suspended; even more, it could even be said that he becomes *the* legal order and *the* law, as well as the force that enforces both. Consequently, during the state of exception, the decisions made by the Schmittian sovereign are not only absolutely and inescapably binding but also legal; his acts and those he orders, lawful.

In a 1983 interview, Guatemalan General Efrain Ríos Montt, who as I mentioned in the previous chapter came to power through a palace coup in March 1983, clearly revealed this relation between the sovereign, emergency powers and law: "When the [1965] Constitution was in force, I could not search for someone in a house. So I had to establish a legal framework so that now I can enter a house."[11] This conceptualization of law, that "assumes a rule *by* law and not a rule *under* law," serves to legitimize the use of emergency powers and repression by equating rule of law with being "*covered* by law,"

[11] Raymond Bonner, "Guatemalan Officer Is Firmly in Control 4 Months After Coup," *New York Times,* July 15, 1982, A8. See Schirmer, *TGMP* 127.

conveniently forgetting in the process that the sovereign itself created the law that justifies and legitimizes its actions (Schirmer, *TGMP* 126).

The view of law that equates the sovereign's decision with legality is precisely what allows General Efrain Ríos Montt to make the rhetorical distinction between *asesinar* and *fusilar* insurgents, as I mentioned in the previous chapter. Subversives are *fusilados* instead of *asesinados* only insofar as there is a law, created by the sovereign, that legalizes state violence while rendering insurgent violence illegal. This distinction between legal State violence, necessary for maintaining peace and order, and illegal insurgent violence, which is always already outside the law, helps create a discourse in which the state is merely defending itself from and reacting to a violence that is always located outside or beyond the law. Interviewed by Jennifer Schirmer, Guatemalan Colonel Isaacs makes this distinction clear: "The subversives are outside the law … and we [the Army] are within the Constitution: Article 245 prohibits any armed groups not regulated by the laws of the Republic. We are within the democratic framework and within the laws of such a framework" (*TGMP* 137). This "self-referential, self-validating, and self-justifying" conceptualization of law, which equates law to sovereign power, is precisely what the Schmittian articulation of the state of exception to the legal order *through* the figure of the sovereign—Ríos Montt in this case—allows for.

The Schmittian articulation is particularly disquieting if we are to admit that the only truly fundamental question the state of exception—and the recourse to emergency powers in general—raises is that of the nature of the acts committed during the state of exception and their legal and political implications and consequences. "The question is particularly relevant," Agamben observes, "because we face here a sphere of action in

which the issue is primarily whether or not one can kill" ("The State of Exception" 287). If these acts occur during a legal vacuum during which no act is lawful yet no transgression possible, do they have any juridical repercussions? Can the sovereign, or anyone who acts on his behalf, be judged for acts committed during this legal vacuum, during the absence of *ius*?

Schmitt's answers to these questions would clearly be a categorical *no he cannot.* Given that for Schmitt the sovereign himself becomes, during the state of exception or any dangerous situation that demands the use of emergency powers, the legal order, the law and the force that enforces both, his decisions and acts (and any decision made or act committed on his behalf) are always already legal and always already legitimate. Even Agamben's answer to this fundamental question indirectly confirms Schmitt's claim. Agamben argues that, given that the acts committed during the state of exception are "produced in a juridical void" and thus "radically removed from any juridical determination," they "are mere facts, the appraisal of which, once the *iustitium* [state of exception] is expired, will depend on the circumstances" (*SE* 50). This legalistic and apparently neutral argument ends up, ultimately, siding with absolute sovereign power. If we take into consideration that he who decides on the state of exception and he who decides to lift it is commonly the *same* sovereign, it would be naïve to expect him to appraise the actions he himself committed or those he ordered during the state of exception in any negative or detrimental way. Besides, the circumstances in which this assessment would be carried on would inevitably and logically favor him. Even if a different sovereign takes power after the end of the state of exception or if the state of exception is ended when a new sovereign takes power, the acts committed during the

state of exception will, in the overwhelming majority of cases, not be judged. In these cases, amnesty laws are usually decreed right before or after the state of exception or dictatorial regime comes to an end.[12] In any case, the acts committed by sovereign power

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[12] For instance, Jennifer Schirmer recalls in *The Guatemalan Military Project* that only a few days before the inauguration of democratically elected president Vinicio Cerezo in January 1986, the Guatemalan National Constituent Assembly juridically validated amnesty decree-law 8-86 passed by General Oscar Humberto Mejía Victores, president of the Military Regime. The decree absolved any person from any type of responsibility in relation to counterinsurgent activities. The military government, Schirmer adds, "just to be certain … passed its own decree-law on January 10, 1986, which specifically stated: 'General amnesty is provided to all persons responsible for or involved in committing political and related common crimes from 23 March 1982 to 14 January 1986. As such, no penal action of any kind may be begun or continued against authors and accomplices of such crimes, nor against those who covered up these referred-to crimes, nor against those who intervened in whatever way in its repression or persecution'" (145). Democratically elected governments, however, also pass amnesty laws "in the interest of national reconciliation." For instance, on June 1995, the Peruvian President Alberto Fujimori, following his landslide reelection a few months before, enacted Law No. 26479, an "Amnesty Law" for any criminal act or human rights abuse committed between May 1982 and June 1995 during the state's counterinsurgency war against the Shining Path. (The law was repealed after Fujimori's resignation in 2000). Likewise, in Spain, the first democratic government elected after the death of Franco also passed an amnesty law (Law 46/1977 of October 1977) that essentially absolved anyone who committed any political offence or crime before that date of any responsibility. Similar laws were passed, among other Latin American nations, in Argentina (Law No. 23492, or Ley del Punto Final, of December 1986, and Law No. 23521, or Ley de Obediencia Debida, of June 1987), Uruguay (Law 15.848, or Ley de Caducidad de la Pretensión Punitiva del Estado, of December 1986) and Chile (Decree-law 2191 of April 1978, which absolved from any juridical or criminal responsibility anyone who committed or covered up crimes carried out between the day of the military coup [September 1973] and March 10, 1978, the day the Pinochet Regime lifted the state of siege). Amnesty laws, sometimes known as repentance laws, are also passed by the state to entice insurgents to abandon the enemy ranks. As Virginia Barrard-Burnett suggests, under repressive regimes the purpose of these laws is "to recast the government as reconciliator and benevolent authority" (*Terror* 69) and therefore usually offer some legal benefit (diminished sentences or pardon) in exchange for cooperation. For instance, Guatemalan "President" Efraín Rios Montt announced such a law (Decree-Law 33-82) on May 24, 1982, which gave all guerrillas and collaborators the option to turn themselves in before a "merciless struggle" began. The amnesty, Garrard-Burnett notes, carried for Ríos Montt "enormous moral significance. As a symbolic gesture, the moral efficacy of the amnesty was twofold: first, it provided an opportunity for the 'prodigal sons' of the armed resistance to return to their father's house. At the same time, it offered a moral rationale

during exceptional situations become part of a narrative that not only aims to minimize whatever legally dubious actions were taken during the “emergency” but also naturalize these acts by presenting them precisely as “mere facts” and thus as inevitable components of the protection of order, legality, the rule of law and the way of life and form of existence shared by the sovereign and his friends.[13]

In this sense, Schmitt’s articulation of the state of exception to the legal order through the figure of the sovereign becomes the counterpart of the friend-enemy distinction traversed by the logic of fraternization I examined above. If the friend-enemy opposition provides the political rationalization to kill the enemy-brother, Schmitt’s conceptualization of sovereignty as the articulation between legality and the exceptional situation provides the legal justification.[14] Killing the insurgent-enemy-brother becomes thus a politically sound and legally sanctioned deed. This combination of, on the one hand, a political and moral rationale for fighting and killing the enemy as the one provided by the logic of fraternization and the friend-enemy distinction, *and*, on the

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for a ‘just war’ against those who did not” (*Terror* 69). Ríos Montt made this explicit when he stated at the time that the first amnesty decree-law “gives us the juridical framework for killing. Anyone who refuses to surrender will be shot” (Black 135). Likewise, immediately after his self-coup, Fujimori passed a similar law on May 1992 (Ley de Arrepentimiento) that granted pardon or reduced penalties to former or current members of Sendero Luminoso who were willing to publicly repent and give information about Sendero and its members. For a complete list and description of amnesty laws and states of exception decreed by the Guatemalan state from 1945 to 1986, see the report of the Comisión para el Esclarecimiento Histórico, *Guatemala: Memoria del Silencio*, Vol. 1, Chapter 1, Appendix 6 (“Decretos de excepción y amnistía”); it can also be found online. For Fujimori’s Ley de Arrepentimiento, see Carlos Tapia, *Las Fuerzas Armadas y Sendero Luminoso,* 80-1.

[13] Both Schmitt’s and Agamben’s argument in relation to the acts committed during the state of exception obviously beg the question of justice and its relation to law. For a compelling exegesis of this relation see Jacques Derrida’s “Force of Law.”

[14] If an ethno-biological component were added to this already lethal combination, genocide will probably be the most likely result.

other, the assurance that any type of act committed against the enemy will go unpunished clearly opens the door for, and perhaps even invites, the use of the most extreme, indiscriminate and wanton violence against the insurgent-enemy-brother, as was the case in Peru and, especially, Guatemala.[15]

Besides allowing for the sanctioned use of extreme violence, there is another consequence of Schmitt's articulation of the exception to the legal order through the sovereign. This second consequence, however, is not to be found in the realm of the possible but of the forbidden; that is, we must not consider what the Schmittian articulation allows for or enables but rather what it hinders, precludes and even forbids. To show this it is necessary to first reconsider Hobbes' conceptualization of sovereignty while paying attention to the limits he sets to sovereign power.

2.2. Disobedience, resistance and the (forgotten) limits of sovereignty

Schmitt has been called the Hobbes of the twentieth century. Just like Hobbes, Schmitt was interested in establishing order in what he saw as a disordered and chaotic world. Moreover, both "wanted homogeneity and unity within the state … [and] loathed domestic pluralism" (Slomp 38). Also like Hobbes, Schmitt believed that *auctoritas, non veritas facit legem* (authority and not truth makes law), from which follows that only sovereign power can demand obedience. Moreover, Schmitt, just like Hobbes, subscribed to the view that the original motivation for forming a political community is the individual's fear of death and its desire for security and protection, for which the individual is willing to give up part of its liberty and freedom as well as assent to the

[15] See Chapter 1 for a discussion of the violent counterinsurgency campaigns carried out by the Peruvian and Guatemalan armed forces.

sovereign's authority; in brief, the Hobbesian individual is willing to trade obedience for protection. Yet, the different and perhaps even opposite ways in which both conceptualize the relation between obedience and protection precludes taking the Schmitt-Hobbes comparison too far. In fact, the Hobbesian sovereign is not as absolute as it is generally assumed. In Hobbes' argument, sovereign power has explicit limits and the subject the right to disobey. Schmitt's conceptualization of sovereignty aims to remove these limits so as to partially strip the individual subject of its rights, among these, the right to dissent and rebel.

It is often forgotten that Hobbes' conceptualization of sovereignty and sovereign power stems from a certain equality among men living in the state of nature:

> Nature hath made men so equal in the faculties of body and mind as that, though there be found one man sometimes manifestly stronger in body or of quicker mind than another, yet when all is reckoned together the difference between man and man is not so considerable as that one man can thereupon claim to himself any benefit to which another may not pretend as well as he. (xiii, 1 [74])

This natural equality, Hobbes argues, causes men to have similar hopes and desire similar things. Some of these, however, cannot be shared or enjoyed simultaneously, a situation that thus makes men fight and subdue one another. Enmity among men is therefore the result of the animosity that stems from the inability or impossibility of *always* satisfying one's desires or fulfilling one's hopes. Because of this perpetually imminent possibility of enmity and quarrel in the state of nature, which Hobbes famously describes as the war of all against all, men live without security and certainty. As a result of this situation, industry and culture cannot flourish and, consequently, men can neither prosper nor live a rewarding existence. To make things worse, in this war of all against all, there is no notion of justice and injustice since there is no law and hence no distinction between right

or wrong, good or evil. As such, men live under these conditions a “solitary, poor, nasty, brutish, and short” life in which “continual fear and danger of violent death” is the norm (xiii, 9 [76]).

Despite this gruesome situation, Hobbes argues, the desire “to seek peace and follow it” is *the* fundamental law of nature (xiv, 4 [80]).[16] This desire for peace arises from men’s “fear of death, desire of such things as are necessary to commodious living, and a hope by their industry to obtain them” (xiii, 14 [78]).[17] This fundamental law of nature in turn gives rise to a second law of nature, which in Hobbes’ argument becomes the basis for the erection of the commonwealth and hence of sovereignty, namely, “that a man be willing, when others are so too … to lay down this right to all things, and be contended with so much liberty against other men, as he would allow other men against himself” (xiv, 5 [80]).

It is then the willingness to partially give up one’s natural right to do anything one pleases what enables the erection of the commonwealth. Yet, the commonwealth can only come into existence if everyone is willing to surrender part of its rights; that is, the surrendering of one man’s rights is dependent upon the surrendering of the very same rights by every other man. The mutual covenant of each with each other thus enables

[16] For Hobbes, a *law of nature* is a principle or precept that forbids man to do whatever is or might be “destructive of his life or taketh away the means of preserving the same, [or] to omit that by which he thinketh it may be best preserved” (xiv, 3 [80]). The *law of nature* will be instrumental for later discussing the limits Hobbes sets to sovereign power.

[17] In *Communitas,* Roberto Esposito notes that the centrality of *fear* in Hobbes’ oeuvre has been largely overlooked. It is the role fear plays in Hobbes, Esposito argues, “what makes Hobbes necessary analytically and unacceptable prescriptively; what makes him almost our contemporary and at the same time distances us from him as what is and indeed *needs* to be other from us” (20). Herein, I focus on the “necessary analytically” aspect of Hobbes’ argument. I will return to the role fear plays in the state of nature later on.

conferring the power and strength of all upon one man, the sovereign, the *Mortal God,* the Leviathan. In Hobbes' words:

> The only way to erect such a common power as may be able to defend them from the invasion of foreigners and the injuries of one another, and thereby to secure them in such sort as that by their own industry, and by the fruits of the earth, they may nourish themselves and live contentedly, is to confer all their power and strength upon one man, or upon one assembly of men … and therein to submit their wills, every one to his will, and their judgments, to his judgment. This is more than consent, or concord; it is a real unity of them all, in one and the same person, made by covenant of every man with every man … This done, the multitude so united in one person is called a COMMONWEALTH …This is the generation of that great LEVIATHAN, or rather (to speak more reverently) of that *Mortal God* to which we owe, under the *Immortal God,* our peace and defense … in him consisteth the essence of the commonwealth, which (to define it) is *one person, of whose acts a great multitude, by mutual covenants one with another, have made themselves every one the author, to the end he may use the strength and means of them all, as he shall think expedient, for their peace and common defense.* (xvii, 13 [109])[18]

This "one man" who is the essence of the commonwealth is *sovereign* and has *sovereign power*. Every one under his authority, that is, every one who willingly surrenders his right to govern himself and thus authorizes the sovereign to bear his person becomes his subject and, through the mutual covenant of each with each other, co-author of whatsoever the sovereign "shall act, or cause to be acted" (xvii, 13 [109]). However, given that "covenants without the sword are but words, and of no strength to secure a man at all," sovereign power has to be backed up by force so as to be able to keep man's

[18] According to Hobbes, there are two different types of commonwealth: "political commonwealth" or "commonwealth by institution" and "commonwealth by acquisition". In the former, sovereignty is attained by voluntary submission like in Hobbes' description of how man agrees to raise himself out of the state of nature and form; in the latter, in contrast, sovereignty is attained by force (for instance, conquest). In this chapter I refer exclusively to the first type. For Hobbes' detailed description of these two types of commonwealth see *Leviathan,* chapters xviii through xx.

ever-present desire for dominion over others in check (xvii, 2 [106]). For Hobbes, then, subjection is the tradeoff for peace. Yet, as we will see, subjection is *never* absolute.

As I discussed in the previous chapter, Schmitt holds that the state can lose the monopoly of the political if an internal grouping reaches sufficient intensity and becomes political; that is, if it can also distinguish between friends and enemies, and demand obedience. In these cases, Schmitt indicates, the state does not only have in its hands a situation that could develop into a civil, revolutionary or national liberation war but also has effectively ceased to exist. For Schmitt, this possibility is enabled by what he saw as Hobbes' concessions to individualism, which makes pluralism and the formation of domestic friend-enemy groupings inevitable. These concessions were, in Schmitt's view, the result of what Hobbes regarded as legitimate reasons for disobedience, for instance, being commanded by the sovereign to kill or wound oneself, not resist the attack of another man or abstain from the basic necessities of life such as food, water and air (see xxi, 12 [142]). Given that these actions or orders evidently put the subject's life in danger and therefore go against the ultimate purpose of the commonwealth—that is, "the foresight of their own preservation, and of a more contented life thereby" (xvii, 1 [106])—they can be resisted or disobeyed. Likewise, and more related to Schmitt's concerns, Hobbes indicates that any individual can refuse to go to war (which obviously entails the possibility of being killed) if he considers that it would endanger his life, whose protection is precisely the reason for having surrendered part of his natural rights and liberties in the first place. In Hobbes's words: "A man that is commanded as a soldier to fight against the enemy, though his sovereign have right enough to punish his refusal with death, may nevertheless in many cases refuse without injustice, as when he

substituteth a sufficient soldier in his place; for in this case he deserteth not the service of the commonwealth" (xxi, 16 [142]).

In Hobbes' notion of sovereignty, then, sovereign power reaches a limit when the sovereign demands the subject to act against natural law, that is, against the individual's right to self-preservation. Even if the Hobbesian subject cannot altogether desert the service of the commonwealth, he can in some cases and even if on a limited basis disobey or, rather, refuse to obey the sovereign's orders. For Schmitt, this limit to sovereignty is utterly problematic given that what the political aims to protect is the way of life and form of existence of a specific group: the brothers; hence, the group's well-being and survival is and should always be above any individual concern or right.

Even if Hobbes appears to be limiting sovereignty in some parts of his argument, it would nonetheless be inconsistent with Hobbes' general argument to claim that the subject has the unconditional right to disobedience and resistance. In fact, the contradictory relation between punishment and resistance in *Leviathan* has been the source of an ongoing and heated discussion among scholars.[19] One specific passage, which is worth quoting at length, seems to be the focus of debate:

> For by that which has been said before, no man is supposed bound by Covenant, not to resist violence; and consequently it cannot be intended, that he gave any right to another to lay violent hands upon his person. In the making of a commonwealth, every man giveth away the right of defending another; but not of defending himself. Also he obligeth himself

[19] Hobbes defines punishment as "an evil inflicted by public authority on him that hath done or omitted that which is judged by the same authority to be a transgression of the law, to the end that the will of men may thereby the better be disposed to obedience" (xxviii, 1 [203]). This definition of punishment as inflicted *only* by public authority rests upon the (Hobbesian) fact that law presupposes sovereign power. In the state of nature, as we have already seen, there is no law, no thing such as a good, evil, just or unjust deed and therefore no public punishment, just private revenges and acts of hostility.

> to assist him that hath the sovereignty, in the punishing of another, but of himself not. But to covenant to assist the sovereign in doing hurt to another, unless he that so covenanteth have a right to do it himself, is not to give him a right to punish. It is manifest therefore that the right which the commonwealth (that is, he or they that represent it) hath to punish is not grounded on any concession, or gift, of the Subjects. But I have also showed formerly, that before the institution of commonwealth, every man had a right to everything, and to do whatsoever he thought necessary to his own preservation, subduing, hurting, or killing any man in order thereunto. And this is the foundation of that right of punishing, which is exercised in every commonwealth. For the subjects did not give the sovereign that right, but only (in laying down theirs) strengthened him to use his own as he should think fit, for the preservation of them all; so that it was not given, but left to him, and to him only, and (excepting the limits set him by natural Law) as entire as in the condition of mere Nature, and of war of every one against his neighbour. (Hobbes*,* xxviii, 2 [203-4])

Given that there is no concept of good, evil, just or unjust in the state of nature and therefore no concept of law, there is by definition no thing as punishment in the state of nature. Thus the right to punish cannot be transferred to the sovereign by the subject in order to form the commonwealth, which is what Hobbes means when he states that "the right which the commonwealth … hath to punish is not grounded on any concession, or gift." Punishment can only exist once sovereign power is established; therefore, it has to be somehow grounded in the sovereign's recourse to its natural rights.

This is precisely what Agamben seems to be suggesting when he, grounding his argument on the passage I quoted above, affirms that "in Hobbes, the foundation of sovereign power is to be sought not in the subjects' free renunciation of their natural right but in the sovereign's preservation of his natural right to do anything to anyone, which now appears as the right to punish" (*HS* 106). Many Hobbes scholars, however, argue

precisely the opposite. For Thomas S. Schrock, for instance, the Hobbesian sovereign is never granted the right to punish and therefore is not truly sovereign.[20]

It seems to me, however, that these two opposite views are inconsistent with both Hobbes' textual argument and its spirit. Hobbes seems to have explicitly chosen to maintain certain aporetic elements in his concept of sovereignty, perhaps to reflect or grasp the perpetual tension between subject and sovereign, the governed and government, people and state.[21] There is one passage in *Leviathan* where the aporetic nature of

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[20] For Schrock's argument, see "The Rights." These opposite views on self-defense and the right to resistance in Hobbes' argument resemble the debate between two traditions or branches of Grotian natural-rights theory, "conservatives" and "radicals". As Debrah Baumgold notes in *Hobbes's Political Theory,* "conservatives derived from the principle of the alienability of all rights the idea of a contract renouncing the right of self-defense" (25). In the context of Hobbes' life, this view was supported by the Royalists. Radicals, instead, "shared the same understanding of rights but appealed to a principle of 'interpretative charity' to attack absolutism. Although in principle it is possible to alienate all rights, they argued, it is implausible—'uncharitable'—to assume that subjects have in fact renounced the right to defend themselves against violence" (25-6). This perspective was in turn held by the Parliamentarians. As Baumgold notes, there are enough arguments in Hobbes' oeuvre for both sides of the debate to support their claims. *De Cive* and *Elements of Law*, on the one hand, tend to support the conservative view of non-resistance. *Leviathan,* on the other, tends to support the latter, radical perspective. In this context, Agamben's argument might be regarded as an heir of the conservative tradition; Schrock's, in turn, of the radical branch. Schmitt undoubtedly belongs to the former, his anti-parliamentarianism a case in point.

[21] Michel Foucault seems to have also been aware of this aporetic element in Hobbes' argument. In *Society Must be Defended* he remarks, "What are individuals doing at the level of the social contract, when they come together to constitute a sovereign, to delegate absolute power over them to a sovereign? They do so because they are forced to by some threat or by need. They therefore do so in order to protect their lives. It is in order to live that they constitute a sovereign. To the extent that this is the case, can life actually become one of the rights of the sovereign? Isn't life the foundation of the sovereign's right, and can the sovereign actually demand that his subjects grant him the right to exercise the power of life and death over them, or in other words, simply the power to kill them?" (241). Foucault, however, dismisses these questions as "a debate within political philosophy that we can leave on one side" (241). Had he followed on this insight he would have surely come to the conclusion that Hobbes' conceptualization of sovereignty is *not* "classic" in the sense that Hobbes' sovereign actually does not have the absolute, inexpugnable and unequivocal right of life and death over his subjects or, as Foucault

Hobbes' opposition between the sovereign's right to punish and the subjects' right to disobey is clearly illustrated:

> A covenant not to defend myself from force by force is always void. For … no man can transfer or lay down his right to save himself from death, wounds, and imprisonment (the avoiding whereof is the only end of laying down any right), and therefore the promise of not resisting force in no covenant transferreth any right, nor is obliging. For though a man may covenant thus *unless I do so, or so, kill me,* he cannot covenant thus *unless I do so, or so, I will not resist you, when you come to kill me*. (xiv, 29 [87])

From this passage it can be concluded that even if the subject does explicitly authorize the sovereign to punish him or expose him to death ("*unless I do so, or so, kill me*"), the subject nonetheless retains the right to resist the punishment ("the promise of not resisting force in no covenant transferreth any right, nor is obliging").[22] It is worth noting however that Hobbes phrases the former—authorizing punishment— in positive, affirmative terms: the subject can overtly covenant *unless I do so, or so, kill me*. The right to resist, however, is phrased in negative terms; that is, it is not expressed as a right but as

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phrases it, "the right to *take* life or *let* live" (*The History of Sexuality: An Introduction* 136).

[22] Hobbes' aporetic conceptualization of the limits of sovereignty can be traced today to the widely held belief that, on the one hand, legitimate governments have the right to defend themselves—the very concept of state sovereignty stems from this right—while, on the other, citizens have the right to dissent and even rebel against a government they consider illegitimate. The right to dissent and rebel is even guaranteed in some constitutions. For instance, as I mentioned in the previous chapter, Article 82 of the 1979 Peruvian Constitution explicitly states that "Nadie debe obediencia a un Gobierno usurpador ni a quienes asuman funciones o empleos públicos en violación de los procedimientos que la Constitución y las leyes establecen. Son nulos los actos de toda autoridad usurpada. El pueblo tiene el derecho de insurgir en defensa del orden constitucional." Similarly, the Mexican Ejército Zapatista de Liberación Nacional (EZLN) noted in the Primera Declaración de la Selva Lacandona that their right to dissent and rebel was guaranteed by Article 39 of the Mexican Constitution: "La soberanía nacional reside esencial y originariamente en el pueblo. Todo el poder público dimana del pueblo y se instituye para beneficio de éste. El pueblo tiene, en todo tiempo, el inalienable derecho de alterar o modificar la forma de su gobierno." It goes without saying that the right to dissent explicitly articulated in these constitutions has of course never been a real obstacle to the state's repression of dissent.

a withdrawal of consent: the subject cannot overtly covenant that he will resist the sovereign, he can only *not* promise that he will *not* resist the sovereign. In brief, on the one hand, the Hobbesian subject gives the sovereign the right to punish her in the interest of communal peace while, on the other, concurrently retaining, if only latently, her right to resist punishment or being exposed to death.

I would like to suggest that Schmitt was not only aware of this aporetic element in Hobbes' concept of sovereignty but actually advanced his definition of the sovereign as he who decides on the exception to explicitly address and resolve the ultimately equivocal and aporetic nature of Hobbes' conceptualization of sovereignty. What is more, it is precisely because of the aporetic elements present in Hobbes that Schmitt went to such extents to define the sovereign *not* from the vantage point of the norm but of the exception, that is, *not* from the point of view of an already formed commonwealth but rather from a return, so to speak, to the state of nature.

Indeed, it is easy to see that the right to resist and disobey granted by Hobbes to each individual subject is particularly pestering to Schmitt's decisionism and his concept of the political since it goes directly against the readiness Schmitt expects from the individual subject when ordered to defend the friend's way of life and form of existence against an enemy, specially during an exceptional situation. By equating sovereignty with the exceptional situation—that is, with that moment when the legal order, the subject's rights and mutual covenants and the limits of sovereignty are suspended—Schmitt reinstates the personal element present in "exceptional" sovereignty to "normal" sovereignty, not only making sovereignty indivisible at *all* times and in *all* circumstances but also granting the sovereign, once and for all, the unequivocal right over life and

death, which is for Schmitt, ultimately, the only way to guarantee the survival of the fraternocracy. Likewise, by equating sovereignty with the exceptional situation and thus to boundless sovereignty, Schmitt strips the subject of its right to disobey, dissent and rebel, producing thereby ideal, law-abiding subjects who would never hesitate about killing anyone the sovereign deems as an enemy, that is, anyone who dares to threaten the way of life and form of existence of the sovereign and/or his friends. Moreover, by stripping the subject of its right to resistance, Schmitt sets the foundations of a legal and political framework that allows for the elimination of rebels, dissenters and insurgents *without* any real political or legal consequence. As such, the sovereign can—at any moment and under any conditions, figuratively and literally speaking—kill the enemy and protect the ongoing survival of the commonwealth—the fraternocracy.

Doing away with the right and the capacity to disobey, dissent and rebel seems, however, not to be Schmitt's exclusive domain. For instance, even if Agamben develops a refined conceptualization of sovereign power, he, perhaps inadvertently, also ends up stripping the subject of these rights. In *Homo sacer,* Agamben claims that the relation of exception—that is, "the extreme form of relation by which something is included solely through its exclusion" (*HS* 18)—describes not only the state of exception and the sovereign decision, but also the life of *homo sacer,* an obscure figure of ancient Roman law used by Agamben as the starting point of his revaluation of sovereignty. *Homo sacer* or sacred man, Agamben explains, "has been excluded from the religious community and from all political life … his entire existence … reduced to a bare life stripped of every right" (*HS* 183). In this way, *homo sacer* is deprived of *bios,* the way of life and form of existence common to the community, and his life is made into *bare life*, life caught up in

a "relation of exception" and exposed to death, a life that "may be killed and yet not sacrificed" (*HS* 8).

The crucial point for Agamben, however, is that *homo sacer* finds itself "in a continuous relationship with the power that banished him precisely insofar as he is at every instant exposed to an unconditioned threat of death" (*HS* 183), a condition that for him mirrors the relation of exception underscoring the sovereign decision that "suspends law in the state of exception and thus implicates bare life within it" (*HS* 83). This association is what enables Agamben to hold that the figure of the sovereign and of *homo sacer* are inextricably linked; moreover, it enables him to hypothesize that the latter "presents the originary figure of life taken into the sovereign ban and preserves the memory of the originary exclusion through which the political dimension was first constituted" (*HS* 83). This relation between sovereign ban and the bare life of *homo sacer* is what allows Agamben to conclude that "the production of bare life is the originary activity of sovereignty" (*HS* 83), which essentially means that the sovereign is he who decides whose life is set apart, banned and exposed to death.

What becomes problematic in Agamben's argument is that in his conceptualization of *homo sacer,* sovereign power and the state of exception there is no room for disobedience, dissent and/or rebellion. In fact, the political figures and relations he examines appear to be always already determined both by an inescapable origin and by inevitable and unchangeable circumstances. Indeed, the truly tragic quality of *homo sacer* is not the fact that he is caught up in a "zone of indistinction in which *zoē* and *bios* constitute each other in including and excluding each other"; rather, *homo sacer's* truly tragic and apparently inescapable reality consists in the impossibility of doing anything to

change his situation: he cannot escape his condition, can no longer rebel, can no longer even say "Enough!" It can even be argued that he can no longer imagine a different situation.

This situation of having already given up is illustrated by Agamben's paradigmatic case: the *Muselmann* in the concentration camp.[23] For him, the *Muselmann* exemplifies *bare life*, life exposed to death by sovereign power, for he has been "excluded from the political and the social context to which he once belonged," is "absolutely alone" and lives in a "world without memory and without grief." As such, the *Muselmann* is a being "whom humiliation, horror, and fear had so taken away all consciousness and all personality as to make him absolutely apathetic." What is more, "nothing animal or instinctual remains in his life. All his instincts [have been] cancelled along with his reason … we can say that he moves in an absolute indistinction of fact and law, of life and juridical rule, and of nature and politics" (*HS* 185).[24] What is truly tragic

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[23] Primo Levi, who introduced the notion of the *Muselmann* to the world after his experience in Auschwitz, describes the *Musulmänner* as "an anonymous mass, continuously renewed and always identical, of no-men who march and labor in silence, the divine spark dead within them, already too empty really to suffer. One hesitates to call them living: one hesitates to call their death death, in the face of which they have no fear, as they are too tired to understand … an emaciated man, with head dropped and shoulders curved, on whose face and in whose eyes not a trace of a thought is to be seen" (*Survival in Auschwitz* 90).

[24] Perhaps no one has grasped the full implications of *bare live* better than J. M. Coetzee. In his novel *Waiting for the Barbarians,* the Magistrate reflects in his cell on his condition after having been captured and tortured by the Colonel put in charge of the frontier settlement by the Empire's central administration under the new emergency powers decreed to repel an allegedly imminent attack by the barbarians living on the fringes of the Empire: "In my suffering there is nothing ennobling. Little of what I call suffering is even pain. What I am made to undergo is subjection to the most rudimentary needs of my body: to drink, to relieve itself, to find the posture in which it is least sore … [My torturers] were interested only in demonstrating to me what it meant to live in a body, as a body, a body which can entertain notions of justice only as long as it is whole and well, which very soon forgets them when its head is gripped and a pipe is pushed

about the *Muselmann's* condition—figuratively speaking, of course; not the actual *Muselmann* of the camp as described by Levi whose life is beyond tragedy—is not so much the impossibility of doing anything to escape his situation, as having been stripped of the ability to even imagine that different conditions and a different way of inhabiting the world might actually be possible or even exist.[25] In this sense, and this sense alone, Agamben is perhaps right when he claims that the *Muselmann* is the paradigmatic political figure of modernity: not necessarily *bare* but tragically unable to imagine a different situation, a different world.

2.3. Protection, obedience and the return of the friend-enemy distinction

Despite Agamben's pessimistic view of the subject's condition, he nonetheless grabs the essential characteristic of the state of exception: "The state of nature is, in truth, a state of exception … the foundation [of the commonwealth, of sovereignty] is thus not an event achieved once and for all but is continually operative in the civil state in the form of the

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down its gullet and pints of salt water are poured into it till it coughs and retches and flails and voids itself. They did not come to force the story out of me … they came to my cell to show me the meaning of humanity, and in the space of an hour they showed me a great deal … Nor is it a question of who endures the longest. I used to think to myself, They are sitting in another room discussing me. They are saying to each other, 'How much longer before he grovels?' … But it is not like that. They have no elaborated system of pain and deprivation to which they subject me … My torturers have their own lives to lead. I am not the center of their universe" (115-6). As this passage shows, it is not only life reduced to a mere body, the randomness of it all or the indifference of those in charge what defines *bare live*, but rather having given oneself up to the situation and, specially, having given up on oneself.

[25] It is in part because of this that the demand to imagine a different way of inhabiting the world has been central to many revolts and social movements. For example, the slogan of the anti-globalization movement "another world is possible" can be read as a critique of precisely this apparent lack of imagination. Likewise, the students' revolt of May 1968 also gave prominence to the need to imagine a different world in their slogans, for instance, "those who lack imagination cannot imagine what is lacking," "be realistic, ask for the impossible" or "imagination takes power."

sovereign decision" (*HS* 109). It being a space of indistinction, a space devoid of law, the state of exception and the use of emergency powers reinstate or allow for the reentry of the state of nature into the sphere of consensual sovereignty.

Yet, it must be noted that the state of nature is not a state of fear but, rather, a state of terror. Roberto Esposito, in *Communitas,* expounds the determining difference between the two:

> For Hobbes fear is bounded by the universe of tyranny or despotism. It is the place in which law and ethics of the best regime are founded. At least potentially, fear doesn't only have a destructive charge but also a constructive one. It doesn't only cause flight and isolation, but it also causes relation and union. It isn't limited to blocking and immobilizing, but, on the contrary, it pushes to reflect and neutralize danger. It doesn't reside on the side of the irrational but on the side of the rational. It is a productive power [*potenza*]. It is the functional side of fear that distinguishes it from terror, from immediate flight and absolute panic. It's no accident that Hobbes never confuses *metus* and *pavor*, or fear and terror. (23)

The latter, Esposito clarifies, "connotes a completely negative and therefore paralyzing sensation," while fear, on the contrary, "is also considered to be an element of strength because it forces one to think about how best to escape a situation or risk" (23). This difference between fear and terror leads Esposito to conclude that "once he subtracts fear from the negative semantics of terror, Hobbes makes it the base of his entire political anthropology" (23). Moreover, he continues, "this is how the infinite dialectic of fear begins and unravels: to escape an initial and indeterminate fear [terror], men accept an amount of fear and indeed institute a second and certain fear with a covenant" (24). Fear, thus, never disappears or recedes but is just transformed from one state to the next. In this vein, the difference between a despotic or legitimate state is in fact one of degree, not of essence. As Esposito notes, this difference consists not in "the absence of fear or its

lessening, but the uncertainty (or certainty) of its objects and its limits. The state's task is not to eliminate fear but to render it 'certain'" (25).

This is precisely why the state of exception and the use of emergency powers open the door to the use of indiscriminate, random and wanton violence against anyone who rebels (or is suspected of having rebelled) against the sovereign and what he protects, namely, the way of life and form of existence of those who *do* obey unconditionally: the fraternal same, the friends. It is of course not a coincidence then that this violence exercised by the state, which results from the sovereign's decision on the exception and the return of the state of terror, goes by the name of state terrorism. Likewise, this is the reason why an enemy—the barbarian, the indigenous, the communist, the insurgent, guerrillero or terrorist, the Islamic fundamentalist, the Palestinian, drugs, immigration, in sum, anyone or anything that, with the right discourse, can be turned into an enemy—must always be kept at hand to terrorize subjects when need be. The enemy actualizes the subject's innate, natural terror, thereby making it feel the need for and even demand an increased level of protection from the sovereign, protection for which the subject will be willing to accept a curtailment of its freedoms and rights, for instance, the suspension of due process laws and the right of habeas corpus, assembly or free speech.[26]

[26] As Erik Hoffer points out in *The True Believer: Thoughts on the Nature of Mass Movements*, having a strong hatred for a defined enemy is the key unifying agent in mass movements, especially when "the nation's existence is threatened and it tries to reinforce its unity and generate in its people a readiness for self-sacrifice" (59). For instance, Hoffer recollects, "when Hitler was asked whether he thought the Jews should be destroyed, he answered: 'No … we should have then to invent him. It is essential to have a tangible enemy, not merely an abstract one'" (91). In these cases, the hated enemy becomes the mortar that holds a mass movement together, but also the scapegoat for

It is not hard to see from the previous discussion that the interplay between, on the one hand, protection, obedience and the sovereign decision, and, on the other, the friend-enemy distinction are intrinsically related. In her foreword to Schmitt's *Political Theology*, Tracy B. Strong states that "The relationship between protection and obedience is central to Schmitt's thinking: So long as the sovereign is in the position to protect the subject, the latter is bound to obey. In this regard, too, Schmitt deserves to be called the Hobbes of the twentieth century" (*PT* lii). I have already discussed above that referring to Schmitt in this way might be an overstatement or, better said perhaps, an understatement. Even if it is true that both did regard the protection-obedience principle as "the *cogito ergo sum* of the state" (Slomp 131), Strong misses a crucial difference between Hobbes and Schmitt. Hobbes grounds political obligation on security, that is, the sovereign can only expect obedience for as long as it can protect its subjects. Schmitt, however, inverts the terms of the equation and grounds security on political obligation. In other words, if Hobbes was willing to give the subject the last word, if he was willing to acknowledge that obedience is granted only after security is guaranteed, Schmitt holds that security follows obedience; that is, security is provided only after the subject agrees to obey *unconditionally*.

In *First as Tragedy, Then as Farce,* Žižek calls attention to Jean-Claude Milner's differentiation between rights and permission: "Those who hold power know very well the difference between a right and a permission … A right in a strict sense of the term gives access to the exercise of a power, at the expense of another power. A permission doesn't diminish the power of the one who gives it; it doesn't augment the power of the

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whatever the mass movement has been unable to achieve, the difficulties it is unable to overcome and the shortcomings of the movement's leadership.

one who gets it" (59).[27] In the context of my argument, the Hobbesian subject has accordingly the right to disobey or refuse to obey when the sovereign doesn't fulfill his part of the contract—namely, providing security—or demands the subject to act against the law of nature. In these cases, the subject can withdraw its obedience and offer it to another sovereign who can actually protect her. For Schmitt, on the contrary, the subject does not have rights but only the *permission* to do certain things, disobeying not being one of these. Consequently, obedience cannot be withdrawn, even when protection is not guaranteed: obedience is not contingent on security.[28]

However, as we have already seen, Schmitt does acknowledge that in reality the state does not always have the monopoly on sovereignty and other subjects, groups or organizations might appear that could be able to legitimately distinguish between friends and enemies, and demand obedience. This possibility is partially responsible for Schmitt's need to find a conceptualization of sovereignty that minimizes these occurrences while giving the sovereign the unconditional right to punish and eventually

[27] In her analysis of the Guatemalan Military use of law, Jennifer Schirmer reaches a similar conclusion. As she notes, in its counterinsurgency discourse, the Guatemalan Military conceptualized law "as sanction rather than as a system of rule." As a result, "rights are perceived as having no abstract or inherent quality attached to them: they do not inhere to an individual by virtue of being, but are provided to the individual by the state only conditionally" ("The Looting" 91), the condition of course being absolute obedience.

[28] Schmitt's take on the protection-obedience principle is exemplified by the Guatemalan Military's operational use of law, which essentially provides a legal framework that demands absolute obedience. This view of law was made explicit by Colonel Gordillo, a member of the Military Junta that came to power after the March 1983 coup, in a 1988 interview: "The citizen does not have only rights, but also obligations. Above all, he must comply with these obligations because everyone has the right to discuss, to speak, and thousands upon thousands of rights, but obligations, one doesn't make enough of *them*" (Schirmer, *TGMP* 134-5). Within this perception of rights and obligations, the emphasis is not on the subject's positive exercise of its rights but on the always-imminent possibility of not being able to comply with its obligations, which results in a state of perpetual alertness, fear and repression.

kill those who do dare to arrogate political standing and thereby threaten the fraternocracy, the way of life and form of existence protected by the sovereign. As I argued above, Schmitt founds it by articulating the state of exception (and the use of emergency powers in general) to the legal order *through* the figure of the sovereign.

Keeping the previous discussion in mind, it is possible to restate the friend-enemy distinction in terms of the protection-obedience principle. The friend is not only a subject who willingly obeys but also, and more importantly, a subject whose security and protection are guaranteed by the sovereign. An internal enemy, however, is not someone who never obeyed and therefore was never protected. This definition of the enemy rather suits the external enemy who was in fact never a subject and therefore was never expected to obey. Likewise, the internal enemy is also *not* the subaltern. In fact, the subaltern might be thought of as she whose obedience is demanded but whose protection is not guaranteed. For as long as the subaltern does not actively question her situation, she might be considered an annoyance but never an enemy. If the subaltern, however, overtly demands protection and/or withdraws obedience, if she starts to imagine a different way of inhabiting the world, she becomes an internal enemy and a threat that invites the sovereign's reaction. The same holds true for the friend who withdraws obedience. The internal enemy is thus she who obeyed for a period of time, even if her protection was not guaranteed, but suddenly refuses to obey any longer, threatening thereby to unsettle what is and should be settled forever.[29]

It is against those who suddenly refuse to obey that the source of the lords' wealth, opulence and luxury, as well as the "whole social order favourable to their

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[29] As I will discuss in Chapter 5, the Zapatista *¡Ya Basta!* points precisely to this relation between obedience and protection.

hygienic idleness" has to be protected.[30] And it is precisely to justify perpetual and unabating protection that Schmitt goes to such extents as to equate sovereignty with the exceptional situation and thus to boundless sovereignty and unconditional obedience.

* * *

As I have tried to show in the previous discussion, Schmitt's boundless, exceptional sovereignty and his conceptualization of the political as reducible to the friend-enemy distinction work in tandem to restrict and, ideally, impede heterogeneity or otherness from ever disturbing the brother's way of life and form of existence. Both discourses are not only traversed by a phony logic of fraternization that promises equality and freedom yet delivers exclusion and oppression, but are also discourses of radical inhospitality whose true aim is to postpone or, ideally, preclude altogether the *true* moment of danger from ever materializing, namely, the coming of the *other*, the unconditional or, as I will discuss in Chapter 4, the reasonable senselessness of the uncalculable.[31]

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[30] The quotes here refer back to Joseph Conrad's quotation in the epigraph to the introduction and the discussion that follows.

[31] For some scholars, the coming of the *other*, the unconditional, the uncalculable can be conceptualized as the slow but ongoing morphing of the people into the multitude. This is not the place to fully elaborate on the recent interest in and reworking of the notion of *multitude,* first elaborated by Spinoza in the seventeenth-century. Suffice it to say that, as Paolo Virno indicates in *A Grammar of the Multitude*, the multitude was for Spinoza "a *plurality which persists as such* in the public scene, in collective action, in the handling of communal affairs, without converging into a One" as well as "the form of a social and political existence for the many, seen as being many" (21). In the context of the present argument, the multitude might be regarded as what disrupts the homogeneity of the fraternocracy. It is thus not surprising that Hobbes, as Virno recounts, despised the idea of multitude since he saw in it a threat to the "*monopoly of political decision-making* which is the State" (22). Given that it is precisely against any disruption of the state/sovereign's monopoly of political decision-making that Schmitt in great part wrote,

Inhospitality and deception, however, are not only to be found in the discourse of boundless sovereignty, the justification for the use of emergency powers or the friend-enemy distinction. In fact, inhospitality, deception and exceptional sovereignty permeate socio-economic and political relations and the whole gamut of liberal post-political hegemonic discourse. This can for instance be inferred from the currency and high esteem enjoyed these days by the politically correct notion of *tolerance*, which, as it turns out, does not achieve "sympathy or indulgence for beliefs or practices differing from or conflicting with one's own" (Merriam-Webster Dictionary) but rather promotes and attains the exact opposite: keeping at bay and even disregarding those different opinions and practices.

Tolerance*,* even if presented as an ideal everyone should aspire to, is actually underscored by a duplicitous logic, akin to that of fraternization. In truth, tolerance is only expected and even demanded from the excluded, the marginal, the subaltern, the unemployed, the racial or ethnic other who is not only expected to tolerate those in positions of (political, economic, cultural, social) power but, more perniciously, the very political and economic system that excludes her. Indeed, bailouts, workers layoffs, unemployment, rises in CEOs compensation, tax-exceptions for the rich and the like *must be* tolerated; the lords of the state preserves, however, whose opulence and luxury are unconditionally protected, do not have to tolerate. In fact, their whole lives are rather constructed around the notion of avoidance.

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it is not hard to imagine that he would equally have despised the idea of the multitude. For a thoughtful reworking of *multitude* as a political category besides Virno's *A Grammar of the Multitude*, see Hardt and Negri, *Multitude*.

Secluded in gated communities, travelling by private plane or in noise-proof vehicles, shopping after hours or having retailers bring what they might want to their homes, eating in restaurants that cater only to the vey wealthy, attending private events or having the performers be brought to their ever growing houses, they increasingly spend their lives in a radically different, poverty-proof sphere in which the *other* is "tolerated" only because she remains within the limits imposed on her or has, in fact, largely become invisible. As Michel Foucault notes in his discussion of Kant's essay "What is Enlightenment," "tolerance is precisely what excludes reasoning, discussion, and freedom of thought in its public form, and only accepts it—tolerates it—in a personal, private and hidden use, " that is, when those who have to be tolerated are largely invisible (*The Government of Self and Others* 36-7).

Given the asymmetric quality of "tolerance" in post-political discourse, it seems to be in reality much closer to a quite different acceptation of the word, namely, "the capacity to endure hardship or pain" (thefreedictionary.com), which places "tolerance" closer to "resilience" than to "sympathy" or "indulgence". In this sense, post-political, liberal "tolerance" ends up precluding the very thing it allegedly seeks, namely, empathy and understanding. As Derrida argues, tolerance in fact "says to the other from its elevated position, I am letting you be, you are not insufferable, I am leaving you a place in my home, but do not forget that this is my home." As such,

> Tolerance is the opposite of hospitality. Or at least its limit. If I think I am being hospitable because I am tolerant, it is because I wish to limit my welcome, to retain power and maintain control over the limits of my 'home,' my sovereignty, my 'I can' … We offer hospitality only on the condition that the other follow our rules, our way of life, even our language, our culture, our political system, and so on. ("Autoimmunity" 127-8)

In this context, *tolerance* becomes the antidote to resistance, dissent and rebellion, and rightly so. In post-political politics, "which claims to leave behind old ideological struggles and instead focus on expert management and administration" (Žižek, *Violence* 40) there is no need for such atavistic ideas since there is no longer any ideological, political or moral cause worth fighting or dying for. Having reached the end of history, the liberal, post-political discourse promises—with the same duplicity we saw at play in the logic of fraternization—unheard of rewards to those willing to "tolerate", for instance, the ongoing financial crisis, the curtailing of collective bargaining rights or high unemployment rates.

Even if limited tolerance might be preferable to the absolute intolerance experienced daily by, for instance, indigenous people in Latin America, tolerance nonetheless remains, Derrida suggests, "a scrutinized hospitality, always under surveillance, parsimonious and protective of its sovereignty" ("Autoimmunity" 128). This sovereign tolerance, which reproduces the relation of exception that underlies the recourse to emergency powers, ultimately precludes the working out of disagreement and difference based on a genuine, honest and disinterested understanding—not tolerance—of otherness and the other's way of life and form of existence. As Jacques Rancière argues, disagreement "is not the conflict between one who says white and another who says black. It is the conflict between one who says white and another who also says white" (*Disagreement* x). Disagreement only occurs between two speaking subjects that not only recognize each other as speaking subjects but that have also found or developed a common ground, which could be called the *least common multiple* of the political, for the exchange to actually take place. As Rancière suggests, disagreement "is less concerned

with arguing than with what can be argued, the presence or absence of a common object between X and Y" (*Disagreement* xii). Tolerance is thus profoundly anti-democratic since it precludes reaching precisely that basic, fundamental, least common multiple of the political from which disagreement can be worked out into genuine understanding and perhaps even agreement.

How to subvert these inhospitable and duplicitous discourses, which, as I have hopefully shown, are not only instrumental for the state's counterinsurgency practices and thus for justifying the exceptional situation but also permeate the "normal" situation, is the question that the literary works I discuss in the following chapters aim to answer. But I would like to briefly point out here that a place to start thinking about this might as well be from within the discourses themselves, by noting and emphasizing, for instance, what Schmitt seems to have conveniently forgotten or ignored in his argument in favor of decisionism and boundless sovereignty; namely, that any sovereign decision, or any decision for that matter, is always open to contingencies. As Hardt and Negri note, "sovereign power is not an autonomous substance and it is never absolute but rather consists of a relationship between rulers and ruled, between protection and obedience, between rights and obligations … Sovereignty is necessarily a dual system of power" (*Multitude* 332).

This dual and balanced sovereignty would in turn allow for the reconceptualization of Hobbes' right to self-preservation as the unconditional right to resist and rebel not only against subjective violence, that is, a direct physical attack "performed by a clearly identifiable agent" (the military, for instance), but also, and more importantly, against two objective, non-physical kinds of violence, namely, "symbolic

violence embodied in language and its forms" and "systemic violence, the often catastrophic consequences of the smooth functioning of our economic and political systems" (Žižek, *Violence* 2-3). It was precisely against this objective violence—which takes the form of political exclusion, food insecurity, lack of opportunities, unemployment, racism and the like—that Latin American insurgents rebelled.[32]

Having laid out and discussed the two main discourses the state draws upon to discredit organized revolt and justify counterinsurgency, I will examine in the next chapter how this very same discourses are also to be found in different degrees in various insurgent movements such as Sendero Luminoso and what this tells us about the possibility of escaping the friend-enemy distinction, moving beyond sovereign reason or, as Julio Ortega's novella "Adiós Ayacucho" suggest, altogether rejecting the sovereign relation of exception.

[32] As should become obvious in the following chapters, Slavoj Žižek's clear-cut distinction between subjective and objective violence becomes much murkier in practice.

Chapter 3

Manchay Tiempo:
Adiós Ayacucho, Adiós Sovereignty

> All active mass movements strive to interpose a fact-proof screen between the faithful and the realities of the world. They do this by claiming that the ultimate and absolute truth is already embodied in their doctrine and that there is no truth nor certitude outside it. The facts on which the true believer bases his conclusions must not be derived from his experience or observation but from holy writ.
>
> Eric Hoffer, *The True Believer*

On December 26, 1980, Lima, Peru´s capital, woke up to a sight it would never forget; a sight so uncanny that no one at that time could decode, never mind predict, its significance for the future. Dead dogs hanging from streetlamps in the city center with signs saying "Teng Hsiao Ping hijo de perra" heralded not only the end of the optimism that the recently democratically elected president had been able to arouse in at least some segments of the Peruvian population, but also the beginning of the worst and deepest political, economic, and social crisis Peru had experienced since independence, a crisis that actually managed to put the state´s sovereignty in jeopardy.[1]

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[1] Teng Hsiao Ping or, more commonly, Deng Xiaoping became the head of the Communist Party as a result of Mao's death in September 1976 and the internal purges in the party that led to the incarceration of the Gang of Four. He initiated a series of reforms with the intention of leading China towards a market economy, which Abimael Guzmán,

Days later, Lima's inhabitants would learn that the dogs had been hanged by a rather obscure group, the Partido Comunista del Perú – Sendero Luminoso (PCP-SL). They would also learn that Sendero Luminoso had been active in the Andean region, particularly in the poverty-ridden department of Ayacucho, to the southeast of Lima, since May of that year, when they burned and destroyed ballot boxes and the register book in the village of Chuschi (in Ayacucho) to disrupt the first democratic elections in Peru in 12 years. But it would take almost ten years for Limeños, and Peruvians in general, to fully understand what the hanged dogs were announcing; namely, the unleashing of the "people's war" decreed by Abimael Guzmán—Sendero Luminoso's pseudo-mythical founder, leader and ideologue—with the aim of encircling the cities from the countryside, take power and radically transform Peru´s state and society along communist-maoist lines.[2]

Sendero Luminoso's founder, leader and ideologue, regarded as a betrayal of Mao, communism and world revolution. Dogmatic and incapable of reassessing his own ideology, Guzmán was unable to see Deng Xiaoping revisionism as heralding profound changes in the world's politico-economic configuration. As Carlos Degregori notes, "faced with the impossibility of stopping time or blocking out the sun with one finger, Sendero chose to become the sun. With Mao Zedong dead and the Gang of Four defeated, Sendero proclaimed itself the beacon of world revolution, its leader the 'fourth sword of Marxism,' after Marx, Lenin, and Mao" ("The origins and logic of Shining Path: Return to the Past" 37).

[2] Sendero Luminoso is the result of multiple splits within the Peruvian Communist Party reflecting the worldwide repercussion of the Sino-Soviet split and the ensuing fracture of the international communist movement in Trotskyist, Stalinist and Maoist factions, Sendero Luminoso representing the latter group. Even if Guzmán's Party refer to itself as the Communist Party of Peru, the namesake "Sendero Luminoso" became the de facto name used by the media and the population to refer to Guzmán's organization. "Sendero Luminoso" comes from the motto of the section of the Frente Estudiantil Revolucionario (FER) at the Universidad Nacional de San Cristóbal de Huamanga that was controlled by Guzmán, which distinguished itself from other student fronts by the slogan, "construir el comunismo por el sendero luminoso de José Carlos Mariátegui." Mariátegui was the founder of the Peruvian Socialist Party in 1928, which became, after his death in 1930, the Peruvian Communist Party. The Party remained a united front until the 1960s. For a

These years, from roughly May 1980 to the capture of Abimael Guzmán in September 1992, are known in Peru, particularly in the Andean region, as *manchay tiempo*, a hybrid of Quechua and Spanish signifying time of fear. This fear obviously refers to the indiscriminate and wanton violence exerted by both Sendero Luminoso and the Peruvian Armed Forces, which exponentially escalated as the years passed. Yet, behind this fear of violence, of becoming a victim of this violence, I would like to suggest through a critical analysis of Julio Ortega's novella "Adiós Ayacucho" that *manchay tiempo* not only refers to the very actual fear of violence but also stands for the profound fear resulting from being caught between two sovereign reasons, each aiming for the destruction of the other by resorting to the very same underlying discourses I discussed in the previous two chapters; a type of fear that transforms the Hobbesian fear of another man into fear of the sovereign and thus to the rejection of the sovereign relation itself. I will moreover suggest that the story's narrator and main character's ghostly condition points to what I will further discuss in Chapters 4 and 5 as a shift in the locus of sovereignty and thus of resistance.

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detailed historical account of the origins and ideological roots of Sendero Luminoso, see Degregori, *Ayacucho 1969-1979: El surgimiento de Sendero Luminoso*; Comisión de la Verdad y Reconciliación, *Informe Final* (Volume 2, Section 2, Chapter 1); Taylor, *Shining Path* (chapter 1)*;* and Degregori, *Sendero Luminoso* (part I). For a thoroughly researched journalistic account of the first years of Sendero's uprising, see Gustavo Gorriti, *Sendero*. For a discussion of Sendero's appropriation and interpretation of Mariátegui's thought, see Masterson, "In the Shining Path of Mariátegui, Mao Zedong or Presidente Gonzalo?;" and Angotti, "The Contributions of Jose Carlos Mariátegui to Revolutionary Theory." For a journalistic account of Guzman's life, see Roncagliolo, *La cuarta espada;* Guzmán's own version of his childhood and early militancy can be found in Guzmán, *De puño y letra* (chapter 1). For a sympathetic account of Sendero and Abimael Guzmán, see Julio Roldán, *Gonzalo: El Mito.*

3.1. Searching for missing bones

In Julio Ortega's novella "Adios Ayacucho," Alfonso Cánepa, a peasant community organizer from Ayacucho, narrates his adventures as he travels to Lima, Peru's capital, to recover part of his missing bones after being wrongly accused of being a member of Sendero Luminoso, tortured and killed. The story begins with Cánepa lamenting having showed up at the local police station: only "un cojudo de nacimiento" (69), Cánepa acknowledges, would have showed up at the police station after having been requisitioned, especially, as he notes, when he knew that killings were taking place everywhere and "algunos detenidos aparecían al mes en fosas comunes con el cuerpo torturado" (69). Cánepa's story thus begins with Cánepa having a certain degree of trust in the State's institutions and complying with his part of the sovereign relation: obeying.

His trust, however, won't last for long as he is formerly accused of terrorism and then tortured. Not being a member of Sendero and thus incapable of giving away any information, Cánepa is introduced into a Jeep and taken to the countryside, where he is thrown down a ravine. Then, from afar, a police officer throws two grenades on him that both kill him and sever parts of his body. Afterwards, while being buried and despite having been killed, he notices that parts of his body are being put in a bag and taken away, and he tells himself that he will have to recover these parts and bury himself again if he wants to rest in peace. Cánepa, of Andean origin and speaker of Spanish and Quechua, is thus a ghost looking for his own remains, as he himself acknowledges from the beginning of the story, "Vine a Lima a recobrar mi cadáver. Así empezaría mi discurso cuando llegase a Lima, pero ahora solo empezaba a salir de la fosa donde me

habían arrojado luego de quemarme y mutilarme, dejándome muerto sin la mitad de mis huesos, que se llevaron a Lima" (67).

Reasoning that his bones have been taken to Lima, Peru's capital city and center of power, he decides to travel to Lima and meets along the way different characters from different walks of life, including an anthropologist, a journalist, members of Sendero and the Military, two undercover agents who make him take cocaine paste base from Ayacucho to Lima and deliver it to a Minister, a renowned anthropologist living in a shantytown in Lima who studies the behavior of a bird species that lives in the Palace of Justice, and Petiso, a child with an old man's face. All these characters serve Cánepa, in one way or the other, to show and criticize the devastating consequences of *manchay tiempo*, the absurdity of war and the impossibility of staying outside or beyond the downward spiral of violence caused, as I mentioned above, by the struggle between two sovereigns fighting each other to the death for supremacy. I, however, want to focus on a few of these meetings/episodes in which Cánepa more insightfully articulates his critique of sovereign reason and the discourses that sustain it.[3]

The first of these meetings or episodes is Cánepa's relation with an anthropology student he meets on the truck that is taking him to the city of Ayacucho during the first leg of his journey to Lima. During the conversation, the student—"limeño, blanquito y

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[3] Cánepa's journey to recover his bones can also be read as a direct reference to the Inkarri myth. According to the myth, when Atahualpa, the last Inca, was executed by the Spaniards he promised to return one day to avenge his death. The Spaniards decided to dismember him and bury each part of Atahualpa's body in different parts of the Inca Empire. Yet, the myth tells, the dismembered parts keep growing underneath the surface and someday will join back together. That day, the Inca will rise again, avenge his death and restore harmony in the world. As Alfonso Cánepa himself notes, Atahualpa is "un muerto que encarna, literalmente, la resurrección popular" (99). As we will see, Cánepa's final act in the story is, however, not a call for popular resurrection but for the re-founding of the sovereign relation.

criollo" (73), as Cánepa notes—asks Cánepa why he was tortured: "por peruano profundo," he responds (74). Cánepa's response is a direct reference to the Peruvian historian Jorge Basadre's famous division of Peruvian society between official Peru, that of the state, the elite and the upper classes, and deep Peru, *el Perú profundo*, that of the poor and marginalized, which includes Peru's Andean and Amazon indigenous peoples. Cánepa's accusation of being a terrorist as well as the torture he suffered and his brutal assassination are implicitly explained in Ortega's story by the mere fact of being part of deep Peru and venturing beyond the passivity and absolute obedience expected from him by becoming a community organizer, even if he was not a member of Sendero Luminoso. In other words, he is condemned for the mere fact of breaching the sovereign relation of exception and contesting the official discourse that has always already condemned him.

It is this discourse that Cánepa criticizes in his conversation with the anthropology student, a discourse that, as he notes, starts with Father Valverde at the time of the conquest and ends with the Uchuraccay Investigatory Commission: "era evidente que mi juicio había comenzado y que el discurso oficial, desde Valverde hasta la Comisión de Uchuraccay, iba a condenarme" (78). In the conversation with the anthropology student he begins by referencing Father Valverde's story in the following terms:

> –¿Tú crees que el cura Valverde era antropólogo?
> –¿Qué Valverde? –se sobresaltó el antropólogo.
> –El cura, pues. El capellán de las tropas de Pizarro.
> –No, cómo va ser.
> –Pero fíjate que se portó como un científico social. Perparó un verdadero juicio del Inca Atahualpa, anticipando su respuesta, y confirmando sus propias ideas. Era muy zorro este curita.
> –¿Y a nombre de quién habla Valverde? ¿Y qué les promete?
> –A nombre de Dios. Promete la salvación. ¿Qué te propones demostrar? (75)

Cánepa is referring to the first meeting between Francisco Pizarro, Peru's conqueror, and the Inca Atahualpa back in 1532 in Cajamarca, northern Peru. At some point during this meeting, Father Valverde gave Atahualpa the Bible telling him that it contained the word of God. Atahualpa, who had neither seen a book nor knew how to write in the Spaniards' sense of the word, brought the Bible to his ear and unable to hear anything threw it on the floor, "justifying" with his blasphemous behavior the conquest of Peru and the destruction of the Inca Empire. As the Peruvian anthropologist Carlos Degregori notes, this encounter reveals that from the very beginning of colonialism "el dominio de la lengua castellana, la lectura y la escritura fueron instrumentos de dominación" and, as such, an inherent component of power and sovereign reason (*Que difícil es ser Dios* 9).

The sovereign, however, was at the time of the conquest mostly associated with God and his promise of salvation, as the anthropology student suggests at the end of the quoted passage. What Cánepa is set to demonstrate is that the very same sovereign discourse that was at play during the conquest is at play in the official interpretation of the Uchuraccay massacre. The only difference, Cánepa seems to suggest, is that the sovereign is no longer God but the State personified by "tayta" Belaúnde, Peru's president at the time:

> –Pero fíjate que el discursito de la comisión de Belaúnde en Uchuracay –volví [Cánepa] a la carga, armado de paciencia, sabiendo que la batalla sería larga.
> –¿Que hay con eso?
> –Es el discurso de tus colegas antropólogos, ¿verdad? 'Venimos en nombre de Tayta Belaúnde, ya sabemos que Uds. mataron a los ocho periodistas porque estaban en un estado de confusión cultural, y que Uds. tienen sus propias costumbres y modos de hacerse justicia, o sea que la policía no los instigó a esa matanza, ya que Uds. confundieron a los periodistas con guerrilleros'. Igualito que el discurso de Valverde, ¿no?" (76)

Cánepa is here referring to the final report of the "Comisión Investigadora de los Sucesos de Uchuraccay," which was formed by Belaúnde after what came to be known as the massacre of Uchuraccay, a hamlet northwest of Ayacucho, where seven journalists and their guide were detained and then killed on January 1983 by the villagers. According to the official version of the story, first advanced by the Military Command in the region, the commoners mistook the journalists for members of Sendero Luminoso. The journalists were investigating the killing of Senderistas by Uchuraccay villagers, which was regarded as the first organized indigenous attack against Sendero and, thus, as indicative of the organization's difficulties in convincing Indigenous communities to join their cause.

The Investigatory Commission, headed by Peruvian novelist Mario Vargas Llosa, advanced in the Final Report two key explanatory factors for the killings: the villagers' primitivism and the endemic violence of the Andean indigenous communities.[4] It also concluded that the villagers of Uchuraccay did indeed kill the journalists and their guide but nonetheless "excused" them by noting that their actions were the result of a cultural misunderstanding resulting from the indigenous' civilizational deficiencies, backwardness and violent nature, thereby implying that they could not really be blamed for what came naturally to them; that is, acting in primitive and violent ways.[5] The Final

[4] See Mario Vargas Llosa, *Informe de la Comisión Investigadora de los Sucesos de Uchuraccay.*

[5] Cánepa's criticism of the anthropology student and his colleagues seems to be substantiated by Enrique Mayer's harsh critique of the Final Report in "Peru in Deep Trouble." As he notes, the report was "an anthropological text rather than a fact-finding report; " yet, he added, as an anthropological text "the report had serious deficiencies. It gave no names of people interviewed, nor dates, and no methodology or evidence of which facts were proven, etcetera. Anthropological input into the Commission thus lent an aura of legitimate expertise concerning indigenous affairs" (476).

Report, moreover, accepted without hesitation the version of the Military Command in the region, which had already affirmed that the commoners had acted exclusively on their own and, because of their ignorance and primitivism, had mistook the journalists for Senderistas.[6]

Seen in this light, Cánepa's' comment on the commoners traditional notions of justice ("sus propias costumbres y modos de hacerse justicia") seems to refer to the commission's further explanation of the killings as the clash between two incommensurable legal orders: the official, allegedly democratic rule of law and the villagers archaic, anti-democratic notions of justice that render them incapable of distinguishing between legality and illegality. As the authors of the Final Report rhetorically ask, "¿Es posible hacer aquellos distingos jurídicos, clara y precisamente establecidos por nuestra Constitución y nuestras leyes, ante hombres que viven en las

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[6] As it was pointed by the media, the members of the commission spent just a few hours in Uchuraccay, did not include any Quechua speakers and had to rely on translators and the Military's own account of the massacre. The final report of the commission was accused of "paternalism" and criticized for its members' ignorance of the Andean culture. It was also accused of actively collaborating with the government in covering the army's role in the massacre. For instance, the Commission did not give enough weight to the villagers' assertion that the sinchis (the National Police's counterterrorist elite battalion) had told them to kill anyone coming by foot, as one villager recalled years later: "Los mismos sinchis dijeron: nosotros no vendremos por tierra, sólo en helicóptero. Y si algún desconocido viene por tierra, lo matan. Así pasó" (Comisión de la Verdad y Reconciliación, Vol. 5, 132, note 48). The commision was also criticized for not taking into account differing or contradicting versions of what happened. For instance, some suggested that the massacre was planned by the Armed Forces to keep journalists from reporting the counterinsurgent "excesses" and the presence of paramilitary forces in the region. Some photos taken by one of the journalists before his death, and which were found three months later, suggest that journalists and commoners did speak to each other. To this day, however, not much is known for sure. For a detailed account of the Uchuraccay massacre and analyses of the various trials and reports that followed, including Vargas Llosa's commission, see Comisión de la Verdad y Reconciliación, *Informe Final,* "El caso Uchuraccay" (Volume 5, Section 3, Chapter 2.4). For an analysis of the conflictual politics of memory constructed around the massacre, see Del Pino, "Uchuraccay."

condiciones de primitivismo, aislamiento y abandono de Uchuraccay?" The report does not give a clear answer but the terms in which the question is framed already provides it: no, *our* precise and clear laws cannot be comprehended by *their* primitive minds.

This view of the Andes as some sort of space beyond law and legality is also at play in an article Vargas Llosa published on July 31, 1983, in the New York Times recounting his experience as head of the commission. Besides stating the villagers' primitiveness and unfamiliarity with modernity, Vargas Llosa describes in the article the meeting between journalists and villagers as an incommensurable "encounter with another time, a gap of centuries mere language could not bridge."[7] Both Vargas Llosa's article on the New York Times and his Final Report on the Uchuraccay massacre conceptualized the Andes, as Gareth Williams notes in his critique of Vargas Llosa's novel *Lituma en los Andes*—a novel he published in 1993 partially based on his experience with the Uchuraccay commission—as a "space located beyond the limits of state law and intelligibility … [that] stands for the apocalyptic horizon of epistemological breakdown that undermines, it would seem, modernity, the nation, the state, and civilization" (*The Other Side* 243). This lawless and unintelligible space, Cánepa seems to suggest in his conversation with the anthropology student, has been however consciously produced and reproduced by a discourse that even if originating with Father Valverde is still at play in the Uchuraccay Investigatory Commission; a

[7] See Mario Vargas Llosa, "Inquest in the Andes" (*New York Times,* July 31, 1983 [Sunday Magazine]). For a critique of Vargas Llosa's article and the commission's conclusions, see Enrique Mayer, "Peru in Deep Trouble: Mario Vargas Llosa's 'Inquest in the Andes' Reexamined." For a critique of anthropologist discourse in relation with Peru and Andeanism, see Orin Starn, "Missing the Revolution: Anthropologists and the War in Peru" (a Spanish version was published as "Antropología Andina, 'Andinismo' y Sendero Luminoso" in the Peruvian Journal *Allpanchis* 39 [1992]: 15-71).

discourse, Cánepa notes later in the story, that gives sovereign reason the formal argumentation it requires to actually be sovereign:

> Yo discrepaba totalmente de ese informe exculpador de los métodos de la guerra sucia, pero creía conocer bien la lógica estatal como para saber que alguien, hoy en Uchuraccay como ayer en Cajamarca, tenía que darle al Estado una argumentación formal … La matanza indicaba que el sistema se sostenía precisamente en ese cálculo, haciendo consustancial a su orden un índice repartido de violencia per cápita. (87)

For Cánepa, what lies underneath Father Valverde's dealings with Atahualpa and the Uchuraccay Commission's conclusions, what makes them part of the same, long-lasting discourse, is the justification and naturalization of the calculated violence that lies at the very core of state logic and sovereign reason.

In the Latin American context, perhaps the best analysis of the mutually beneficial articulation between sovereign reason and discourse is Angel Rama's *The Lettered City*, a term he used to refer to the tightly knitted social group formed by the "lettered" functionaries or *letrados*, that is, the "myriad of administrators, educators, professionals, notaries, religious personnel and other wielders of pen and paper" whose function was to "attend to the mechanisms of power" (18). In the lettered city, as Rama convincingly argues, the written word worked as "the future horizon society should reach" (42); that is, the written word did not necessarily reflect or represent reality but rather tried to adjust reality to a pre-established and ideal vision of the future. The *letrados* were thus instrumental in legitimizing and validating power through writing, providing thereby the Spanish Monarchy with the narrative that justified, naturalized and normalized its control over and exploitation of the indigenous population and natural

resources.[8] This process necessarily entailed the condemnation of anything that contradicted the *letrado* ideal or presented a challenge to the Spaniards' hegemonic rule, including the denunciation of Indigenous culture as backwards and violent. In this sense, when Vargas Llosa speaks of "a gap of centuries mere language could not bridge" he is, in any case, referring to a gap that was in fact produced and reproduced by the very same language he speaks of.[9]

In Rama's view, which Cánepa seems to share, it was thus the lettered discourse that resolutely produced and reproduced the lawless and unintelligible space that is not, sensu stricto, beyond the state but rather included within the state via its perpetual exclusion, that is, via the "epistemological breakdown" Williams speaks of. This is, too,

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[8] In his analysis, Rama convincingly shows, for instance, that the Spaniards' plans for the cities they founded and the legal codes enacted by the Spanish Monarchy did not reflect an existing reality but rather attempted to produce and impose an imagined and ideal order. As Rama notes, the Spaniards' "written documents seemed not to spring from social life but rather to be imposed upon it and to force it into a mold not at all made to measure. There was a wide and enduring gap between the prescriptive detail of the law codes and the anarchic confusion of the social realities toward which the letrados directed their legislation" (30).

[9] After Latin America's independence from Spain, writing kept performing the role it had during the Colony, specially so, according to Rama, towards the end of the nineteenth century when the consolidation of the independent Latin American States demanded a subtler narrative to incorporate not the masses, who were mostly illiterate Indigenous peasants, but the growing mestizo middle class to the elite's national project. This resulted in the welcoming of journalists, diplomats, teachers, scholars and other members of the new professions to the echelons of the lettered city. Even if some of these new *letrados* gradually moved away from direct association with the State, some even assumed a critical function, the newly admitted members of the lettered city were also assigned the task of justifying and naturalizing control and exploitation of people and resources, this time, however, not necessarily for extraction or the "saving of souls" but for the increasingly capitalist economy based primarily on labor-intensive monocultures and agro-exports, and the infrastructure the state needed to consolidate its control over people and space: railroads, ports, telegraph lines, etc. As I will suggest in brief, Sendero Luminoso's leadership, particularly Abimael Guzmán, can be regarded as made of *letrados* who, even if critical of the "official" lettered city, nonetheless created their own lettered city and discourse whose logic and reason mirrored that of the State.

what Cánepa exposes and criticizes in his comments to and attitude towards the anthropology student. It is also the same discourse he despises in his later meeting with a journalist, whom he meets outside the market in a town on their way to Ayacucho. The journalist—“otro especialista del discurso nacional” (97), in Cánepa’s words—offers to help him, just like the anthropology student did, by writing a series of articles about Cánepa’s case. Cánepa, however, rejects the offer by telling the journalist, “Ud. es irrecuperable. Usted es la roca sobre la que se levanta el sistema.” (98).

For Cánepa, the journalist and the anthropology student, as well as Father Valverde and the final report of the Investigatory Commission headed by Mario Vargas Llosa are nothing but agents of a lettered discourse that has perpetually translated the voice of the savage, the barbarian, the mad, the insane or the indigenous into decipherable language or, as Michel de Certeau notes in *The Practice of Everyday Life,* “into texts in conformity with the Western desire to read its products” (159). It is this mechanism of translation, de Certeau further suggests, that “makes it possible … to eliminate exteriority by transferring it to interiority, and to transform the unpredictable or nonsensical ‘noises’ uttered by voices into …‘messages’” (160).[10] As such, both the anthropology student and the journalist in “Adiós Ayacucho” are impersonations of the lettered discourse that constantly monitors and silences noises by turning them into

[10] This is precisely what Vargas Llosa’s lieutenant in *Lituma en los Andes* as well as the protagonists of other novels related to the Peruvian internal war such as Ivan Thays’ *Un lugar llamado oreja de perro* and Alonso Cueto’s *La hora azul* end up doing. In these three novels, a coastal *letrado* (a lieutenant in *Lituma,* a journalist in *Oreja de Perro* and a lawyer in *La hora azul*) travels to the Andean region in order to understand what happened during the war and shed light on their own personal history and memory of the war. Yet, the *letrado* can only translate (in de Certeau’s sense of the term), thereby rendering ineffectual any genuine interest in what happened. In this sense, these novels still partake in the civilizing drive of the lettered city, even if it ultimately fails to produce an order.

‘messages’, that is, into harmonious, inconsequential speech that does not challenge sovereign reason or put in danger the smooth functioning of the market.[11]

Herein lies what Cánepa implicitly perceives as the danger of the Investigatory Commission’s Final Report. Having been the first widely-known execution of civilians in the context of the protracted war between Sendero Luminoso and the State’s armed forces—and the fact that these civilians were precisely journalists should not be taken lightly since the media tends to come together and give it a lot of publicity when one of their own is attacked and freedom of speech put in jeopardy—what was at stake in the Investigatory Commission’s Final Report was precisely the terms in which the war was going to be publicly discussed, the ideological positions that were to be defined and articulated, and the causes and explanations for the war that would gain legitimacy.

The essentialist rationalizations advanced by the Investigatory Commission regarding the massacre, as well as the depiction of the Andean region as a lawless, unintelligible space where backward and violent indigenous communities undermine the modernizing and civilizing efforts of the state, are in fact mere restatements of the very same lettered discourse I discussed above. As such, the report pays lip service to the governments’ interest in shifting the terms of the discussion and analysis of the war away from the political and economic—which would necessarily have led to an analysis and critique of sovereign reason and its systemic exploitation, marginalization and instrumentalization of the Andean region and the indigenous communities—and into the

[11] Drawing from Michel de Certeau’s discussion on the alliance between power and writing, in the following chapter I will refer to power’s permanent production, reproduction, imposition and policing of order and sovereign reason through “writing” as the state’s *scriptural enterprise*. Suffice it to say for now that Rama’s lettered city can be regarded to a large extent as coinciding with the state’s scriptural enterprise.

realm of cultural interpretations such as the alleged endemic violence and primitivism of the indigenous communities, an interpretation that was aimed not only at the villagers of Uchuraccay but also, given its mostly Indigenous membership, at Sendero Luminoso.

Cánepa succinctly expresses this critique of the Investigatory Commission and the lettered discourse when he, after realizing that the anthropology student was incapable of understanding his comparison between Father Valverde's discourse and attitude towards Atahualpa and those of the Commission towards the villagers of Uchuraccay, asks the anthropology student: "¿No ves que a nombre de la autoridad se promete la justicia cuando se está reafirmando el poder estatal? ¿No crees que con ese discurso de Uchuraccay termina la antropología en el Perú?" (77). In Cánepa's eyes, the Investigatory Commission was just a reaffirmation of sovereign reason dressed up as a promise of justice. In other words, it was a translation, in de Certeau's sense of the word, of the indigenous voice into "texts in conformity with the Western desire to read its products" (159), in this context, as savage and violent beings to whom modernization and civilization will be promised once again, as Cánepa later notes in the story, "el discurso de Valverde y el discurso de Uchuraccay se leerán en los colegios de este país como dos columnas del Estado" (90). Cánepa's commentary on the end of anthropology in Peru—anthropology allegedly being the lettered discourse most concerned with not translating the *other*—should thus be taken as the lettered discourse' own incapacity to break away from the instrumentalization of justice and law, and the ready-made discourses in which the Indian is always already a violent, barbarian criminal living in pre-modern times that should be, in peaceful times, civilized and enlightened or, during internal wars, altogether eliminated for threatening the brothers' way of life and form of existence.

A meeting with a Marines brigade right after his conversation with the anthropology student provides Cánepa with the opportunity to succinctly air his view and critique of sovereign reason and the lettered discourse that sustains it. After the Marine's truck stop, Cánepa sees about ten presumed Senderistas in the back of the truck being held as prisoners and asks the brigade's captain, "¡Capitán! … ¿cómo va esa matanza?" (84). The question explicitly alludes to the Senderista prisoners the Marines are taken, as Cánepa notes, to a sure death. Yet, given Cánepa's own history with Peru's National Police, which tortured and killed him, and the knowledge he has about the Armed Forces' counterinsurgent strategies and tactics—"estaban matando por todas partes, se sabía, y algunos detenidos aparecían al mes en fosas comunes con el cuerpo torturado" (69)—the comment also alludes to the brutal counterinsurgency campaign that was being carried out in the Andean region (see Chapter 1). Cánepa's question is clearly unexpected since it is the overt and open affirmation, disguised as a question, of what should remain secret, of a knowledge that is not to be shared or publicly mentioned, that should not become speech. It is, in short, the appearance of the naked truth where it is least expected and, as such, catches the Captain off-guard. In fact, he is only able to respond by confirming, in a confused tone, that the naked truth expressed by Cánepa is indeed the truth: "muy bien, gracias," he answers (84).

A sort of inversion of this uncommon exchange, one in which the Indian speaks and asks questions and the authority listens and answers, takes place when the truck in which Cánepa is traveling runs into a Senderista column, which stops them and expropriates part of the cargo as a tribute to the revolution. The driver asks the female leader of the column for a receipt so he can prove the cargo was expropriated, to which

she reluctantly agrees after a heated discussion. The inversion I speak of consists in Sendero stealing from the poor and imposing its reason when it was allegedly fighting a people's war supposedly based precisely on cultivating and maintaining the support of the poor, marginalized and exploited population and not on stealing from them. In other words, Sendero should have been listening to their side of the story and taking their needs into account instead of robbing them.

In these two scenes, Cánepa overtly shows his contempt for both sides of the conflict: Sendero and the Peruvian State. As he notes after the Senderista column leaves, "¿qué le quedaba a una víctima del sistema que era además depredado por la revolución sino ser certificado como tal por ambas partes del conflicto?" (94). In other words, what is left to do when you cannot trust and/or refuse to side with any of the conflicting parties; when both sides of the conflict produce, reproduce and thrive in the same fear; when, as the trucker's assistant, a young Indian boy, tells Cánepa, one party has killed one's brother and the other one's sister?

In the preceding chapters, I have already discussed the Peruvian State's counterinsurgency practices as well as the discourses that ground and justify sovereign reason. In what follows I will explore what Cánepa's meeting with the Senderista column points to; namely, that Sendero Luminoso's discourse, organization and practices were based on the very same underlying logics and discourses than those of the Peruvian State.

3. 2. "We are [not] the initiators!"

On April 19, 1980, at the inauguration of Sendero Luminoso's first Military School, Abimael Guzmán gave what can be considered his best known speech: "Somos los

iniciadores". In it Guzmán urged the trainees to accept their mission and realize the full dimension of the task they were about to embark on. To motivate them, Guzmán told them they were "the initiators," those called upon to bring about a radical change in the name of the people:

> Somos los iniciadores, esto debemos grabárnoslo profundamente en nuestra alma. Esta reunión es histórica … Somos los iniciadores. Esta I Escuela Militar del Partido sella y abre. Sella los tiempos de paz, apertura los tiempos de guerra. Camaradas, ha concluido nuestra labor con manos desarmadas, se inicia hoy nuestra palabra armada: levantar a las masas, levantar campesinos bajo las inmarcesibles banderas del marxismo-leninismo-pensamiento Mao Tse Tung … Eso haremos nosotros, la historia lo demanda, lo exige la clase, lo ha prescrito el pueblo y lo quiere; nosotros debemos cumplir y cumpliremos, somos los iniciadores. (Guzmán, "Somos los iniciadores" 163)[12]

Guzman's speech is clearly the performative utterance of someone who regards himself as sovereign, that is, the speech itself marks the beginning of an utterly new and different future that was to be achieved, as he explains with words in this speech and later demonstrated in deeds, by violent means.[13] For Guzmán, moreover, theirs was an almost

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[12] An English translation of the speech can be found in Starn, Degregori and Kirk, *The Peru Reader: History, Culture, Politics*, 325-330.

[13] A detailed analysis of Guzmán's discourse goes beyond the scope of this chapter, but it should be noted that his speeches and texts are full of glorifications of violence, which he regarded as inevitable for destroying the old and letting the new rise from its ashes, as well as metaphors and allegories related to fire, light and the apocalypse. His speeches and texts, moreover, commonly speak of the future as already consummated, pointing thereby to the inevitability of revolution and the divine nature of the mission at hand. Consider, for instance, this randomly selected example of Guzmán's bombastic and incendiary rhetoric: "Las superpotencias imperialistas, USA, URSS, y otras potencias, invaden, penetran, socavan, destruyen, buscan hundirlo todo en el espanto. Pero como dice el Presidente Mao, al atacar, al agredir, al lanzar ofensivas, se desparraman y entran en las entrañas poderosas del pueblo; y el pueblo se encabrita, se arma y alzándose en rebelión pone dogales al cuello del imperialismo y los reaccionarios, los coge de la garganta, los atenaza y, necesariamente, los estrangulará. Las carnes reaccionarias las desflecará, las convertirá en hilachas y esas negras piltrafas las hundirá en el fango; lo que quede lo incendiará y sus cenizas las esparcirá a los confines de la tierra para que no

divine, predestined mission he himself was to guide. Yet, to successfully complete this mission, he made it clear later in the speech, it was absolutely necessary to tell apart the new from the old, the armed struggle from the reactionary Peruvian State:

> Los comunistas deben estar muy claros, qué es lo nuevo y qué es lo viejo. Reitero, lo nuevo es la lucha armada, son las ardientes llamas inmarcesibles de la guerra popular, es el acero que debe devenir más fino, aguda espada, punzante lanza, para herir las entrañas de la reacción, eso es lo nuevo, sólo eso es lo nuevo, lo demás es lo viejo, es el pasado y de ese pasado hay que guardarse porque el pasado siempre pretende restablecerse de mil formas en lo nuevo. (Guzmán, "Somos los iniciadores" 169)

What Guzmán was unaware of or, perhaps, too dogmatic to publicly admit was that his Communist Party was the consummation of the very discourses, logics and reason he vociferously despised; in other words, he and his organization were nothing new but, rather, the expression, in its most pure and grotesque from, of modern sovereign reason. A brief description of Sendero Luminoso's origin, ideology and goals might help clarify this claim.

Most Sendero Luminoso scholars agree that Sendero was neither a millenarian nor an indigenous movement but rather a dogmatic, pseudo-religious insurrection trying to fit a foreign and outmoded conceptualization of the world, politics, society and revolution to Peruvian reality. For Abimael Guzmán, Sendero's pseudo-mythical founder, leader and ideologue, Peruvian society and history could almost entirely be explained by a loose and reductive mix of Mariateguismo, Marxism, Leninism and, especially, Maoism.[14] Yet, a closer examination of Guzmán and Sendero's writings and ideology

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quede sino el siniestro recuerdo de lo que nunca ha de volver, porque no puede ni debe volver" (Guzmán, "Iniciar la lucha armada" 28).

[14] As David Scott Palmer notes, in Sendero's ideological framework, "Marx is heralded for his insights into the class struggle and scientific socialism; Lenin, for his contribution to understanding imperialism and the importance of revolutionary leadership; Mao, for

points to what Orin Starn sees as Sendero's refusal of Peruvian history, that is, "a conspicuous indifference to Peruvian culture and traditions" as well as a genuine lack of interest in Peru's indigenous communities ("Maoism in the Andes" 400).[15]

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emphasizing the role of the peasantry, the road to power from the countryside to the city, the length of the struggle, and the strategies for wearing down the enemy; and Gonzalo thought (with explicit acknowledgement to Mariátegui's contributions), for applying the general revolutionary principles to the specific circumstances of Peru" ("The Revolutionary Terrorism of Peru's Shining Path" 280). It should also be noted that Sendero Luminoso did not operate as the traditional *foquista* guerrillas such as the Cuban or, to a large extent, Guatemalan guerrillas. In fact, most cadres did not hide in the jungle or isolated themselves in remote locations, and only rarely formed battalions like the traditional guerrillas did. Most of the time, they lived in cities and villages all over the country. Sendero Luminoso preferred to operate by forming small and temporary columns or groups that planned, organized and executed specific actions. Once the action was carried out, the group disbanded and its members returned to where they came from. As such, Sendero's organization more closely resembled that of a secret or clandestine organization with what is commonly called a cell-structure that largely resisted infiltration and made deciphering its organizational structure a difficult task. For a description and analysis of Sendero Luminoso's internal organization, see Palmer, "The Revolutionary Terrorism of Peru's Shinning Path," 267-70.

[15] Even if inequality, poverty and marginalization of the indigenous communities were in great part the underlying motivation for Sendero Luminoso's uprising during the 1980s and early 90s, what Julio Ortega's novella harshly and unapologetically criticizes is Sendero's strategies, tactics and disregard for the indigenous communities it was allegedly fighting for. It should be noted that Sendero was not interested in reforming either the Peruvian state or the political system. Instead, Sendero aimed for the total destruction of the Peruvian state in order to take power and implant what Abimael Guzmán called a "República Popular de Nueva Democracia", a notion he never elaborated beyond the commonplace notions of classless communism, the dictatorship of the proletariat and the communal ownership of the means of production. (As we will see in Chapter 5, Sendero was in this sense the antithesis of the Mexican Ejército Zapatista de Liberacíon Nacional). The closest Abimael Guzmán got to an elaboration of what this República Popular de Nueva Democracia actually meant or entailed was in his interview with Luis Arce Borja: "Asumimos la posición del proletariado internacional, su condición de última clase en la historia con intereses de clase propios, diferentes y antagónicos a los de otras clases y con una meta que sólo el proletariado dirigiendo a los pueblos del mundo podrá alcanzar, el comunismo, única e insustituible nueva sociedad, sin explotados ni explotadores, sin oprimidos ni opresores, sin clases, sin Estado, sin partido, sin armas, sin guerras; la sociedad de la 'gran armonía', la radical y definitiva nueva sociedad hacia la cual 15 mil millones de años de materia en movimiento, de esta parte que conocemos de la materia eterna, se enrumba necesaria e inconteniblemente, a la cual la humanidad ha de llegar pero sólo atravesando la más alta potenciación de la lucha de

As many scholars have indicated, Sendero Luminoso was primarily not a peasant movement.[16] It, instead, emerged from a mix of provincial, *mestizo* intellectuals and high school and university students, mostly Quechua Indians, organized around the Universidad de San Cristóbal de Huamanga, in Ayacucho, one of the poorest areas in the Andean region.[17] As such, Sendero cadres, Carlos Iván Degregori notes in *Que difícil ser,* experienced a double alienation. On the one hand, the white elite from Lima would not accept them given their provincial, indigenous credentials. On the other hand, being the first generation of indigenous Quechuas attending a university and therefore being exposed to a completely different conceptualization and explanation of the world, they also relinquished their traditional, indigenous background. This double alienation, Degregori suggests, paved the way for an almost dogmatic acceptance of a coherent, simple and powerful ideology that could not only explain an unjust reality and give them a recipe for how to change it, but also, and more importantly, an identity. As Eric Hoffer notes, "a rising mass movement attracts and holds a following not by its doctrine and promises but by the refuge it offers from the anxieties, barrenness and meaninglessness of

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clases que elevándola hasta la epopeya de la guerra popular, con fusiles en manos de la clase y el pueblo armados, destruya para siempre la guerra contrarrevolucionaria, derrumbe y barra al imperialismo y la reacción de la faz de la tierra, y la sombra de los fusiles de la invencible guerra popular que sostenga la dictadura del proletariado transforme la sociedad en todos los planos, destruyendo y acabando con todas las diferencias de clase y con la propiedad individual sobre los medios de producción que es su raíz, termine con la guerra y brille el comunismo para todos los hombres del mundo" (Guzmán, "Entrevista" 136-7). The interview originally appeared on the pro-Senderista newspaper *El Diario* on July 24, 1988, as "La Entrevista del Siglo". An edited version was reprinted in Mercado, *El Partido Comunista del Perú,* 97-160. It can also be found online at http://www.blythe.org/peru-pcp/docs_sp/entrevis.htm (accessed: July 30, 2012).

[16] See Degregori, *Que difícil es ser Dios* and *Sendero Luminoso.*

[17] See, for instance, Starn, "Maoism in the Andes". For an historical account and analysis of the importance of the Universidad de San Cristóbal de Huamanga in the development of Sendero Luminoso, see Degregori, *Ayacucho, 1969-1979;* and *Sendero Luminoso,* 27-38.

an individual existence" (*The True Believer* 41).[18] This, it seems, was precisely what they found in Sendero Luminoso' sense of unity and determination, and Abimael Guzmán's ideological dogmatism based and his reductive mix of Mariateguismo, Marxism, Leninism and Maoism; a mix he, with some minor additions, call Gonzalo Thought in allusion to his *nom de guerre,* Presidente (Chairman) Gonzalo.[19]

This reductive ideological mix and Sendero's stated goals—to take power, obliterate the Peruvian state, and impose from above a new political and economic system—were nonetheless initially appealing to some segments of Peru's indigenous, Andean population, who saw Sendero as working in their benefit and helping them overcome centuries of injustices. Moreover, they brought to the communities that welcome them, or those they took control of by force, a certain measure of order, discipline and "legality." They would, for instance, find out who were the usurers, thieves

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[18] Hoffer also adds that it is precisely "the certitude of his infallible doctrine that renders the true believer impervious to the uncertainties, surprises and the unpleasant realities of the world around him" (80). In other words, infallible doctrines are "infallible" because they adjust reality to a preconceived and calculated plan, which is to a large extent what the lettered city aimed for and what sovereign reason routinely does, as we will see in Chapter 4.

[19] Although Abimael Guzman never acknowledged the origin of his *nom de guerre*, he might have chosen "Gonzalo" in allusion to Shakespeare's character Gonzalo in the play *The Tempest.* More specifically, Guzmán might have had in mind Gonzalo's vision for a future, utopic society, which he delineates in Act 2, Scene 1: "I' the commonwealth I would by contraries / Execute all things; for no kind of traffic / Would I admit; no name of magistrate; / Letters should not be known; riches, poverty, / And use of service, none; contract, succession, / Bourn, bound of land, tilth, vineyard, none; / No use of metal, corn, or wine, or oil; / No occupation; all men idle, all; / And women too, but innocent and pure; / No sovereignty; … All things in common nature should produce / Without sweat or endeavour: treason, felony, / Sword, pike, knife, gun, or need of any engine, / Would I not have; but nature should bring forth, / Of its own kind, all foison, all abundance, / To feed my innocent people … I would with such perfection govern, sir, / To excel the golden age." If this were the actual reason for Guzmán's *nom de guerre,* it would confirm his self-assumed magnanimity and utter disconnect between his calculated plans and reality.

or amoral neighbors—the definition of morality being of course largely identical with serving the cause of the popular revolution—in a given town or village and, after a summary trial, would punish or kill them leaving the rest of the villagers with the impression that Sendero really cared for them and stood up for their rights.

Yet, when Sendero's wanton use of violence increased and anyone became a potential victim regardless of social class, ethnic identity or political views—a mere suspicion of having attended a market was enough to get killed—the large majority of the indigenous population withdrew its support and even sided with the government's military forces.[20] Moreover, the radical measures taken by Sendero, such as refusing to recognize community authorities, prohibiting indigenous markets or demanding that any part of the harvest that was not for self-consumption had to be burnt and thus could not be sold in the market or exchanged for other basic commodities, were in fact worsening the indigenous communities' already precarious economic situation.[21]

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[20] Among Sendero Luminoso's targets were police officers, provincial government officials such as city or town mayors or judges, teachers of the Peruvian public education system and civic leaders they judged sympathetic to the state, and even small 'entrepreneurs', for instance, owners of small grocery stores in remote towns or trucks that were used to take villagers and their products to open markets in towns and cities throughout the Andean region. Furthermore, Sendero Luminoso regularly attacked police stations, television and radio stations, governmental offices and even shopping centers with dynamite and/or the infamous *coche bombas*. Sendero, moreover, regularly used dynamite to destroy power pylons and transmission lines to plunge the capital and other cities into darkness, exacerbating thereby the feeling of fear and helplessness.

[21] This rejection of Sendero Luminoso led to the formation of Rondas Campesinas, which were, according to Carlos Degregori, instrumental in the weakening and final defeat of Sendero in the Andean region. For an analysis of the morphing relation between Sendero and the Indian communities, see Degregori, "Harvesting Storms". For different perspectives on the Rondas Campesinas and the process of disillusionment of the indigenous population with regards to Sendero, see the edited volume by Degregori, *Las rondas campesinas;* Fumerton and Remijnse, "Civil defense forces;" and Starn, "To Revolt against the Revolution."

In this regard, Sendero Luminoso worked under exactly the same logic of fraternization as the state, but taking it to its limit: only those who completely and unconditionally aligned with the party ideology, shared Sendero Luminoso's aims, agreed to the violent means to achieve them and showed absolute obedience and loyalty to their sovereign (Abimael Guzmán) were welcomed to Sendero's brotherhood. Everyone else, regardless of social origin, ethnic identity or political views, deserved to be killed, even those who, in a revolutionary popular war against the state, should have been on their side and therefore protected: the indigenous, the marginal, the excluded.

To monitor who was a friend and who an enemy, as well as silence any dissenting voices within the Party, Abimael Guzmán and the party leadership constructed their own parallel *lettered* city and discourse. Indeed, given that Guzmán and most of the Party leadership met through the Universidad de San Cristóbal de Huamanga—some of them, including Guzman, were professors—and that most militants were, for Peru's provincial standards, highly educated, it could even be said that Sendero Luminoso was a lettered insurgency made of and led by *letrados* who believed, just as the traditional *letrados* who allied themselves with state power did, that the word itself had an instituting power, that it could produce and reproduce an order. Not incidentally, Abimael Guzmán was commonly depicted in Sendero Luminoso propaganda not as a romantic, Che Guevara-like revolutionary in military fatigues and carrying guns, but rather as an almost too perfect stereotype of the committed intellectual with black, thick rimmed glasses, wearing a dark jacket or pullover and carrying a book.

Sendero's lettered discourse, moreover, served to translate—in de Certeau's use of the term as eliminating exteriority by transferring it to interiority, thereby converting

domination into obedience—the whole of reality, including any political and economic phenomena, into the Party's self-referential and self-justifying language and ideology. As such, the poor peasant who owned a tiny store in his town or sold any meager crop surplus in the market became a "petty bourgeois and a traitor to the cause of the proletariat"; the attempts of the 'legal' left to bring about change within the democratic system became revisionists; and the killing of Sendero Luminoso prisoners became The Day of Heroism, among other examples.[22] Sendero, however, not only reproduced the logic of fraternization I discussed in the first Chapter and created its own lettered city and discourse; it was also ruled by a ruthless sovereign that demanded absolute obedience. The unconditional commitment to Guzmán and his self-assumed role as a demigod sovereign is evident in one of Sendero's slogans, "the party has a thousand eyes and a thousand ears" and what became to be known as "the quota".

The slogan clearly shows Guzman's obsessive need to control Sendero's ideology, discourse and organization, as well as his preoccupation with identifying and

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[22] On June 18, 1986, Sendero Luminoso followers simultaneously took control of three prisons in Lima, Peru. Next day, then President Alan García authorized the Armed Forces to retake control of the prisons, which led to the massacre of 249 inmates, some of whom had already surrendered. Many of the prisoners killed had not been formally accused or convicted. As a response, the Partido Comunista del Perú emitted a resolution decreeing June 19 as the "Día de la Heroicidad" in honor of the sacrifice of "martyrs of the revolution" in what was called the "luminosas trincheras de combate," the prisons: "Los combatientes … se batieron heroica y denodadamente sellando un hito de heroicidad, valor y coraje que la historia guardará como demostración ejemplar de los hombres heroicos que sólo la guerra popular es capaz de generar. Así, el diecinueve de junio se estampa imperecedero como DIA DE LA HEROICIDAD; la sangre de estos héroes ya fructifica la revolución armada incendiándola más, levantándose como monumental bandera tremolante e inagotable grito de guerra que convoca al inevitable triunfo final" (Guzmán, "Entrevista" 94-5). The prisons episode is recounted in Strong, *Shining Path,* 142-50; and Amnesty International report *Peru: "Disappearances," Torture and Summary Executions by Government Forces after the Prison Revolts of June 1986* (London: Amnesty International, 1987). Guzmán gives his version and interpretation of the prisons episode in "Entrevista," 98-105.

punishing whomever was deemed a reformist, revisionist or altogether bourgeois capitalist. The slogan "the party has a thousand eyes and a thousand ears" conveys the idea that the Party was allegedly capable of knowing the State and other enemies' strategies and tactics, and that Guzmán's policies and actions were based on an informed understanding of the political and military situation. More importantly, perhaps, the slogan also implied that Guzmán and the Party Leadership were aware of who within the Party was sinning against the Party at the precise moment he or she was sinning.[23] As such, the demigod image of Guzmán as an omniscient and omnipresent sovereign captured by the slogan was equally instrumental for giving an appearance of infallibility to the outside world and maintaining internal discipline as it was for fostering the militant's abdication of his or her individual will so as to submit to Guzmán's sovereign dictates and obey unconditionally.[24]

"The quota," for its part, was the result of Sendero Luminoso's decision, in their fourth plenary session in May 1981, to make the war the main preoccupation of the Peruvian government and Peruvians in general by drastically increasing the level of violence. The quantitative and qualitative increase of violence had, as Gustavo Gorriti notes in "The Quota," a calculated purpose:

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[23] Eric Hoffer suggests another interpretation when he notes in his discussion on mass movements that "in every act, however trivial, the individual must by some ritual associate himself with the congregation, the tribe, the party,, etcetera. His joys and sorrows, his pride and confidence must spring from the fortunes and capacities of the group rather than from his individual prospects and abilities. Above all, he must never feel alone. Though stranded on a desert island, he must still feel that he is under the eyes of the group" (*The True Believer* 63). In this sense, the slogan "the party has a thousand eyes and a thousand ears" acquires a double dimension: surveillance and company.

[24] In "Harvesting Storms," Degregori plays with Sendero's slogan to suggest that both, Sendero and the State, acted essentially in the same way: "But while the party had a thousand eyes, and a thousand ears, the Armed Forces were blind, or, rather, color-blind. They saw only black and white" (143).

> An increase in violence was geared to initiate the complicated game of action and reaction, where the goal was to provoke blind, excessive reactions from the state. The greater the success, the easier it would be to transfer the weight of blame to the state—the central objective of war propaganda—and the harder it would be for the regime to maintain a democratic image. Blows laid on indiscriminately would also provoke among those unjustly or disproportionately affected an intense resentment of the government. Most important, however, was that the exaggerated responses of the state contribute to the dissolution of peace and help push the nation toward violence. (338)[25]

Yet, to this end, as Gorriti further notes, militants had to be convinced of two things: “the need to kill in a systematic and depersonalized way as part of an agreed-upon strategy; and, as a necessary premise, not just the willingness but the expectation of giving up their own lives” (“The Quota” 332). It was the latter, the willingness and expectation of offering one’s life when the party, *i.e.* Guzmán, asked for it that became known as “the quota.”[26] Once new militants agreed to the quota, they no longer owned their lives; from that moment on, their lives belonged to the sovereign, to Guzmán.

According to Gorriti, ever since the Party agreed on ‘the quota’, every militant had to promise, with some variations in form but not in content, the following:

> Prometo ante el Camarada Gonzalo, jefe del Partido Comunista del Perú y de la revolución mundial;
> Prometo ante el Comité Central del Partido Comunista del Perú;
> Prometo ante el marxismo-leninismo-maoísmo, Pensamiento Guía del Camarada Gonzalo, de asumir mi responsabilidad como militante del Partido Comunista del Perú y de traicionar jamás al Partido ni al pueblo;

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[25] The original essay in Spanish can be found in Gustavo Gorriti, *Sendero: Historia de la guerra milenaria en el Perú,* 170-182.

[26] In the interview I mentioned above, Guzmán justifies the quota by relying on what he calls Mao’s basic principle of war, “el principio de aniquilar las fuerzas del enemigo y preservar las propias … en consecuencia se nos plantea el problema de la cuota; la cuestión de que para aniquilar al enemigo y preservar las propias fuerzas y más aún desarrollarlas hay que pagar un costo de guerra, un costo de sangre, la necesidad del sacrificio de una parte para el triunfo de la guerra popular” (see http://www.blythe.org/peru-pcp/docs_sp/entrevis.htm)

> Prometo luchar con valentía, decisión y coraje contra el imperialismo y feudalismo, hasta alcanzar la liberación de los pueblos oprimidos del mundo;
> Prometo luchar y entregar mi vida por la revolución mundial. (*Sendero* 184, note 30)

More than a promise, this was a vow and a declaration of unlimited obedience to the sovereign.

This absolute subjection to the sovereign is perhaps even more evident in the following introductory paragraph from a letter by an anonymous militant to the central committee around 1989 in which the sender reports his journey to Bolivia on the orders of the local committee of the Party in Puno, Peru:

> Central Committee of the Communist Party of Peru
> Dear Comrades:
> I give you my greeting and my full and unconditional submission to the greatest living Marxist-Leninist-Maoist on earth: our beloved and respected President Gonzalo [Abimael Guzmán], chief and guide of the Peruvian revolution and the world proletarian revolution, teacher of Communists and party unifier. I give you my greeting and full and unconditional submission to the scientific ideology of the proletariat: Marxist-Leninist-Maoist and Gonzalo Thought, especially Gonzalo Thought, all-powerful and infallible ideology that illuminates our path and arms our minds. I give you my greeting and full and unconditional subjection to the great, glorious, correct, and victorious Communist Party of Peru: the great instrument of the armed revolution, having magisterially directed the popular war in our country for eight years. I give you my greeting and full and unconditional submission to the Permanent Committee, Political Bureau, Central Committee, and the entire system of Party leadership. I give you my greeting and full and unconditional submission to the First Marxist Congress of the Communist Party of Peru and the decisions and tasks that grow from it: a Marxist-Leninist-Maoist and Gonzalo Thought Congress, a brilliant historical achievement, an achievement of the victory that Gonzalo Thought has given us and the foundation of Party unification...[27]

[27] This anonymous "Oath of Loyalty" can be found in Orin Starn, Carlos Degregori and Robing Kirk, *The Peru Reader,* 350-1.

The mantra-like repetition of "I give you my greeting and full and unconditional submission" captures, as the editors of *The Peru Reader* rightly suggest in the introductory note to the militant's letter, "the ethos of unconditional surrender of individual will to the cause of Gonzalo, the Party and the 'world proletarian revolution'" (Starn, Degregori and Kirk 351).[28] This unconditional surrender clearly represents a strategic advantage: not only "excellent troop control," as Gorriti suggests, but also the assurance that militants will fearlessly and heroically fight to the death for the cause ("The Quota" 341). Yet, the implications of the militants' unconditional surrender of their will and their disposition to sacrifice in the name of the Party/sovereign/Guzmán go beyond pragmatic concerns. It, in fact, mirrors and perhaps even exceeds the surrender of individual will and disposition to sacrifice in the name of the sovereign State. As Cánepa succinctly expresses it in Ortega's novella, "No podía aceptarse que tanta violencia fuese solo una suerte de suicidio nacional. Sendero era la inversión del sentido en un sistema político que era un contrasentido" (96).

In "A God Without Sovereignty," Alberto Moreiras suggests that "there are two logical ways of negating any given order: by opposing the currently existing order, or by opposing any order whatsoever, that is, all possible orders" (79). Sendero Luminoso,

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[28] In his analysis of the nature of mass movements, Eric Hoffer indicates that self-sacrifice and the surrender of the individual's will is achieved by "separating the individual from his flesh-and-blood self—in not allowing him to be his real self." This separation, Hoffer adds, can be achieved by different techniques, all of which present in Sendero Luminoso: "by the thorough assimilation of the individual into a compact collective body [Sendero Luminoso]; by endowing him with an imaginary self [militant as initiator]; by implanting in him a deprecating attitude toward the present and riveting his interest on things that are not yet [República de Nueva Democracia]; by interposing a fact-proof screen between him and reality (doctrine) [Gonzalo Thought]; by preventing, through the injection of passions, the establishment of a stable equilibrium between the individual and his self (fanaticism) [Guzmán's incendiary rhetoric and the militants' worship of the Party and Guzmán]" (*The True Believer* 61).

however, seems to suggests a third possible way of negating a given order: by radically affirming it; that is, by taking the order and the logics that underlie it to their very limit, to the point that even if the order appears as radically other it would nonetheless remain the same. As I have tried to show, Sendero Luminoso militants, contrary to what Guzmán told them in the speech I quoted above, were not the initiators but the consummators of the underlying discourses and logics of sovereign reason. The question thus returns: What is left to do when two sovereign reasons claiming to be fighting for two different ideas yet operating under the same underlying logics and discourses demand individuals to take sides and choose whom to obey? Or, as the trucker's assistant told Cánepa, what is left to be done when one sovereign kills your brother and the other sovereign kills your sister?

3.3. *Without* an order

Right after the passage from "A God Without Sovereignty" I quoted above, Moreiras suggests the possibility of what he calls the "neither-friend-nor-enemy," which he defines in the following way:

> At the highest level—that is, at the level where the political confrontation is not sustained within a given order, but rather calls the very power of the order into question, whether as an actually existing order or as the ontological determination for any practical politics—friends are those who support the order, and enemies are those who explicitly threaten it. This is far from exhausting humanity. Many will be neither friends nor enemies of the given order; they simply dwell within an order not of their making: they are within the order, but not of it. It is this place, this alternative dwelling, the site of the neither-friend-nor-enemy, that might be emerging today as the proper site of a new figuration of the political. (79)

Cánepa is undoubtedly neither a friend of the State's nor of Sendero's order; he was, after all, killed by the State's security forces and robbed by Sendero. For both sovereigns, he is, as a community leader working outside the State *and* Sendero, the enemy: a Senderista

for the State and a reformist or revisionist for Sendero. Yet, from Cánepa's perspective, he regards the State or Sendero neither as friends nor as enemies. He clearly despises both, to be sure; moreover, he refuses to take sides, that is, to become a friend of one sovereign and an enemy of the other. This, however, does not make him a neither-friend-nor-enemy in the conflict.

As the final act of his journey suggests, Cánepa instead opposes the friend-enemy distinction in itself and altogether rejects the sovereign relation of exception: his enemy, in any case, is the distinction itself. In Moreiras' remarks, however, "the site of the neither-friend-nor-enemy" seems to be embedded *within* the logic of fraternization and the sovereign relation of exception, even if, as Moreiras clarifies, the neither-friend-nor-enemy subject is not *of* it. It is, in other words, a site suspended between the friend and the enemy yet still grounded on the logics this distinction itself imposes. Cánepa, instead, appears to suggest that "the proper site of a new figuration of the political" is exclusively to be found in the *without* the order, that is, in a site, space or network where the "new" does not reproduce the "old"; where the possibility of a new configuration of the political does not always already carry the mark of sovereign reason, the relation of exception and the logic of fraternization; where, in sum, the political is no longer political—not in the sense of a post-ideological or post-political site, which would rather reflect Sendero's utopia, but in the sense of the political as the incarnation of Carl Schmitt's friend-enemy distinction.

After arriving in Lima, spending some time in the city shantytowns, meeting various eccentric people and even escaping, once again, from the anthropology student and the journalist, Cánepa decides to avoid any further complications and go to the

National Palace in the Central Square to deliver his letter to Belaúnde. In the square he finds out that Belaúnde is going to give a public speech on, ironically, Christian charity in the Central Plaza and decides to wait and try to personally deliver the letter to the president. During the speech he manages to get close to Belaúnde but one of his bodyguards beats him and he drops the letter. As he lies on the floor, Cánepa manages to see Belaúnde picking up the letter and putting it in his pocket before the guards start to beat him again until Petiso, the child with an old man's face he met after arriving in Lima, manages to rescue him. As they walk away, Cánepa sees his letter lying on the floor, crumpled and unopened. "Belaúnde," Cánepa tells himself, "había decidido no leerla" (120): the sovereign, it seems, never listens.

Cánepa then decides to go to the National Cathedral and, once he is inside, to Francisco Pizarro's (Peru's conqueror) sarcophagus. With Petiso's help, Cánepa opens the tomb and gives Petiso Pizarro's skull telling him, "Puedes venderla a un turista. La verdadera calavera de Pizarro. Y también estos huesos. Salvo estos, que me hacen falta" (121). He asks Petiso to help him get inside the sarcophagus but Petiso says, "Pero toda la gente creerá que eres Pizarro" (122). Cánepa smiles and Petiso swears to find Cánepa's bones when he becomes president. Cánepa, however, answers, "Ya los encontré, y ahora mi cuerpo sí está completo" (122).

Cánepa does not become one with power or sovereign reason, which is what Pizarro stands for, but desecrates them, suggesting thereby the need to re-found the sovereign relation, to find another covenant or, perhaps, even to wither the covenant away. He is, sensu stricto, no longer dwelling *within* the order; neither is he *of* the order. He is, so to speak, *without* the order, in a space located beyond the sovereign's law and

reason. Having been killed at the very beginning of the story, it could even be argued that Cánepa's critique of both the State and Sendero, as well as having been able to "survive" an encounter with both the state's Armed Forces and a Senderista column, is the result precisely of neither dwelling *within* the order nor *not* being *of* the order but of not having an order, of being *without* an order.

In any case, Cánepa's final act, his desecration of Pizarro's tomb, cannot be only understood as the gesture of the "neither-friend-nor-enemy," he or she who is within the order, but not of it. Undeniably, Cánepa does suggest an alternative dwelling that does point to a "new figuration of the political;" yet, his gesture, at least symbolically, goes beyond that. If the "neither-friend-nor-enemy" dwells within the order, he or she is, even if not *of* the order, inescapably grounded in the friend-enemy distinction that sustains the order, and thus in the logic of fraternization and the protection-obedience principle. Cánepa's final act, however, suspends the future reenactment of the sovereign relation that Pizarro represents by desecrating the sovereign himself and thus, by suspending the future as the perpetual reaffirmation of past reason.

Cánepa overtly despises both the State and Sendero, and refuses to take sides or be captured in a sovereign relation of exception with either the Peruvian State *or* Sendero Luminoso. As I discussed above, the State's lettered discourse constructed the Andes as a space beyond law and intelligibility. Yet, in what Cánepa regards as Sendero Luminoso's inversion of meaning, it is Lima that is constructed as the space beyond Sendero's law and intelligibility. It is Lima, too, that stands in Sendero's discourse for the "apocalyptic horizon of epistemological breakdown that undermines … modernity, the nation, the state, and civilization" (Williams, *The Other Side* 243). In Sendero's case, this

breakdown precludes rising above a semi-feudal, bourgeois system and thus the coming of true modernity and harmonious civilization, that is, the dictatorship of the proletariat, the collective ownership of the means of production and what Guzmán called "la sociedad de la 'gran armonía'" ("Entrevista" 136).

What Cánepa's final act ultimately stands for, what he in fact suggests throughout the story, is the re-founding of sovereign reason itself and, as such, the suspension of the sovereign relation of exception by means of which both, the State and Sendero, construct each other as what lies outside or beyond each one's law and intelligibility when, in fact, what both put in a relation of exception is the marginalized, the poor, the subaltern of both the Andes *and* Lima. For Cánepa, it is thus not a matter of geographically defined spaces, that is, it is not Lima *or* the Andes. Instead, it is about *those* individuals that sovereign reason—stately or senderista—instrumentalizes in Lima *and* the Andes to serve its own needs and perpetual drive towards domination, obedience and subjection. For these people (*the* people?) in Lima *and* the Andes (and the Peruvian Amazonia as well), it is both the State *and* Sendero that are situated beyond law and intelligibility. Moreover, it is both the State *and* Sendero that stand for the "epistemological breakdown" impeding the coming of a different future.

What *manchay tiempo* (time of fear) thus stands for is a fear that no longer grounds the Hobbesian covenant but its absolute negation, a negation that is in turn the result from the revelation that, in fact, it is the sovereign—not man—who is the wolf of man. We are thus no longer or, perhaps, not only speaking of the 'neither-friend-nor-enemy' that dwells within the order but is not of it; what is at stake, what is suggested in "Adios Ayacucho" is the possibility of the *without*, that is, of an order where the friend-

enemy distinction, the logic of fraternization and sovereign reason are no longer, for lack of another word, *sovereign*.

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Almost no one in or outside Peru would these days contest the argument that Sendero Luminoso was essentially a terrorist group. According to Guzmán, and some scholars agree, it was instead a popular guerrilla army that occasionally relied on terrorist practices.[29] Nelson Manrique, for instance, seems to be implying precisely this when he notes that "Sendero does routinely resort to terrorism, but the character of the organization is much more complex" ("Time of Fear" 28). Yet, what interests here for my argument is not so much if Sendero Luminoso was or was not a terrorist organization but the fact that it was deemed and discursively constructed as such by the Peruvian State.

The ambiguous definition of what constituted terrorism, a terrorist act and a terrorist, for instance, in great part enabled the Peruvian Military to carry out violent and indiscriminate counterinsurgency activities without greatly worrying about distinguishing between members and non-members of Sendero. Article 1 of Decree-Law 046, the first

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[29] Guzmán's own rejection of the "terrorism" label is based on a detailed calculation in which he divides the total number of actions carried out by Sendero into four categories, and assigns each a percentage of the total: (1) guerrilla warfare, 45.9%; (2) propaganda and armed agitations, 34.1%; (3) sabotage, 11.2%; and (4) selective annihilations, 8.2%. From this strictly rational calculation, which results in a suspiciously perfect Pareto proportion (20% that might be considered 'terrorist' actions [3 and 4], 80% that are not [1 and 2]), Guzmán concludes that the accusations of terrorism are completely unfounded: "se evidencia nítidamente la falsedad completa que entraña la mendaz y absurda imputación de "terrorismo" que se hace a la guerra revolucionaria del país" (see "Entrevista," 130-1).

Anti-Terrorism Law enacted by the Peruvian government on March 10, 1981, defined terrorism, terrorist acts and the terrorist as follows:

> El que con propósito de provocar o mantener un estado de zozobra, alarma o terror en la población o un sector de ella, cometiere actos que pudieran crear peligro para la vida, la salud o el patrimonio de las personas encaminados a la destrucción o deterioro de edificios públicos o privados, vías o medios de comunicación o transporte o de conducción de fluidos o fuerzas motrices o análogas, valiéndose de medios capaces de provocar grandes estragos o de ocasionar grave perturbación de la tranquilidad pública o de afectar las relaciones internacionales o la seguridad del Estado, será reprimido con penitenciaría no menor de diez años ni mayor de veinte años. (Comisión de la Verdad y Reconciliación, *Informe Final,* Vol. 6: 389-90).

This broad and ambiguous definition essentially allowed for the criminalization of any act the state's repressive forces regarded as dangerous for any individual's life, health or property, or against public peace or the state's security, which was precisely the perception and approach of General Clemente Noel Moral, a former director of the National Intelligence Service (SIN) and the first Jefe Polítco-Militar in Ayacucho after it was declared an emergency zone in December 1982. As Philip Maureci notes in *State Under Siege,* Noel regarded as subversives "not only [those] defined as armed combatants, but also those in the media, universities and other social institutions who questioned the established order. As such, they were all considered legitimate targets of military actions" (137).[30]

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[30] Belaúnde's Minister of War Army General Luis Cisneros Vizquerra made this clear when he stated the following in an infamous interview: "The police force do not know who the *senderistas* are, nor how many there are, nor when they are going to attack. For the police force to have any success they would have to begin to kill *senderistas* and non-*senderistas*, because this is the only way they could ensure success. They kill sixty people and at most there are three *senderistas* among them … and for sure the police will say that the sixty were *senderistas*" (quoted in Taylor, "Counter-insurgency strategy," 43; see also Cornell and Roberts, "Democracy, Counterinsurgency, and Human Rights," 536). For a critique of Decree-Law 046, see Gorriti, *Sendero,* 157-60.

The Peruvian State's construction of Sendero Luminoso as a terrorist organization, however, has other, more theoretical implications. Given that, as Alfonso Cánepa notes and this chapter has attempted to show, Sendero Luminoso can be regarded as an inversion of the State that took to the very limit the logics and discourses that underscore sovereign reason, wouldn't it be farfetched to suggest that the State tends to give the name "terrorist" to any organization or insurgent group that reproduces its own discursive armature and reason? The question must remain open but, writing in 1991, one year before Guzmán was captured and his organization began to crumble, Manrique seems to suggest this possibility when he argues that the label "terrorism" serves more to hide the state's own deficiencies than to mark the specificity of a given insurgent organization:

> For intellectuals, the terrorist label is little more than a tacit convention for avoiding the grave questions raised by Sendero's relative success. How is it possible that on the threshold of their second decade at war, these "terrorists" not only remain undefeated but have become a crucial factor in Peru's future? The phenomenon can only be understood in the context of the society that gave rise to it. To explain Sendero's extraordinary development we must examine the deep-seated deficiencies its success denounces. ("Time of Fear" 28)

Indeed, the label "terrorist," accurate as it might be, also tends to eliminate the need for thoughtful, systemic and historic explanations for the existence of "terrorist" organizations contesting the Sovereign; after all, "terrorists" are almost by definition lunatics and irrational individuals behaving as animals in the name of some dogma. Yet, Carlos Degregori, referring to the loose and dogmatic ideological mix patched together by Guzmán and the Party leadership, seems to suggest that Sendero's strength was actually the result not of a lack but a surplus of reason:

> La propuesta de los intelectuales provincianos que conformaron el núcleo

> inicial de Sendero Luminoso … asumen el marxismo-leninismo de tal forma que lo convierten en un 'culto divino a la razón'. Por el grado de pasión que desarrolla y desata Sendero Luminoso, parece extraño definirlo como un movimiento hiperracionalista. Pero habría que invertir la frase de Pascal*: 'el corazón tienen razones que la razón no conoce'* y decir sobre el núcleo dirigente de SL que: *'la razón tiene pasiones que el corazón no conoce.* (*Que difícil es ser Dios* 20; emphasis in the original)

In the following chapter, I will discuss what Degregori might be suggesting when he calls Sendero "hyperrealists" by doing a reading of Horacio Castellanos Moya's novel *Insensatez* in relation to the Guatemalan counterinsurgency discourse and what I will call the criminalization of the insurgent. This, in turn, will lead to an exploration, in the following last two chapters, of other "insurgent" subjectivities that respond or might be conceived as also existing *without* an order, thereby revealing and reacting to and positing a shift in the locus of sovereignty from the strictly political to the economic by means of which inclusion in the community of brothers is less determined by political rights or affiliation than by the capacity to partake in the process of production, exchange and consumption.

Chapter 4

“I am not complete in the mind”: *Senselessness,* Noise and Sovereign Reason

If our play of the Follies of a Day,
Has something serious to say,
It is that folly must have its season
To give a human face to reason.

Beaumarchais, *The Marriage of Figaro*

Nothing essential happens
in the absence of noise.

Jacques Attali, *Noise*

“Yo no estoy completo de la mente,” repeats the unnamed narrator of *Insensatez* (*Senselessness*), a novel by the Honduran-Salvadorian Horacio Castellanos Moya. The novel’s narrator, a writer himself, is editing and proofreading the 1,100 pages-long report prepared by the Catholic Church on the army’s massacre and torture of thousands of indigenous villagers during the internal armed conflict in an unnamed country. The phrase, “Yo no estoy completo de la mente” is taken from the testimony of a Cakchiquel Indian who witnessed “cómo los soldados del ejército de su país despedazaban a machetazos y con sorna a cada uno de sus cuatro pequeños hijos y enseguida arremetían contra su mujer” (13). The phrase, the narrator tells us,

> Me había conmocionado porque resumía de la manera más completa el estado mental en que se encontraban las decenas de miles de personas que habían padecido experiencias semejantes a la relatada por el indígena

> kaqchikel y también resumía el estado mental de los miles de soldados y paramilitares que habían destazado con el mayor placer a sus mal llamados compatriotas, aunque debo reconocer que no es lo mismo estar incompleto de la mente por haber sufrido el descuartizamiento de los propios hijos que por haber descuartizado hijos ajenos, tal como me dije antes de llegar a la contundente conclusión de que era la totalidad de los habitantes de ese país la que no estaba completa de la mente. (14)

Even if not explicitly mentioned, it is clear that Castellanos Moya's novel alludes to the Guatemalan peace process that put a formal end to the 36 years-long armed conflict between the Guatemalan military and various insurgent groups. In particular, the novel fictionalizes the editing process of the report prepared by the Office of Human Rights of the Archbishopric, which included testimonies from thousands of witnesses and victims of the army's brutal violence during the war. The report, published on April 24, 1998, as *Guatemala, nunca más*, blamed the state's armed forces for more than ninety percent of human rights violations committed during the conflict.[1] According to Dirk Kruijt, for instance, "in the period between 1980 and 1985 (the years 1982 and 1983 being the most violent), approximately 100,000 civilians were killed; 450 villages and hamlets were completely destroyed; 60,000 indigenous peasants were 'relocated' in 'strategic hamlets'; one million people had chosen 'internal displacement'; 500,000 migrated abroad; and several thousands were 'disappeared'" ("Exercises in State Terrorism" 49); all of these at a time when the country's population was roughly seven million. It shouldn't come as a surprise, then, that Monsignor Juan Gerardi, the report's architect and most passionate

[1] For a detailed account of human rights abuses by the Guatemalan Military, see Proyecto Interdiocesano de Recuperación de la Memoria Histórica, *Guatemala: Nunca Más,* Vol. 2; and Comisión para el Esclarecimiento Histórico, *Guatemala: Memoria del Silencio*, Vol. 2 and 3. See Chapter 1 for a fuller analysis of Guatemala's counterinsurgency practices and discourses.

promoter, was assassinated on April 26, 1998, that is, two days after he presented the report in the National Cathedral.[2]

Given this sinister historical context, the phrase “Yo no estoy completo de la mente” casts an ominous shadow throughout the novel; a shadow that, paradoxically, sheds light on the state’s role in forging a society that is in and of itself not complete in the mind. This phrase, nonetheless, is one of various phrases the narrator copies from the testimonies to his notebook and then shares with whomever he happens to meet, phrases such as “Para mí recordar, siento yo que estoy viviendo otra vez” (149), “Yo siempre me siento muy cansado de que no puedo hacer nada” (113), “Hasta a veces no sé cómo me nace el rencor y contra quién desquitarme a veces” (68), “Las casas estaban tristes porque ya no había personas dentro” (30), “Que siempre los sueños allí están todavía” (122). These imperfect, ungrammatical phrases in Spanish haunt the narrator throughout the novel since, as he continually reminds the reader, they are taken from testimonies that tell of horrendous and repulsive crimes, of machete-butcherings of entire families, torture, castration and gang-rape. Yet, the phrases, unspeakable in their horror, are also unforgettable in their phrasing, having, as the narrator repeatedly notes, a poetic, César Vallejo-like beauty that twists and defies Spanish grammar and syntax.

The novel’s narrator is not only haunted by the strangely beautiful voices but also by the very real danger of his job. After all, the report denounces the horrors committed by the military, which remains very much in power. Caught between the poetic beauty of

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[2] For a meticulously researched account of Monseñor Gerardi’s assessination and the trial and discussion that followed, see Francisco Goldman’s *The Art of Political Murder;* for an analysis that attempts to discredit any involvement by the military, see Maite Rico and Bertrand de la Grange’s *¿Quién mató al obispo?*; for a fictionalized biography of Monsigñor Gerardi, see Margarita Carrera’s *En la mirilla del jaguar.*

the phrases, the atrocities these phrases speak of and the very real danger of his job, the narrator nonetheless tries to pursue the life of a young, hip and sex-obsessed professional: he attends private parties, goes to bars and restaurants, and constantly tries to pick up girls; he, in brief, acts, at least during the first half of the novel, as if the testimonies he is editing were not referring to real events, as if these events did not actually happen or take place.

As the novel progresses, however, the narrator would no longer be able to ignore either the ghosts of the victims or the ghosts he believes are trying to silence him. What starts as precautionary measures—using alternative routes to get to his workplace or crossing the street in the middle of the block "para evitar la emboscada siempre temida, aquélla en que dos seudo ladrones, en verdad especialistas de inteligencia del ejército, me arrinconarían a puñaladas para quitarme algo que no llevaba, para que los curas entendieran" (40)—turns as the novel progresses into full-blown paranoia; for instance, he begins to find occult messages and personal threats in news articles, sees army torturers wherever he goes and even begins to believe the Church itself is conspiring with the military to have him killed. Ultimately, by the end of the novel, the narrator is as incomplete in the mind as the victims whose testimonies he has been editing and decides to flee the country convinced that his life is in danger. And we, as readers, never quite know if his fear and paranoia are substantiated by actual threats or if they are just a product of his imagination; what is more, we also become, at least in one sense, incomplete in the mind, unable to tell fact from fiction, rumors from actual events, rational behavior from irrational impulses.

The narrator's paranoia, which at first seems pure senselessness, becomes in fact by the end of the novel a reasonable and understandable behavior. In the book's final chapter, having already left the country, the narrator is having a drink in a bar in an unspecified German-speaking country. He keeps repeating, mantra-like, the phrases from the testimony he copied in his notebook trying to make sense of it all. At one point during the night, he remembers that the report was published the night before and runs to the house where he is staying to find out about the report's title and reception. He opens his e-mail account and finds a message from a dear friend telling him telegraphically that "Ayer a mediodía Monseñor presentó el informe en catedral con bombo y platillo; en la noche lo asesinaron en la casa parroquial, le destruyeron la cabeza con un ladrillo. Todo mundo está cagado. Da gracias que te fuiste" (155).

Unmistakably, the Bishop's assassination in the novel mirrors the assassination of Monsignor Gerardi who, as I mentioned before, was the most ardent promoter of the 1998 report and was killed two days after presenting it to the public. Given this context, the narrator's pathological behavior, his ever-increasing paranoia, becomes fully substantiated by both the events in the novel and the very real events that took place in Guatemala. In fact, it is precisely the narrator's paranoia, his madness and senselessness, that allows him to disappear himself before being disappeared, which given the novel's framework and the very real history it refers to is in no way a senseless act but, perhaps, the most reasonable act given the circumstances.

The narrator's behavior and his state of mind not only mirror that of a people subjected to state terror, a people always watching its back, afraid, careful of what it says and does; it also suggests that the general senselessness, the fact that the entire population

is not complete in the mind, is actually the direct result of sovereign reason, its counterinsurgency practices and discourses, and the alleged harmonious order and silence imposed by what Michel de Certeau calls the scriptural enterprise. In what follows, I will read Castellanos Moya's *Senselessness* as noise-producing writing that interrupts and subverts the Guatemalan state's counterinsurgency discourse as well as its idyllic and self-righteous version of the war. I will argue that senselessness (i.e. madness) becomes in the novel both the marker of a collective pathology resulting from the descent into sovereign reason *and* what enables a politico-ethical critique of this very same reason and the cruel calculations it applies to the social. This critique, I will further contend, disjoins the association between labor, production and exchange with order, reason and civilization, enabling thereby the possibility of thinking a space beyond production, exchange and sovereign reason. Ultimately, I will suggest that Castellanos Moya's *Senselessness* points to the emergence of new insurgent subjectivities that both posit and react against a shift in the locus of sovereignty from the strictly political to the economic.

4.1. The scriptural enterprise and the criminalization of insurgents

To say that the state, and for that matter power in general, does not usually accept its senselessness or easily admit having acted in brutal, criminal ways would be an understatement. In fact, it is usually the state that refers to insurgency as senseless and irrational acts of violence, and to insurgents of any kind as criminals and/or as uncivilized barbarians. Peruvian President Fernando Belaúnde, for instance, spoke of the Shining Path (Sendero Luminoso) as a bunch of "petty cattle-thieves" and "common delinquents" during the first years of the uprising; likewise, Mexican President Carlos Salinas called

the Zapatistas "professionals of violence" in the aftermath of their uprising back in January 1994.[3] In *Guerra en el paraíso*, a novel centered on Lucio Cabañas' guerrilla movement in the 1970s in Guerrero, Mexico, Carlos Montemayor superbly portrays what can be regarded as the archetypal discourse on the criminalization and barbarization of insurgents. Throughout the novel, the political or social motivations behind Lucio Cabañas' guerrilla movement are only acknowledged in private, if at all. In public, however, Lucio Cabañas and his comrades are repetitively referred to as bandits, criminals, common delinquents and the like. For instance, asked by a reporter if the guerrilla had already been defeated in the state of Guerrero, the General in charge of military operations in the area answers by saying, "No sé que quiera usted decir con eso de 'guerrilla' … porque yo nunca he considerado guerrilleros a delincuentes comunes que se dedican a robar, a secuestrar a personas pacíficas, a alterar la paz social. Para mí, nunca hubo guerrillas en el estado" (33). This reticence to publicly recognize political or social motivations by associating insurgents with common delinquency and violence, to criminality and barbarism, is in fact an intrinsic component of the state's counterinsurgency discourse.[4]

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[3] Salinas, moreover, disqualified the Zapatista uprising in the following terms: "Este no es un alzamiento indígena, sino la acción de un grupo violento, armado, en contra de la tranquilidad de las comunidades, la paz pública y las instituciones de gobierno … Es una acción en contra del interés nacional. Este grupo armado está en contra de México … Las acciones del gobierno de la República se enmarcan con la Constitución. Se aplicará estrictamente la ley" (quoted in Montemayor, *Chiapas, la rebelión indígena de México* 54). Salinas' discursive strategy not only turns the Zapatistas into the enemy, justifying thereby the protection of Mexico's sovereignty, but also criminilizes the insurgent, which is, as we will in brief see, a crucial component of the state's strategy to delegitimize and depoliticize the insurgents' claims.

[4] The recent wave of protests and demonstrations around the world (2011-2012) has given us plenty of examples of this type of discourse. For instance, the United Kingdom's Home Secretary Theresa May stated in a speech to the House of Commons on August 11,

In the first two chapters, I scrutinized and provided a critique of what I consider to be two crucial and inherently linked discourses the State draws upon to discredit and undermine organized revolt, as well as justify and legitimize counterinsurgency: the political distinction between friends and enemies, and the discourse of sovereignty and emergency powers. As I argued in those chapters, these two discourses are traversed by a perverse, limiting and exclusionary logic of fraternization that, on the one hand, these discourses enable the State to construct the nation as an ideal community of equal brothers sharing a common way of life and form of existence. On the other hand, however, these same discourses open up the possibility, when need be, for the State to (a) implement questionable legal measures such as the state of exception and martial law; (b) suspend supposedly inalienable rights like *habeas corpus*; and/or (c) exclude, disappear and eventually kill dissenting voices regarded as a threat to the survival of the ideal community of brothers.

In this sense, the criminalization and barbarization of insurgents can be regarded as part of the process by which an alleged friend-brother is cast as an enemy of the state, the community of brothers and "civilized" life in general. By putting into question its ability and right to speak, the insurgents' motivations or claims are not deemed as

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2011, right after the height of the protests in London, that "As long as we wish to call ourselves a civilized society such disorder has no place in Britain … We must never forget that the only cause of a crime is a criminal. Everybody, no matter what their background or circumstances, has the freedom to choose between right and wrong. Those who make the wrong decision, who engage in criminality, must be identified, arrested and punished." British Primer Minister David Cameron made a similar argument two day earlier when he stated that what took place across Britain was "criminality pure and simple [and] has to be confronted and defeated." Likewise, Eric Cantor, the Republican U.S. Representative serving at the moment as House Majority Leader, referred to protesters in New York in a speech on October 7, 2011, as "the growing mobs occupying Wall Street and the other cities across the country." The speeches can be found online.

political discourse that must be listened to and reckoned with, but rather as senseless acts of irrational violence that can and should be confronted with unlimited force**.** As such, the criminalization and barbarization of insurgents, rebels, guerrilleros or, for that matter, any other type of protestor or dissenter should be understood as part of what Michel de Certeau, in *The Practice of Everyday Life,* calls the scriptural enterprise, that is, the project that

> Transforms or retains within itself what it receives from its outside and creates internally the instruments for an appropriation of the external space. It stocks up what it sifts out and gives itself the means to expand. Combining the power of *accumulating* the past and that of making the alterity of the universe *conform* to its models, it is capitalist and conquering. (135)

De Certeau's scriptural enterprise can be conceptualized as power's permanent production and reproduction, imposition and policing, of order and sovereign reason through "writing," understood here in a general sense as the "activity that consists in constructing, on its own, blank space … a text that has power over the exteriority from which it has first been isolated" (134). In this sense, "writing" both preserves, records, represents or accounts for what already exists *and* produces what yet is not. It is within this context that, as de Certeau notes, "the name 'wild' [and we could add criminal, barbarian, madman and the like] both creates and defines what the scriptural [enterprise] situates outside of itself" (155).[5]

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[5] Literature, with a capital "L", has also been an essential component of the scriptural enterprise's production and reproduction of order, as well as the silencing of dissenting voices. For instance, in eighteenth-century England, as Terry Eagleton notes in *Literary Theory,* Literature began to acquire a distinct ideological function when the aristocracy and the rising industrial bourgeoisie began to recognize the need to safeguard their form of life and mode of existence from the growing working masses by incorporating them to their *Weltanschauung.* Yet, given the increasing secularization of everyday life and the diminishing ability of religion to act as the ideological mortar that held society together,

Equating insurgents or rebels to disorder and criminality, however, is hardly a new strategy. In fact, it is in its modern form, essentially imperial and Roman given that it actualizes the old but evidently still operational opposition between civilization (*civitas*) and barbarism (*homo barbarus*), and brings to mind colonial discourses on the faulty, backward and uncivilized indigenous ethos.[6] Moreover, the liberal governments that flowered throughout Latin America by the end of the nineteenth century also relied on a similar discursive strategy by portraying Indians as faulty, lazy, vicious, drunk, uncivilized or wild individuals, which in turn provided the Latin American states and elites with the rationale that justified and validated not only their assimilationist policies but also the Indians' direct exploitation.[7]

Literature supplemented this ideological function by nurturing in the masses a spirit of tolerance and solidarity between social classes; diffusing polite social manners, habits of correct taste and common cultural standards throughout society; transmitting moral values such as generosity, meekness, self-sacrifice, submission to authority and respect for private property; and, given its contemplative and solitary nature, curbing any inclinations for collective political actions (*cf.* 15-23). Literature, in brief, became an instrumental component of the English scriptural enterprise by inculcating and disseminating among the masses the *right* attitudes and values, those, that is, that promoted and favored silence and harmony. In his analysis on the political economy of music, which I will in short discuss, Jacques Attali reaches a similar conclusion regarding music: "Music demonstrates that exchange is inseparable from the spectacle and theatrical enactment, from the process of *making people believe*: the utility of music is not to create order, but to make people believe in its existence and universal value, in its impossibility outside of exchange" (*Noise* 57). Even if Attali refers exclusively to music, his observations can also be taken more broadly as to include Literature and other sorts of the scriptural enterprises' writing.

[6] See, for instance, the discussion on the Indian's humanity in the sixteenth century between Bartolomé de las Casas and Juan Ginés de Sepúlveda in Valladolid, or Francisco de Vitoria's discussion of 'causa justa de guerra' or 'just war' in Salamanca during the same century.

[7] As I discussed in Chapter 3, the mutually beneficial articulation between power and "writing" in Latin America has been best analyzed by Ángel Rama, whose seminal *The Lettered City* should be read as an exegesis and critique of Latin America's scriptural enterprise. As Rama argues, 'writing' provided first the Spanish Monarchy and later on the creole elite with the narrative that naturalized and normalized the exploitation of the

This discursive strategy has at least two goals. First, by casting insurgents, rebels, protesters or, for that matter, anyone who does not comply with the established norms, disrupts the peaceful silence of everyday life or hinders the harmonious exchange of commodities as amoral, irrational and senseless individuals who have nothing but contempt for order and civilization, the scriptural enterprise aims to elicit disdain and disapproval among the "peaceful" and "law-abiding" elements of society. Second, by situating these individuals outside civilization and order, language and law, the scriptural entreprise seeks to justify and validate the need to regenerate, forcefully incorporate or, in extreme situations, physically silence them.[8] Ultimately, what the criminalization of the enemy aims for is for insurgent, on the one hand, and criminal, barbarian or senseless, on the other, to become indistinguishable categories, allowing thereby for the negative connotations of the latter to be transferred to the former: every insurgent is a criminal and criminals, the argument comes full circle, do not have any political or public legitimacy whatsoever.

This strategy is particularly effective given that the modern scriptural enterprise has successfully been able to associate exchange and the market economy with order, harmony and rationality by focusing its discourses and panegyrics on the wonders of the

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indigenous population and the extraction of natural resources. In this sense, Rama notes, literature also became, especially towards the end of the nineteenth century, an essential component of Latin America's scriptural enterprise.

[8] Eric Hoffer holds that silencing or eliminating the "wild" elements in society might in fact be some sort of defense-mechanism stemming from actually being aware of the wrong done by those in positions of power but doing it nonetheless: "The most effective way to silence our guilty conscience is to convince ourselves and others that those we have sinned against are indeed depraved creatures, deserving every punishment, even extermination. We cannot pity those we have wronged, nor can we be indifferent toward them. We must hate and persecute them or else leave the door open to self-contempt" (*The True Believer* 95-6).

market, its sophisticated and apparent simplicity, the immediacy of exchange and the increasing array of commodities that it makes available, leaving conveniently out of the narrative both the inherent exploitative nature of the capitalist mode of production and the exclusion of large segments of the population from substantive citizenship, the presumed benefits of the market economy and even from life's basic necessities.

In this way, the capitalist scriptural enterprise is able to present exchange and the market as a harmonious ordering not only of supply and demand, production and desire, but also of life itself. Moreover, in the twentieth century, economic liberalism—first promoted by Ludwig von Mises, Friedrich Hayek, Henry Hazlitt and other members of the Austrian School of Economics, and then by Milton Friedman and his infamous Chicago Boys—perfected the narrative by positing the free market as a quasi-utopian entity where an invisible hand, the arithmetic sum of innumerable and allegedly rational individual decisions impossible to account for by other means, spontaneously produces, when unobstructed by government regulations, the best possible results for all those involved. In this perfect and rewarding system, they hold, those unable or unwilling to make it must be either lazy, stupid, or morally lacking individuals who, as Friedrich Hayek noted in an interview, might be sacrificed for the larger good when need be: "Una sociedad libre requiere de ciertas morales que en última instancia se reducen a la mantención de vidas: no a la mantención de todas las vidas porque podría ser necesario sacrificar vidas individuales para preservar un número mayor de otras vidas. Por lo tanto

las únicas reglas morales son las que llevan al 'cálculo de vidas': la propiedad y el contrato."[9]

In any case, correlating the "free" market and capitalism to order, harmony and civilization while at the same time associating insurgents, protesters, dissidents and the like to disorder and barbarism aims to redirect the discussion and analysis of these phenomena away from the structural failings of repressive, authoritarian and even "democratic" regimes, and on to the faulty individuals who, it seems, are always-already predisposed to violence and barbarism. In this way, the argument goes, motivations, reasons and explanations for manifestations and protests, for insurgency and the taking up of arms, for violence itself, should be sought exclusively in the sphere of individual actions and personal responsibility since they do not pertain to the *political* but to the *moral*. Accordingly, the argument concludes, rather than a reformed or altogether different political reason, what is truly needed is a renewed set of moral values.

It is worth taking a moment here to examine Guatemalan Army-General Efraín Ríos Montt's counterinsurgent discourse, not only because he clearly exemplifies this strategic move from the political to the moral and thus provides us with a concrete example of the hidden motivations and implications of de-politicizing insurgency but, perhaps more importantly, because his association of insurgency and subversion with madness and lack of morality opens up the possibility of reading Horacio Castellanos Moya's *Senselessness* as a politico-ethical critique of sovereign reason.

[9] Quoted in Franz Hinckelammert, *Crítica a la razón utópica* (San José: Editorial DEI, 2nd Ed., 1990), 88. The interview was conducted by Renée Sallas and was originally published in the Chilean newspaper El Mercurio on April 19, 1981.

4.2. Madness and morality in Rios Montt's Guatemala

According to *Guatemala: nunca más,* the report on human rights violations fictionalized in Castellanos Moya's *Senselessness*, it was during Ríos Montt's tenure that a large share of the atrocities committed by the armed forces during the conflict took place.[10] Paradoxically, between March and December 1982, Ríos Montt regularly addressed the country through radio and national television to share his particular vision of law, justice and a better Guatemala, and to impart, of all things, morality lessons. For instance, in the first speech he gave right after taking over power, Ríos Montt recommended Guatemalans

> En primer lugar una oración a Dios nuestro Señor, para que nos permita que en paz nosotros continuemos el desarrollo de un programa que les vamos a presentar, y en segundo lugar su colaboración, su tranquilidad y su paz, la paz de Guatemala no depende de un quehacer de armas, la paz de Guatemala depende de usted señor, de usted señora, de usted niño, de usted niña, sí, la paz de Guatemala está en su corazón, una vez que haya paz en su corazón, habrá paz en su casa y habrá paz en la sociedad, por favor ni más tragos ni más nada, a trabajar, Guatemala necesita trabajo, no hay fuentes de trabajo, no hay confianza, no hay autoridad, eso no había. Hoy con moralidad, guatemaltecos, les decimos, ante Dios, empeñamos la palabra de la Institución Armada para garantizarles paz, trabajo y seguridad. (*Mensajes del Presidente de la República* 10)

In Ríos Montt's view there was no peace in Guatemala mostly because of individual shortcomings. Prayer, more work, deference to authority and no more alcohol drinking was, according to him, all that was needed to pacify the country. Once these were achieved, once Guatemalans changed their behavior and started to act morally, inner peace and tranquility at home and in society at large would *mutatis mutandis* magically follow. That there were insurgents fighting against a repressive state in an effort to

[10] General Ríos Montt came to power through a palace-coup in March, 1982. See Chapter 1 and 2 for a discussion of Ríos Montt's role in Guatemala's counterinsurgency.

achieve a more just, equal and inclusive society; that he, Ríos Montt, was addressing the population in military fatigue and was, in fact, the head of a military regime that was conducting a violent counterinsurgency campaign that did not make any distinction between armed insurgents and unarmed civilians were, it seems, minor details that could be rendered irrelevant. In this sense, Ríos Montt can be regarded as impersonating what Michel Foucault called "the great bourgeois, and soon republican, idea that virtue, too, is an affair of state, that decrees can be published to make it flourish, that an authority can be established to make sure it is respected" (*Madness* 61).

For Ríos Montt, it was the moral decay of the traditional family that was directly responsible for the ongoing crisis of values: "estamos en una crisis de valores, pero esta crisis de valores, generalmente, tiene sus raíces en la familia" (47), he said on May 23, 1982. Accordingly, the path to the moral, virtuous life that would redeem Guatemala necessarily had to pass through the strengthening of family relations, as he indicated in a speech of April 30, 1982: "Nosotros fundamentalmente necesitamos consolidar la familia, porque consolidando a la familia, papá, mamá, hijos, nosotros consolidamos a la sociedad" (39).[11] A week later, on May 30, Ríos Montt was even more explicit, blaming what he called the "divorcio generacional" between parents and their children for the political, economic and social crisis of the country:

> Yo le digo a mi hija que realmente los problemas económicos, políticos y

[11] Marx's critique of what he understood as Hegel's misconceptualization of the family and civil society as produced by the actual idea, the state, could also be leveled at Ríos Montt's urge to consolidate the family since he, too, seems to be positing the family not as conditioner of the state but as conditioned by the state: "There can be no political state without the natural basis of the family and the artificial basis of civil society; they are for it a *condition sine qua non*. But the condition is postulated [by Hegel] as the conditioned, the determinant as the determined, the producing factor as the product of its product" ("Contribution to the Critique of Hegel's *Philosophy of Right*" 17).

> sociales del país se derivan precisamente por la incomprensión y la falta de relación entre padre e hijo … Como consecuencia de ese mal entendimiento, como consecuencia de ese divorcio [generacional] ahora solamente hay una respuesta, la protesta, la protesta; música, poesía, teatro y tantas cosas más que se llama la cuestión de la generación contestataria, la cuestión de revanchas y eso es un problema serio. ¿Y por qué es un problema serio? Porque a estas actitudes de rompimiento generacional, por falta de responsabilidad de los grandes, no por inmadurez de los pequeños, a estas actitudes vienen movimientos políticos … que son frustrantes; entonces tan frustrante es que un hijo quiere un abrazo, que una hija quiere un beso, que eso necesita de papá o de mamá y le dan mejor un quetzal o dos quetzales [the Guatemalan currency] para que se vaya a comprar un helado; tan frustrante es eso como los movimientos políticos. (55)

In Ríos Montt's assessment, it was the lack of meaningful and moral relations between parents and children, and the former's neglect of their filial responsibilities, what had led not only to the country's crisis, but also to protests and political movements: "la subversión se cocina en casa" (48), he said on May 23. Moreover, the "divorcio generacional" that had led to dissidence and rebellion was the parents' doing since it was their laxness, inability and/or unwillingness to impose their authority and ensure that their children obey their mandates.

The implications of Ríos Montt's harangues are clear: he was essentially ordering Guatemalan parents, and especially fathers, to assume and exercise their sovereign right over their households and their subjects, their wives and children. Just as Ríos Montt was assuming his responsibilities as the nation's Father, that is, just as he was exercising his sovereign right, policing his household (Guatemala) and deciding over the life and death of his children (Guatemalans), each and every Guatemalan father should also assume his responsibilities and become the true sovereign of his household, his children perpetually policed and inescapably bound to his sovereign decisions. In brief, what Ríos Montt was

commanding parents (and especially fathers) to do, was to establish a state of exception within each household that mirrored the state of exception by means of which he ruled.[12]

Yet, the state of exception he demanded fathers to enact was not a bad thing in itself—hence the love-discourse in which it is coated: children just need to be hugged and kissed. The state of exception, in Ríos Montt's elaboration, was in fact a joyous affair that had to be taken as a redemptive opportunity for learning. As he explained in his speech of July 4, 1982:

> El estado de sitio … es un estado de enseñanza y es una enseñanza de la cual vamos a aprender gobernantes y gobernados … Pasamos diez años sin estado de sitio pero se perdieron más de cien mil almas, pasamos diez años sin estado de sitio, pero se perdieron más de ciento cincuenta mil personas, pasamos más de diez años sin estado de sitio y se quemaron tantos millones como usted no tiene una idea, hoy tenemos estado de sitio y el estado de sitio nos da libertad, nos da seguridad y nos da garantía. (82-3)

The state of exception, both in the country as in every household, was for Ríos Montt a liberating experience because it provided Guatemalans with the opportunity to discover and appreciate the benefits of boundless sovereignty, and thus to finally come to their senses and abandon senseless ideas and behaviors such as rebellion, dissent and subversion. In other words, the state of exception was meant to show Guatemalans that taking part in protests and political movements, and even more so joining the insurgency, was pure madness.

Indeed, subversion was for Ríos Montt a disease that was corrupting Guatemala's morality from the inside out, as he made it clear on April 30, 1982: "Los violentos son enfermos, la violencia manifestada en armas para conquistar el poder es una enfermedad"

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[12] See Chapter 2 for a discussion of the state of exception as a counterinsurgency discourse.

(40). The type of illness Ríos Montt refers to is clearly not related to the body, since the physically ill or disabled would not pose a real threat to the army's fitness. Instead, the illness responsible for subversion and insurgency was related to the mind since only someone who is mentally ill, unable to properly reason and/or unwilling to learn from the educational opportunities provided by the state of exception, someone, that is, who is truly mad and therefore unable to come to his senses would choose to take up arms to question sovereign reason.

What makes madness truly subversive as a conceptual category in the eyes of the sovereign is its potential capacity to disrupt the very foundation of sovereignty, the protection-obedience principle. Given its alleged senselessness, its un-reason, the mad is deemed as no longer capable of internalizing and reproducing the dictates of the scriptural enterprise, nor is it capable of performing the calculation necessary to agree to exchange its freedom for the sovereign's protection. What the mad thus introduces in the political is the possibility of a return to Hobbes' state of nature that threatens to cancel sovereignty. What is more, confronted with madness, sovereign reason, even if it remains the strongest, also looses its intimidating and coercive power, not because the mad has somehow become more courageous or desperate but, rather, because it no longer fears its fear, and fear, per Hobbes, is at the very center of the covenant.

It is therefore not a coincidence that Ríos Montt's recipe for the moral recovery of the country and his strategy to counter the madness and senselessness of subversion relied heavily on the strengthening of family values and the moral virtues of work. As Foucault argues in *Madness and Civilization,* the criminalization of madness coincided with the rise of the capitalist mode of production and the bourgeoisie, and thus of the

scriptural enterprise's association of labor, production and exchange with order, harmony and (state) reason. In this context, all types of idleness and non-production, madness included, were regarded as rebellious acts that threatened the very foundations of the social and political order, and thus had to be confined and punished. As Foucault notes, madness became to be seen as an "incessant attack against the Father" (*Madness* 254), i.e., against the sovereign.

Punishment and confinement, however, had also a moral dimension. The mad were indeed deprived of their freedom and forced to work; yet, work was regarded as a healing activity able to "detach the sufferer from a liberty of mind that would be fatal and engage him in a system of responsibility" so as to foster their "return to the order of God's [i.e. the sovereign's] commandments" (247-8).[13] What is more, the positing of the asylum and the inmates as a family in which the physician was the Father figure and the inmates loving brothers caring for each other, was also regarded as an intrinsic part of the process of disalienation, making thereby the discourse of madness "indissociably linked with the half-real, half-imaginary dialectic of the Family" (Foucault, *Madness* 254). In any case, punishment and confinement were regarded as a learning opportunity by means

[13] Moreover, as Foucault notes in *Madness and Civilization*, with the rise of the industrial economy and the factory, the worker and the poor became an indispensible part of the capitalist mode of production and therefore had to be exalted, revered and included, if only discursively, in the nation and the community of brothers, soil and blood (*cf.* 230). In this context, the connection between madness, work and inclusion in the community of brothers was particularly important given the increased awareness that poverty and unemployment could no longer be identified with sloth but "had become an economic phenomenon" (229).

of which the mad could overcome their shortcomings and become, one could only hope, productive and moral beings.[14]

Not coincidentally, Ríos Montt relies, in the same speech I quoted above, on medical language to conclude and convince Guatemalans that the nation's crisis and widespread subversion was the result of the "divorcio generacional" between parents and children. In this speech, Ríos Montt imagines himself and the other members of his cabinet as physicians dressed in white coats and white gloves standing in an operation room making a diagnosis about the ills afflicting Guatemalan society.[15] The use of medical terminology should not only be read as having a mere comparative purpose, as a way to reach out to his audience by relying on familiar tropes. More than that, the medical terminology aimed to give credibility, legitimacy and authority to Ríos Montt's diagnosis by relying on the connotation of the physician as a rational and therefore purportedly objective man of science whose interest is the well-being and progress of both his patient and humanity in general.

Given all these different elements—the discourse of the family and work, the association of subversion with mental illness and Ríos Montt's self-fabricated image as the country's benign Father-physician-sovereign—it wouldn't be farfetched to suggest

[14] It goes without saying that this relation between society and madness, this "learning opportunity," mirrors the relation of exception I discussed in Chapter 2 by means of which the mad are included in the community of brothers only through their very exclusion. As we will see, this relation of exclusion was not conceived as the exception but the rule since every Guatemalan was regarded as potentially mad and thus always-already in a relation of excepton.

[15] The medical terminology is scattered throughout the speech but take, for instance, a phrase in which Ríos Montt is about to introduce the "divorcio generacional" as the root of Guatemala's problems: "Poniéndonos nuestros guantes blancos, llegamos al quirófano y vemos aquí lo que es la Nación. En primer lugar tenemos que hacer un diagnóstico…" (54).

that Ríos Montt constructed Guatemala as a spatial trope that closely resembles that of the asylum. As Foucault notes, “the asylum sets itself the task of the homogeneous rule of morality … denounces everything that opposes the essential virtues of society” and attempts to extend “its rigorous extension to all those who tend to escape from it” (*Madness* 258). In Ríos Montt’s view, every Guatemalan was always-already suspect of subversion, of madness and senselessness. And just as the physician who, according to Foucault, “could exercise his absolute authority in the world of the asylum only insofar as, from the beginning, he was Father and Judge, Family and Law” (272), Ríos Montt regarded his role as Father-physician-sovereign (and urged all fathers to do the same in their households) as a mandate to extend and impose to everyone—insurgents and non-insurgents, combatants and civilians, men and women, parents and children—the homogenous rule of what he considered to be a rigorous yet necessary and ultimately redeeming morality that would take Guatemala out of the political, economic, social and moral crisis in which it found itself.

In this sense, Ríos Montt’s vision for Guatemala can be read as the consummation of what Foucault identifies as the dream of bourgeois conscience since the seventeenth century, a moral city “where right reigns only by virtue of a force without appeal—a sort of sovereignty of good, in which intimidation alone prevails and the only recompense of virtue (to this degree its own reward) is to escape punishment” (61). For Ríos Montt, the moral city could only be constructed as an all-inclusive asylum wherein subversion, i.e. madness and senselessness, could be treated and punished even before the patient herself became aware of her own subversive inclinations, of her own madness. In Ríos Montt’s

moral city, not everyone was already mad but anyone was potentially mad and consequently had to be constantly policed and disciplined.

In this schema, the mad-subversive-insurgent was not to be seen as a fallen, hapless brother who had lost his ability to reason and thus deserved compassion and assistance. On the contrary, the insurgent had to be controlled and punished because he or she carried a contagious disease—an *other,* different reason—that threatened to destroy from within the very moral foundations of the city, the harmonious order of the state's scriptural enterprise and, more importantly, the very indivisibility and unconditionality necessary for pure, boundless sovereignty.

The "unequivocal" benefits of subjecting to sovereign reason, acting according to Rios Montt's moral discourse and abandoning any proclivity to madness (subversion) are perhaps best represented by Polín Polainas, or "Little Pole Leggings", a fictional Indian used in posters throughout these years as propaganda. The poster, which was originally published as the back cover of the January-June, 1985, issue of the Guatemalan *Revista Cultural del Ejército*, shows a drawing of what can be regarded as the sanctioned Indian, a docile, light-skinned Indian dressed in a stylized indigenous dress and Honor Guard spats; thankful, it seems, for having been "saved" from subversion (see Figure 1 on next page).

This sanctioned, docile and thankful Indian—"emptied of agency and history," as Jennifer Schirmer notes in *The Guatemalan Military Project* (115)—also carries a book on whose cover we can read: Barrios, Monja Blanca and Ceiba. "Monja Blanca" or white nun orchid is Guatemala's national flower and "Ceiba" is Guatemala's national tree. "Barrios," in turn, refers to Justo Rufino Barrios, one of the leaders of the so-called

Liberal Revolution of 1871 and president-dictator from 1873 to 1885. Among other things, Barrios created the Military Academy, professionalized the Guatemalan Army and is generally regarded as one of the founders of modern Guatemala. Given these references, it is not difficult to see that for Polín Polainas to be redeemed and become a sanctioned Indian he had to internalize Guatemala's national discourse and identity, which were to a great extent constructed precisely by the landowning elite Justo Rufino Barrios represents.

Figure 1. Polin Polainas, mascota epónima de los polos de desarrollo. (Originally published in *Revista Cultural del Ejército,* Enero-Junio, 1985; source: Jennifer Schirmer, *The Guatemalan Military Project,* 116).

Polín Polainas is described in the poster as the

> Mascota epónima de los Polos de Desarrollo. Ayer, quichelense, hoy sololateco, Polín Polainas, cándido y gentil, va surcando la campiña guatemalteca, dejando a su paso su ejemplar estela de amor por el estudio, e inspirando augurios de la paz, del desarrollo y la Concordia, como anhelos supremos de la unidad nacional. No importa su atuendo. No importa su origen. Polín Polainas es omnidimensional. ¡Polín es omnipresente![16]

The sanctioned Indian had to be candid, courteous and studious; he also had to work happily without complaints. Most importantly, he must leave behind his own identity and strive for national unity, which essentially implies leaving behind his rebelliousness and fully subjecting himself to sovereign reason.

It is this idyllic Indian who the Military portrays as the "eponymous mascot of the Development Poles," the model villages established by the military where the displaced Indigenous population was forced to live under the direct control of the military. The Development Poles were an integral element of the Guatemalan Military's *fusiles y frijoles* (bullets and beans) program first introduced by Ríos Montt with the explicit goal of winning over the hearts and minds of the indigenous population by nominally promoting economic development (beans) and providing security (bullets).

Presented as the eponymous representative of the Development Poles, Polín Polainas gives us a clear idea of what the Military hoped to achieve through its moral and social reengineering of the faulty and rebel Indian. As the image suggests, Polín Polainas, the sanctioned Indian, has learned the benefits of submitting to authority, studies the right materials, has the right attitude and loves all Guatemalans, including, of course, the

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[16] Quiché and Solola are two departments in Guatemala where counterinsurgency was particularly harsh and violent. They are also two of Guatemala's departments with the highest percentage of indigenous population.

military. For him, it appears, discrimination, exclusion, resistance and subversion are words from a distant past. Polín Polainas is without a doubt not mad; he, in fact, not only is very complete in the mind, but also embodies the consummation of the state's ideal relation between protection and obedience: a fully obedient and therefore rational subject that has accepted and internalized the need for boundless and unconditional sovereignty, and who consequently strives for the unity and indivisibility essential for pure, boundless sovereignty.

Against this backdrop—against Ríos Montt's moral discourse, the image of a benign, loving and caring Father-physician-sovereign he constructed for himself, and the idyllic version of the sanctioned Indian, fully complete in the mind and fully committed to the sovereign—Castellanos Moya's *Senselessness* brings to the fore the very real psychological, political and social consequences of sovereign reason, the reason of the strongest and the decision on the enemy.

4.3. A reasonable senselessness

As I mentioned before, by the end of Castellanos Moya's novel the narrator realizes, by lending a respectful ear to the voices of the testimonies he is editing and letting these voices inhabit him, that he must disappear himself before being disappeared, that he must act "senselessly" in order to escape the very senselessness of sovereign reason. The narrator's *reasonable* decision to flee the country, his *reasonable* senselessness, points to the distinction that Jacques Derrida draws in *Rogues* between "reasonable" and "rational":

> The *reasonable* would be that which … will always be *preferable*—and thus irreducible—to the rational it exceeds … The *rational* would

> certainly have to do with the *just* and sometimes with the justness or exactitude of juridical and calculative reason. But the *reasonable* would do yet more and something else; it would take into account the accounting of juridical *justness* or exactitude, to be sure, but it would also strive, across transactions and aporias, for *justice.* The reasonable … would be a rationality that takes account of the incalculable so as to give an account of it, there where this appears impossible, so as to account *for* or reckon *with* it. (158-9)[17]

If anything else, the very fact that the narrator is telling the story and thus has survived the calculations of the state, that he is *accounting for* or *reckoning with* his descent into state reason, suggests that his senselessness was not irrational but ultimately reasonable and sense-full. Even if his decision to flee is a calculation, it is nonetheless a calculation that opens itself to the incalculable of the reasonable.

The *accounting for* or *reckoning with* of the narrator's reasonable senselessness, which in Derrida's formulation also strives for justice, is entirely other than the *accounting for* or *reckoning with* of sovereign reason and the scriptural enterprise. In fact, what the narrator is able to introduce in the political as a result of his reasonable decision to flee is a hidden and silenced knowledge, a reason entirely other, that lies before,

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[17] In *Rogues,* Derrida critiques the prevailing connotation of reason as ratio and calculation, which he sees as intimately intertwined with sovereignty, the reason of the strongest: "This inseparability or this alliance between sovereignty and unconditionality appears forever irreducible. Its resistance appears absolute and any separation impossible: for isn't sovereignty, especially in its modern political forms, as understood by Bodin, Rousseau, or Schmitt, precisely unconditional, absolute, and especially, as a result, indivisible?" (*Rogues* 141). Derrida's aim throughout the book, particularly in Part II, is to explore and think through the possibility of positing a reason that lets itself be reason with (159), and thus of dissociating sovereignty from conditionality and calculability. This dissociation, however, does not imply doing away with calculation and conditionality but rather keeping these in an aporetic relation that *accounts for* and *reckons with* their opposites, the incalculable and the unconditional: "On both sides, then, whether it is a question of singularity or universality, and each time both at once, both calculation and the incalculable are necessary" (150). The *reasonable* is precisely the type of rationality that honors this aporetic operation. I will come back to this possible other sovereignty/reason towards the end of this chapter.

beyond or outside the structuring order of the state's scriptural enterprise and runs counter to sovereign reason. It is here that the phrases from the testimonies the narrator copies in his notebook—which, as I mentioned at the beginning of this chapter, are taken from the testimonies of, mostly, indigenous people that suffered in the hands of the military during Guatemala's civil war—acquire their truly disrupting quality both within the novel and as elements of a report that, even if the narrator fictionalizes, does exist outside the novel.

In the novel, the phrases gradually disturb the narrator's rational calculations, moving him from a cynical, detached and calculated position to senselessness and the reasonable decision to flee the country. Even if the narrator concludes at the beginning of the novel, during his first day at work, that he must also be incomplete in the mind for having accepted the job, his conclusion is more than anything else just a rationalization of the situation he is in:

> Sólo alguien fuera de sus cabales podía estar dispuesto a trasladarse a un país ajeno cuya población estaba incompleta de la mente para realizar una labor que consistía precisamente en editar un extenso informe de mil cien cuartillas en el que se documentaba las centenares de masacres que evidencian la perturbación generalizada. Yo tampoco estoy completo de la mente, me dije entonces, en ese mi primer día de trabajo. (14-5)

The narrator's position is clearly a detached position since he situates himself outside of what happened, as a mere foreigner coming to examine a report that tells of brutal crimes that do not pertain to him and are thus removed from both his daily life and who he is. It is, after all, a job, an unconventional and risky job perhaps, but a job all the same, one he accepted mostly out of economic imperatives. In this sense, his motivations to take the job are not altruistic or ideological but largely pragmatic and economic. Even if the narrator acknowledges the disrupting possibilities of the report he is editing, which he

describes as “una labor espléndida, impecable, después de la cual la historia de este país no sería la misma, de ninguna manera” (82), he is at this point just trying to convince himself that his job is important and ethical even if he remains personally immune to the full implications of the testimonies and phrases.

The narrator’s cynical and detached attitude becomes more evident in the first chapters of the novel: he mocks the political correctness of the people working in the report, laughs about the ugliness of leftist women that work in international cooperation agencies, and even uses the phrases he has copied and memorized as pick-up lines at bars and restaurants. His rational behavior becomes the most evident when he decides to no longer work until he receives the advance payment he was promised for editing the manuscript: “yo no estaba dispuesto a corregir ni un renglón más de esas mil cien cuartillas si no me pagaban mi adelanto en el acto, tal como estaba acordado” (36). At this point in the novel, the narrator’s decision to withdraw his labor remains within the constraints of the scriptural enterprise and the exchange economy, as he notes: “el cumplimiento de un pago está por encima de cualquier otro valor” (37).

Yet, the testimonies and, specially, the phrases he constantly repeats begin to eat away at his rational reason and sanity. He lets them inhabit him and can increasingly no longer separate work from everyday life, his bourgeois reality from the gruesome reality and horrendous crimes the testimonies and phrases speak of. Wherever he goes, the phrases’ voices start to haunt him, his behavior becomes paranoiac, his decisions apparently nonsensical. He choses a different route each day to get to work, avoids crossing streets at the corners because it increases, in his perception, the possibility of being kidnapped and runs away from a party when he believes he has recognized an army

general accused of being a torturer in many testimonies. Likewise, he sees secret service agents anywhere he goes, starts to believe that everyone, including the Church, is conspiring to have him killed and even reads newspaper articles and editorials as personal death threats. By the end of the novel, as the narrator attempts to finish editing the report in seclusion, his initial immunity and calculated behavior has given way to senselessness; as he acknowledges, the phrases and the reality they speak of have completely taken control of him:

> Pero al cuarto día, debo reconocerlo, mi mente se fue de mis manos y no tuve ya momento de sosiego, que las barbaridades que una y otra vez leía … Y cuando mis ojos no estaban repasando el texto en la pantalla era mi mente la que se transportaba al teatro de los hechos y entonces ella ya no era mía, si alguna vez lo había sido, sino que se paseaba a su antojo … por la explanada de la aldea donde los soldados machete en mano tasajeaban a los pobladores maniatados y puestos de hinojos, o entraba a la choza donde los sesos del bebé volaban por los aires, o se metía a la fosa común entre los cuerpos mutilados. (138)

At this point in the novel, the testimonies and phrases—which the narrator praised during the first half of the novel from a purely literary perspective for their sonority, force and depth, as well as ungrammatical and imperfect construction that twisted and defied Spanish grammar and syntax—ultimately lead the narrator directly to the abyss of sovereign reason. They introduce in the narrator's scriptural order a hidden and silenced knowledge, a reason entirely other that does not speak of calculation, order or exchange but, rather, of pain, memory and insanity, of the immeasurable and irreducible consequences of sovereign reason: "Mis hijos dicen: mamá, mi pobre papá dónde habrá quedado, tal vez pasa el sol sobre sus huesos, tal vez pasa la lluvia y el aire, ¿dónde estará? Como que fuera un animal mi pobre papá. Esto es el dolor…" (47).

The phrases and testimonies as a whole ultimately speak of what de Certeau calls the "conviction that Reason must be able to establish or restore a world … of *producing* an order" that is to be "*written* on the body of an uncivilized or depraved society" (*The Practice* 144). What phrases such as "Para mí recordar, siento yo que estoy viviendo otra vez" (149), "Yo siempre me siento muy cansado de que no puedo hacer nada" (113), "Hasta a veces no sé cómo me nace el rencor y contra quién desquitarme a veces" (68) or "Las casas estaban tristes porque ya no había personas dentro" (30) reveal, the knowledge the novel's narrator can no longer ignore or silence with binge drinking, sex or rationalizations, is the scriptural enterprise's writing of sovereign reason in the mind and bodies of the "uncivilized," "depraved," "barbaric," and "criminal" Indians.

By the end of the novel, as I have mentioned, the narrator decides to flee the country, to escape what he regards as imminent dead. His reasonable decision to flee is the consequence of his descent to sovereign reason, the mind incompleteness it begets and the immensurable pain it produces.[18] Moreover, his decision to flee necessarily implies another decision: that of withdrawing his labor. This time, however, he no longer decides within or according to the constraints and mandates of the scriptural enterprise but breaks away with the coupling of work, order and exchange. Even if withdrawing his labor puts in jeopardy the report's publication, which he had recognized as a "noble" cause, his reasonable senselessness and mind incompleteness can no longer place the dictates of work and exchange above the hidden and silenced knowledge he now

[18] The narrator's decision to flee can be regarded as what Foucault calls the *delirious discourse* of madness, a discourse that deviates from the expected or "rational" path of reason yet correctly applies "the most rigorous figures of logic" (*Madness* 94-5), which is precisely what *Senselessness'* narrator does: if he stays, he dies. See pages 99-100 for Foucault's elaboration of madness as *delirious discourse*.

possesses. He now knows that sovereign reason and the scriptural enterprise will not honor his reason and chooses to escape.

As we already know, in the novel's penultimate scene, before he goes back to his cousin's home and finds out that the Monsignor who promoted the report he was editing had been assassinated after its publication, the narrator is sitting in a bar in an unidentified German-speaking country. He is reading and repeating the phrases he copied in his notebook but suddenly, when he raises his head again, he sees Octavio Pérez Mena, the army torturer and chief of the intelligence service that wanted the narrator dead, or so he believed. The reader can deduce from the narration that the presumed torturer is just another patron of the bar. Yet, there is no reason to believe that the narrator, in his mind incompleteness, is not in fact seeing the army torturer he feared so much. This time, however, something has changed. Just as the mad-insurgent-subversive who no longer fears his or her fear and is thus not afraid of death decides to take up arms to confront the sovereign, the novel's narrator's reasonable senselessness and the hidden, silenced knowledge he now possesses enable him to no longer fear his fear and confront the army torturer, shouting at his face "¡Todos sabemos quienes son los asesinos!" (154), a phrase he read in the testimonies and now assumes as his own.

The narrator's confrontation of the army torturer who embodies the calculations of sovereign reason, the "cálculo de vida" Hayek speaks of, is at this point nothing more than a gesture, but it is nevertheless a gesture that signals the possibility of a different future and a reason that is entirely *other*; a future reason that cannot be accounted for or reckoned with but is nonetheless expected to be there, somewhere, in the future-to-come, which is precisely what another phrase the narrator appropriates succinctly expresses:

“Que siempre los sueños allí están todavía” (122). Even if it is impossible to know where exactly the dreams are, we know we have dreamt them and must *still* be there, somewhere, waiting for us to arrive, even if we might never do. The hidden, silenced knowledge has given way to a reasonable senselessness that pushes for an incalculable future that might not be better but, then again, it might indeed be.

The narrator’s reasonable senselessness thus becomes in the novel not only the marker of a collective pathology in which not being complete in the mind is the result of a descent into sovereign reason’s heart of darkness, but also what enables to disjoint the scriptural enterprise’s coupling of work, exchange and order, and reveal the inner logics underscoring sovereign reason’s “cálculo de vida”. Moreover, it allows the narrator to overturn the state’s criminalization of the insurgent-enemy and undermine Ríos Montt’s moral discourse by suggesting that he who acted in criminal ways, he who in any case needs a new set of moral values is in fact the Guatemalan sovereign state. As such, Castellanos Moya’s *Senselessness,* as well as the report it fictionalizes, can be regarded as noise-producing writing that turns a hidden, silenced knowledge into reasonable discourse.

4.4. Noise in the scriptural enterprise

In *Noise,* his seminal work on the political economy of music, Jacques Attali suggests that “to make noise is to interrupt a transmission, to disconnect,” and goes on to define noise as “a resonance that interferes with the audition of a message in the process of emission … [and] does not exist in itself, but only in relation to the system within which it is inscribed” (26). Attali calls this system *music*, which refers in the context of his essay

less to what we commonly understood by the term than to a specific configuration of the relation between power and writing, sovereign reason and the scriptural enterprise, that offers a privileged perspective from which to trace and analyze the development of different modes of production because of its annunciatory vocation that always foreshadows the coming of new social formations. For Attali, this annunciatory or prophetic quality of music is to be found in what escapes a given musical configuration or exceeds the constraints of what goes by the name of music within a given mode of production or social formation. It is to the excess that lies before, beyond or outside the scriptural enterprise's music/writing but is nonetheless intrinsically related to it that Attali calls *noise*.

In this sense, music—which in the context of this chapter is synonymous with the writing of the scriptural enterprise's writing—performs a triple function in Attali's configuration. First, it channels the essential violence intrinsic to the creation of nomos and the suppression of noise and dissonance into a ritualized simulacrum of violence that sublimates difference and makes people forget the essential violence. Second, once the essential violence has been sublimated and forgotten, music and writing attempt "to make people believe in a consensual representation of the world" that aims to "etch in their minds the image of the ultimate social cohesion, achieved through commercial exchange and the progress of rational knowledge" (Attali 46). Lastly, it serves to silence, through repetition, amplification and the sovereign force that backs it, any dissonant or dissenting voices: any noise. In other words, and within the context of this chapter, the writing of the scriptural enterprise replaces the essential violence inherent to accumulation and sovereign reason with the "spectacle of the absence of violence" (46), an absence against

which any noise or dissonance, any introduction of differences, any uncovering of hidden and silenced knowledges, any *other* reason, is presented and represented as a senseless and violent attack against order, exchange, civilization and sovereign reason.

As Attali suggests, noise is undeniably violent, since it is experienced as "an aggression against the code-structuring messages" (27) perpetrated by clearly identifiable agents such as insurgents, rebels, protesters or, in general terms, any critic of the peaceful silence and harmonious order of everyday life, including artists, musicians and writers. Yet, as Slavoj Žižek notes in *Violence*, "subjective violence [i.e. violence exerted by clearly identifiable agents] is just the most visible portion of a triumvirate that also includes two objectives kinds of violence;" namely, "symbolic violence embodied in language and its forms" (2) and "systemic violence, or the often catastrophic consequences of the smooth functioning of our economic and political systems" (3). Subjective and objective violence, however, are not perceived from the same viewpoint, as Žižek insightfully notes:

> Subjective violence is experienced as such against the background of a non-violent zero level. It is seen as a perturbation of the 'normal,' peaceful state of things. However, objective violence is precisely the violence inherent to this 'normal' state of things. Objective violence is invisible since it sustains the very zero-level standard against which we perceive something as subjectively violent. Systemic violence … may be invisible, but it has to be taken into account if one is to make sense of what otherwise seem to be 'irrational' explosions of subjective violence. (3)

Noise can thus be conceptualized as subjective and identifiable violence perpetrated against the 'peaceful' and 'normal' state of things sustained by the different forms of coercion that maintain relations of domination, exploitation and exclusion, including the symbolic violence of the scriptural enterprise's writing (music)—which first makes people forget, then believe and ultimately be silent—and the systemic violence of

sovereign reason, the reason of the strongest. Yet, even if noise can be identified retrospectively, it cannot be foreseen, anticipated or predicted for since it is, by its very nature, incommensurable and irreducible to a calculation, which is precisely what makes it dangerous in the eyes of the sovereign and the scriptural enterprise.

The disruptive quality of noise, as well as its incalculability and the "reasonable senselessness" it introduces in the status quo, had already been recognized by Plato, who in *The Republic* makes Socrates recommend against any change to the educational system, including the style of music and literature: "You should hesitate to change the style of your literature, because you risk everything if you do; the music and literature of a country cannot be altered without major political and social changes… it is here that our Guardians must build their main defenses" (125-6 [IV, 424c-d]).[19] As Attali notes, sovereign power and writing (music) have in fact had an intimate relation throughout history:

> The power to record sound was one of three essential powers of the gods in ancient societies, along with that of making war and causing famine … Recording has always been a means of social control, a stake in politics, regardless of the available technologies. Power is no longer content to enact its legitimacy; it records and reproduces the societies it rules. Stockpiling memory, retaining history or time, distributing speech, and manipulating information has always been an attribute of civil and priestly power, beginning with the Tables of the Laws. (87)

Recording, surveillance, stockpiling, censorship and surveillance are "weapons of power" because they provide the sovereign with "the ability to interpret and control history, to manipulate the culture of a people, to channel its violence and hopes" (7). In this sense, what truly defines sovereign power is not the ability to write and record in itself but

[19] As we will see in Chapter 5, the famed rivalry between Plato and Diogenes the Cynic can be understood as, perhaps, the first philosophical antagonism between sovereign reason (Plato) and noise (Diogenes).

rather the ability to impose its own writing, order and silence upon the rest of society so as to assure its continuation. In Attali's words, "Possessing the means of recording allows one to monitor noises, to maintain them, and to control their repetition within a determined code. In the final analysis, it allows one to impose one's own noise and to silence others" (87). Paraphrasing Carl Schmitt, sovereign is thus not, or at least not only, he who decides on what counts as noise, but he whose decision on what counts as noise and ought to be silenced, is absolutely and inescapably binding.

Seen in this light, Castellanos Moya's *Senselessness*, as well as the report he references, can be read as "writing" that neither partakes in the state's scriptural enterprise nor aims to produce or reproduce sovereign reason; writing, to paraphrase Walter Benjamin, that is neither order-making nor order-preserving but that rather produces noise and dissonance that introduce a reasonable senselessness in the scriptural enterprise and the state's sovereign reason.[20] This noise-producing writing that accounts for and reckons with the reasonable and thus strives, "across transactions and aporias, for *justice*" (Derrida, *Rogues* 159) is not identical to yet resembles Benjamin's "divine

[20] I am of course paraphrasing Walter Benjamin's distinction between mythic violence, which makes and preserves law, and divine violence, which deposes it: "Mythical violence is confronted by the divine. And the latter constitutes is antithesis in all respects. If mythical violence is lawmaking, divine violence is law-destroying; if the former sets boundaries, the latter boundlessly destroys them; if mythical violence brings at once guilt and retribution, divine power only expiates; if the former threatens, the latter strikes; if the former is bloody, the latter is lethal without spilling blood" (297). According to Giorgio Agamben, Carl Schmitt's theory of sovereignty, which I discussed in Chapter 2, can be read as a response to Benjamin's "Critique of Violence". If Benjamin's "divine violence" posit the existence of a pure violence beyond ends, calculation and sovereign reason, a violence that one can infer is legitimate even if evidently not legal, Schmitt's theory of sovereignty aims to negate this possibility by leading all violence back to the juridical context of the sovereign's decision on the exception. See Chapter 4 in Agamben's *State of Exception* for his full contextualization and reading of what he calls the Schmitt-Benjamin dossier.

violence" in the sense that both stand for the "brutal intrusions of justice beyond law" (Žižek, *Violence* 178).[21] It is, moreover, a type of writing that ought to be regarded as political activity in the sense Jacques Rancière gives to the term in *Disagreement*, namely, as what "shifts a body from the place assigned to it … makes visible what had no business being seen [and] makes understood as discourse what was once only heard as noise" (30).[22] It is, ultimately, the type of writing that enables Castellanos Moya to undertake a politico-ethical critique of sovereign reason, its counterinsurgent discourses and the cruel calculations it applies to the social; not incidentally, precisely the type of writing that the criminalization and barbarization of the insurgent, Rios Montt's moral discourse and Polín Polainas aim to silence.

Besides positing a critique of sovereign reason and the scriptural enterprise, Castellanos Moya's *Senselessness* also points, through its connection to madness and

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[21] Noise can be thought of as one of the conditions of possibility of divine violence since it introduces in the realm of mythical/objective violence the hidden and silenced knowledges that reveal injustices and wrongs, allowing thereby for the irruption of the reasonable and the possibility of pure violence.

[22] For Ranciere, politics only exists "when the natural order of domination is interrupted by the institution of a part of those who have no part" (*Disagreement* 11). Rancière opposes this conceptualization of politics and political activity to what he calls *the police,* which he uses, as in Ancient Greece, to refer to what normally goes by the name of politics, that is, the organization, distribution and control of territory, resources and population, and the processes that legitimize it, including, for instance, party-politics, elections and legislation. In this context, the state's scriptural enterprise should be regarded as an essential component of *the police* since it not only aims to legitimate the distribution and organization of power but also to produce and reproduce a specific configuration of what Rancière calls the distribution of the perceptible, that is, the "distribution and … redistribution of space and time, place and identity, speech and noise, the visible and the indivisible" (*The Politics of Literature* 4). In this sense, *Senselessness* should also be regarded as noise-producing writing that reconfigures the distribution of the perceptible by introducing hidden and silenced knowledges or, in Rancière's words, "new objects and subjects onto the common stage" (4). See Rancière's *Disagreement,* especially Chapters 1 and 2, for his elaboration (and implications) of the distinction between police logic and political (egalitarian and democratic) logic.

non-labor, to the emergence of new insurgent subjectivities that both echo and react against what can be called a shift in the locus of sovereignty from the strictly political to the economic.

4.5. Non-labor and the shift in the locus of sovereignty

Madness, as I discussed above, began to be perceived no longer as harmless inactivity but as a rebellious withdrawal from the world of order, reason and exchange with the rise of the industrial society that is, when "the definite social relation between men themselves … assumed … for them, the fantastic form of a relation between things," exchange-values took precedence over use-values, commodities over artifacts, and value became the representation of socially necessary labor-time, that is, "the labour-time required to produce any use-value under the conditions of production normal for a given society and with the average degree of skill and intensity of labour prevalent in that society" (Marx, *Capital* 165; 129). Madness had thus to be put away from plain view because it introduced a dangerous knowledge that pointed to a bygone era in which working was not the necessary condition for inclusion in the community of brothers. Madness was no longer perceived as resulting from invisible and unpredictable supra-natural forces that randomly fell upon a given subject, but rather as the very real consequence of not being able to partake in what made humans human: work, production and exchange. In other words, madness was no longer a hole into which the wicked and unlucky fell, but rather the growing abyss in the middle of the social into which almost everyone could potentially fall.

It is thus not a coincidence that the critical and subversive qualities of madness, as well as its potential disjoining of reason, work, order and exchange, resurface today in this allegedly post-political, post-ideological times in which the coupling of neo-liberal markets, financial capitalism and the increasing overlapping of sovereign and corporate reason are gradually placing everyone always-already in a relation of exception, "the extreme form of relation by which something is included solely through its exclusion" (Agamben, *Homo Sacer* 18). Indeed, up to the fall of the Berlin Wall, to signal one specific moment, sovereign reason and its right over life and death was mainly exerted from the political; that is, anyone was potentially included (at least discursively) in the community of brothers, regardless of class or level of participation in production and exchange, as long as he or she was ideologically in tune. In other words, as long as one was a pro-capital, free-marketeer in the West; a card-carrying member of the Communist Party in the Soviet Union; a maoist, cultural revolutionist in China; a Communist hater in Latin America; or a Guevarist-Fidelist in Cuba, sovereign protection was granted *regardless* of economic status.[23]

[23] As I argued in Chapter 1, minorities such as blacks in the U.S. or indigenous ethnic groups in Latin America were not perceived as true brothers; yet, within the framework of the ideological war that was the Cold War, even minorities were protected against the threat posed by other ideologies and politico-economic systems. For instance, the American government would protect blacks against a Soviet or Communist threat even if it discriminates against them within its own territory. This protection against "external" threats is no longer guaranteed since almost no government, regardless of ethnic or racial identity, cares to protect the poor and not so poor from financial global capital or corporate power, to name a few. For instance, poor whites and blacks alike are in the U.S. equally put in a relation of exception with regards to corporate power and financial global capital; inversely, rich blacks and whites alike are cared for and set as examples of fruitful citizenship and entrepreneurial success, President Barack Obama being a case in point.

Today, however, it is increasingly the market, financial-global capital and corporate reason that acephalically conduct what Friedrich Hayek called "cálculo de vida", that is, the decisions that sacrifice individual lives in order to preserve other, more important and meaningful, it must be concluded, lives. Moreover, given financial/global capitalism's drive for endless "progress" and ever-growing growth, disregard for the environment, continuous cycles of crises and sheer imposition of its mandates in the political sphere, almost everyone becomes potentially a *homo sacer* put in "a continuous relation with the power that banishes him precisely insofar as he is at every instant exposed to an unconditional threat of death" (Agamben, *Homo Sacer* 183). In other words, almost everyone is permanently exposed, if not already there, to the constant local and global threat of being put outside or beyond production, consumption and exchange, order, reason and civilization, and thus in the extramural realm of criminality, barbarism, animality and madness.[24]

Read in this light, Castellanos Moya's *Senselessness* ultimately points to the emergence of new or different insurgent subjectivities that both reveal and react against the shift in the locus of sovereignty from the political to the economic by means of which substantive participation in the community of brothers is determined less by political or ideological affinities than by the ability to partake in the capitalist market economy as

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[24] In *The Practice of Everyday Life*, Michel de Certeau argues that what is at stake in the scriptural enterprise's organization of life is "the relation between the law and the body … [which is] itself defined, delimited, and articulated by what writes it" (139). This law, he further indicates, is written on the body through various apparatuses and operations, from scarification and tattooing to handcuffs and the penal system. In this sense, too, the economic sphere is increasingly sovereign since it is the free-market, profit maximization and the (in)ability to consume, to name but a few, what organizes life and writes the body.

exchangers and consumers.[25] If in previous “revolutionary” literature insurgent subjects were to a large extent either (a) poor, disenfranchised peasants demanding full inclusion in the nation or rebelling against the disruption of their way of life by the intrusion of capitalism and the market, or (b) heroic middle-class, Guevara-like combatants that have somehow awaken from a bourgeois dream and acquired a new social conscience, in *Senselessness* the potential appearance of insurgent subjectivities arises instead from the mad person’s alleged incapacity for language and reason, and hence its capacity to disjoint the association between work, exchange, order and reason.[26]

Moreover, even if Latin American insurgents in recent decades did put into question the capitalist mode of production, opposing to it, for instance, collective or state ownership of the means of production, they did not put sovereignty itself into question; nor did they interrogate progress, production, work or exchange as ontological categories

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[25] This is not to say that economic reason has replaced political reason but, rather, that the former is increasingly taken over the latter as the determinant factor in the calculations the sovereign applies to the social. Moreover, it points to the locus from which sovereignty is being exercised, not presidential offices but corporate meeting rooms. This shift can be perceived in several more tangible examples, such as the relevance and ubiquity of economic sanctions against so-called rogue states such as Iran, Cuba or North Korea. Likewise, it can be perceived in the attempts to regulate the Internet and fight online trafficking in copyrighted intellectual property, such as the Stop Piracy Online Act introduced in the U.S. senate in 2011, and the recent capture in New Zealand, following an indictment filed in the United States on criminal copyright infringement charges, of Kim Dotcom, the owner of the on-line sharing site MegaUpload. Moreover, Dotcom’s capture was orchestrated and portrayed in the media as if he were an evil, violent, dangerous and morally lacking criminal. As a last example, the arrest of Julian Assange, editor in chief and founder of Wikileaks, in relation to a sexual assault investigation in Sweden was followed by a series of economic sanctions such as freezing or altogether shutting down Assange’s and Wikileaks’ bank accounts, and MasterCard, Visa and PayPal’s blocking donations to Wikileaks.

[26] Examples of previous “revolutionary” literature might include novels such as Carlos Montemayor’s *Guerra en el Paraíso* (1997), Manlio Argueta’s *Un día en la vida* (1980), Rosario Castellanos’ *Oficio de tinieblas* (1962) and Marco Antonio Flores’ *Los compañeros* (1976).

that organize the social and/or give life purpose and meaning. *Senselessnes*s, instead, suggests the possibility of a space not only beyond production and exchange but also beyond sovereign reasons' relation of exception, a space made possible by appropriating the silenced and hidden knowledges revealed by a certain "mind incompleteness" that allows for embracing "los sueños [que siempre] allí están todavía."

The Guatemalan Javier Payeras also explores the potentialities opened up by idleness and non-labor in his short novel *Ruido de fondo*, which more than a plot-driven story is a collection of more or less unconnected vignettes that present a fragmentary and critical account of the 1980s and 90s in Guatemala from the perspective of an unemployed, middle-class young adult in the early 2000s. The novel's narrator, who is passing through what he describes as the "crisis de los 30" (30), portrays himself as a hopeless, disenchanted and dissatisfied individual who despises almost everything about the city and the country in which he lives, particularly the political system and the self-imposed silence about the country's history. This feeling of estrangement is in great part the result of the free time he has been prescribed by sovereign economic reason, which has put him in a relation of exception. Yet, despite his disenchantment and the relation of exception in which he has been living for the past six months—or, perhaps, precisely because of this—he regards himself as "un hombre digno que busca trabajo" (59), someone for whom unemployment and idleness does not imply a descent into disorder, unreason or barbarism; as he notes, "la sociedad tiene la obligación de respetarme" (59), not because he is or is not employed but just because he *is*.

Leaving aside the pragmatic consequences of being out of work, which the narrator does recognize and fear, unemployment and idleness in Payeras' novel give way

to a different configuration of life, one in which being placed outside the realm of work, production and exchange enables the narrator to see these as what they truly are:

> [Es] miserable ver pasar la vida desde un trabajo estable … y a cambio de esas horas desagradables te dan un seguro social miserable, un cheque magro y un lugar para ver caer la vida. La vida se puede ir viendo como cambia una pared, saludando personas desde un escritorio, subiendo y bajando un ascensor, puliendo el mismo piso mugroso y no vales eso, y te hacen creer que si lo haces bien mañana todo será mejor, y no acaba, no acaba, todo sigue. (62).

Moreover, the narrator's idleness and available time allow for the reemergence of silenced memories so as to turn what the scriptural enterprise deems as inconsequential *ruido de fondo*—the armed conflict and the politico-economic realities that originated it—into noise-producing writing that reveals the degree to which the urban middle-class, in its overwhelming majority, internalized the scriptural enterprise's imposed silence and chose to ignore or altogether deny the state's brutal counterinsurgency tactics and the war itself. As the narrator indicates, "El conflicto armado, no lo vi, no lo viví, no me interesó… hablar de guerrilla en la casa era prepararse para la rabia histérica de mi madre, que odiaba a los guerrilleros sobre todas las cosas" (22); or "En la universidad no se hablaba de guerra, se hablaba de libre mercado, los catedráticos no tocaban el tema … Mis compañeros parecían felices así: salían a bailar, a chupar, a dejarle su dinero a las putas" (23). This silence, the narrator also notes, leads to delusion, deceit or frustration: "Algunos se consuelan con una memoria limpia; otros con lo que pueden inventar; otros no sabemos cómo" (26). It is the narrator's incapacity to find solace, his not knowing how to or where to look for comfort after having become aware of his own complicit silence, that motivates him to egg on his fantasies, to chase *los sueños [que siempre] allí están todavía*: "Siento hambre porque quiero sentirla. El hambre se quita de muchas

maneras, pero el hambre que siento no logro quitarla, es el berrinche de vivir el que nos condena a los desocupados, a los inútiles, a seguirle dando cuerda a nuestra fantasías, el triunfo de estar sentado bebiendo café y pensando en mí mismo" (62). The "triumph", however, is not about having time to drink coffee and think, but is rather related to the realization that life and dignity cannot and should not be reduced to order, production and exchange.[27]

In his discussion of the state's scriptural enterprise, Michel de Certeau notes that "'something' *different*" speaks and presents itself to the masters in the various forms of non-labor" such as the savage, the madman, the child, the animal and, as we will see in the following chapter, the ghost or any other entity that lingers between life and death, including memory. "Here," de Certeau suggests, "we see a kind of speech emerging or maintaining itself, but as what 'escapes' from the domination of a sociocultural economy, from the organization of reason, from the grasp of education, from the power of an elite and, finally, from the control of the enlightened consciousness" (*The Practice* 158). In Castellanos Moya's *Senselessness*—and the same could be said of Payeras' *Ruido de fondo*—we see this speech emerging but the space beyond exchange and sovereign reason to which it points remains only a possibility. Even if the novel's narrator welcomes the incalculable of the reasonable by withdrawing himself from work, exchange and sovereign reason, it is more a gesture than a fully articulated act, perhaps

[27] As we will see in the following chapter, *dignity* is a central tenant in the Zapatistas' political experiment and discourse where it is used precisely in the sense of life as irreducible to the calculations of the market, production, exchange and (sovereign) reason.

the necessary first step towards the task that, according to Attali, would allow society to move beyond the alienation of exchange, production, usage and goals set in advance:

> Political economy wants to believe, and make others believe, that it is only possible to rearrange the organization of production, that the exteriority of man from his labor is a function of property and is eliminated if one eliminates the master of production. It is necessary to go much further than that. Alienation is not born of production of exchange, nor of property, but of a usage: the moment labor has a goal, an aim, a program set out in advance in a code—event if this is by the producer's choice—the producer becomes stranger to what he produces. He becomes a tool of production, itself an instrument of usage and exchange, until it is pulverized as they are. (134-5).

Attali gives the name *composition* to this potential space or, to use his term, network beyond exchange, production, usage and goals set in advance.[28] This space/network, Attali holds, would call into question "the distinction between worker and consumer," take pleasure "in use-time and exchange-time as lived and no longer as stockpiled" and invent a new code, message and language, which in turn would "create

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28 In Attali's analysis, *composition* is, as a coming possibility, the fourth network that organizes the political economy of music after *sacrificial ritual*, *representation* and *repetition*. It is impossible to summarize Attali's full argument here but suffice it to say that *sacrificial ritual* pertains to the order of myth and symbolism, to pre-economic times when music was just a part of everyday life; *representation*, in turn, arises with competitive capitalism and the industrial society, accordingly, music thus becomes a spectacle organized for profit and attended communally at specific places, and performers and composer become producers of a particular kind that are paid in money; and *repetition*, which appears at the end of the nineteenth century with the advent of recording, coincides with mass-production and the assembly line. In this latter network, consumption of music is individualized through phonographs, the radio, television and, later on, tape, VHSs, DVDs and today's iPod. What makes Attali's analysis relevant besides music itself is that he also discusses how each network implies and reflects a specific mode of power. For instance, "The mode of power implied by repetition, unlike that of representation, eludes precise localization; it becomes diluted, masked, anonymous, while at the same time exacerbating the fiction of the spectacle as a mode of government … The political spectacle is merely the last vestige of representation, preserved and put forward by repetition in order to avoid disturbing or dispiriting us unduly. In reality, power is no longer incarnated in men. It is. Period" (88). For Attali, music is of particular interest because it enables us to see the development of political and economic changes before they materialize in the political or economic spheres.

the conditions for new communication" and enable the emergence of "self-transcendence, pleasure in being instead of having [and] a new form of socialization, for which self-management [autonomy] is only a very partial designation" (134-5).[29] This, Attali recognizes, would be a truly subversive act given that in *composition*

> It is no longer … a question of marking the body; nor is it a question of producing it … It is a question of taking pleasure in … an exchange between bodies—through work, not through objects. This constitutes the most fundamental subversion we have outlined: to stockpiled wealth no longer, to transcend it, to play for the other and by the other, to exchange the noises of bodies, to hear the noises of others in exchange for one's own, to create, in common, the code within which communication will take place. (143).

This potential space/network beyond exchange, production, usage and goals set in advance would moreover lead to "a staggering conception of history, a history that is open, unstable, in which labor no longer advances accumulation" and "stability, in other words, differences, are perpetually called into question" (147).

Attali's *composition,* as well as Castellanos Moya's *Senselessness,* ultimately seems to suggest the possibility of an *other* reason, one that moves beyond sovereign reason, the reason of the strongest, and is thus able to account for and reckon with the incalculability and "senselessness" of the reasonable. As such, both *composition* and

[29] Attali, however, warns against the attempting to organize the repetitive economy in a new way since "the self-management of the repetitive is still repetitive" (137). More emphatically, he also cautions, decades before iPods and Facebook, against what he calls the trap of false liberation: "inducing people to compose using predefined instruments cannot lead to a mode of production different from that authorized by those instruments. That is the trap. The trap of false liberation through the distribution to each individual of the instruments of his own alienation, tools for self-sacrifice, both monitoring and monitored" (141). Attali rather indicates that *composition* is about recuperating not the product of one's labor, but labor itself, which should "be enjoyed in its own right, its time experienced, rather than labor performed for the sake of using or exchanging its outcome" (142). The increasing number of educated young people going back to farming in the U.S., for instance, points to this coming yet unforeseeable network since they do not do so motivated by profit and exchange but rather by politico-ethical reasons.

senselessness can be read as positing a reason that lets itself be reasoned with, that is, the type of reason Derrida argues for in *Rogues* and succinctly articulates in the book's very last sentence: "a reason must let itself be reasoned with" (159). Derrida's dictum not only suggests that there is a multiplicity of reasons, but also that they must remain irreducible to one. These multiple reasons, untranslatable to each other, must moreover remain in a continuously aporetic relationship by means of which each reason must let itself be reasoned with by being hospitable to the incalculable possibilities of other reasons, thereby making reason not what sets the rule, determines law or sutures the social but rather what makes sure that rules, laws and the social itself remain unconditionally open to further reasoning. Not reason as the forceful law of the strongest that imposes its order and calculations and thus silences and erases all reasonable reasons, but reason as noise, as the reasonable senselessness that constantly questions itself: not a doing away of reason as such, but a doing away of *that* reason that does not let itself be reasoned with. In other words, what Derrida seems to indicate is the need for the unconditional hospitality to an incalculable multiplicity of reasons as the only calculable condition of possibility of reason as such; and this, moreover, must not be the exception but the rule. Even if Attali's *composition* and Castellanos Moya's *senselessness* do point to the possibility of a reason that lets itself be reasoned with, they do not articulate what this reason might look like, nor do they state, explicitly or implicitly, that this reason *other* would necessarily postulate and/or be enabled by a sovereignty that would also let itself be reasoned with, which, as Derrida seems to acknowledge, might as well be a contradiction in terms: "a pure sovereignty is indivisible or it is not at all, as all the theoreticians of sovereignty have rightly recognized" (*Rogues* 101).

In the following chapter, Derrida's skepticism notwithstanding, I will explore this possibility of a sovereignty that lets itself be reasoned with and a space/network beyond exchange, production, usage and goals set in advance hinted by Attali's *composition* and Castellanos Moya's *senselessness.* I will do so by examining political and literary texts written by the Mexican Zapatistas who, even if remaining within the constraints of sovereign reason as we know it, appear to be positing a conceptualization of sovereignty and the political that seems largely *other*, as one of their mottos, *mandar obedeciendo* (to command by obeying) suggests. Moreover, I will try to show that the insurgent specificity of Zapatista discourse, which allows them to advance a largely *other* sovereign reason, derives mainly from two elements: (1) the recuperation in their political discourse of the ancient tradition of Cynicism—a tradition not incidentally related to madness, animality, mockery and barbarism—and their use of *parrhēsia,* which entails telling the truth from a position of inferiority and under the threat of violence; and (2) the prominence given in their literary discourse to animals, children, the old and the not-quite-dead (ghosts, specters, memories), which are, as I mentioned above, subjectivities that cannot easily be incorporated into production and exchange, or normalized by the scriptural enterprise.

Chapter 5

The Inconvenience of Revolution:
Zapatismo, Cynicism and the Idea of Dignity

> Objection, evasion, joyous distrust, and love of irony are signs of health; everything absolute belongs to pathology
>
> Nietzsche, *Beyond Good and Evil*

> Our position is that of combatants between two worlds—one that we don't acknowledge, the other that does not yet exist.
>
> Raoul Vaneigem, *Situationist International*

On January 1, 1994, the day the North American Free Trade Agreement (NAFTA) went into effect, San Cristóbal de las Casas—a touristy, colonial, middle-sized city in the southernmost Mexican state of Chiapas—woke up to a sight no longer thought possible, a sight that not only shattered the optimism and self-confidence of the Mexican state and the political and economic elites, but also revealed a reality the Mexican State was only too eager to deny or, at least, disguise: the extreme poverty and marginalization of large segments of the Mexican population, particularly those in rural areas. More than a thousand armed men, mostly indigenous peasants wearing ski masks (pasamontañas) covering their faces, had taken over the city during the early morning. At some point during the day, after identifying themselves as the Ejército Zapatista de Liberación Nacional (EZLN—The Zapatista National Liberation Army) and releasing their first

communiqué, a masked man carrying a machine gun and appearing to be one of the leaders of the uprising was speaking in front of cameras surrounded by a crowd torn between feeling surprised or afraid. Raising his voice, a clearly annoyed tourist guide was trying to explain that he had to take some tourists to see the ruins of Palenque, a major Mayan archeological site some six hours away by bus from San Cristóbal, and needed to leave the city immediately. The masked man, who later became known as Subcomandante Marcos, calmly answered: "The road to Palenque is closed. We have taken Ocosingo [a town on the way to Palenque]. We apologize for any inconvenience but this is a revolution."[1]

The "inconvenience" was especially and profoundly felt in Mexico City, where the political and economic elites—the Mexican Grand Inquisitors and their associates, as we will see in brief—were celebrating the free-trade agreement that was going to finally give Mexico the opportunity to enter the exclusive club of developed nations. The Zapatista "inconvenience" ruined their party by clearly showing the exclusion, poverty and oblivion of Mexico's indigenous population. As John Womack noted, "A public hoping through NAFTA to establish itself in 'the First World' suddenly had to recognize how deeply a part of 'the Third World' it also remained" ("Chiapas" 44).

The Zapatista "inconvenience" was able to articulate a silenced, hidden and unwelcomed truth that introduced noise in the Mexican scriptural enterprise and questioned Mexican sovereign reason. Even if this unwelcomed truth was first articulated violently by taking several cities by the force of arms, the Zapatista "inconvenience" has

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[1] This anecdote is recollected, for instance, in Manuel Vázquez Montalbán, *Marcos: El señor de los espejos*, 81-2. According to Jeff Conant, it was originally reported in the British newspaper the *Guardian* on January 5, 1994 (see Conant, *A Poetics of Resistance,* 52 and note 4, Chapter 2).

ever since been almost exclusively articulated as a politico-literary discourse; that is, the word has overtaken the function that weapons initially had or, as the Zapatistas themselves say, their word is now their weapon.[2]

Much has ben written about the Zapatistas and Marcos, their most famous spokesperson and promoter.[3] Yet, as Mihalis Mentinis suggests in *Zapatistas: The Chiapas Revolt and What It Means for Radical Politics,* the four most common approaches to the Zapatista revolt—"the Gramscian approach, Laclau and Mouffe's theory of discourse, academic 'autonomist Marxist' perspectives, and non-academic left and radical left approaches" (31)—are either unable to theoretically account for what he calls "the unique character of the Zapatista rebellion," or end up trivializing or

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[2] In January, 1999, in a letter addressed to Guadalupe Loaeza from the Mexican newspaper *Reforma,* Marcos noted the benefits of the word as weapon: "Somos pobres, sí; pero viera usted que nuestra pobreza es más rica que la pobreza de otros y, sobre todo, más rica que la que teníamos antes del alzamiento. Y es que ahora nuestra pobreza tiene mañana. ¿Por qué? Bueno, porque hay algo muy importante que no teníamos antes del alzamiento y ahora se ha convertido en nuestra más poderosa y temida (por nuestros enemigos) arma: la palabra. Viera usted qué buena es esta arma. Es buena para combatir, para defenderse, para resistir. Y tiene una gran ventaja sobre todas las armas que tiene el gobierno, sean sus militares o paramilitares, ésta no destruye, no mata" (*Detrás de nosotros estamos ustedes* 42). In Marcos' account, the word is not only ethically superior to the government's deadly weapons, but also what enables the Zapatistas to be finally heard as speaking subjects.

[3] For an insightful review and critique of some of the major positions and interpretations on the Zapatista uprising, see Mark T. Berger, "Romancing the Zapatistas." For a historical analysis of the Zapatista uprising, including commentary on important Zapatista communiqués and relevant historical documents dating back to 1545, see Womack, *Rebellion in Chiapas: a Historical Reader*. For an analysis of the origins and first years of the EZLN uprising, see Womack, "Chiapas;" Mentins, *Zapatistas* (chapter 1), Khasnabish, *Zapatistas* (chapter 1), Burbach, "Roots of the Postmodern Rebellion in Chiapas" and Montemayor, *Chiapas* (chapters 5 and 6). For a recopilation of important Zapatista communqués and other writings from 1995 to 2001, including selections of Marcos' more literary works, see Marcos, *Nuestra arma es nuestra palabra*. For insightful interviews with Marcos, see Manuel Vázquez Montalbán, *Marcos: El señor de los espejos,* and Yvon Le Bot, *El Sueño Zapatista*. For an overview of the EZLN's internal organization, see Hernández, *EZLN: Revolución para la revolución (1994-2005)*, chapter 3.

romanticizing both the Zapatista practices and ideological principles. The problem with these analyses, Mentinis argues, is that they tend to apply ready-made theories and, consequently, end up seeing the Zapatista uprising, ideology and practices as the materialization of a preconceived theoretical framework and thus as a case study.[4]

My aim in this chapter, besides trying to avoid any type of idealization of the Zapatista uprising, is to show the insurgent specificity of Zapatista discourse by combining the analysis of literary and political texts. For this purpose, I will focus on three aspects of Zapatista practices and discourse that seemed to me to have been understudied or largely overlooked: (1) the Zapatista reappropriation of certain practices and attitudes of ancient Cynicism—a tradition not incidentally related to madness, animality, mockery and "barbarism"; (2) the Cynic's particular use of *parrhēsia,* which entails telling the naked truth from a position of inferiority and under the threat of violence; and (3) the prominence given in their literary discourse to animals, the old and the not-quite-dead (*i.e.*, ghosts and memory), which concurrently makes evident and reacts against the displacement of the locus of sovereignty I discussed in Chapter 4 from the purely political to the economic by means of which inclusion/exclusion in the community is less determined by political participation or affiliation than by the subjects' capacity and ability to partake in the process of production, exchange and consumption.[5]

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[4] See Chapter 2 for Metinis's discussion and critique of these four approaches. Also, see chapter 1 for a detailed chronological account of the Zapatista uprising from 1994 to 2001, see Mentinis, *Zapatistas,* chapter 1.

[5] As I also mentioned in Chapter 3, the shift in the locus of sovereignty does not imply that economic reason has replaced political reason but, rather, that the former is increasingly taken over the latter as the determinant factor in the calculations the sovereign applies to the social. Moreover, it points to the spaces from which sovereignty is being exercised, not presidential offices but corporate meeting rooms. Not incidentally, the Zapatistas took up arms against neoliberalism and globalization.

Based on these three aspects of Zapatista discourse and practices, and the examination of two of their mottos—*mandar obedeciendo* and *preguntando caminamos*—and one Idea—the Idea of dignity— I will suggest that the Zapatistas uprising can be understood as a critique of sovereign reason *and* as a positing of a reason that, if not entirely other, moves sufficiently beyond sovereign reason as to enable to envision the possibility of, to paraphrase Jacques Derrida's formulation, a reasonable sovereignty that lets itself be reasoned with.[6]

5.1. Sovereign utterances and *parrhēsia*: who should ask for pardon?

As we know, "to apologize" entails offering an excuse for some fault, insult, failure, or injury, that is, for doing or saying something one is not supposed to do or say, something that goes against the normal state of affairs, the moral standards and perhaps even against the law. In this sense, the Zapatista apology for revolution is clearly ironic. The Mexican government, however, seems to not have noticed the ironic undertone. On January 12, 1994, Mexican President Carlos Salinas de Gortari declared a unilateral ceasefire the Zapatistas promptly accepted.[7] Moreover, Salinas announced that Zapatista combatants would be granted pardon: "Reitero que aquellos que hayan participado por presión o desesperación, y que ahora acepten la paz y la legalidad encontrarán perdón" (quoted in

[6] Derrida's orginal formulation reads "a reason that lets itself be reasoned with" (*Rogues* 159). See Chapter 4 of this work for a discussion of Derrida's dictum.

[7] The ceasefire was more a political than a military decision. By that day, the Zapatistas had already been forced to retreat and were clearly in a defensive position. Yet, a brutal counterinsurgency campaign like the ones conducted by the Peruvian or Guatemalan states would have sent the wrong message given the recent coming into effect of NAFTA. Moreover, Mexican civil society had taken to the streets in support of the Zapatistas, but they had also made it clear that they were against any type of war. Being an electoral year, Salinas opted to listen.

Montemayor, *Chiapas* 56).[8] Salinas' sovereign decision to grant the Zapatistas pardon is, as with any sovereign decision, a performative utterance that changes the reality it is describing and whose consequences are allegedly known in advance. In this case, when Salinas said that the Zapatistas would be granted pardon he was already pardoning them; the Zapatistas, in turn, were expected to go along with the sovereign's decision, accept his pardon and apologize in earnest for the inconvenience.

Yet, as Jacques Lezra notes in *Wild Materialism*, his analysis and critique on the temporal conditions and horizons of sovereignty, the sovereign utterance is not only performative but also indeterminate and thus subject to verification in the future, which is precisely what allows for the possibility of resistance:

> A sovereign decision … is both a performative act or utterance … and an indeterminate act or utterance subject to veridification, neutral (for now and for us) with respect to its truth value. Such acts … are always, as to their *logical* structure, future-contingent propositions. And from this double aspect—performatives haunted by their veridification, *nomos* by *physis*—infelicities and unpredictabilities threaten the 'new' dimension of effective power. Unless I, or the group of which I am a part, have providential insight … unless politics is, in short, also and necessarily a theology, matters could turn out otherwise that I, or the group of which I am a part, decide, describe, or dispose. Here intervenes the possibility of resistance; there, a contingent matter: the weather delays the sea battle that I, or we, ordered for tomorrow. (99)

[8] As Conant notes in *A Poetics of Resistance*, the problem seen from the government's perspective "is not that they have committed a crime of which they need to be pardoned—this assumes that they are a consenting part of the dominant society. The problem is that they fail to recognize the authority of the state" (187). What the Zapatistas failed to recognize was the protection-obedience principle in which sovereignty is grounded. It is the breaching of this principle, and not the uprising itself, that the sovereign pardons. As we will see in short, it is precisely the justness of this breaching that the Zapatistas assert in their response to the sovereign.

In the Zapatista case, it was not the weather that introduced a contingent but rather the Zapatistas' own determination to resist, challenge and perhaps even subvert sovereign reason.

Indeed, days later, on January 18, Marcos responded on behalf of the EZLN to the government's offer of pardon by publishing in various Mexican newspapers what Carlos Montemayor called "uno de los comunicados más elocuentes en la historia de los movimientos armados de México" (*Chiapas* 56). The communiqué, entitled "¿Quién debe pedir perdón y quién lo debe otorgar?," not only stated many of the reasons behind the Zapatista uprising—poverty, exclusion, oblivion, injustice—but also introduced an unexpected contingent in the indeterminate space of resistance Lezra speaks of; a contingent that was able to shatter the performative utterance of the sovereign by asking:

> ¿De qué tenemos que pedir perdón? ¿De qué nos van a perdonar? ¿De no morirnos de hambre? ¿De no callarnos en nuestra miseria? ¿De no haber aceptado humildemente la gigantesca carga histórica de desprecio y abandono? ¿De habernos levantado en armas cuando encontramos todos los otros caminos cerrados? ¿De no habernos atenido al Código Penal de Chiapas, el más absurdo y represivo del que se tenga memoria? ¿De haber demostrado al resto del país y al mundo entero que la dignidad humana vive aún y está en sus habitantes más empobrecidos? ¿De habernos preparado bien y a conciencia antes de iniciar? ¿De haber llevado fusiles al combate, en lugar de arcos y flechas? ¿De haber aprendido a pelear antes de hacerlo? ¿De ser mexicanos todos? ¿De ser mayoritariamente indígenas? ¿De llamar al pueblo mexicano todo a luchar, de todas las formas posibles, por lo que les pertenece? ¿De luchar por libertad, democracia y justicia? ¿De no seguir los patrones de las guerrillas anteriores? ¿De no rendirnos? ¿De no vendernos? ¿De no traicionarnos? ¿Quién tiene que pedir perdón y quién puede otorgarlo? ¿Los que durante años y años se sentaron ante una mesa llena y se saciaron mientras con nosotros se sentaba la muerte, tan cotidiana, tan nuestra que acabamos por dejar de tenerle miedo? … ¿Los que nos negaron el derecho y don de nuestras gentes de gobernar y gobernarnos? ¿Los que negaron el respeto a nuestra costumbre, a nuestro color, a nuestra lengua? ¿Los que nos tratan como extranjeros en nuestra propia tierra y nos piden papeles y obediencia a una ley cuya existencia y justeza ignoramos? ¿Los que nos torturaron, apresaron, asesinaron y desaparecieron por el grave "delito" de querer un

> pedazo de tierra, no un pedazo grande, no un pedazo chico, sólo un pedazo al que se pudiera sacar algo para completar el estómago?
> ¿Quién tiene que pedir perdón y quién puede otorgarlo? (Marcos, "¿Quién debe…?" 39-40)

The Zapatista response to the sovereign's pardon is, more than an eloquent justification for the uprising, a speech act hurled against the powerful that not only denounces the injustices committed against Mexico's indigenous peoples but also announces their determination to resist by uncovering the cynicism inherent to neo-liberal capitalism and sovereign reason.

The Zapatista response, moreover, does not simply reject the government's official pardon or invert the roles of the sovereign relation; instead, the response altogether refuses to enter into the sovereign relation. In fact, the response, even if addressed to the sovereign, is not intended to him since no one expects an answer from him or, in any case, his answer is known in advance. As such, the sovereign is not the interlocutor of the Zapatista communiqué; he is just the medium to reach others, show them the naked truth, and urge them to jointly change the social contract.

The Zapatista refusal to enter the sovereign relation, its refusal to simply accept the sovereign's pardon, brings to mind one of the most famous anecdotes attributed to Diogenes of Sinope, the paradigmatic Cynic.[9] As the story goes, Alexander the Great, who had heard talk about Diogenes and wanted to meet him, found him one day sunning himself in the outskirts of Corinth. Alexander, the sovereign par excellence, asked

[9] For a comprehensive account, inasmuch as this is possible (as I will in brief explain), of Diogenes of Sinope and the origins, conceptual framework and legacy of Cynicism, see Navia, *Diogenes of Sinope: The Man in the Tub;* for Cynicism's influence from ancient Greece up to the Enlightenment, see Branham and Goulet-Cazé, eds., *The Cynics: The Cynic Movement in Antiquity and Its Legacy*; for an unsympathetic account of Diogenes and Cynicism in general, see Sayre, *Diogenes of Sinope.*

Diogenes if there was anything he could do for him. Diogenes, apparently without thinking it twice, told Alexander to stand less between the sun and him, adding afterwards that he was taking from him what he couldn't give: sunlight. With this gesture, Diogenes not only refuses what the sovereign stands for—power, authority and prestige, to name a few—but, more importantly, rejects sovereign reason itself.[10] Obvious differences notwithstanding, both responses—the Zapatista response to Salinas and that of Diogenes to Alexander—share a rebellious spirit and attitude as well as a common grammar and logic. Both, moreover, are the answer of someone who has become aware of the instrumentality intrinsic to sovereign reason, knows there is nothing power can offer him or her and thus refuses to obey. Both are, ultimately, the gesture of someone who is not afraid to die anymore.

[10] There are various anecdotes about Diogenes' life that express and help understand the essence of Cynicism. For instance, it is said that when Plato defined man as a "featherless biped," Diogenes plucked a chicken and, setting it free, declared, "Behold, I bring you a man." Plato had thus to add "with flat nails" to his definition. Likewise, Diogenes presumably farted during Plato's exposition of his theory of ideas and masturbated in public as an answer to Plato's theory of Eros. Diogenes' behavior led Plato to refer to Diogenes as a "Socrates gone mad", which, even if intended as an insult, Diogenes probably took as a compliment. In any case, the recurrence of Plato in anecdotes related to Diogenes is not incidental, as Robert Branham notes: "The tradition designates [Plato], the paradigmatic metaphysician and plutocrat, as a kind of antitype to the Cynic. As such he is a useful tool for defining the Cynic stance by contrast and juxtaposition … If Plato's paradigm is that of philosophy as *theōria* and the philosopher as a spectator of time and eternity, uniquely able to rise above time and chance, Diogenes' is just the opposite—the philosopher of contingency, of life in the barrel, of adapting to the données of existence, of minimal living. On this view philosophy is not an escape from but a dialogue with the contingencies that shape the material conditions of existence … Unlike the metaphysicians of the day, Plato being the prime example, Diogenes was content to derive his thinking directly from his social—or, in his case, antisocial—practice without grounding it in a metaphysical domain remote from experience" ("Defacing the Currency" 87-8). Deriving thought from practice as well as the absence of teleological constructs are key elements in the Zapatista conceptualization of insurgency and the political, as should become evident in what follows.

The Greeks called this type of speech *parrhēsia*, and regarded it as essential for political life. In this speech act or "discourse of injustice proclaimed by the weak against the powerful," Michel Foucault notes in *The Government of Self and Others,* "there is at once a way of emphasizing one's own right, and also a way of challenging the all-powerful with the truth of his injustice" (133).[11] More than free speech pure and simple, *parrhēsia* was regarded as a modality of truth telling linked to courage in the face of danger because it necessarily involved a speaker who was less powerful than his or her interlocutor and therefore in a position of inferiority. Because he or she telling the truth could have chosen to remain silent, secure and alive, *parrhēsia* can be considered as an ethical choice by means of which the speaker *chooses* to speak the truth *in spite of* the risk it involves. As Foucault notes in *The Courage of Truth,* for there to be *parrhēsia*

> The subject must be taking some kind of risk [in speaking] this truth which he signs as his opinion, his thought, his belief, a risk which concerns his relationship with the person to whom he is speaking. For there to be *parrhēsia,* in speaking the truth one must open up, establish, and confront the risk of offending the other person, of irritating him, of making him angry and provoking him to conduct which may even be extremely violent. So it is the truth subject to risk of violence. (11)

In other words, for the parrhesiast, for he or she using *parrhēsia,* telling the truth ultimately entails the possibility of death. Seen in this light, *parrhēsia* interrupts the sovereign's performative utterance and the normal state of things by suspending the usual, expected consequences of the sovereign utterance. As such, *parrhēsia,* just like the *reasonable senselessness* I discussed in Chapter 4, interrupts the verification of the

[11] Michel Foucault discussed *parrhēsia* mostly in his later work; see his *Discourse and Truth: the Problematization of Parrhēsia, The Government of Self and Others*, and *The Courage of Truth.*

sovereign's performative and indeterminate utterance by introducing silenced truths that cannot be foreseen, calculated or codified.

In Diogenes' case, this risk involved the possibility of unleashing Alexander's rage. In the Zapatistas' case, the armed uprising invited the Mexican Armed Forces violent reaction and, even if active combat has been kept to the minimum because of the armistice, the Zapatistas have been ever since living in their communities under the permanent threat of an attack, of death. By relating the Zapatistas with Diogenes' Cynicism and use of *parrhēsia* I do not intend to suggest that Zapatismo is a modern (even less postmodern) version of Cynicism or that the Zapatistas are some sort of reincarnation of the Cynics—the differences between the ancient Cynics and the Zapatistas are in any case self-evident. What I am instead suggesting is that Zapatismo seems to recuperate and reinterpret, perhaps unknowingly, certain traits, attitudes and gestures of Cynicism that not only give Zapatismo its ironic, sarcastic and even carnivalesque feel, but that also make it readable within the Western tradition of political thought. Besides, the word Cynic derives from *κύων,* the ancient Greek for dog, and Cynicism from *κυνικός* or dog-like.[12] Living the life of a Cynic thus meant living life as a dog, which relates Cynicism to madness via the association of the latter with animality, as I discussed in the previous chapter.[13] And just like the mad from early modernity on, the Cynic was also regarded as a burden on society and a menace for the status quo.

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[12] See Henry George Liddell and Robert Scott, A Greek-English Lexicon (http://www.perseus.tufts.edu/).

[13] Diogenes called himself the Dog. For instance, it is said that when Diogenes first met Alexander the Great, the former asked the latter who he was, and Alexander replied, 'I am the great King Alexander.' Diogenes, without waiting for Alexander's question, in turn said, "I will tell you who I am; I am Diogenes the Dog."

The Cynic element or attitude and the use of *parrhēsia* are perhaps more evident or clearly identifiable in Marcos' literary works, in which they are introduced or embodied by a set of personas or characters that share with the mad (as in Horacio Castellanos Moya's *Senselessness*) and the ghost (as in Julio Ortega's "Adiós Ayacucho) the ability to potentially escape the dictates of sovereign reason and the scriptural enterprise. Either because of their immateriality (ghosts and memory), their physical limitations (the old) or their incapacity for reason (animals), these insurgent subjectivities cannot easily (a) be coopted by the scriptural enterprise, (b) incorporated into the logic of the market and the process of production-exchange-consumption and/or (c) make the calculations required to submit to the unlimited obedience required by boundless sovereignty. These subjectivities, moreover, both react to and make evident the increasing shift in the locus of sovereignty from the political to the economic and, in the case of Marcos' more literary writings, help elucidate various aspects of the Zapatista critique of neoliberalism, sovereign reason and state power.[14]

[14] It could be possible to speak of Marcos' literary discourse as a case of minor literature, as conceptualized by Gilles Deleuze and Félix Guattari in *Kafka: Toward a Minor Literature*: "The three characteristics of minor literature are deterritorialization of language, the connection of the individual to a political immediacy, and the collective assemblage of enunciation. We might as well say that minor no longer designates specific literatures but the revolutionary conditions for every literature within the heart of what is called great (or established) literature" (18). Marcos' literary texts do reflect the use the indigenous people make of Spanish, which modifies and deterritorializes the latter, are clearly political and speak in the name of a collectivity. The problem with Deleuze and Guattari's conceptualization, however, is that conceptualizing a literary discourse as minor literature seems to reduce said discourse to a mere formalistic definition, to a calculation, by stripping it from its political potentialities outside the literary discourse itself.

5.2. Ghosts, beetles and *mētis*

The novel *Muertos incómodos: falta lo que falta*, co-written by Marcos and Paco Ignacio Taibo II, was originally published in weekly installments in the Sunday cultural supplement of the Mexican newspaper *La Jornada* from November 2004 to February 2005. Each week, one of the authors wrote a chapter of the novel and handed it over to the other author, who then wrote the next chapter in response.[15] As it turned out, the odd-numbered chapters were written by Marcos and the even-numbered by Taibo, who also added an epilogue.

Many reviews and critiques of the novel focus on Marcos' literary shortcomings as a novelist or the novel's unpolished quality.[16] Circumscribed by time and the self-imposed improvisational nature of the project, the novel does feel rushed; moreover, Marcos' writing, on a pure formalistic level, seems better suited for short stories, fables and communiqués. Yet, these critiques, valid as they might be, overlook precisely what makes the novel worth examining. *Muertos incómodos* is clearly an experimental project that, just like the Zapatista uprising, has no outline, set storyline or pre-determined ending. The novel was, instead, improvised as it was being written, in a manner that aimed to capture the dialogic nature of the Zapatista revolt and their openness to

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[15] Niamh Thornton notes that the only guidelines, according to Taibo's version, were set by Marcos in a letter suggesting him to "write a police (detective) novel with four hands in two different places and distances, improvising (along the way) as if it were a Ping-Pong game but with words instead of balls" (504).

[16] For a favorable review of the novel, see Jesús Lens Espinosa de los Monteros, "Muertos incómodos" (Web: 16 Sep, 2011); for a negative one, see Fernando García Ramírez, "Muertos Incómodos" (Letras Libres; Web: 16 Sep, 2011); and Andrey Slivka, "Leftist Noir" (New York Times; Web: 19 Nov. 2011). For more academic critiques of the novel, see Niamh Thornton, "From the City Looking Out, Out of the City Looking In"; and Kristen Vanden, "Cambios y constantes en la narrativa del Subcomandante Marcos."

alternative ways of thinking, seeing, being and feeling. As a result, the novel is constructed in a way that mirrors the Zapatista discourse exemplified by one of their mottos, *preguntando caminamos,* which not only makes explicit their negative to follow recipes but also opposes the overbearing decisionism of sovereign reason.

In contrast with most, if not all, revolutionary or rebel movements in Latin America for whom insurgency was a program or the means to reach a goal set in advance—for instance, reforming the state according to socialist principles or altogether founding a new, maoist regime—the Zapatistas opted for a non-programmatic path in which the experience itself is more important than reaching a previously calculated destination. As Marcos put it in a letter to Adolfo Gilly: “En realidad, lo único que nos hemos propuesto es cambiar el mundo, lo demás lo hemos ido improvisando.”[17] In this way, the Zapatistas turned upside down the usual meaning of revolution. For them, revolution is no longer about imposing to others a formulated answer that will “change the world” but, rather, the act of continuously asking questions on how to go about changing the world. The Zapatista uprising opens itself up to the reasonable senselessness of the unknown, positing thereby an insurgent reason that lets itself be reasoned with. Even if there are ideal aims—change the world, justice, freedom and dignity, among others—the aims themselves and how to reach them are open to debate and dialogue: hence the novel’s unpolished, unfinished feel; hence its subtitle, *falta lo que falta*; and hence the Zapatistas’ lack of a defined, fully-coherent agenda or program.

[17] Quoted in Luis Lorenzana, “Zapatismo,” 126. The letter was originally published in *Viento del Sur* 4 (verano 1995). I will come back to the implications of the Zapatistas’ reconceptualization of revolution and the principle of *preguntando caminando* in relation to sovereign reason.

In any case, *Muertos incómodos* narrates the adventures of Elías Contreras, the EZLN's one-person "comisión de investigación", and Héctor Belascoarán Shayne, the famous protagonist of Paco Ignacio Taibo II's series of detective novels. It is Contreras who embodies the insurgent subjectivities that can potentially escape sovereign reason and the scriptural enterprise for he, as he himself acknowledges from the very beginning of the novel, is already dead: "Pero déjenme y les platico un poco de quién era yo, Sí, era. Porque ahora soy finado… Ahora tendría yo unos 61 años pero no los tengo porque ya estoy muerto ya. O sea que ya soy finado" (11). Despite being essentially a ghost, Contreras is sent by Marcos to Mexico City to find "un tal Morales" (a certain Morales) accused of being involved, alongside former president of Mexico Ernesto Zedillo, in the much-resisted privatization of the Montes Azules Nature Reserve in Chiapas. Belascoarán, for his part, is also looking for "un tal Morales" who allegedly spied for the government during the 1968 student movement and later tortured and killed some of the students involved. The two loosely collaborate with each other and for the first part of the novel the reader is made to believe that both characters are looking for the same Morales.[18]

Yet, as the novel progresses, it becomes clear that Contreras and Belascoarán are looking for just two of many different Morales, among them, an ex-guerrilla member who betrayed his comrades; a torturer working for the Luis Echeverría government; a Government agent spying on the 1968 student movement; a coordinator who, after the

[18] Various characters are also introduced throughout the novel, particularly in Marcos' chapters, either to help Contreras in his quest or with the intent purpose of giving the novel a polyphonous, comedic, irreverent and self-mocking tone. Yet, the action and weight of the novel relies on the two main characters' quest to find their nemesis, *a certain* Morales.

1986 earthquake, profited from his role as house evaluator; one of the intellectual authors of the Acteal massacre in Chiapas; and a facilitator for the expropriation and privatization of Chiapas' natural resources.[19]

The fact that these different persons are given in the novel the same name suggests that, more than exposing the criminal behavior of particular individuals in an otherwise beneficial or, at least, neutral politico-economic system, *Muertos incómodos* offers a critique of a type of relation inherent to capitalism, particularly in its globalizing, neo-liberal configuration, that can be understood, via its juxtaposition with the long tradition of Cynicism, as modern cynicism, that is, the instrumentalization of enlightened reason with the intent purpose of producing, maintaining and reproducing relations of domination in order to benefit from them.[20]

If the Enlightenment was primarily a critique of ideology understood as false consciousness and traditional absolutes that aimed to do away with the false certainties and structuring discourses and ideals upon which everyday life was misleadingly lived (anthropocentrism, Christian metaphysics, etc.), Peter Sloterdijk argues in his *Critique of Cynical Reason* that the Enlightenment's promise has, however, been only partially and inconsistently fulfilled given that we have not been able to rise above our self-incurred

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[19] The name "Morales" might have been chosen by Marcos to allude to Salvador Morales Garibay, the Subcomandante Gabriel who betrayed the Zapatistas by helping the government.

[20] The use of the same name to refer to "bad" or "evil" persons also points to what could be called a genealogy of Mexican abuses of power in opposition to which the EZLN recuperates and associates itself to a Mexican genealogy of rebellion and resistance by linking their struggle with 500 years of indigenous resistance, Emiliano Zapata, the Mexican Revolution, the unions' protests in the 1950s and the 1968 student movement, among others. This association between the EZLN and different rebel movements or historical moments in Mexico's history was first made explicit in the Zapatistas' "First Declaration from the Lacandón Jungle", which begins by stating, "Somos el producto de 500 años de luchas".

tutelage, which was for Kant the Enlightenment's essential promise.[21] The on-going condition of tutelage in which we currently live, however, is no longer the result of ignorance or false consciousness, but rather of what Sloterdijk calls "enlightened false consciousness":

> Cynicism is *enlightened false consciousness*. It is that modernized, unhappy consciousness, on which enlightenment has labored both successfully and in vain. It has learned its lessons in enlightenment, but it has not, and probably was not able to, put them into practice. Well-off and miserable at the same time, this consciousness no longer feels affected by any critique of ideology; its falseness is already reflexively buffered. (*Critique* 5)

[21] In "What is Enlightenment?," Kant argues that the Enlightenment's promise was essentially about "man's release from his self-incurred tutelage," which is the result not from an innate incapacity to understand but rather from lacking the courage to use one's reason without the guidance of another. This condition of tutelage, moreover, is marked by an absence of reason that derives from being unable to distinguish between the private and the public use of our reason. In Kant's terms, we use our private reason for explicit tasks or occupations upon which rest the functioning of the community and the collective good, for instance, the clergyman who teaches the doctrines of the church, the soldier who must obey the orders of his superiors or the common citizen who has to pay taxes. In Kant's private sphere, "argument is certainly not allowed—one must obey." Yet, these very same persons, for instance, can complain about their situation or the tasks they do in the public sphere by making use of their public reason, that is, by addressing other men not as private individuals conducting specific tasks, but rather as universal, rational subjects speaking to other equally rational subjects. There is tutelage, in brief, when the public, universal use of our reason is suppressed and one obeys in any situation, that is, when one does not reason either in private or in public. As such, the condition of tutelage is neither the result of others having taken power forcefully nor of having been giving it in a foundational act such as Hobbes' covenant; instead, for Kant, "laziness and cowardice are the reasons why so great a portion of mankind, after nature has long since discharged them form external direction, nevertheless remains under lifelong tutelage, and why it is so easy for others to set themselves up as their guardians" ("What is Enlightenment?"). Perhaps the clearest formulation of the Enlightenment's emancipatory spirit is Marx's critique of religion: "The abolition of religion as the *illusory* happiness of the people is the demand for their *real* happiness. The call to abandon their illusions about their condition is *a call to abandon a condition which requires illusions*" ("Contribution to the Critique of Hegel's *Philosophy of Right*: Introduction" 54). In this sense, Marx's human emancipation, his demand to abandon a condition that requires illusions, does not coincide with but carries the mark of Kant's call to rise above the condition of tutelage.

The enlightened false consciousness is cynical because the subject, even if aware of the fabricated nature of his or her beliefs and opinions, as well as the potentially nefarious consequences of his or her actions, does not seem to care and chooses to act and relate to others *as if* he or she did not know.

In this sense, modern cynicism can be regarded as the restitution of the dominion of ideology with the intent purpose of perpetuating a situation or relation that is seen as beneficial. As such, the modern cynic is always either in a position of power or is allied to power. Even if he consciously knows that his principles, opinions or actions are injurious and unjust, the cynic nonetheless justifies them in the name of an alleged higher purpose that he or she might or might not regard as false or erroneous; in fact, for the cynic it does not really matter if it is false or erroneous as long as it is self-serving. As Slavoj Žižek notes in *The Sublime Object of Ideology,* modern cynicism

> Knows the falsehood very well, [it] is well aware of a particular interest hidden behind an ideological universality, but still [it] does not renounce it … [modern cynicism] recognizes, it takes into account, the particular interest behind the ideological universality, the distance between the ideological mask and the reality, but it still finds reasons to retain the mask. (26)

Modern cynicism is thus no longer a critique of ideology but the shadow of a critique that now only leads to moral misery, pessimism and estrangement from life.

For Sloterdijk, the archetype of the modern cynic is Dostoevsky's Grand Inquisitor, as portrayed in *The Karamazov Brothers*. In the novel, the Grand Inquisitor reprimands Jesus, who has come back in the fifteenth century and has been once again condemned to death, for not having thought politically; that is, for having been unable to appreciate human nature accurately and thus offered people a freedom they didn't want or know how to handle:

> Look what You have done since then. And again, all in the name of freedom! I tell You, man has no more pressing need than to find someone to whom he can give up that gift of freedom with which he, unhappy being that he is, was endowed at birth … Had You forgotten that peace and even death are dearer to man than freedom of choice in the knowledge of good and evil? Indeed, nothing is more beguiling to man than freedom of conscience, but nothing is more tormenting either. (Dostoevsky 319)

The Church, the Grand Inquisitor goes on saying, has nonetheless grasped Jesus' teachings in the fullest and most precise sense: men find their freedom in domination. Therefore, it treats men as they truly are: lazy, weak and in need of direction. This, the Grand Inquisitor further explains, leaves the Church with no option but to "serve the system of needs—bread, order, power, law—that makes people submissive" (Sloterdijk, *Critique* 185). What is truly sinister about the Grand Inquisitor and his enlightened false consciousness is that even if he consciously knows he is being deceptive, he nonetheless justifies it by claiming that he is serving a higher purpose. In his view, consequently, the end always justifies the means and therefore lying in the name of a "truth" is never a contradiction. As Sloterdijk notes, for the Grand Inquisitors, the modern political cynics, "everything, even the sphere of ends, becomes a means; modern grand politicians are total 'instrumentalists' and disposers of values" (*Critique* 189).

In *Muertos incómodos*, Morales is presented as the epitome of a modern cynic whose aim is not only to benefit from a system he himself knows to be rigged, but also to become a Great Inquisitor, a modern political cynic, in order to fully benefit from the system. And just like Dostoyevsky's Great Inquisitor, Morales has no problem boasting about his cynicism:

> No es que uno sea cínico, sino realista. Y la verdad es que si no chingas, entonces te chingan a ti. Claro que hago negocios, y no me vengan ahora con tonterías de ética y justicia porque todos los negocios son sucios, siempre se trata de comprar barato y vender caro. ¿O cómo creen que se

> hicieron las grandes fortunas de los hombres y mujeres más respetados de México y del mundo? Todo se compra y se vende: le tierra, el cuerpo, la conciencia, la Patria. Sí, bueno, no siempre compré. Sí, arrebaté, despojé, pero si no era yo iba a ser otro. Y es que hay gente que nace para estar jodida, como que lo traen en la frente grabado: "chínguenme".
> ¿Traicioné? Depende de cómo lo vea uno. Según yo, sólo cambié de paradigma, y eso lo hacen todos en todo el mundo, nomás que le dicen "madurar", "realismo", "sensatez".
> ¿Maté? Pues sí, pero es que uno no puede ascender sin mancharse las manos … De todas formas se iban a morir, yo sólo les apuré la despedida … ¿Engañé? No más que cualquiera de los políticos o empresarios. Bueno, es que hay niveles. O sea que en esto de la maldad hay amateurs y profesionales. Yo soy de los profesionales, pero empecé como amateur. Y no pierdo la esperanza de entrar a las grandes ligas, o sea entrarle a la política y quien quita y hasta llego a presidente de la República. Si ya otros lo han hecho, no veo por qué yo no … ¿Militancia política? Bueno, pues me cambio según me conviene, o sea que mis convicciones políticas son como mis calzones. Sí, cualquier partido político te acepta si te pones guapo con una feria. Dinero, sí, eso es lo que buscan ellos, lo que buscamos todos. Y yo sé dónde está el dinero y lo que hay que hacer para conseguirlo. ¿Tenerle miedo a la justicia? No me haga reir, ¿qué no ha entendido que nosotros somos la justicia? (154-6)

For Morales, the ends clearly justify the means and any ethical, moral or philosophical questioning of his behavior is beyond the point: the game is rigged, the die is cast and whoever does not try to benefit from this is essentially an idiot.

Modern cynicism, personified in *Muertos incómodos* by Morales, is far removed from ancient Cynicism. In fact, it might even be said that the former has become exactly the opposite of the latter. Slavoj Žižek, in his discussion of Peter Sloterdijk's *Critique of Cynical Reason,* distinguishes the two in the following way:

> We must distinguish this cynical position strictly from what Sloterdijk calls *kynicism*. Kynicism represents the popular, plebeian rejection of the official culture by means of irony and sarcasm: the classical kynical procedure is to confront the pathetic phrases of the ruling official ideology—its solemn, grave tonality—with everyday banality and to hold them up to ridicule, thus exposing behind the sublime noblesse of the

> ideological phrases the egotistical interests, the violence, the brutal claims to power. (*The Sublime* 26)[22]

If the modern cynic allies himself with power and authority, and thus nurtures and benefits from its stability and perpetuity, the classic Cynic was considered an extravagant, opinionated and stubborn instigator or provocateur who dared to speak the naked truth and appeared to not need anyone or anything. The Cynic based his sharp critique on humor, satire and irony. He mocked and broke social conventions, parodied moral discourses and shunned away power and respect; moreover, he attacked public institutions, the Philosophers' self-righteousness, the arbitrariness of the law and the world's spiritual poverty. As Sloterdijk notes, the Cynic knew that even if "it is true that knowledge is power … it is also true that not all knowledge is welcomed with open arms" (*Critique* 11). Yet, it was precisely this hidden truth, this unwelcomed knowledge, that the Cynic articulated. In this sense, Cynicism can be regarded not only as the origin of a "great satirical tradition in which the motif of unmasking, exposing, baring has served for aeons now as a weapon" (16), but also as the first noise-producing discourse of Western philosophy and political thought.[23]

In spite of this, or perhaps precisely because of this, Cynicism is commonly regarded as a marginal branch of ancient philosophy, in great part because it did not hand down an organized, written and somehow specific doctrine, as was the case with

[22] Žižek is following here Peter Sloterdijk's distinction between Kynicism and cynicism in his *Critique of Cynical Reason*. Sloterdijk uses the words Kynicism and Kynic to, first, differentiate it from its modern incarnation and, second, as a more accurate rendering of the original Greek *kynikos,* "dog-like", and *kynos*, "dog". For the sake of consistency, I will use 'Cynicism' and 'Cynic', with a capital 'C', when referring to ancient Cynicism and reserve 'cynicism' and 'cynic', with a lowercase 'c', for its modern incarnation.
[23] For a discussion of *noise* as a political category, see Chapter 4.

Platonism and Aristotelianism.[24] In fact, Cynicism was less an articulated discourse than an attitude and way of being that shunned away from doctrines and dogmatic teachings, opting instead to rely more on stories, anecdotes and examples.[25] In this sense, the Zapatistas' political discourse and their rejection of fully formed doctrinal or theoretical approaches can be regarded as Cynic in spirit, as the motto *preguntando caminamos* I

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[24] The lack of a fully articulated doctrine led Hegel to dismiss the Cynics by noting that they were "nothing more than swinish beggars, who found their satisfaction in the insolence that they showed others. They are worthy of no further consideration in philosophy, and they deserve fully the name of dogs, which was early given to them; for the dog is a shameless anima" (quoted in Navia 103). Heinrich Niehues-Pröbsting suggests that Hegel's remarks are largely responsible for Cynicism's marginality in the modern historiography of philosophy since he is to blame for reducing the history of philosophy to the history of ideas, something that later led to the belief that only theoretical arguments and systems are of importance for the history of philosophy. "Before this shift," Niehues-Pröbsting argues, "the transmission of biographies had a large place in the historiography of philosophy, for the life of the philosopher was believed to be of exemplary character and was considered the verification of the doctrine. Now, biographical transmission becomes an inessential and superfluous accessory … only the works count … [and] for those philosophers who did not leave behind theoretical works and who became part of the tradition only by virtue of their exemplary individuality or their idiosyncratic personalities, this meant exclusion from the history of philosophy. Reduced to a mere history of theories and ideas, a historiography of philosophy does not know how to deal with them. This primarily affects the Cynics and their chief exemplar, Diogenes" (330-1).

[25] As Luis Navia notes in *Diogenes of Sinope,* "Cynicism … was not a *system* of ideas in which we can identify well-delineated components or hierarchical scheme of philosophical tenets. Far more that a theoretical stance vis-à-vis the world, Cynicism was a *response*, a *reaction¸* to those conditions of human existence that the Cynics … found unacceptable from the point of view of reason. This response surfaced among them in the form of apophthegms, aphorisms, and diatribal statements, and especially in actions and modes of behavior that were carefully designed to deface and invalidate … the values and accepted norms, on the basis of which most people then and now structure their lives. Diogenes' response to the world was expressed by him in terms of what has been called the rhetoric of Cynicism, which is a series of gestures, acts, and comments about specific people and situations" (viii-ix). Heinrich Niehues-Pröbsting makes a similar argument when he notes, "The material on Cynicism handed down from antiquity—in particular by Diogenes Laertius—is mostly of an anecdotal-biographical and sententious kind. The anecdote and the apophthegm are the most important media of Cynic tradition, and they are the literary forms most suitable to Cynicism and its representation" ("The Modern Reception of Cynicism" 329).

discussed above suggests. Likewise, given his use of irony, sarcasm, fables, anecdotes and stories to convey the Zapatistas' critiques and proposals, Marcos' political and literary texts can also be regarded as Cynic in spirit, tone and attitude.

In any case, what gives the Cynics, and I would add the Zapatistas, their moral standing when telling the truth was the specific form of *parrhēsia* they practiced. In *The Courage of Truth,* Foucault differentiates three types of *parrhēsia*, of courageous truth telling: (1) the courageous truth telling of the political adviser who tells the sovereign or the assembly something other that what they want to hear; (2) what Foucault calls Socratic irony, "telling people, and getting them gradually to recognize, that they do not really know what they say and think they know" (233); and (3) Cynic *parrhēsia.* Even if in these three cases of courageous truth telling—Cynic, political and Socratic—one risks one's life in order to tell the truth, by telling the truth and/or for having told the truth, only in the Cynic courage to tell the truth one risks one's life *also* "by the very way in which one lives," that is, "one exposes one's life … not [only] through one's discourses, but through one's life itself" (234).[26] In the case of the Zapatistas, this threat has been ever-present since the uprising, either directly through the use of military force or indirectly through the attacks and discrediting of their discourse in official discourse and most of the media.

If Plato's truth telling and philosophical doctrine is ultimately motivated by the perfectibility of sovereign reason and thus inextricably linked to and perhaps even

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[26] Peter Sloterdijk comes to a similar conclusion when he argues that Cynicism is "a first reply to Athenian hegemonic idealism that goes beyond theoretical repudiation. It does not speak against idealism, it lives against it" (*Critique* 104). This does not mean that Cynicism lacks a philosophical basis; it rather means that the conflict is not limited to the sphere of ideas or the actualization of an ideal but also takes place in the materiality of everyday life, of life as corporeal, lived experience.

complicit with power, Diogenes truth telling followed the Oracle's advice to *change the value of the currency*, that is, to question the laws, rules, habits, conventions and customs of the time and substitute them with truly ethical ones, which is precisely what Diogenes aimed for by the way he lived.[27] As Luis Navia notes in *Diogenes of Sinope*, Cynicism was "primarily a philosophy of revolt and a reaction against what he perceived to be the dismal spectacle of human existence … [Diogenes] challenged, rejected, ridiculed, dismissed, condemned and literally defaced the 'currency' of his time" (111).

In this sense, to *change the value of the currency* entailed convincing others through the use of Cynic *parrhēsia* that they had to change their lives, which, as Foucault notes in *Discourse and Truth,* was not "just a matter of altering one's belief or opinion, but of changing one's style of life, one's relation to others, and one's relation to oneself" (n. p.).[28] For Sloterdijk, what Diogenes and Cynicism in general aimed for with their attitudes and way of life was "the rejection of the superstructure," that is,

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[27] Legend has it that Diogenes was the son of a moneychanger who was exiled from Sinope for counterfeiting money. Finding himself exiled from Sinope and with no clear idea of what he ought to do, Diogenes went to Delphi to ask the oracle for advice, which was to *change or alter the value of the currency*. Given that the word *currency* was/is associated with custom, rule and law ("*nomisma* is currency; *nomos* is law" [Foucault, *Courage* 226]), to change the value of the currency would have necessarily implied that the current currency, that is, the current laws, traditions, rules, etc. were in fact the counterfeited ones and would not lead to the true life the Greeks aspire to. For the Cynics, the true life was thus an *other* life, a life that should be led by a different currency and a different ethics. The story about Diogenes going to the Oracle to seek advice is for many preposterous given that he consistently condemned all types of religious practices. More plausible, Luis Navia notes, would be to view it as a fabrication aimed to legitimate Diogenes' stance as a philosopher given that "an oracular pronouncement from Delphi, as it were, had sufficient weight to lend credibility and respectability to a philosopher's mission, and *this,* if indeed the incident was fabricated by various late apologists of Cynicism, was what they sought to effect with respect to Diogenes" (*Diogenes of Sinope* 17).

[28] The need to change one's relation to other and oneself is present in various Zapatista texts; for instance, in "La verdadera historia de Mary Read y Anne Bony," Durito, the

> What civilization offers by way of comfortable seductions to entice people to serve its ends: ideals, ideas of duty, promises of redemption, hopes for immorality, goals for ambition, position of power, careers, arts, riches. From a kynical perspective, they are all compensations for something a Diogenes does not let himself be robbed of in the first place: freedom, awareness, joys in living.
> (*Critique* 165-6)

The Zapatista "rejection of the superstructure," which could also be called critique of ideology, goes beyond individual change or the transformation of one's relation to others and to oneself, as one of the novel's narrators, a Philippine homosexual living in a Zapatista community in Chiapas, notes:

> Es sabido que el asesino siempre regresa a la escena del crimen. Pero supongamos que el Elías [Contreras] y el Belascoarán no van detrás de un asesino, sino de EL asesino. Si es quien yo me imagino, entonces EL asesino no va a regresar a la escena del crimen, simple y sencillamente porque él *es* la escena del crimen. *EL asesino es el sistema*… El Mal es el sistema y los Malos son quienes están al servicio del sistema. Pero el Mal no es una entidad, un demonio perverso y maléfico… No, el Mal es una relación, es una posición frente al otro. (53)

Despite its simplistic and Manichean formulation, the novel's passage points to what could be regarded as the core of the Zapatista critique and challenge to "the cynicism of late capitalism, which has coagulated into a system" (Sloterdijk 126).[29] Indeed, the Zapatista uprising not only rejects the Great Inquisitors' instrumentalization of enlightened reason with the intent purpose of producing, maintaining and reproducing

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stubborn beetle of Marcos' tales I will in brief discuss, ends a story on gender and sexual difference by saying, "Cuando luchamos por cambiar las cosas, muchas veces olvidamos que eso incluye cambiarnos a nosotros mismo" (Marcos, *Nuestra arma* 360).

[29] Sloterdijk is not the only one to have associated capitalism with cynicism. In *Anti-Oedipus*, Gilles Deleuze and Félix Guattari also link late capitalism with cynicism: "It is no longer the age of cruelty or the age of terror, but the age of cynicism … This age of cynicism is that of the accumulation of capital" (225). Alain Badiou makes a similar observation in "The Idea of communism": "Today we are faced with an utterly cynical capitalism, which is certain that it is the only possible option for a rational organization of society" (259). I will come back to Badiou's "Idea of communism" later in the chapter.

relations of domination for their own benefit, as the many Morales of the novel do. More importantly, the Zapatista critique and way of life (their Cynic *parrhēsia*) upholds that this instrumentalization, this coagulated cynicism, is inherent to capitalism—particularly in its globalizing, financial and neoliberal configuration—and thus unmendable: el asesino *es* el sistema.

The critique of cynicism coagulated into a system is more explicit in Marcos' tales of Don Durito de la Lacandona, a stubborn and unsettled beetle that sees himself as a knight-errant struggling against the injustices of neoliberalism, unchecked capitalism and state power. Given that he is not just an animal but an insignificantly small animal capable, in Marcos' tales, of making neo-liberalism tremble, Durito takes the critique of displaced sovereignty to the limit. Right from its first appearance in a letter Marcos wrote on April 10, 1994, to Mariana Moguel, a ten-year-old girl, Durito combines mockery, sarcasm and parody and allusions to the Western literary canon to formulate critiques of war, pretentious guerrilleros and, especially, neoliberalism. For instance, in the same letter, Marcos asks Durito if they are going to win the battle against neoliberalism and how long it will take. Durito tells Marcos that they are indeed going to win but that it is impossible to know exactly how long it would take because various things must be taken into account: "las condiciones objetivas, la madurez de las condiciones subjetivas, la correlación de fuerzas, la crisis del imperialismo, la crisis del socialismo, etcétera, etcétera" (*Nuestra arma* 314). Durito not only mocks the traditional *foquista* guerrillas' self-righteousness and predetermined goals and what could be called the orthodox left that follows Marx and Lenin's formulations, strategies and tactics to the letter, but also

Marcos' original conceptualization of insurgency and revolution (which was to a great extent a *foquista* one)

Given that beetles move with their belly close to the earth, Don Durito also stands for being down to earth and close to nature, representing thereby those from below, "*los de abajo*," as the Zapatistas refer to the poor, forgotten and marginalized.[30] But, more importantly, Durito's role is principally to lecture Marcos and the readers on the contradictions and dangers of neoliberalism. For instance, in a communiqué sent to various Mexican newspapers on July 17, 1995, Durito exclaims that neoliberalism is "la caótica teoría del caos económico, la estúpida exaltación de la estupidez social, y la catastrófica conducción política de la catástrofe."[31] Likewise, Durito is used by Marcos to mock and sometimes correct what Durito regards as Marcos' simplistic economic and political analyses. In this sense, Durito serves to introduce playfulness and humor in the alleged seriousness of insurgent politics, thereby reminding readers and the Zapatistas themselves that joy and laughter are also needed to "change the world." As Marcos notes in "Diez años después: Durito nos ha encontrado de nuevo," Durito speaks first to the child men and women carry within and to the best humans have, that is, "su capacidad de asombro, su ternura, su aspiración a ser mejores… junto a los otros" (*Nuestra arma* 311). Durito, moreover, also serves as a constant reminder of not falling in the cynical trap of justifying the means that help achieve an end. For instance, in the letter to the ten-year-

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[30] The beetle and the scarab, moreover, have traditionally had a mythological meaning associated with renewal, the emerging of the new from the old and steady, gradual progress. For instance, as Conant notes, "the scarab of ancient Egypt is both a sun and a funerary figure representing transformation, resurrection, and renewal. *The Book of Chilam Balam of the Mayas* depicts the scarab as the filth of the earth, in both material and moral terms, destined to become divine" (212).

[31] "¡Durito VI! El neoliberalismo: la catastrófica conducción política de la catástrofe" (http://palabra.ezln.org.mx/comunicados/1995/1995_07_16.htm).

old girl I mentioned above, Durito asks Marcos to tell his comrades to step lightly in the jungle so as to avoid stepping on insects like him and other small creatures, implying thereby that even rebels must be conscious of not stepping on others to achieve their goals.[32]

Among the Durito stories, "Durito y una de estatuas o pajaros" is, perahaps, the one that more clearly shows the Zapatistas' disregard for power, critique of sovereign reason and Cynic *parrhēsia*:

> Dice Durito que el Poder crea estatuas pero no para escribir o recrear su historia, sino para prometerse a sí mismo la eternidad y la omnipotencia… "Porque", dice Durito que, "donde faltan las razones abundan las estatuas. Cuando el Poder no es todavía Poder sino está en lucha por serlo, sus dogmas se hacen declaraciones de principios, programas, planes de acción, en suma, son estatuas en proyección. Cuando el Poder se hace de la silla del Poder, sus dogmas se hacen leyes, constituciones, reglamentos, en suma, son estatuas de papel que luego son estatuas de piedra. Al Poder no le importa el consenso, el acuerdo… Le interesa la dominación. El acuerdo legitima, el Poder legaliza. En el Poder, la carencia de legitimidad se soluciona con dogmas, es decir, con estatuas."
> Dice Durito que una estatua es una VERDAD (así, con mayúsculas) que esconde debajo de la piedra su incapacidad para demostrar nada y la arbitrariedad de su existencia. Porque, según Durito, así como la "verdad" es la afirmación propia y la marginación de lo otro, de lo incomprensible; una estatua es la afirmación propia del dominador y la marginación del dominado. "Pero resulta que la historia rueda, a los tumbos, pero rueda," dice Durito, "y el vencedor del hoy de la estatua ni siquiera es recordado en el mañana que somos, por más que los letreros nos digan, inútilmente, que 'ésta es la estatua del Marqués de la Verdad Eterna, etcétera'. El mundo 'inteligente' del Poder aparenta complejidad pero es bastante sencillo, está compuesto de dogmas y estatuas. Hay quienes hacen de nuestras palabras una estatua (o un dogma, pero es lo mismo). Unos hacen piedra nuestro pensamiento, para luego derribarlo delante de muchos reflectores, en mesas redondas, revistas, columnas periodísticas, discusiones de café. Otros convierten en dogma nuestra idea, le ponen incienso y luego la cambian por otro dogma, más de moda, más a la medida, más *ad hoc*."
> Dice Durito que unos y otros ignoran que el zapatismo no es ni dogma ni estatua, el zapatismo, como la rebeldía, es apenas uno entre miles de

[32] See Marcos, *Nuestra arma es nuestra palabra,* 313-15.

> pájaros que vuelan. "Como cualquier ave, el zapatismo nace, crece, canta, se reproduce con otro y en otro, muere y, como es ley que hagan los pájaros, se caga en las estatuas," dice Durito mientras vuela y trata de adoptar, inútilmente, un aire entre tierno y duro, como un gorrión.[33]

Bluntly put, the Zapatista "inconvenience" can be stated as the very Cynic attitude of "shitting" on the statues erected by power, that is, the allegedly fixed and eternal truths sovereign reason builds and the scriptural enterprise praises so as to hide the injustices upon which cynicism coagulated into a system and the logic of the market are based. Durito's tale, too, makes explicit the Zapatistas' resistance to any type of totalitarian or idealistic labeling: "Hay quienes hacen de nuestras palabras una estatua."

This critique, the very inconvenient 'shitting' on statues, is enabled by what can be regarded as a reworking or re-signification of the indigenous community's history of struggle and resistance, which is expressed and turned into fecund, living memory in Marcos' stories of Old Antonio (El Viejo Antonio). As the name itself denotes, Old Antonio is old but his age is uncalculable. He represents moral authority and profound respect for nature and its life cycles, but also stands for the poverty of the indigenous communities resulting from centuries of oblivion and exclusion. He tells mythological tales and fables regarding the origin of men and natural phenomena such as the colors or the rain and the long history of indigenous resistance. If the Durito tales "work at an opposite pole of the literary canon, building a mock-heroic pastiche of Western literary figures and contemporary pop symbols in order to undermine inherited cultural narratives," the stories of Old Antonio "serve to invoke native mythistory and put the old gods in the daily news" (*Conant* 213).

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[33] Published in *Rebeldía* (México), número 8, junio, 2003.

Old Antonio might have been a real character, as Marcos himself noted in an interview with Yvon Le Bot: “Old Antonio died in 1994, in June, and I met him in 1984” (quoted in Conant 73). The meetings and conversations that serve as the basis for Old Antonio’s stories could therefore have taken place; yet, as Conant notes, “one is forced to assume that Marcos developed the character in the interests of literary creation. The allegory is too direct, the mise-en-scene too strategic, Antonio … too much an archetype” (74). In any case, what is important is that Old Antonio serves as the symbolic founder of the EZLN, responsible, according to Marcos’ account, for the principle lessons that he and the original EZLN learnt from the indigenous people: the need to learn to listen. This is expressed in Marcos’ own role in the stories, which is almost always one of a respectful listener. As John Holloway notes, the importance of learning to listen is that it necessarily implies “incorporating new perspectives and new concepts into their theory. Learning to listen meant learning to talk as well, not just explaining things in a different way but thinking them in a different way” (“Dignity’s Revolt” 164). In this context, learning to listen meant abandoning predetermined ideas of revolutionary strategy and tactics, such as the *foco,* and incorporating the indigenous’ own history and conceptualization of resistance and insurgency into Zapatista practices and discourse.[34] Learning to listen, moreover, runs counter to the impositions and inner workings of

[34] As Marcos admits, the original group that arrived in Chiapas in 1983 thought of themselves initially as the vanguard party whose task was to implant an armed *foco* following the ideas, strategies and tactics of Ernesto Guevara and Regis Debray, who believed that a few armed men with the right training, determination and ideas could initiate a guerrilla war in a remote area, gather the interest and support of peasants and urban sectors, and escalate the attack till the conditions were right and power could be taken. These preconceived ideas, however, began to change as they met and listened to the indigenous communities’ own ideas, concepts and history of resistance. For Marcos’ own account of this transformation, see Le Bot, *El Sueño Zapatista.*

sovereign reason and the scriptural enterprise, which, as I discussed in the previous chapter**,** never listens but silences.

Old Antonio's stories, fables and tales can be understood as what Conant calls a poetics of resistance, that is, "the resistance of memory against forgetting … of language against the oblivion of silence" by means of which "history is spelled out day by day becoming culture, becoming memory, becoming codes of action handed down by gods, heroes and saints" (*A Poetics* 37). As such, Old Antonio's tales and stories can be conceptualized as fecund, living memory, one that does not posit a nostalgic view on a golden past—the stories themselves make it clear that there has not been one—but rather looks hopefully into the future. As Old Antonio expresses in a story from August, 1998, entitled "La historia de la medida de la memoria":

> Cuentan los viejos más viejos de los nuestros, que los más primeros dioses, los que nacieron el mundo, repartieron la memoria entre los hombres y mujeres que caminaban el mundo. Buena es la memoria—dijeron y se dijeron los más grandes dioses—porque ella es el espejo que ayuda a entender el presente y que promete el futuro. (Marcos, *Nuestra arma* 418)

Memory is conceptualized by Old Antonio as fecund, living memory that enables to understand the present by connecting past experiences with the promise of a better future. The idea of memory as living and fecund, as impregnated with the possibility of the future, is also expressed in the story "Los arroyos cuando bajan," in which Marcos recounts Old Antonio's suggestion that it was time to begin the uprising:

> El Viejo Antonio se sentó en un tronco y nada dijo. Después de un rato habló:
> "¿Lo ves? Todo está tranquilo y claro, parece que no pasa nada..."
> "Mmmh", le dije, sabiendo que no esperaba ni un sí ni un no. Después me señaló la punta de la montaña más cercana. Las nubes se acostaban, grises, en la cúspide y los relámpagos quebraban el azul difuso de las lomas. Una tormenta de las de deveras, pero se veía tan lejana e inofensiva que el

> Viejo Antonio empezó a liar un cigarrillo y a buscar inútilmente un encendedor que no tenía, sólo el tiempo suficiente para que yo le acercara el mío. "Cuando todo está en calma abajo, en la montaña hay tormenta, los arroyos empiezan a tomar fuerza y toman rumbo hacia la cañada", dijo después de una bocanada. En la época de lluvias este río es fiero, un látigo marrón, un temblor fuera de cauce, es todo fuerza. No viene su poder de la lluvia que cae en sus riberas, son los arroyos que bajan de la montaña los que lo alimentan. Destruyendo, el río reconstruye la tierra, sus aguas serán maíz, frijol y panela en las mesas de la selva. "Así es la lucha nuestra", me dice y se dice el Viejo Antonio. "En la montaña nace la fuerza, pero no se ve hasta que llega abajo". Y, respondiendo mi pregunta de si él cree que ya es tiempo de empezar, agrega: "Ya es el tiempo de que el río cambie color...**".** (Marcos, *Relatos de El Viejo Antonio* 21-2)

In the story, the decision to change the river's color, that is, to come down the mountains and begin the armed struggle is related to local experience, to the knowledge that comes from respecting and learning from one's environment. It is, moreover, a knowledge that can only be acquired through constant observations and everyday practice.

The idea of memory as living and fecund, as deriving from everyday experience and learning, can be conceptualized by relying on what the Greeks called *mētis,* which James C. Scott defines in *Seeing Like a State* as "a wide array of practical skills and acquired intelligence in responding to a constantly changing natural and human environment" (313). *Mētis*, Scott adds, "resists simplification into deductive principles which can successfully be transmitted through book learning, because the environments in which it is exercised are so complex and nonrepeatable that formal procedures of rational decision making are impossible to apply" (316).[35] In other words, *mētis* refers to

[35] In this sense, *mētis* refers to something entirely different than the Greek concepts of *techne* and *episteme*, particularly in Plato's thought. These concepts, although differing in the type of inquiry from which they originate—*techne* to practical knowledge and *episteme* to theoretical knowledge—derive from logical deduction and aim for universal principles. *Mētis,* on the contrary, is contextual and particular. Here, too, a difference between Platonism and Cynicism can be noted: whereas the former aims for the ideal and

the forms of knowledge embedded in local experience that are opposed to and sometimes subvert the state/sovereign's abstract knowledge, calculations and need to regulate and homogenize.

Old Antonio's *mētis,* however, is not mainly related to the practical knowledge needed for, say, agricultural tasks but rather to resistance, struggle and hope. It is *mētis* accumulated through generations, some of which goes back, according to his stories, to the oldest of ancestors and the first gods to have lived on the face of the earth. Old Antonio's *mētis* is incalculable and defies homogenization, regulation, regimentation, and standardization. It cannot be reduced to deductive principles or clear-cut logical principles. It is based on an *other* reason, one entirely different from sovereign reason. It is this local experience, as well as the local signification of this experience, that allows for and gives context to the most famous Zapatista motto, the very Cynic, *parrhesiastic* and inconvenient ¡Ya basta!, a call enunciated from a position of inferiority and under the risk of death that not only serves as a constant reminder of past and present injustices, but also summons the murderer, i.e. cynicism coagulated into a system, to the scene of the crime to tell him *enough with cynicism.* As Sloterdijk points out,

> Where cynicism rules, we search for everything, but not for existence. Before we "really live," we always have just one more matter to attend to, just one more precondition to fulfill, just one more temporarily more important wish to satisfy, just one more account to settle. And with this just one more and one more and one more arises that structure of postponement and indirect living that keeps the system of excessive production going. (*Critique* 194)

Zapatismo not only shits on the statues of power, but also interrupts the 'not yet' of sovereign reason and the scriptural enterprise; a 'not yet' that aims to ensure the

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universal, Cynicism is more concerned with the practical and natural aspects of everyday life, which necessarily have a particular and geographically specific dimension.

‘harmonious’ and ‘peaceful’ workings of the neoliberal market and the perpetuation of what Walter Benjamin called the “homogeneous and empty time of capital.”

The ‘ya’ in ¡Ya Basta!, moreover, does not indicate a specific past time or event but rather an indefinite one. It should thus not be read as a closed and finite ‘now’, but as an ‘already’ open to both the known past and the unknown future; both *mētis* and the unforeseeable possibilities of what is to come. If it were not, if it did not enunciate the possibility of a different future, the “¡Ya Basta!” would be an empty call, nothing more than a choleric, inconsequential utterance. The ¡Ya Basta!, in sum, suspends the sovereign’s performative utterance by introducing a contingent in what Jacques Lezra identifies as the indeterminate space of the sovereign decision, shattering thereby the verification of the sovereign’s utterance in the future.

If the ghost, the animal and the old embody the Zapatista critique of neoliberalism and sovereign reason by reflecting, making evident and potentially escaping the displacement of the locus of sovereignty from the political to the economic, it is the Zapatistas’ political practices and discourse that suggest, taking as their basis a certain Cynicism, Old Antonio’s *mētis,* Durito’s *parrhēsia* and Elías Contreras’ critique of cynicism coagulated into a system, the possibility of a reason *other,* one not based on fear but hope and dignity.

5.3. *Mandar obedeciendo; preguntando caminamos*

More than a decade before the Zapatista uprising, Jacques Attali suggested what he regarded as a possible way to challenge sovereign—repetitive, is his term—reason, one that

> Takes the route of a breach in social repetition and the control of noisemaking. In more day-to-day political terms, it takes the route of … an obstinate refusal of the stockpiling of use-time and exchange-time; it is the conquest of the right to make noise, in other words, to create one's own code and work, without advertising its goal in advance; it is the conquest of the right to make the free and revocable choice to interlink with another's code—that is, the right to compose one's life. (*Noise* 132)

As I discussed in Chapter 4, Attali gave the name *composition* to this potential space or network beyond the alienation of production for exchange and goals set in advance that would call into question "the distinction between worker and consumer," and take pleasure "in use-time and exchange-time as lived and no longer as stockpiled" (*Noise* 134). This space/network, Attali further suggested, would in turn lead to "a staggering conception of history, a history that is open, unstable, in which labor no longer advances accumulation" (147).[36]

In this light, the Zapatistas' uprising and their call, in Holloway's formulation, to "change the world without taking power" should not be understood as a call to arms or for subjective transformation, that is, for the modification of individual behavior or morality within an already given reality, but rather as a possible answer to Attali's invitation to compose an *other* life based on a reasonable reason, that is, on a reason that is no longer sovereign.[37] As I already mentioned, the Zapatistas proposal to "change the

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[36] This new and staggering conception of history derives, within the Zapatista context, from the indigenous people's conceptualization of time and history, which posits not a linear, teleological and progressive concept of time—the homogeneous and empty time of capital, in Walter Benjamin's formulation—but one in which the past and the future are, in Conant words, "like two ends of a woven fabric" (62). It is with this conceptualization of time and history that one should understand the Zapatistas' aim to "return" to the original and just time of the first gods in which there was justice and time was not out of joint: "not to turn back time, but to shepherd the cycle of history on its return to a more just society" (Conant 100).

[37] In *Change the World Without Taking Power*, John Holloway argues that what is at stake in current revolutionary or radical politics, of which the Zapatistas are in great part

world without taking power" posits a conceptualization of revolution that runs counter to how most, if not all, Latin American guerrillas or other insurgent movements conceptualized it, namely, as taking control of the state in order to implement from above a political, economical and/or social project that was already set in advance. As Holloway notes, "uncertainty permeates the whole Zapatista undertaking. There is none of the sense of the inevitability of history, which has so often been a feature of revolutionary movements of the past. There is no certainty about the arrival at the promised land, nor any certainty about what this Promised Land might look like" ("Dignity's Revolt" 185). As such, Zapatismo can be thus regarded as an insurgent practice that begins from a premise of incomplete knowledge and consequently opens itself up to the uncertainties of the reasonable senselessness I discussed in the previous chapter.[38]

More importantly, even if the "typical" insurgencies did put capitalism into question, opposing to it, for instance, collective or state ownership of the means of production, they did not question sovereign reason as such. The Zapatistas' conceptualization of insurgency, on the contrary, not only rejects state power—which they regard as always-already cynical, corrupt and alienating, and therefore as incapable of bringing about real change and an *other* life—but also, and perhaps more importantly,

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the initiators, is no longer the conquest of power in order to change the world but the dissolution of power itself, which necessarily implies a going beyond the state.

[38] This opening itself up to the uncertainties of the future represents, for E. Jeffrey Popke, also "a challenge to modern ethical ideals … first, they articulate a form of ethical subjectivity that transcends both cultural difference and borders; and second, they argue for an alternative conception of politics, in which the future is open to construction in the absence of certainty" ("The face of the other" 308). Popke, moreover, argues that the Zapatista uprising is grounded in both a deconstructive ethos and a Levinasian ethics of alterity.

sovereign reason itself.[39] For Holloway, what the Zapatistas ultimately suggest is the possibility and need to move "beyond the state illusion [that] puts the state at the centre of the concept of radical change" ("Zapatismo and the Social Sciences" 157).[40]

The Zapatista critique of previous revolutionary movements and their relation to sovereign reason is perhaps the most explicit in "La rebeldía y las sillas." In this tale, Durito expresses the differences between "traditional" Revolutionaries (with a capital

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[39] It must be noted, though, that when the Zapatistas first rose in arms in January, 1994, they did it with the intent purpose of taking power, as the First Declaration from the Lacandon Jungle indicates: "Avanzar hacia la capital del país venciendo al ejército federal mexicano" Moreover, the decission to reach the capital city to take power and change the government is grounded on Ariccle 39 of the Mexican Constitution, that is, on the contract between the sovereign and its subjects: "Después de haber intentado todo por poner en práctica la legalidad basada en nuestra Carta Magna, recurrimos a ella, nuestra Constitución, para aplicar el Artículo 39 Constitucional que a la letra dice: La soberanía nacional reside esencial y originariamente en el pueblo. Todo el poder público dimana del pueblo y se instituye para beneficio de éste. El pueblo tiene, en todo tiempo, el inalienable derecho de alterar o modificar la forma de su gobierno." The Zapatista reconceptualization of insurgency and revolution, from marching to the city and acting within the sovereign relation to aiming "to change the world without taking power" and thus altogether rejecting the sovereign relation, was a gradual change that might have been the result of, first, the obvious impossibility of marching to the capital city and taking power given their meager weapons compared to the size and power of the Mexican Army; and second, and perhaps more importantly, an example of their motto *preguntando caminando.* In this case, the Zapatistas seemed to have heard the demand of the great majority of Mexicans for peace and realized the need to find other ways of "changing the world". The Zapatista reconceptualization of revolt and revolution, one that rejects state power and the sovereign relation, is perhaps first articulated in the Fourth Declaration from the Lacandon Jungle in 1996, in which the Zapatistas launched the Frente Zapatista de Liberación Nacional (FZLN), a civil, peaceful, independent and democratic political force "cuyos integrantes no desmpeñen ni aspiren a desempeñar cargos de elección popular o puestos gubernamentlaes en cualquiera de sus niveles. Una fuerza política que no aspire a la toma del poder. Una fuerza política que no sea un partido político."

[40] Comandante Tacho, one of the members of the Comité Clandestino Revolucionario Indígena, the Zapatista ruling body, succinctly expressed how different the Zapatistas' conceptualization of change and revolution are in the following terms: "Hacer la revolución es como ir a clases en una escuela que todavía no está construida" (quoted in Holloway, "Zapatismo" 158). Implicit in this aporetic definition of revolution is the negation of the instrumentalization of revolution, that is, of revolution as a mere means to achieve an already determined end.

“R”) and rebels, which, one can assume, includes the Zapatistas, by reworking one of the most iconic moments/photographs of the Mexican Revolution, that of Villa sitting in the presidential chair while Zapata, among others, is standing next to him wanting, it seems, to get away from that chair as fast as possible:

> Bueno, se trata de que la actitud que un ser humano asuma ante las sillas es la que lo define políticamente. El Revolucionario (así, con mayúsculas) mira con desprecio las sillas comunes y dice y se dice: “no tengo tiempo para sentarme, la pesada misión que la Historia (así, con mayúsculas) me ha encomendado me impide distraerme en pavadas”. Así se pasa la vida hasta que llega frente a la silla del Poder, tumba de un tiro al que esté sentado en ella, se sienta con el ceño fruncido, como si estuviera estreñido, y dice y se dice: “la Historia (así, con mayúsculas), se ha cumplido. Todo, absolutamente todo, adquiere sentido. Yo estoy en La Silla (así, con mayúsculas) y soy la culminación de los tiempos”. Ahí sigue hasta que otro Revolucionario (así, con mayúsculas) llega, lo tumba y la historia (así, con minúsculas) se repite.
> El rebelde (así, con minúsculas), en cambio, cuando mira una silla común y corriente, la analiza detenidamente, después va y acerca otra silla, y otra y otra, y, en poco tiempo, eso ya parece una tertulia porque han llegado más rebeldes (así, con minúsculas) y empiezan a pulular el café, el tabaco y la palabra, y entonces, precisamente cuando todos empiezan a sentirse cómodos, se ponen inquietos, como si tuvieran gusanos en la coliflor, y no se sabe si fue por el efecto del café o del tabaco o de la palabra, pero se levantan todos y siguen su camino. Así hasta que encuentran otra silla común y corriente y la historia se repite.
> Sólo hay una variación, cuando el rebelde topa con la Silla del Poder (así, con mayúsculas), la mira detenidamente, la analiza, pero en lugar de sentarse va por una lima de esas para las uñas y, con heroica paciencia, le va limando las patas hasta que, a su entender, quedan tan frágiles que se rompan cuando alguien se siente, cosa que ocurre casi inmediatamente.[41]

Durito not only offers a critique of Revolutionary politics in which taking power becomes a mere formal change in the structure of domination, but also suggests the need to reject and subvert any form of power by focusing instead on the everyday, dialogic nature of rebellion. The metaphor of the chairs, especially the last paragraph, clearly refers, as I

[41] The story appears in a letter written by Marcos on October 12, 2002, entitled “A Angel Luis Lara, alias El Ruso: sobre la inauguración del Aguascalientes en Madrid.” The complete letter can be found at http://palabra.ezln.org.mx/

mentioned, to the iconic image of Pancho Villa and Emiliano Zapata, among others, congregated around the Presidential Seat in Mexico's National Palace. The photograph is iconic and interpretations abound. Conant, for instance, notes that the image offers "a whole-cloth representation of Zapata as the selfless warrior for the poor, free of personal ambition, and devoted not to the struggle for power, but to the struggle *against* power" (228).[42] As can be inferred from Durito's tale, this Zapata, the one that rejects Pancho Villa's invitation to sit on the chair and instead suggests that the chair should be burnt to end all ambitions, is the Zapata the Zapatistas have taken as their revolutionary icon, thereby making it explicit their rejection not only of power as such, but also of subjecting themselves to the logic of sovereign reason.[43]

Beyond this reappropriation of Zapata, Durito's tale also expresses in a condensed form what can be regarded as a central component in the Zapatista's critique of power.

[42] For an analysis of the iconic photograph of Villa and Zapata in relation to sovereign reason, see Gareth Williams, "Sovereign (In)hospitality."

[43] The appropriation of Zapata's figure by the Zapatistas is perhaps best expressed in one of Old Antonio's stories, "La historia de las preguntas," which begins by Marcos telling Old Antonio, on the latter's request, the familiar, official story about Zapata. When Marcos finishes narrating his version of the story, Old Antonio tells Marcos that he is now going to tell Marcos the true story of Zapata. Old Antonio then first tells Marcos about Ik'al and Votan, the Mayan Gods for light and darkness, and how they learnt that the only way to get somewhere was to walk together by asking questions. Old Antonio then notes that Zapata was not born but one day suddenly appeared because he is, in fact, both Ik'al and Votan, who had become one after years and years of walking together. Old Antonio's tale blends the two stories and thus two histories—the official account and the indigenous mythical reworking of the story—which serves to legitimize the Zapatista struggle by reappropriating Mexico's iconic historical figure, thereby making it appealing to Mexican society in general. As Conant insightfully notes, "By channeling [Old Antonio's] voice into his own military authority, Marcos portrays his actions and those of the EZLN as enacting the ancestral will of the people. By equating the ancestral will of the people with contemporary political demands, popular history is reclaimed, reenacted, and the goals of the revolution become articulated in their most profound form: a return to the values that made us human in the first place" (87). For the full text of the "La historia de las preguntas," see Marcos, *Nuestra arma,* 436-9.

The rebel, Durito says, contemplates and analyzes the Seat of Power but does not sit down. Instead, the rebel opts to get a nail file and patiently file through the chair legs until they are so fragile that anyone attempting to sit on the chair would immediately break the chair and fall. In other words, the rebel's aim is to undermine, subvert and deconstruct the logic, discourses and social constructs upon which the edifice of power is built, namely, sovereign reason and the scriptural enterprise's production of hegemonic consensus that aims to silence any noise. For the Zapatistas, this subversion of power takes different forms, among these, the struggle to reappropriate history and re-signify language and the political itself, that is, to give a new meaning to worn-out words and concepts such as democracy, liberty and justice. This resignification of history and language is in great part what is at play in Marcos' stories of Old Antonio and Don Durito as well as the Cynic *parrhēsia* of the Zapatista communiqués.

Perhaps the clearest formulation of this reworking of language and the political is the Zapatista *mandar obedeciendo,* which can be regarded as a principle of governance that emphasizes that he or she who has power and/or authority only has it because it has been momentarily lent to him or her and can thus be immediately taken away if he or she acts against the will and the interest of the community.[44] In a communiqué from the Comité Clandestino Revolucionario Indígena (CCRI), the ruling body of the Zapatistas,

[44] The principle of *mandar obedeciendo* is exemplified by how the decision to go to war on January 1, 1994, was reached. As Marcos recalls in an interview with Yvon Lebot, the decision was not taken by a central committee and then communicated to the Zapatista communities but was instead discussed and approved in assemblies in each Zapatista community (see Lebot, *El Sueño Zapatista*). Likewise, the Comité Clandestino Revolucionario Indígena (CCRI), the ruling body of the Zapatistas, is composed, as Holloway indicates, "of recallable delegates chosen by the different ethnic groups (Tzotzil, Tzeltal, Tojolabal and Chol), and each ethnic group and each region has its own committees chosen in assemblies on the same principle" ("Dignity's Revolt" 165).

entitled "Mandar obedeciendo" and published on February 26, 1994, in various Mexican newspapers, the principle of *mandar obedeciendo* is opposed to the *mandar mandando* of sovereign reason and identified with true democracy:

> Cuando los tiempos se repetían sobre sí mismos, sin salida, sin puerta alguna, sin mañana, cuando todo era como injusto era, hablaron los hombres verdaderos, los sin rostro, los que en la noche andan, los que son montaña, y así dijeron: Fue nuestro camino siempre que la voluntad de los más se hiciera común en el corazón de los hombres y mujeres de mando. Era esa voluntad mayoritaria el camino en el que debía andar el paso del que mandaba. Si se apartaba su andar de lo que era razón de la gente, el corazón que mandaba debía cambiar por otro que obedeciera. Así nació nuestra fuerza en la montaña, el que manda obedece si es verdadero, el que obedece manda por el corazón común de los hombres y mujeres verdaderos. Otra palabra vino de lejos para que este gobierno se nombrara, y esa palabra nombró 'democracia' este camino nuestro que andaba desde antes que caminaran las palabras. Los que en la noche andan hablaron: Y vemos que este camino de gobierno que nombramos no es ya camino para los más, vemos que son los menos los que ahora mandan y mandan sin obedecer, mandan mandando. Y entre los menos se pasan el poder de mando, sin escuchar a los más, mandan mandando los menos, sin obedecer el mando de los más. Sin razón mandan los menos, la palabra que viene de lejos dice que mandan sin democracia, sin mando del pueblo, y vemos que esta sinrazón de los que mandan mandando es la que conduce el andar de nuestro dolor y la que alimenta la pena de nuestros muertos. Y vemos que los que mandan mandando deben irse lejos para que haya otra vez razón y verdad en nuestro suelo. Y vemos que hay que cambiar y que manden los que mandan obedeciendo, y vemos que esa palabra que viene de lejos para nombrar la razón de gobierno, democracia, es buena para los más y para los menos.[45]

At first sight, the principle of *mandar obedeciendo* does not seem to differ greatly from, say, Rousseau's classic conceptualization of the sovereign as he who represents and exercises the general will.[46] Likewise, *mandar obedeciendo* seems to be a mere

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[45] See http://palabra.ezln.org.mx/comunicados/1994/1994_02_26_a.htm for the complete text of the communiqué.

[46] For Ellen M. Wood, however, the sovereign cannot represent or embodied the general will because, as she convincingly argues in *Democracy against Capitalism,* the division between lords and subjects is constitutive of our modern concept of sovereignty: "The assertion of aristocratic privilege against encroaching monarchies produced the tradition

expansion of the liberal concept of democracy so as to include minorities and the subaltern, or to be analogous to the Commune or the soviets, in which direct democracy and immediate revocability of those in command were two key elements. Yet, *mandar obedeciendo* marks a demarcation in at least three ways, two practical and one theoretical.

First, it marks a clear deviation from previous Latin American insurgent movements, which, in one way or the other, tended to depend on a powerful leader—as was the case with Abimael Guzmán, sovereign leader and ideologue of the Peruvian

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of 'popular sovereignty' from which the modern conception of democracy derives; yet the 'people' in question was not the *demos* but a privileged stratum constituting an exclusive political nation situated in a public realm between the monarch and the multitude. While Athenian democracy had the effect of breaking down the age-old opposition between rulers and producers by turning peasants into citizens, the division between ruling landlords and subject peasants was a constitutive condition of 'popular sovereignty' as it emerged in early modern Europe" (Wood, *Democracy against Capitalism* 205). Wood, moreover, argues that the concept of representative democracy itself, which dominates in so-called democratic states throughout the world, is in fact an American innovation with no historical precedent, the result of the Federalists' anti-democratic vision devoid of any relation with the ancient concept of the *demos,* which, in the Greek context, "had a social meaning because it was deliberately set against the exclusion of the lower classes … from politics" (223). The ancient model of democracy, in Wood's account, was in fact explicitly avoided by the Federalists who were embarking "on the first experiment in designing a set of political institutions that would both embody and at the same time curtail popular power … Where the option of an active but exclusive citizenry was unavailable, it would be necessary to create an inclusive but passive citizen body with limited scope for its political powers. The Federalist … practical task was to sustain a propertied oligarchy with the electoral support of a popular multitude" (214). Representation is thus the anti-thesis of the Athenian concept of *isēgoria,* not just freedom but equality of speech, because it creates an increasingly smaller proportion of representatives to represented and thus a larger distance from each represented individual to power and the political, to where speech counts. As Wood suggests, "Not only did the "Founding Fathers' conceive representation as a means of *distancing* the people from politics, but they advocated it for the same reason that Athenian democrats were suspicious of election: that it favored the propertied classes" (217). In this devalued democracy, the 'people' is no longer made of active citizens sharing a public life but, rather, of private individuals whose public life is represented by a distant, probably unacquainted representative in a distant central state. Representative democracy is, as such, un-democratic in the Athenian sense of the term.

Sendero Luminoso (see Chapter 3)—or some variation of the Leninist vanguard party, as was more or less the case of the Cuban, Guatemalan and Nicaraguan guerrillas, among others. Second, and perhaps more importantly for its implication in the long run, *mandar obedeciendo* also marks a clear deviation from the traditional Indigenous decision-making process in which the decision, more often than not, is left exclusively to the community's elder men, shamans, *principales* or other renowned male figures of authority. In this sense, they are usually not truly democratic processes even if the notion of consensus or accord is included. The Zapatistas' *mandar obedeciendo,* instead, aims to break away from the traditional, authoritarian decision making of most indigenous communities, a process from which women are generally excluded.[47] As Patricia Huntington notes,

> *Mandar obedeciendo* reflects an attempt by Zapatistas to transform their communities from being closed and authority-based into being open and egalitarian … Doing so entails fostering a new model of *mandar obedeciendo* in which community leaders, instead of being invested with authority, function as carriers of the people's will. The idea of an inversion of the pyramid of political power thus begins at home. Zapatista

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[47] As an example of the Zapatistas' breaking away from traditional indigenous structures of power, women in Zapatista communities have acquired to a large degree the same rights and responsibilities as men, including positions of political and military leadership, as was the case with Comandante Ramona. Moreover, they have taken control of the decision to marry and how many children to have, which in indigenous communities is no small feat. Likewise, Zapatista women consulted and drafted the Revolutionary Law for Women, which was approved by the Zapatista indigenous communities in Chiapas in 1993. It should be noted that women were in large numbers also a part of the Peruvian Sendero Luminoso and even held positions of military leadership. Yet, as I discussed in Chapter 3, Sendero Luminoso was an authoritarian and vertical organization in which Abimael Guzmán sovereignly decided on almost everything. In this sense, women (as well as men) were excluded from the decision making process; they, in fact, just carried out orders, which is not the case for the Zapatista woman. For an anlysis of the the Zapatista Revolutionary Law for Women and the role of women in the Zapatista uprising and within the Zapatista communities, see Márgara Millán, "Zapatista Indigenous Women," as well as Khasnabish, *Zapatistas,* 74-81.

> communities open up democratic processes by such measures as incorporating women and children in decision-making, reducing wife battery through elimination of alcohol, and abandoning arranged marriages. (74-5)

On a more theoretical level, *mandar obedeciendo* also posits a potentially different rationalization for governance, one based not on consenting to an already taken sovereign decision, but rather one in which the decision enters the political from the very beginning. In other words, it does not posit a sovereign that decides and expects unlimited obedience, but rather a "sovereign" that neither decides nor expects obedience. As such, *mandar obedeciendo* is a principle of governance in which authority is not backed by force but, rather, by its own negation: the more he obeys the more authority he has**.** It is not a vesting of authority resulting from Hobbesian fear but, rather, a vesting of authority within a political community that is, as Luis Lorenzana indicates, "a community of deliberations, decisions and responsibilities" (136), a community, that is, based on *isēgoria,* on freedom *and* equality of speech.

The full implications of the principle of *mandar obedeciendo,* however, can only be fully grasped when discussed in relation to another Zapatista motto, *preguntando caminamos,* and what I will call, via Alain Badiou, the Idea of dignity. As I mentioned above, the principle of *preguntando caminamos* not only makes explicit the Zapatistas' negation of recipes and goals set in advance, but also their rejection of the decisionism of sovereign reason and the force that imposes and/or backs these decisions. It is these two principles working in tandem—*mandar obedeciendo* and *preguntando caminamos*—that makes understandable the frequent, obstinate and time-consuming process of consultation

and discussion behind any Zapatista decision.[48] Moreover, in all Zapatista campaigns, conventions or meetings the aim was never to reach a clear and well-rounded conclusion that would then lead into a defined and rigid path of action; nor was it to come up with a plan that would then be implemented from the top. Instead, the aim was the process and the experience themselves, that is, the dialogue and the possibility of exchanging different forms of being, seeing, thinking and living that might perhaps, piece by piece, build an *other* reason in a future to come. In this sense, the Zapatista uprising also recuperates Cynic thought, attitudes and practices given that what is ultimately at stake is changing the currency of the times, that is, moving beyond sovereign reason, the scriptural enterprise and cynicism coagulated into a system.

Indeed, Cynic sovereignty ran counter to the sovereignty of Kings not only because it mocked the latter but, more importantly, because it inverted its distinguishing features. Whereas Kings, for instance impose their reason by force Cynic sovereignty asserted the need to use one's own reason and rise above Kant's condition of self-incurred tutelage.[49] In this sense, it could be said, Cynic sovereignty advanced, so to

[48] Examples of the Zapatistas' constant opening up to dialogue and consultation abound. Among others, the National Democratic Convention in July, 1994; the National Consultation in August, 1995, in which the nation as a whole was to vote on the Zapatista strategy; the call for a National Forum for an Independent Dialogue in 1995; the call to form the Zapatista Front of National Liberation in January, 1996, via the Fourth Declaration of the Lacandon Jungle; the organization of the Intercontinental Meeting for Humanity and against Neoliberalism in July-August, 1996; the March of 1,111 Zapatistas representing Mexico's Indigenous communities to Mexico City; the 2001 March for Indigenous Dignity; and the 2005 Other Campaign were all ways of consulting, asking and thinking about how to keep walking and where to walk to.

[49] It should not be difficult to see that Kant's condition of tutelage lies at the heart of unbounded sovereignty, which grants security if and only if absolute obedience is a priori accepted. See note 21 above for a discussion of Kant's notion of tutelage and the use of public and private reason.

speak, an enlightened consciousness before the Enlightenment.[50] But Cynic sovereignty went beyond that. If for Kant the Enlightened consciousness was one able to rise above the condition of tutelage and, as such, be able to distinguish between the private and the public uses of reason, which implied accepting the need to obey in certain situations, Cynic "enlightened" consciousness aimed to do away with this distinction by positing the need to use one's public reason in any and all situations or circumstances. As such, Cynic sovereignty should not only be taken, as Foucault suggests, as "a positive exercise of the sovereignty of self over self" (*Courage* 309), but more importantly as the deliberate and radical abdication of the sovereignty of self over others.

The Cynics, moreover, inverted the relation of exception by means of which one is included in the community of brothers only through one's exclusion; that is, the Cynics chose to exclude themselves from the community in order to be included only through its truth-telling.[51] In other words, excluding himself from the sovereign relation of exception was for the Cynic what allowed them to tell others and the sovereign the truth; yet, by telling this truth, the Cynics became again part of the community, even if the community saw them as outsiders.

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[50] Not incidentally, many philosophers of the Enlightenment such as Rousseau, D'Alembert, Voltaire and Diderot had great sympathy for Diogenes of Sinope and Cynicism in general. Some of the ideals these Enlightened philosophers associated with Cynicism were, Heinrich Niehues-Pröbsting writes, "the freedom from prejudice and the open criticism of secular and religious authorities; the autonomy of the individual and the separation of morality from religious constraints; universal philosophy and cosmopolitanism" ("The Modern Reception of Cynicism" 332). Louisa Shea, in The Cynic Enlightenment: Diogenes in the Salon (Baltimore: Johns Hopkins University Press, 2010), goes so far as to argue that ancient Cynicism was in fact a determining influence for the Enlightenment and its legacy.

[51] See Chapter 2 for an analysis and discussion of the relation of exception.

The Zapatista experiment, too, aims for moving beyond the opposition between Kant's public and private uses of reason, positing instead the need to use our public reason even in Kant's private realm, the sphere of government and the political. The Zapatista experiment, moreover, also recuperates the Cynic abdication of sovereignty of self over others expressed by the Cynic's refusal to enter the sovereign relation, as shown by the anecdote of Diogenes and Alexander I discussed above. Likewise, the Zapatistas exclude themselves from a sovereign relation of exception that would include them in the community of (Mexican) brothers only through their exclusion, which is the case for most indigenous communities in Mexico. The Zapatistas, like the Cynics, opt instead to include themselves in the community only in as far as they tell the sovereign and the Grand Inquisitors the truth and walk by asking others.

Despite these similarities, the Cynic attitude and practices can be regarded as pure negation, whereas the Zapatistas' self-exclusion from the sovereign relation and the principles of *mandar obedeciendo* and *preguntando caminamos* I discussed above both respond and attempt to give form to an affirmative Idea that can be found at the very center of the Zapatistas' political discourse and social experiment: the Idea of dignity.

5.4. The Idea of dignity

In a letter written to Eric Jauffret on June 20, 1995, and entitled "La Dignidad no se estudia, se vive o se muere", Marcos attempts to define what dignity is or entails:

> Los pueblos indígenas que apoyan nuestra causa han decidido resistir sin rendirse, sin aceptar las limosnas con las que el supremo gobierno pretende comprarlos. Y lo han decidido porque han hecho suya una palabra que no se entiende con la cabeza, que no se estudia o se aprende de memoria. Es una palabra que se vive con el corazón, una palabra que se siente en el pecho y que hace que hombres y mujeres tengan el orgullo de

> pertenecer al género humano. Esta palabra es la DIGNIDAD. El respeto a nosotros mismos, a nuestro derecho a ser mejores, o nuestro derecho a luchar por lo que creemos, a nuestro derecho a vivir, y a morir, de acuerdo a nuestros ideales. La Dignidad no se estudia, se vive o se muere, se duele en el pecho y enseña a caminar. La Dignidad es esa patria internacional que, muchas veces, olvidamos. (*Nuestra arma* 291)

Dignity, according to Marcos, cannot be studied, memorized or understood rationally; that is, it cannot be calculated, prescribed or defined in advance. Dignity, moreover, is neither a legal term nor a recipe or closed concept. It rather stems from a certain common experience that pertains to the sphere of feelings, which is precisely what makes it hard to grasp or define. Dignity, as Old Antonio suggests, "no es más que la memoria que vive" (Marcos, *Nuestra arma* 419); that is, it can only be conceptualized or grasped as what I described above as *mētis,* the fecund, living memory that arises from a local, particular experience of history and disjointure; in this context, the marginalization, oppression and oblivion of Mexico's indigenous communities.[52] As such, dignity necessarily entails different things for different social groups or communities in different space-times. Therefore, as Holloway correctly notes, it is "not a question of imposing one dignity or of finding what 'true dignity' really means. It is a question rather of recognizing the validity of different forms of struggle and different opinions as to what the realization of dignity means" ("Dignity's Revolt" 179).

The symbiotic relation between dignity and *mētis* is clearly expressed in a letter sent by the Comité Clandestino Revolucionario Indígena in February 1995 to the Consejo

[52] *Dignity* as a politico-revolutionary category, Marcos notes in an interview with Yvon Le Bot, arises precisely from this particular experience: "La dignidad empieza a ser una palabra muy fuerte. No es un aporte nuestro, no es un aporte del elemento urbano, esto lo aportan las comunidades" (*El Sueño Zapatista* 145-6).

500 Años de Resistencia Indígena, an indigenous organization from the Mexican State of Guerrero:

> Entonces ese dolor que nos unía nos hizo hablar, y reconocimos que en nuestras palabras había verdad, supimos que no sólo pena y dolor habitaban nuestra lengua, conocimos que hay esperanza todavía en nuestros pechos. Hablamos con nosotros, miramos hacia dentro nuestro y miramos nuestra historia: vimos a nuestros más grandes padres sufrir y luchar, vimos a nuestros abuelos luchar, vimos a nuestros padres con la furia en las manos, vimos que no todo nos había sido quitado, que teníamos lo más valioso, lo que nos hacía vivir, lo que hacía que nuestro paso se levantara sobre plantas y animales, lo que hacía que la piedra estuviera bajo nuestros pies, y vimos, hermanos, que era DIGNIDAD todo lo que teníamos, y vimos que era grande la vergüenza de haberla olvidado, y vimos que era buena la DIGNIDAD para que los hombres fueran otra vez hombres, y volvió la dignidad a habitar en nuestro corazón, y fuimos nuevos todavía, y los muertos, nuestros muertos, vieron que éramos nuevos todavía y nos llamaron otra vez, a la dignidad, a la lucha."[53]

As the letter indicates, dignity arises from looking within the community's own history of suffering and pain, that is, from *mētis* understood as fecund, living memory. Yet, as the story "La historia de los sueños" suggests, *mētis* can only be transformed into dignity when, to use Jacques Derrida's formulation, the time is out of joint:

> En el mundo de los dioses primeros, los que formaron el mundo, todo es sueño. Es la tierra que vivimos y morimos un gran espejo del sueño en el que viven los dioes. Viven todos juntos los grandes dioses. Parejos están. No hay quién es arriba y quién abajo. Es la injusticia que se hace gobierno la que descompone el mundo y pone a unos pocos arriba y a unos muchos abajo. No así en el mundo. El mundo verdadero, el gran espejo del sueño de los dioses primeros, los que nacieron el mundo, es muy grande y todos se caben parejos … Por eso los dioses regalaron a los hombres de maíz un espejo que se llama dignidad. En él los hombres se ven iguales y se hacen rebeldes si no son iguales. (Marcos, *Nuestra arma* 403)

Dignity is, so to speak, the antidote to the injustice-becoming-government that decomposes the world and disjoints time. It is, in Marcos' formulation, a mirror that enables men to realize that the time is out of joint.

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[53] See http://palabra.ezln.org.mx/comunicados/1994/1994_02_01_b.htm (accessed: July 5, 2012).

Yet, as Derrida suggests in *Specters of Marx,* disjointure is what enables the possibility of the just, of justice: "Is not this disjuncture, this dis-adjustment of the 'it's going badly' necessary for the good, or at least the just, to be announced? Is not disjuncture the very possibility of the other?" (26). If disjuncture is the very possibility of the other, it necessarily follows that disjuncture is never a personal, private matter but the result of a web or network of disjointed relations, that is, of a social disjointure. Accordingly, dignity is never a personal, private matter because a life is always-already intertwined with other lives and, as such, as the possibility of the other, of Justice as "the jointure of the accord" (30), dignity is only conceivable through the sharing and multiplication of dignities, of space-time specific *mētis*, through what could be called the universal component or appeal of dignity: a truly free life without lack, marginalization or impositions of any kind: a life not subjected to "the system of needs—bread, order, power, law—that makes people submissive" (Sloterdijk, *Critique* 185). This universal component of dignity is succinctly articulated in the EZLN's "Primera Declaración de la Realidad": "La dignidad es esa patria sin nacionalidad, ese arcoíris que es también puente, ese murmullo del corazón sin importar la sangre que lo vive, esa rebelde irreverencia que burla fronteras, aduanas y guerras."[54] Dignity is posited here as anti-identitarian in the anthropological or social sense, since it does not entail identifying with, in this context, the Indian as Indian, but rather with what lies beneath the space-time specific materialization of the disjointure of the accord.[55]

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[54] The complete text of the ""Primera Declaración de la Realidad" can be found at http://palabra.ezln.org.mx/comunicados/1996/1996_01_01_b.htm (accessed: July 17, 2012).

[55] The non-identitarian character of the Zapatista project is perhaps best expressed in one of their mottos, the untranslatable *detrás de nosotros estamos ustedes.* It is the motto's

Dignity is thus concurrently a particularized universal and a universalized particular. It is dignity's dialectic/dialogic nature and its suspension of clear-cut dichotomies such as local-global, particular-universal, practice-idea, friend-enemy, that allows Holloway to speculate that "the creation of a society based on dignity can only take place through the development of social practices based on the mutual recognition of that dignity" ("Zapatismo" 159). In other words, the jointure of the accord is only viable through the simultaneous yet space-time specific jointure of multiple accords. As such, dignity pertains, in Marx's terms, to the sphere not of political emancipation but human emancipation: although grounded on the particularities of *mētis,* dignity postulates the emancipation of men and women as universal beings, which, in Zapatista discourse and practice, requires the abolishment of a condition that requires the illusion of state power and sovereign reason.[56] In this regard, dignity operates as an 'Idea' in the sense Alain Badiou gives to the term.

In the "Idea of Communism," Badiou argues that three basic elements—political, historical and subjective—are needed for the operation of what he calls an Idea. The first concerns a political truth he describes as "a concrete, time-specific sequence in which a new thought and a new practice of collective emancipation arise, exist, and eventually disappear" (231). The second element, the historical, implies that within a given type of truth, "the historical inscription encompasses an interplay between types of truth that are

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own grammatical, syntactical and semantic impossibility, which points to the artificial and porous barrier that exists between a *they* and an *us*, that captures the Zapatista positing of dignity as a doing away of the friend-enemy distinction through the affirmation of the need for empathy and solidarity with the *other* and the jointure of the accord as one of its the preconditions.

[56] See Marx's "On the Jewish Question" for his diffirentiation between political and human emancipation.

different from one another and are therefore situated at different points in human time in general. In particular, there are retroactive effects of one truth on other truths that were created before it" (233).[57] Finally, the subjective element enables "the possibility for an individual, defined as a mere human animal, and clearly distinct from any Subject, to decide to become part of a political truth procedure. To become, in a nutshell, a militant of this truth" (233-4). This subjective element necessarily entails a personal decision that results in a commitment to the Idea by means of which the individual goes "beyond the

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[57] As I discussed above, the Zapatistas retroactively activated one of the icons of the Mexican Revolution from which they derive their name—Emiliano Zapata. Yet, they did it with a twist. Whereas for much of the twentieth century, Zapata was regarded as a symbol of peasant revolts and discontent, the Zapatistas recuperate him as embodying indigenous demands or resistance. This symbolism served, for instance, to undermine the then ruling Partido Revolucionario Institucional's claims of being the heirs of the Revolution. Moreover, by claiming Zapata as one of their own, the Zapatistas also reappropriated the demands of the original Zapatistas to assert, as Conant indicates, "that their demands are nothing unheard of or extreme, but merely the same justice, dignity, and liberty that all Mexicans are granted by the constitution of 1917" (103). Marcos made this point clear when he indicated, "We [the Zapatistas] are not 'neo.' We are the continuation of the revolution of 1910" (quoted in Conant 104-5). This is, moreover, the intended symbolism of Marcos' now iconic appearance on horseback, wearing military fatigue and his chest crossed with cartridge belts, which, as Enrique Rajchenberg and Catherine Héau-Lambert suggest, immediately awoke and recovered "a collective memory which had been pushed into a corner, numbed by neoliberalism, and on the brink of being forgotten altogether … that of Emiliano Zapata on horseback, dressed in traditional *charro style*, with his broad hat and his chest crossed with bands of bullets" ("History and Symbolism in the Zapatista Movement" 19). Likewise, the use of the name "Aguascalientes" for the convention center the Zapatistas built for the Democratic National Convention held in Guadalupe Tepeyac from August 6 to August 9, 1994, following their rejecting of the government's peace proposals in June 1994. The Zapatista "Aguascalientes" manifestly brings to mind the Convention of Aguascalientes, in the city of the same name, where the three leaders of the Mexican Revolution at that moment—Emiliano Zapata, Francisco Villa and Venustiano Carranza—met to decide the political future of the revolution and the country. With this gesture, the Zapatistas not only proclaimed the popular nature of their uprising, but also were able to counter and even frustrate the state and media's criminalization and discrediting of the Zapatista uprising. This and other reappropriations were and are an intrinsic component of the Zapatista effort to resignify language and history as well as redefine the terms of the struggle through the astute manipulation of signs and symbols deeply embedded in the Mexican imagination and identity.

bound (of selfishness, competition, finitude…) set by individualism … [and] become[s], through incorporation, an active part of a new Subject" (234), a process Badiou calls subjectivation and that does not require the individual's rejection or abandonment of who she or he is.

The Idea, however, is neither purely political nor purely historical because it is the individual's subjectivation that connects both. At the same time, the Idea cannot be purely subjective, not only because it operates between politics and history, but also because it projects the particular into the universal or, in Badiou's term, the "symbolic whole" (236). The Idea is thus "the subjectivation of an interplay between the singularity of a truth procedure and a representation of History," which necessarily entails the "abstract totalization" of the three elements mentioned above (235). It is, in sum, an operation that invites and allows for individual participation in a given political truth and historical procedure.

Accordingly, it is the Idea that allows projecting an exception to the state of the situation as well as sharing the exception with others as a possibility. The Idea thus projects the exception "into the ordinary life of individuals, to fill what merely exists with a certain measure of the extraordinary" (253) in order to convince others that a different life and a different future beyond the constraints of the state is possible. The Idea as such is, nonetheless, not responsible for convincing anyone to become a militant of the truth procedure it mediates; it just puts the individual in the situation in which he or she has to decide whether or not to be part of it.[58] The Idea is, in any case, what enables to shift the

[58] This decision depends, as Badiou suggests, in great part on what he calls the proper names of revolutionary politics—names such as Che Guevara, Fidel Castro, Lenin, Mao, Marx, Abimael Guzmán and, of course, Marcos—who are for Badiou of vital importance

line between the possible and the impossible, between the calculations of the everyday and the reasonable senselessness of the incalculable.

Badiou's theoretical framework, including his notion of the Idea, is constructed around the concept of the 'event', which Badiou understands as

> A rupture in the normal order of bodies and languages as it exists for any particular situation … an event is not the realization of a possibility that resides within the situation or that is dependent on the transcendental laws of the world. An event is the creation of new possibilities. It is located nor merely at the level of objective possibilities but at the level of the possibility of possibilities. ("The idea" 242-3)

As such, the event is located in the sphere of the incalculable and unforeseeable, paving the way "for the possibility of what … is strictly impossible" (243). Moreover, it is "something that can occur only to the extent that it is subtracted from the power of the State" (244), which Badiou also calls the 'state of the situation' and defines as "the system of constraints that limit the possibility of possibilities [and] organizes and

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for the operation of the Idea, even if their importance is at the same time paradoxical: "Emancipatory politics is essentially the politics of the anonymous masses" (249), yet it is distinguished by proper names "which define it historically, which represent it, much more forcefully that is the case for other kinds of politics" (250). The reason for the prominence of proper names, Badiou argues, "is that all these proper names symbolize historically—in the guise of an individual, of a pure singularity of body ant though—the rare and precious network of ephemeral sequences of politics as truth … In the proper names, the ordinary individual discovers glorious, distinctive individuals as the mediation for his or her own individuality, as the proof that he or she can force its finitude. The anonymous actions of millions of militants, rebels, fighters, unrepresentable as such, is combined and counted as one in the simple, powerful symbol of the proper name" (250). For many, the overbearing presence of Marcos in the Zapatista uprising contradicts the supposed horizontality of the Zapatista project and discourse. Yet, in this context, Marcos becomes an awkward proper name because his proper name is, for all practical purposes, irrelevant. Marcos, as a proper name, does not designate anyone specific but instead embodies and represents each masked Zapatista. As such, Marcos as a proper name concurrently confirms and subverts the importance Badiou gives to proper names. In the Zapatista uprising, every masked Zapatista seems to be a "glorious, distinctive individual" mediating the truth procedure operated by and through the Idea (of dignity), which seems in fact to end up reinforcing rather than undermining the horizontality of the Zapatista project and discourse.

maintains, often by force, the distinction between what is possible and what isn't" (243-4). In the Zapatista context, the state or state of the situation comprises the neoliberal market, the capitalist economy and the Mexican State, among others.

In Badiou's theoretical framework, the subject does not exist in the situation before the event; instead, the subject emerges through his or her fidelity to the event; that is, through the operation opened up by his or her decision to partake in the political and historical truth procedures that pertain to the situation, which in turn allows for the subject to become a "subject of fidelity" to the event and compose new ways of being, thinking and acting. Fidelity, in this sense, could thus be understand as a kind of *mētis,* of fecund, living memory that marks the body not towards the past but the future.

It is not my intention here to determine whether the Zapatista uprising was or was not an event.[59] In any case, what is important in Badiou's theory of the event are the possibilities opened up by the Idea that is at work in a truth procedure that might or might not be retroactively regarded as an event. For Badiou, it is the Idea of communism that

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[59] Mihalis Mentinis, for instance, argues in *Zapatista* that the Zapatista uprising was not an event because it "did not produce any hole in the situation" (99), and therefore neither did it deliver "a viable blow to capitalism" (99) nor successfully articulated a discourse that "could become hegemonic or counter-hegemonic on a national or international level" (100). He, instead, opts to refer to the Zapatista uprising as an 'evental situation' that reworks the elements of an unspecified previous event, thereby making them relevant in a different space-time and with a view towards a future event: "The importance of the Zapatistas and their quasi-eventality does not lie in their revolutionary theory or their political alternatives to capitalism, but rather, in making obvious the need for and, most importantly, the possibility of revolutionary politics. The end of history is suspended after 1994, the omnipotence of capitalism is challenged, the Zapatistas demonstrate that to revolt is till possible … From this point of view the effects of the movement expand in time and space in an evental fashion, keeping alive and taking forward the revolutionary project" (103). Mentinis cites as an example the Haitian Revolution, which he regards as the evental situation of the 'event' that was the French Revolution, noting that it was the former that inspired subsequent movements. In the Latin America context, Metinis notes that the Cuban Revolution ought to be regarded as the first evental situation emanating from the event of the Bolshevik Revolution.

has been for the last two centuries or so “the most important name of an Idea located in the field of emancipatory, or revolutionary politics” by linking local political procedures with the march towards human emancipation: to participate in a reading group of *The Communist Manifesto* was, as Badiou notes, “to mount the state of History” (236).

In the Zapatista context, however, it is the Idea of dignity that allows for the projection of the historical, Old Antonio’s *mētis*, into the political truth of Zapatismo, that is, the concrete sequence in which the thought and practice of Zapatismo arise, exists and will eventually disappear. It is through the Idea of dignity, too, that individuals, both in Chiapas and throughout the world, decided to become part of the political truth embodied by Zapatismo. The Idea of dignity, moreover, is what makes individuals decide to become militants of truth procedures in other geographical locations under other particularities. In other words, it is not necessarily the particularities of the Zapatista uprising that makes the Zapatista political truth a shareable truth; the particularities—the poverty and marginalization of the indigenous communities, for instance—generates in any case sympathies and affects. It is, rather, the Idea of dignity that allows to project a particular historical procedure into a political truth and become a Subject not only of the particular truth procedure but also, and more importantly, of the universal aspiration for a life lived *in* and *with* dignity. It is the Idea of dignity that allows people to realize and think of their particular struggles as part of, in Badiou’s words, the march towards human emancipation.

It could be argued that the Idea of dignity is just another name for the Idea of communism, and perhaps it is. Yet, the Idea of communism is too embedded in the Western tradition of thought and thus seems to be far removed from the indigenous

communities in the Americas and, perhaps, other non-Western social groups for whom the communal has been an intrinsic part of their conceptualization of the political and the management of life and resources, and therefore cannot operate as an Idea in Badiou's sense of the term. Moreover, even if Badiou notes that the Idea of communism is opposed "to the theme of communism as a goal to be attained through the work of a new State" (256), it nonetheless bears the mark of, among others, Hobbes' fear, the bourgeois state, capitalism, progress, colonialism and imperialism. Even if emancipatory, the Idea of communism seems too dependent and too intertwined with the Western tradition of thought and the political, with sovereign reason itself.

Even if in part influenced by the (forgotten) Western tradition of Cynicism, the Idea of dignity seems to be a more tuned response to the indigenous communities' experience of colonialism, imperialism, subjugation and marginalization. In this sense, it seems to be more adaptable to local circumstances, to a given disjointure of the accord, and respond much more strongly to the indigenous *mētis* than the Idea of communism, which mainly reacts not so much to an experience of colonialism or marginalization from the political but to alienation and domination in the economic sphere.[60] In this sense, the Idea of dignity posits an operation that is, concurrently and paradoxically, more universal *and* more particular than the Idea of communism.

In any case, the Idea of dignity, along with the principles of *mandar obedeciendo* and *preguntando caminamos*, seems to suggest the impossibility of composing one's life

[60] Interestingly enough, the Idea of dignity, and not the Idea of communism, has gained a lot of current among the middle classes of so-called developed countries where social movements like the Spanish "Indigados" or the American "Occupy Wall Street" are appealing to the Idea of dignity against economic crisis and the priviliges of an economic elite that controls the political and, as I have been arguing, is increasingly becoming sovereign.

without, at the same time, composing a communal life no longer based on Hobbesian fear but love, hope and openness. In this re-founding of the sovereign relation, one that perhaps no longer responds to this name, man is no longer the wolf of man but what enables man. Without this radical alteration of the underlying principles that guide life in common, without a radical change in the currency of the time, without the dissolution of power relations, the Zapatistas seem to suggest, life will not be *other* but same, and, as same, subjected to the vagaries of sovereign reason, the scriptural enterprise and the logic of the market. If the argument presented in the previous pages makes any sense, the Idea of dignity must necessarily entail a politics of noise, of composition, of reasonable senselessness.

* * *

The Zapatistas as a political force are no longer at the center of Mexican or international debate. In fact, it would not be farfetched to suggest that the public time of the Zapatistas has passed. Yet, the Idea of dignity, along with the principle of *mandar obedeciendo* and the dialogic anti-recipe of the *preguntando caminamos,* have entered the political vocabulary, offering thereby one possibility of suspending what Jacques Lezra calls the sovereign's performative and indeterminate utterance, which, as I discussed at the beginning of this chapter, is always subject to verification in the future and therefore enables the possibility of resistance, of the appearance of a contingent. The Idea of dignity is just that: the contingent the Zapatistas introduced in the space opened by the indeterminate nature of the sovereign utterance. The Zapatista "inconvenience" would thus entail not only the ability to articulate a silenced, hidden and unwelcomed truth pertaining to the Mexican state of the situation, but also, and more importantly, to

articulate what motivates or lies beneath the articulation of those silenced, hidden and unwelcomed truths: dignity.

In *Muertos incómodos,* Elias Contreras ends up finding his Morales in a bar in San Cristobal. He captures him and takes him to the Zapatista communities, where he is judged after telling his own version of the events and sentenced to ten years of community work under the supervision of the Zapatista Juntas de Buen Gobierno. Even if the decision to put him to work still carries the mark of the association between work, morality and redemption I discussed in Chapter 4, the type of communal work he is condemned to do is not, or not primordially, for the market and exchange. It is, instead, work that will become a use value for the community. Moreover, it is a sentence that does not isolate or exclude Morales from the community, as it is usually the case of condemned criminals spending their time in state prisons and who are included in the community only through their exclusion from it. Instead, the sentence forces him to dialogue and become part of a common experience. Even if we can assume he would be closely watched over, Morales is not excluded from the community; his sentence, instead, is an open invitation to take part, to get involved, to include himself. The decision, however, will be entirely his. Something similar could be said of the Zapatista uprising. It is, ultimately, an invitation to dialogue, to change the currency and to build an *other* reason, one that does not yet exist but is nonetheless there: somewhere.

Conclusion

I have to follow the formatting guidelines for dissertations at Michigan and call this last section "conclusion," but it would be contradictory to end this work by closing it to further elaborations, thoughts, compositions, noises, reasonable reasons… So, let's think of it as an outro, as in music; an outro that fades out, *diminuendo poco a poco*—an invitation to keep the melody in one's head, to reconsider, to open oneself up to the next melody, to what comes next. Fading out because it cannot end with a *fortissimo*, like The Beatles' "Hey Jude," Pearl Jam's "Black", Mahler's 9th… Or, perhaps, Walter Benjamin's passage in his second thesis on the philosophy of history where he states, "there is a secret agreement between past generations and the present one. Our coming was expected on earth. Like every generation that preceded us, we have been endowed with a *weak* Messianic power, a power to which the past has a claim" ("Theses" 254).

In this passage, Benjamin seems to suggest that each generation slowly fades out hoping that the next generation would do justice both to the melodies it composed and those it only dreamt of. For the former, the composed melodies, doing justice would entail keeping a watchful eye to ensure that beautiful melodies are never lost and, for lack of a better word, frightful ones never reappeared. For the latter case, those only dreamt of, it would mean being able to tell the difference between those that should be composed and attempt to, and those that should rather remain in the realm of nightmarish dreams. In

both cases, however, to acknowledge the secret agreement between previous and present generations seems to amount to responding responsibly to a demand made in advance.

In the context of this work, the demand of previous generations, and thus the responsibility towards them, carries more weight given that those who in Latin America organized themselves during the recent decades to composed new melodies, to dream of a different future, sometimes against oppressive regimes, brutal dictatorships and even nominal democracies hammering their own repetitive melodies into the whole population, *did not* shun away from their responsibility and dared to compose new melodies. Even if one does not like them, that is, even if one does not agree with their ideologies, strategies, tactics and/or vision of the future—there is little to agree with Sendero Luminoso, for instance—they composed or tried to composed what they regarded as worthy, perhaps even beautiful melodies. To respond responsibly to those who did not wait, to those who risked their lives for "better" music, entails at least two things. First, it entails recognizing and responding to the underlying motivations and realities (inequality, marginalization, poverty, etc.) that led them to organize and attempt to compose a different future, as well as the spirit of nonconformity that fueled this attempt, Yet, and most importantly, it also entails critically examining the actual melodies they composed, in this context, the insurgent movements they created, the discourses they constructed and relied upon, the goals they set to accomplish, and the strategies and tactics they devised and implemented to achieve these goals.

My discussion of the discourses that underlie sovereign reason and the scriptural enterprise should thus be seen as an attempt to identify the hegemonic constraints and ideological positions within which the insurgent movements attempted to compose a

different future, from taking the very same discourses to their limit and thus positing a grotesque version of the very same future—as was the case with Sendero Luminoso—to altogether refusing to enter, more in the sphere of discourse than in actual, everyday practices, the sovereign relation of exception—as was and is the case of the EZLN. It was, too, an attempt to examine the discourses sovereign reason relies upon when it is most sovereign—hence my interest in counterinsurgency—so as to identify from where or which sphere is this sovereignty exerted.

If literature has the same foreshadowing qualities Jacques Attali assigns to certain music—its capacity to prefigure profound changes not only in the sphere of power and how this power is contested, but also in the organization of life-in-common—the literary texts discussed throughout these pages reveal and point to what I have identified as a shift in the locus of effective sovereignty from the strictly political to the economic. By this I have referred to the ongoing process by means of which the divide between inclusion and exclusion, friends and enemies, is no longer determined in the last instance by where one stands politically or ideologically (left or right, socialism or capitalism, etc.) but, instead, by one's capacity to partake in the process of production, exchange and consumption. In other words, full citizenship and the possibility of getting access to the where speech counts are no longer grounded, for instance, on a given ideological position, the capacity to vote or the exercise of other political rights, but rather linked to the economic resources one has or can dispose of so as to partake in the cycle of capital production, accumulation and reproduction. Thus it is no longer the political sovereign (state, king, president, congress, etc.) per se who pinpoints the public enemy and determines who is included in the community of brothers based on a purely political rationality; nowadays,

it seems, it is the all-encompassing free-market that exerts sovereign power, thereby turning all and any of us into potential candidates for exclusion *regardless of* political standing.

The novels and short stories I have discussed in these pages, I have argued, reveal and react to this shift in the locus of sovereignty. In these literary texts, the main characters are "mad," "senseless" or old individuals, Cynics, ghosts or animals; entities or personas, that is, that cannot be easily made into laborers, that are somehow beyond or outside the exchange economy, that lack the language and alleged rationality necessary to give up their freedom in exchange for the free-market's (sovereign) protection, therefore resisting to enter the sovereign relation of exception or, in some cases, altogether rejecting it. Writing "beyond" reason, these novels and short stories thus suggest the possibility of a space or network beyond sovereign reasons and relations of exception; a space or network in which production for exchange, sovereignty of self over others, friend-enemy distinctions, protection-obedience principles and Janus-faced logics of fraternization are no longer sovereign; a space or network open to further compositions, noises and reasonable senselessnesses; a space or network…

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