# Josefa/Juanita 1AC

A tourist magazine had this to say about a Mexican woman who was killed by a lynch mob on the 5th of July. “You might be nursing a cold one under the watchful gaze of a stuffed bear head at the St. Charles Place Saloon where you overhear two locals debating whether Juanita deserved to get lynched. It may take you a while to figure out…the events in question took place more than 150 years ago, not last week…Next to the country courthouse, in a grove of trees you’ll come across a restored 1885 gallows. It hasn’t been used since the year it was built, and then only once. And well, that’s another story.”[[1]](#footnote-1)

On JULY, 1851, my precarious life came to a stop.

I heard the pounding on the door. This is it, I am going to be stripped of my night garments and dignity. Jose was up in an instant and went to check up on the chaos that was occurring in the living room. SMASH! I quickly retrieved the knife that was under my pillow. I heard rumors that the miners were having sick, sexual fantasies about breaking into my cabin. No, I wouldn’t be caught unable to defend myself; I would use the knife if I had to. BOOM! I heard Jose arguing with Connor, a white, male, financially successful model of our community. This was how the town saw him, but I saw him as my worst nightmare. He has been forcing himself upon me at any opportunity. When he touched me, I was revolted but that didn’t matter. I was a brown, woman of color and what I wanted or didn’t want was irrelevant, I was less than human in the eyes of the white settlers of the community; I felt like an object to do and dispose of whenever was convenient. I was frustrated, angry, and afraid because of my place in the world. Connor’s male gaze always made me feel that way. He once attempted to take advantage of me. He gagged me with my own scarf and buried his pale face into my dark, thick locks; I was afraid, angry and ashamed. The shouting grew louder and I walked into our destroyed living room. I stood next to Jose as Connor offered him money, in order to apologize for his actions. Jose refused, that was when Connor called me a whore. I was angry and I reacted the only way one with a long time of abuse and shame would react, I stabbed him in the heart. That knife contained my anger and my shame. He died instantly. Jose and I ran away to a neighboring town, but we were dragged back by the angry lynch mob. I knew my fate. I was a woman of color and I was not going to get any form of justice. I felt the white men of the community pull harshly at my hair while they punched and kicked every inch of body. I was dragged toward the scaffold and I ascended it without any assistance. I held my head up high. I knew. I knew then that I would not see another day, but I was not going to beg. I was not sorry for what I did. People gathered around. I dusted off some of the dirt off my light blue dress and adjusted the noose around my neck so that it did not tangle with my hair. “Any last words,” the guards asked. I stared at the crowd and said “I would do it again. The man insulted me.” My eyes were covered… “Adios senores!”

There was no word from Juanita. Like a ghastly top Juanita’s body twisted around and round for half an hour. On July 5, 1851, three thousand men stood watching her dangling from a rope. [[2]](#footnote-2)

#### Violence against the gendered and racialized bodies is the product of the history of colonization. Josefa/Juanita’s lynching is an act of violence that was normalized. In books and article her story, her body of flesh, was stripped and ripped apart to the point where she was erased and only shallow fragments of her remain. A critical re-reading of her history and her subject formation is needed in order to expose how violence is normalized.

Nicole M. Guidotti- Hernandez, Associate Professor of American Studies at the University of Texas at Austin, 2011, Unspeakable Violence, p. 7.

Then there is another effect, one in which violence manifests itself in the social residues that are sedimented as trauma. Trauma manifests itself in people’s behavior, in both the physical body and the psyche. Some who have¶ experienced oppressive treatment do not live to tell their stories. For those¶ who do, the ways violence leaves its traces have been most clearly documented in the numerous accounts of Holocaust survivors, memoirs of sexual abuse¶ survivors, and blues songs that testify to the African American experience of¶ lynching.” Violence in any context remains as a social trace in our histories; it affects how we behave, and this is why it is so often an unspoken, underlying social current. Judith Herman argues, “Psychological trauma is an affliction of powerlessness.” Writing about trauma is both a formalistic narrative practice and a way to mourn for past violence in order to counteract the sense of powerlessness that histories of colonization evoke. Rereading this archive is a means of responding to atrocities that are often unspeakable. Images of violence against the gendered and racialized body--whether in the form¶ of rape, physical torture, or political disenfranchisement—demonstrate that these forces are normalized, enraging, and extraordinary all at the same time. In attempting to imagine “real” violence and how it was and is experienced by a collective of individuals who are explicit products of histories of colonization, my readings theorize that the pain and suffering that result from violence against the body and the subject are integral to the production of subjectivities. To illuminate the prevailing ideas of domination, violence must be read as both a subject of representation and a historical factor.

#### Her body of flesh, her memory was reduced to her act of violence and the stereotypes imposed upon her for being a woman of color. In this moment, the law became a code of racial distinction that solidified racism; the violence that was committed upon Juanita/Josefa’s bodied was condoned and legitimated. Stories that are told and devoid of detail have a form of power.

Nicole M. Guidotti- Hernandez, Associate Professor of American Studies at the University of Texas at Austin, 2011, Unspeakable Violence, p. 239.

The title of the chapter, “stripping the Body of Flesh and Memory,” comes directly from Fontes’s novel. As a base line for theorizing violence and subjectivity, I want to suggest that “stripping the body of flesh and memory” marks the violent process and the physical site where subjectivity and an unaccounted- for historical consciousness are produced. Thinking in this way produces a corrective of sorts to the elision of violent histories from Mexican, U.S., and Chicano national imaginaries. The flesh- and- blood experiences of torture, of deportation, and sexual violence represent the site of memory in a particular historical instance of war and violence. The novel articulates in great detail the information that official histories and records omit but that Yaqui oral histories tell, for much of Fontes’s novel is based on her own research in the Yaqui archives. State–wide punitive activities of the nineteenthcentury Sonora and how individuals who fought against the current of Mexican Modernity experienced its savage wrath cloaked in the mantle of progress are at the core of the novel. Imagining the Yaqui body in pain tests the limits of modernity’s message by marking the lack of state-related freedom of Yaqui individuals. These scenes of subjection, to use the evocative of the literary critic Saidya Hartman, represent how fine the line was between insurgence and complicity for Yaqui’s at the moment in history. The way in which pain is represented in the novel poses a series of questions about violence and subjectivity: what happens when one cannot shield one’s body from its nakedness? What does it mean to have nothing left but the flesh on one’s bones, after being whipped within inches of death? When the body is ravaged by illness or hunger and the only thing left is bodily memory itself, how does one survive? As the previous chapter illustrated, these questions of interiority, survival, and punishment aren’t necessarily the central concerns of the authors of government documents about the Yaqui Indian wars. Theorizing the relationship between the body and violence and among flesh, memory, and loss is my attempt to emulate the feminist critic Norma Alarcon, who in “Tradutora, Traditora: A Paradigmatic Figure of Chicana Feminism” speaks to the forgotten nature of La Malinche as a flesh- and-blood- person. Her reading of La Malinche moves scholars away from the male nationalist image of La Malinche as an icon of betrayal of the Mexican people; it does so by revealing how the body and thus the actual subject (La Malinche as a person) can be forgotten through nationalistic, male-centered discourse. Critics like Alarcon forge a connection between flesh and memory and put flesh back on the object, to force us to recognize that subjects such as La Malinche were historical actors rather than transparent, albeit potent, symbol of failed nationalisms. Instead of reifying discourses that violate while completely disregarding the actual subjectivity that is formed through the literal flesh-and-blood experience, critics need to look for cognitive connections between mind and body, between flesh and memory and the traces of these subjects in all forms of evidence. Literary representations, like Fontes’s and those rare historical records of torture and of violations of the body demonstrate that quotidian physical violence produces psychological feelings of disembodiment. Those acts of “reading” torture and making such histories accessible through the juxtaposing of the historical and the literary can help the reader to understand the private and incommunicable parts of why nations- the United States, Mexico, and the imagined Chicano nation-selectively forget the roles they have played in intracultural, intranational, and transnational violence and genocide.

The resolution functions similarly to the tourism magazine. The debate resolution asks debaters to begin a discussion about presidential war powers in several areas: targeted killing, indefinite detention, “offensive” cyber operations, and the introduction of United States armed forces into hostilities. The exceedingly disturbing aspect of the resolution is that it does not call for a discussion about ending these acts of violence, but instead it asks us to decrease the president’s authority to do so. This is an instance of strategic utterance. According to Nicole Guidotti- Hernandez, the magazine’s barely noteworthy reference to Juanita/Josefa’s lynching can be skipped over, forgotten, or seen as local color, as they typically are; or the lack of detail in their strategic repetition may be understood as a way of instructing us to forget. Similarly, the resolution is a one sentence utterance that disguises violence and war is viewed as a euphemism. Guidotti-Hernandez states that “these euphemisms evade an outright discussion of these violent conflicts or war and locate the violence outside of war…” and from euphemisms state violence is diffused into “broad based set of discourses and practices; not so much an oppression or subjection issuing from a singular source with one interest or goal in mind but as an incredible range of uneven, if powerful, tactics of violence that need to be concealed to present a veneer of democratic practice and action.” And, the resolution uses technocratic discourse that “absolves the nation of wrongdoing by creating a politically acceptable discourse.” (181) Thus, violence committed against communities abroad and at home is justified. Detention acceptable. “targeted killings” of women and children, innocent by standards, are uttered as casualties.

#### Debate is complicit with violence. We are accustomed to having discussions about violence done to individuals in the abstract. This abstraction of violence has made us numb to violence. The resolution is an instance where debate as an activity puts us in a position where we must be complicit with violence. The role of the ballot itself is about social relations. The ballot is not something that is in a vacuum, but there is a subject that is influenced by social relations. Therefore, the subject chooses to either be complicit with violence or not.

Nicole M. Guidotti- Hernandez, Associate Professor of American Studies at the University of Texas at Austin, 2011, Unspeakable Violence, p.4.

The materials I work with convey a sense of immediacy about dealings¶ with dissident populations. As Ranajit Guha, a historian of peasant revolts in¶ India, has shown, official statements are often written either concurrently¶ with or soon after an event. Further, participants in the broad sense, either as¶ actors or as interested onlookers, often wrote accounts." Most important, Guha argues that because the accounts were written after an event as a means¶ of containing an insurgency in the moment of its elaboration, they ultimately¶ produce a prose of counterinsurgency, the desire to stop such uprisings, both¶ discursively and physically. Following Guha’s observations, my analysis of¶ what is posited in the contemporary eyewitness reports, military correspondence, and presidential edicts track (critical) glances backward to these discrete moments of violence in the borderlands and the counterinsurgent discourses produced by operative hegemonies. Guha calls this the “intersection of colonialism and historiography,” where a doubled sense of movement is “linked at the same time to a system of power and the particular manner of its representation.” Drawing attention to the mediated nature of the production of every text, Guha calls attention to the blind spots induced by calling¶ such sources neutral. At some level, the government documents, literature, testinionios, and letters in my study presuppose a neutrality that registers silence about some events and complete disclosure of others. In masking culpability for violent acts committed against particular populations in the borderlands that are motivated by racial, sexual, or gender difference, such documents (like the discourse of counterinsurgency) reveal other patterns, elementary repetitions of practice that establish a concrete narrative index in which a document, as Guha reminds us, serves as “more than a mere register of happenings [to] help inscribe it into meaning.“ Given that these documents were written to shut down insurgency, they both advocate violence as a response to that insurgency and function to silence that violence.

**The framework for this debate should be about the historical unraveling of violence that’s been done upon gendered, racialized, economic unprivileged bodies and about subjectivity. Debate should be about reconceptualizing and interrogating dominant understandings of violence and we should specifically be investigating the ideological and structural reasons why violence happened to Josefa/Juanita’s body. Therefore, this debate and the role of the ballot is about uncovering the incident behind Juanita/Josefa.**

**Nicole M. Guidotti-** Hernandez**, Associate Professor of American Studies at the University of Texas at Austin,** 2011**, Unspeakable Violence, p. 32.**

Josefa/Iuanita’s lynching, the Camp Grant massacre, and the Yaqui genocide were not anticolonial moments of solidarity among Mexicans, Anglos, and various Indian groups. Those whom we would now consider members of¶ colonized, oppressed, and ethnically heterogeneous communities produced inequities by aligning themselves with the states and economies they were a¶ part of. These moments afford vivid examples of temporary Anglo, Mexican, and indigenous enfranchisement through acts of violence and often of genocide**. By effectively policing the citizenship of others with violence, eventual marginalized populations were temporarily or symbolically enfranchised. There is a special grammar of violence in each speciﬁc instance**, and I use it as¶ diagnostic of the grammar of the whole (violent) set of Anglo, Mexican, and¶ indigenous relationships on the border. **Each incident reveals the whole history of violence in which it is embedded. Yet we can achieve this reading only through a critical self-reﬂexivity in which we implicate ourselves in the power dynamics of social and cultural practices. Creating solidarity ultimately requires admitting our mistakes, taking responsibility for them, and moving forward. This transnational turn to deconstruct subjects as being simultaneously of and not of** U.S. and Mexican **imperial projects** of nation and to **analyze how** these **identities are socially produced creates a more nuanced history that is accountable to politics.”** Such a method avoids co-opting of the¶ historical subjects in this book in the name of nationalism and allows their¶ history to be considered in their own contexts, leading us to contemplate the unspeakable losses and the reasons they are unspeakable.

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#### The reading of Josefa/Juanita’s story is an instance where we engage in a transnational feminist approach because it allows us to unravel this historical act of violence. This has opened up a dialogue where we can discuss this unspeakable form of violence.

Nicole M. Guidotti- Hernandez, Associate Professor of American Studies at the University of Texas at Austin, 2011, Unspeakable Violence p.295-296.

What can one take away from a nuanced analysis of violence at the discursive, physical, psychic, and epistemic levels? Because violence orders how we analyze racial, sexual, gender, and class inequalities, it renders visible the unspeakable and demands more openness in a way that nationalisms, mestizaje, and resistance-assimilation do not. This is the reason my turns to both transnationalism and feminism as a means of unmasking why certain histories remain unspeakable. To disavow racism in a symbolic act of minstrelsy or to disavow U.S. intervention in the everyday facets of border capitalism is to foreclose the possibility of mourning, of taking seriously the losses experienced at the hands of violence. The inability to reckon with our intimately intertwined nation histories forecloses the possibility of reconciliation because individuals and nations on one side of the equation are not willing to take responsibility for the violence. If someone took responsibility for violence it would allow survivors of violence and their kin to mourn and move forward with a mindfulness about history. Instead, many of us run around making heroes and heroines of people who have literally survived violence and trauma. Mourning the losses, both national and individual, could perhaps provide the structural institutional examination of violence as both a category of analysis and an intensive declaration of difference. I hope this book will open up seriously sustained dialogue about violence, citizenship, mourning, and loss within Chicana/o, Latina/o, American, and borderlands studies so that we don’t repeat the same stories and questions in the same way, creating an awareness while questioning, with care and reverence, all that has come before.

#### Josefa/ Juanita’s story is a traumatic story that gives us the opportunity to mourn. Mourning is necessary in order to create a relational and passionate response against violence

Nicole M. Guidotti- Hernandez, Associate Professor of American Studies at the University of Texas at Austin, 2011, Unspeakable Violence, 69-70.

Why have no scholars theorized the place of rage in Josefa/Juanita’s motives? Most historians and literary critics have read her murder on Cannon as an act of self-defense and resistance, a function of their need to identify a heroine from which to launch into heteronormative nationalism. By thinking about Josefa/Juanita’s murder of Cannon as an act fueled by rage and the social constraints of being desirable U.S. Mexicana in the predominately white, predominantly male community, perhaps we can move away from celebratory resistance narratives and examine the situation as one in which U.S. Mexicano/a conceptions of gender honor were at play. This type of rage is best defined as what the black feminist scholar bell hooks calls in her book *Killing Rage*, an anger ascribed to the relay of discrimination along gendered and racial lines that imparts to a person a feeling of animosity that exceeds the parameters of normalized emotional responses to given situation. As hooks puts it, “White rage is acceptable” whereas brown or black rage is not. She details the range of emotions she experienced after dealing with a series of racLUist incidents at an airport, culminating in a confrontation with a white man who refused to move from the seat he occupied even though hook’s traveling companion was assigned the seat. hooks writes, “ I wanted to stab him softly, to shoot him with the gun I wished I had in my purse. And as I watched his pain, I would say to him tenderly ‘racism hurts.’ With no outlet, my rage turned to overwhelming grief and I began to weep, covering my face with my hands.” hooks articulates the hypervisibility and invisibility she experiences as a woman of color. When she asks for fair treatment and the recognition of her rights as a person, she is invisible. When she sobs in her seat, however, she becomes hypervisible, almost pathological in her emotional response to racism. The dichotomy of invisibility/hypervisibility does not acknowledge the oppressive nature of everyday confrontations for women of color. hooks is in a public space surveiled by others and subject to laws preventing her from enacting the violent scene she has imagined. When hooks says, “racism hurts,” she acknowledges the inaugural loss of the subject in language and a body cut by the language of race. Instead of accepting racism as a condition of everyday life, hooks express her loss through anger and rage and, most aptly, in crying, the ultimate physical sign of mourning. But in this context mourning is figured as pathological rather than a sign of powerlessness. For hooks the conversion of rage into crying is a “potentially healing response to oppression and exploitation” and “a passion for justice.”

1. Christopher, Hall,“Downieville: A former Mining Town in the Sierra Revels in Its Golden Years,” *Via Magazine,* 27-28. [↑](#footnote-ref-1)
2. Ibid, p.75-76. [↑](#footnote-ref-2)