



## *Resisting Legibility on the Borders* Opposition to the Violent Intersections of Race, Nationality, and Sexuality

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**Abstract:** Through an exploration of the capital, cultural, and political impossibility inscribed onto the queer body of color by the nation, this article attempts to interrogate violence against those bodies (specifically utilizing the case of transgender Latina Bibi Barajas) in an attempt to excavate productive strategies of resistance able to counter that violence. By building an alternative archive of resistance, it becomes possible to resist speaking for those whose bodies are subjected to violence and to oppose pulling them into legibility. Instead, one can grieve them in order to powerfully critique the invisible systems of oppression and domination that produce and regulate nonwhite nonheteronormative subjects—systems that then become visible through acts of violence committed against the queer body of color.

### THE IMPOSSIBILITY OF BIBI BARAJAS

Little to no information exists about the life, and subsequent death, of Bibi Barajas. Born Hugo Cesar Barajas, Bibi was a transgender sex worker, making a living in Houston, Texas after crossing the border from Mexico.<sup>1</sup> Her body was found nearby a local nightclub in Houston exhibiting evidence of multiple gunshot wounds.<sup>2</sup> She died January 26, 2002. However, even these vague details are purely speculative. No

<sup>1</sup> The use of the term transgender is broad and does not specify any distinctions between individuals who have surgically altered their bodies (in regard to biological genitalia) and those who have not.

one has come forward with any concrete information other than these “facts” and no suspects have been indicted in the murder, although it has been further speculated that there was more than one attacker and that the individuals were Barajas’s customers.<sup>3</sup> While this explanation is plausible, there

<sup>2</sup> When referring to Barajas and other transgender individuals in this article I use the gendered pronoun that refers to the gender identity the individual chose to exhibit, not necessarily the one that reflects the individual’s biological sex.

<sup>3</sup> See the entry for “Bibi Barajas” on *Remembering Our Dead*, [www.rememberingourdead.org](http://www.rememberingourdead.org), 1998-2006. This website is maintained by Gwendolyn Ann Smith and catalogs the deaths of all transgender individuals due to violence, including all known information regarding the respective cases.

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exists no concrete proof to make sense of her brutalized body. The murder received no attention in the national media and was only briefly reported by local news, rendering Barajas virtually unworthy of grief by the American public. With the media's overwhelming omission and the lack of public outrage, her body was sanctioned as an acceptable site for violence. By interrogating the violent space that both produced and justified the death (in the eyes of the nation) of Bibi Barajas—the space that marks her as impossible to imagine—we will be able to identify oppositional strategies that resist pulling marginalized subjects into legibility. At the same time, we will be able to discover increasingly powerful ways to challenge, even perhaps disassemble, the current systems of domination and oppression at work on those bodies deemed acceptable sites for violence.

Barajas is the physical embodiment of the cultural work that borders set out to do. Gloria Anzaldúa, in her pioneering study of the violence inherent in borders, *Borderlands/La Frontera*, has asserted that “borders are set up to define the places that are safe and unsafe, to distinguish *us* from *them*...A borderland is a vague and undetermined place created by the emotional residue of an unnatural boundary. It is in a constant state of transition.”<sup>4</sup> Barajas personifies that state of transition, representing the slippage of identity of the American nation and existing in blatant opposition to what has been defined as a respectable citizen: white male heteronormative subjects. As transgender she blurs clearly defined gender lines; as a sex worker and person of color she exposes capital's production of non-heteronormative nonwhite subjects;<sup>5</sup> as a border crosser she confuses the category of human as it is defined through legality based on national identity; as a memory,

<sup>4</sup> Gloria Anzaldúa, *Borderlands/La Frontera: The New Mestiza* (San Francisco: Aunt Lute Books, 1987), 25.

she confuses the psychic temporal space between the living and the dead; finally, her physical death marks a rupture in the very formulation of borders, exposing their inability to function as they were intended.

This rupture is also evidenced in our current moment of increased militarization around physical borders, a futile attempt to save fictitious boundaries that were doomed to fail from their inception. Robert Chang has looked to the inadequacy of borders in terms of their intended function, naming them imperfect. “It [the border] does not operate perfectly in excluding that which does not belong. Some people slip through, managing to escape detection. Mistakes are made. As a result, the geopolitical border is supplemented by internal policing mechanisms, formal and informal.”<sup>6</sup> Eithne Luibhéid further investigates Chang's theory by interrogating the way women's sexuality is policed at national borders, and then again, continuously, within the nation if allowed entry. She argues that this imperfection in borders is utilized for surveillance by the nation in terms of reinforcing heteronormativity through the regulation of immigrant female bodies.<sup>7</sup> It is my contention that this alleged imperfection is actually the intended function of borders. The border serves as a prohibition that doubles as an invitation to cross. The function of borders, then, becomes rehabilitation.

The 1970s marked a significant shift in

<sup>5</sup> Roderick A. Ferguson, *Aberrations in Black: Toward a Queer of Color Critique* (Minneapolis: University of Minnesota Press, 2004), 11-18. Ferguson gives an in-depth account of the way African American nonheteronormativity was produced and regulated through capital and sociological canon formation. Applied more generally, this same production and regulation can be seen in all nonwhite groups solicited for their labor.

<sup>6</sup> Robert Chang, *Disoriented: Asian Americans, Law, and the Nation-State* (New York: New York University Press, 1999), 39.

<sup>7</sup> See Eithne Luibhéid, *Entry Denied: Controlling Sexuality at the Border* (Minneapolis: University of Minnesota Press, 2002).

the language used to describe immigration. "Illegal" became the dominant term used when referring to undocumented border crossers by both the media and the public.<sup>8</sup> The 1970s, following the Stonewall rebellion, also marked a shift in the language of "coming out" for queer populations. Previously, "coming out" was used as a way to announce oneself within the queer community, but during the 1970s the audience shifted to the heterosexual public.<sup>9</sup> Disguised as a liberation tactic, this shift in "coming out" actually served the nation as bodies marked themselves for surveillance by announcing their nonheteronormativity. Coincidentally, this shift took place as the Stonewall rebellion, largely led by queer people of color, marked those queer bodies of color as naturally resistant to the nation in the public imagination. Together, these two shifts can be seen as attempts to equate the binary legal/illegal with straight/queer, marking the queer body of color as a double threat to national security as it crossed both physical borders (set up to keep racial difference separate) and figurative internal borders (those surrounding the heteronormative family unit). It follows that borders seemed to demand individual crossings in order to rehabilitate (or assimilate) those bodies that crossed them, drawing them into the national citizenship project. Borders are heavily invested in these crossings in order to produce respectable legible citizens. Illegality and nonheteronormativity mark bodies as illegible in that they do not belong in a way that is recognized by the nation. Borders are the nation's tool for creating citizens and maintaining the invisibility of the white, male, heteronormative markers that silently de-

fine citizenship. At once defined as illegal (or "queer" as it was conflated with illegality) where no label had existed prior, the nation hoped a body would seek to pull itself into legibility by crossing the border into the "safe" space inside. When a body refuses that pull, it ruptures the border in visible ways.

As border slippages and the slippages of invisible identity markers that exist within them become visible through bodies, the nation is forced to confront its own identity, ultimately finding it insufficient to fully offer complex meaning. Drawing on Judith Butler's concept of being "undone" by others, the human interdependence that emerges from this realization becomes self-shattering.<sup>10</sup> The violence against bodies that represent these slippages elides the very intimate relationship these bodies are engaged in with the nation. This intimate reliance on nonheteronormative, and specifically queer, bodies of color is at the root of the nation's anxiety over their own unstable unfixed identity. The rupture in this framework, through the brutal act of violence in what I read as intimate spaces, exposes the set of assumptions that the nation seeks to keep invisible at all costs. Namely, that white, heterosexual, and male are not invisible unmarked categories at all, but categories that require the production, subordination, intense subjection, and regulation of nonheteronormative nonwhite bodies.<sup>11</sup> In my formulation, the spaces where violent acts manifest the nation's contradictions should be read as intimate, albeit one-sidedly, due to the close psychic proximity of the queer body of color to the nation that produces and consequently relies on it in order to render its own systems of domina-

<sup>8</sup> Joseph Nevins, *Operation Gatekeeper: The Rise of the "Illegal Alien" and the Making of the U.S.-Mexico Boundary* (New York: Routledge, 2002), 112.

<sup>9</sup> George Chauncey, *Gay New York: Gender, Urban Culture, and the Making of the Gay Male World 1890-1940* (New York: Basic Books, 1994), 8.

<sup>10</sup> Judith Butler, *Undoing Gender* (New York: Routledge, 2004), ch.1.

<sup>11</sup> For a complete and convincing account of the complex processes that render these categories invisible, see Shannon Winnubst, *Queering Freedom* (Bloomington: Indiana University Press, 2006).

tion invisible and unmarked. Undoubtedly, this relationship suggests a certain form of closeness. Through the lens of intimacy, violence against the queer body of color can be seen as exposing intricately woven systems of oppression embodied in nonwhite nonheteronormative subjects instead of representations of individual bias existing in isolated events. In other words, intimacy proves violence by the nation to be the rule rather than the exception carried out by the individual.

Roderick Ferguson has convincingly documented how America's relationship with nonwhite surplus labor populations (specifically African American in Ferguson's focus) has been one that has consistently racialized and produced those populations in terms of nonheteronormativity.<sup>12</sup> By definition, surplus labor is always expendable. By soliciting Mexican labor on Texas cotton plantations in the decades after the Civil War, America at once sought to render its own whiteness invisible and regulate Mexican populations by forcing them into subordinate menial labor positions.<sup>13</sup> Ironically this solicitation, and consequent labor migration, led to the crisis in American identity culminating in the solidification and surveillance of the U.S./Mexico border (a border that has been increasingly challenged through the immigration debates of our present moment).

The feminization of Mexican men directly followed from the expendability of surplus labor. Low-paying work made maintaining the white ideal of heteropatriarchal families impossible. Without that position in a family unit, Mexican men were seen as inadequate providers and masculinity and maleness became exclusive markers of whiteness. As was also the case with African American men during

Reconstruction and beyond, this feminization served as a strict regulation of sexuality, often producing violent outcomes as evidenced by representations of the lynching of Black men for alleged sexual transgressions, labeling their sexuality nonheteronormative (by way of the interracial rape allegation that, while still a heterosexual act, ran counter to (re)productive white heteronormative ideals) while simultaneously initiating severe punishment. This regulation also belies a white fascination with nonwhite nonheteronormative sexuality that centers on anxiety over the nonwhite penis. This fetishization continues to this day, largely uncriticized, through primitive representations of nonwhite men in gay pornography, continuing to (re)produce them as nonheteronormative subjects.<sup>14</sup>

Paradoxically then, capital's solicitation of surplus labor produces a collusion of discourses where Bibi Barajas embodies the multiplicity of capital's contradictions. Within this context, Barajas's life and death is emblematic of what the public deems an acceptable loss, not verbally but through their lack of any other action. The basis for this disavowal is the impossibility of the public imagining of Barajas as a subject. Both Mae Ngai and Gayatri Gopinath have articulated this impossibility in terms of different subject positions: the illegal alien for Ngai and queer female diasporic desire for Gopinath.<sup>15</sup> I would like to extend this impossibility, more broadly, to the queer body of color, in all its different manifestations. Through its production and consequent regulation by capital and surplus labor, not to mention cultural, social, and political imaginings, it becomes what Ngai

<sup>14</sup> Hiram Perez, "You Can Have My Brown Body and Eat It, Too!" *Social Text* 23 no. 3-4 (2005): 183-8.

<sup>15</sup> See Gayatri Gopinath, *Impossible Desires: Queer Diasporas and South Asian Public Cultures* (Durham: Duke University Press, 2005) and Mae M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton: Princeton University Press, 2004).

<sup>12</sup> See Ferguson, *Aberrations in Black*.

<sup>13</sup> See Neil Foley, *The White Scourge: Mexicans, Blacks, and Poor Whites in Texas Cotton Culture* (Berkeley and Los Angeles: University of California Press, 1997).

defines as “a person who cannot be and a problem that cannot be solved.”<sup>16</sup> Barajas is impossible in as much as she cannot be imagined as anything but the negation of the respectable white heterosexual male citizen. She is the antithesis of the nation as it is constructed through domination and oppression. She is truly “queer” in an Anzaldúan sense and as such, she is able to powerfully expose the national contradictions at work in our society: “We [the *mestizo* and the queer] are a blending that proves that all blood is intricately woven together, and that we are spawned out of similar souls.”<sup>17</sup> The real impossibility of public imagination, and true root of national anxiety, is that we all exist as the same. We are one with each other. When this self-shattering realization is glimpsed in bodies like Barajas’s violence is often the result.

The queer body of color is not only marked as impossible through its relationship to capital and surplus labor; cultural productions have inscribed impossibility onto nonwhite queer bodies as well. Shannon Patricia Holland has written on the invisibility of the queer body of color in James Baldwin’s *Giovanni’s Room* in an attempt to “devise a means by which ‘black’ and ‘queer’ can speak to each other.”<sup>18</sup> In other words, Holland is attempting to create a space to challenge the impossibility of a queer black subject by interrogating popular literature that has rendered that subject impossible to imagine. The project becomes all the more imperative considering Baldwin, a queer black subject himself, cannot imagine the possibility of his own subjectivity within *Giovanni’s Room*. It is also no coincidence to note that an unpublished chapter of Ralph Ellison’s *Invisible Man*, a chapter Ferguson dissected in his analysis of canonical formations alongside their role

in (re)producing impossibility, contains the queer black character Woodridge.<sup>19</sup> The absence of the chapter in the final published version of *Invisible Man* speaks to the public’s, and Ellison’s own, inability to imagine the queer black subject as possible in a productive way. More recently as well, within hip-hop culture, queer sexuality is imagined as impossible within the predominately nonwhite art form. However, this blatant heterosexuality and heterosexism have been significantly challenged, perhaps most visibly, by the group Deep Dickollective. Although, within these important challenges to the impossibility of nonnormative bodies in hip-hop, Deep Dickollective describe themselves as a “homohop crew.”<sup>20</sup> While this new term serves as a powerful reappropriation of hip-hop culture and exposes the invisibility of queer sexuality as anything other than a threat to “correct” masculinity, it can also be seen, to some, as further evidence of the impossibility of queer black bodies within hip-hop culture: the genre (hip-hop) gets defined as solely heterosexual, and largely heteronormative, through the coining of an alternate signifier (homohop) to denote queer sexuality within the largely nonwhite medium. It totalizes the assumption that, through the contradictions that have produced them, queer nonwhite bodies exist impossibly, always intimately positioned as the antithesis of normative categories.

Imagined as capitally and culturally impossible, it becomes obvious why Barajas’s life was given no media attention in relation to the highly publicized single-bias identity murders of James Byrd, Matthew Shepard, or Brandon Teena in recent years. Byrd (a Black male), Shepard (a gay white male), and Brandon Teena (a transgender white individual) offer no exposure of

<sup>16</sup> Ngai, 5.

<sup>17</sup> Anzaldúa, 107.

<sup>18</sup> Sharon Patricia Holland, *Raising the Dead: Readings of Death and (Black) Subjectivity* (Durham: Duke University Press, 2000), 104.

<sup>19</sup> See Ferguson, ch. 2.

<sup>20</sup> See the “Bio” section on *the Official Website of Juba Kulamka*, <http://www.jubakalamka.com/bio/html>, 2006. Kalamka is one of the founding members of Deep Dickollective.

those contradictions because they all have a stable normative identity category to fall back on: heterosexuality in the case of Byrd, and whiteness in the instances of Shepard and Brandon Teena.<sup>21</sup> Essentially, they remain possible to imagine for that very reason and conversely, Barajas becomes politically impossible for lack of any normative identity category. Therefore, it was seen as safe and acceptable to publicly mourn Byrd, Shepard, and Brandon Teena, and the public even went so far as to mobilize around their respective deaths in order to secure the expansion of hate crime legislation and the extension of rights to the communities of which the individuals had been a part. This attempt to speak for them is a mistake as it plays into the national citizenship project by aspiring to legibility both for individuals who can no longer speak for themselves and for those attempting to speak for them, maintaining the invisible intertwining systemic inequalities that the nation relies on to succeed. Public rallying around these individuals was far from a progressive call to social justice. In effect, the push for hate crimes legislation surrounding all three of these individuals maintained the national negation and political impossibility of the queer body of color. It became acceptable to push for “rights” for gay or transgender individuals as long as they remained white, and black became a signifier worthy of protection only through the extension of heterosexuality. These tactics effectively kept single-identity based groups separated and the queer body of color was reinscribed with invisibility and unimaginability. While single-identity based groups’ push for legislation may appear to win battles seemingly inclu-

<sup>21</sup> I refer to Brandon Teena by both first and last name in all instances in order to avoid confusing his gender identification with the ambiguity of a last name that could also refer to his previous female first name. Referring to him as only Brandon would involve that same confusion so I have opted for the use of both names in all references.

sive at first glance, “they thus sacrifice the broad goals that might connect a new social movement strong and ambitious enough to take on inequalities that single-issue politics only ever ameliorate, but never reverse,” as Lisa Duggan points out.<sup>22</sup> While amelioration seems to negate the previous problem, those pulled into legibility through this strategy will still exist as exceptions in a nationalist framework unwilling to reverse its creation of impossible subjects.

It should be noted that it is imperative we resist speaking for Barajas and I do not want to impose any specific resistance strategy onto her. She can no longer speak for herself and there is no way of knowing what strategy she would have been inclined to utilize. However, through interrogating her death, we are able to see the contradictions inscribed in her body and imagine the important ways a body, and a collective community, can perform resistance by refusing to become legible; instead imagining a life that can be maintained in a space that does not concede to the assimilationist drive of national citizenship. This is the space that Judith Halberstam ironically refers to as failure, or negative space.<sup>23</sup> It offers a new way to think about resistance and opposition by making national terms of success visible and available for critique. I do not want to discount other important interventions in the national citizenship project, interventions that scholars like José Esteban Muñoz and José Quiroga have interrogated at length in search of resistance opportunities for queer bodies of color (from both a national and transnational perspective) working within a queer political framework that largely relies on a sup-

<sup>22</sup> Lisa Duggan, *The Twilight of Equality? Neoliberalism, Cultural Politics, and the Attack on Democracy* (Boston: Beacon Press, 2003), xx.

<sup>23</sup> Judith Halberstam, “Notes on Failure” (lecture presented to the public at Boston University, Boston, Massachusetts, 23 February 2006).

position of whiteness.<sup>24</sup> But I do want to insist on investing power in the space of failure for those who are physically and psychically able to maintain their lives in this space. It becomes a way to imagine, and create, a social justice movement with the power to reverse the intertwining national inequalities that single-issue groups fail to do in Duggan's theorization. Only when we refuse the insistence of single-issue based groups' push for a narrowly defined political agenda can we see the space where those intimate contradictions exist. When opened up, this space can be used to refuse and counteract the violence instigated against the queer body of color and seek to return the dignity to the lives already lost to senseless acts. Mourning, grieving, and public attention given to violence against the queer body of color as an intersection of oppression, as opposed to the public push for legibility that stems from single-identity bias evidenced in the cases of Byrd, Shepard, and Brandon Teena, becomes an urgent matter of necessity rather than imagined as an expendable, and therefore acceptable, loss.

If the act of mourning is "agreeing to undergo a transformation the full result of which you cannot know in advance," as Judith Butler has claimed, then there is potential for transformation of and challenge to the system inherent in the act itself.<sup>25</sup> Doing justice to bodies and making ungrievable lives grievable again stems from this act of mourning. However, if we cannot know the full result of that transformation in advance, what if that end result is not enough? What if mourning implies a moving through, an eventual letting go of that which is being mourned? I am inclined to

say that mourning becomes less productive in this imagining and wonder if there is more possibility in grief. Rather than utilizing strictly defined mourning as a means to do justice to a life by expanding the definition of what constitutes the human (as Butler would have us do), I am more interested in utilizing a kind of grief that resists pulling illegible bodies into legibility (as Halberstam would urge of us). At the risk of sounding cynical, I see harnessing grief as the more persuasive political strategy. The grief can be intentionally molded into an anger, a desire, or even a pleasure; any other emotion that can drive the individual, and larger community, toward an oppositional strategy; an emotion that contains the implication of holding on to rather than of letting go.

## DOING ILLEGIBILITY

Once we make the negative space embodying capital, cultural, and political contradictions visible, what comes next? How can we practically harness the powerful critique inherent in illegibility/impossibility and still counter violence against bodies that do not, on a rhetorical level, matter? How can we get around Judith Butler's dilemma without simply expanding the political center to include the margins and pull bodies into legibility from an alternative angle? How can we give meaning to bodies in a way that will not just politically undermine them and force them into an assimilationist national subjectivity? The three examples I want to offer all involve power created through claiming space. Rachel Buff has documented the psychic necessity in claiming the spaces in which immigrant and displaced communities bury their dead. Through the act of burying those they have lost (which I read as public performance in order to utilize David Román's theorization of the space of performance as a site for critical and political

<sup>24</sup> See José Esteban Muñoz, *Disidentifications: Queers of Color and the Performance of Politics* (Minneapolis: University of Minnesota Press, 1999) and José Quiroga, *Tropics of Desire: Interventions from Queer Latino America* (New York: New York University Press, 2000).

<sup>25</sup> Butler, 18.

intervention via audience engagement with pertinent contemporary issues<sup>26</sup>), communities lay claim to the spaces they inhabit. "This small geography of the dead speaks powerfully about the ways im/migrants stake claims to homelands real and imagined."<sup>27</sup> Applied more generally, space becomes our own in politically powerful ways by enacting public claimings of it. Anzaldúa also recognizes the revolutionary power of claiming space when she asserts, "If going home is denied me then I will have to stand and claim my space, making a new culture—*una cultura mestiza*—with my own lumber, my own bricks and mortar and my own feminist architecture."<sup>28</sup> This new culture, with its contingent new claiming of space, remains an untapped political resource. Utilizing collectivity, it has more power than the nation gives it credit for. It is time we widely champion powerful claimings of space and forge collectivities across difference, while continuing to resist pulling those we have lost into legibility.

This strategy is what I would like to refer to as a collective assault on the political center through radical acts of Lauren Berlant's conceptualization of "Diva Citizenship." This strategy can effectively exert tension on the center in such a way that, rather than expanding it to include the margins, breaks it down completely. Diva Citizenship involves a miming of the privileges of citizenship in a space where an individual does not hold that political privilege.<sup>29</sup> In this sense, public performances of claiming space exist as moments of Diva Citizen-

<sup>26</sup> David Romn, *Performance in America: Contemporary U.S. Culture and the Performing Arts* (Durham: Duke University Press, 2005), 57.

<sup>27</sup> Rachel Buff, *Immigration and the Political Economy of Home: West Indian Brooklyn and American Indian Minneapolis, 1945-1992* (Berkeley and Los Angeles: University of California Press, 2001), 5.

<sup>28</sup> Anzaldúa, 44.

<sup>29</sup> Lauren Berlant, *The Queen of America Goes to Washington City: Essays on Sex and Citizenship* (Durham: Duke University Press, 1997), 223.

ship. While Berlant acknowledges the power of Diva Citizenship stating, "In remaking the scene of public life into a spectacle of subjectivity, it can lead to a confusion of willful and memorable rhetorical performance with sustained social change itself," she also contends that it will not change the world.<sup>30</sup> I disagree. Diva Citizenship falls short in the instant that it imagines the eventual outcome of the performance as the political expansion of the privileges of citizenship to include the individual miming those privileges. I see the transformative power, and full potential, of Diva citizenship lying in the moment where the Diva Citizen's agency enters the framework. Once citizenship has been mimed, the individual, or collective group as the case may be, has the powerful choice to either identify with the nation and use the mock citizenship to push for their own inclusion into the political center or disidentify with the nation completely, utilizing the performance solely as a way to expose the contradictions of citizenship in an attempt to dismantle the entire framework. The latter choice is where Diva Citizenship gains its real chance to change the world, or at least the way we think about, and function in, the world.

Glimpses of this strategy can be seen in the three examples that follow. Each one is problematic on a certain level in this particular formulation, but nonetheless, a productive strategy can be excavated from each in order to attempt to construct an archive of resistance that does not seek to pull impossible subjects into legibility, while at the same time, directly counters violence against impossible bodies; an archive that can be built upon by activists, scholars, and community members. In addition to offering examples of resistance, this archive exhibits the formation of collectivity that contains the potential to forge coalitional ties between single-identity based groups in or-

<sup>30</sup> *Ibid.*, 223.



der to create a broadly constituted diverse social justice movement which is absolutely necessary for dismantling current systems of domination and oppression.

The Transgender Day of Remembrance (TDOR) began as a public grieving in response to the murder of Rita Hester in Boston, Massachusetts. Hester was a transgender person of color murdered in her home on November 28, 1998. Each year the event serves as a memorial, not only to Hester, but to all transgender people lost to violence. These deaths, as is evident in the case of Bibi Barajas, are almost exclusively overlooked by the general public, and by remaining invisible they are deemed acceptable losses. Under the heading "Principles" in the TDOR mission statement, it is written, "We can make a difference by being visible, speaking out, educating and organizing around anti-transgender violence, and that can effect change and stop the flood of violence against Transgender and gender-nonconforming individuals."<sup>31</sup> Visibility and public claimings of space exist at the core of this event. It was not imagined as a means to the end of being legislatively included in the political center; TDOR was conceived as its own means and end. However, TDOR becomes problematic in my formulation when the event is seized to spur legislation through the bodies of those that have been lost. At once an attempt to speak for the dead and include those organizing around the violence in the political center, this push for legislation masks the way legislation actually elides the systems of domination and oppression powerfully working against impossibly imagined bodies.<sup>32</sup> But if focused on as a performance that publicly claims space and renders the

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<sup>31</sup> See the pamphlet entitled "Transgender Day of Remembrance: What Is It About & What Can You Do?" available at [www.dayofsilence.org/tdr/downloads/051103\\_tdr\\_resource.pdf](http://www.dayofsilence.org/tdr/downloads/051103_tdr_resource.pdf), distributed by GLSEN (Gay, Lesbian, and Straight Education Network), 2006.

systemic inequalities working against non-white transgender bodies, TDOR becomes a powerful way to imagine a consciousness of resistance with the ability to oppose the pull into legibility, offering no concessions to the nation.

In a similar move to claim public space as a response to violence, the group Gay Shame San Francisco staged the "Political Funeral For Murdered Queers: Gwen Araujo and Jihad Alim Akbar" on November 3, 2002.<sup>33</sup> This action consisted of marching down a public street while making as much noise as possible, utilizing drums, whistles, sirens, etc. Gay Shame linked the murders of Gwen Araujo, a seventeen-year-old transgender Latina bludgeoned and strangled by four men in Newark, California, to that of Jihad Alim Akbar, a twenty-three-year-old gay black Muslim man shot at point blank range by the San Francisco Police department for allegedly brandishing two butcher knives outside the Bagdad Café in San Francisco, in order to expose two intertwined systems of domination: local transphobia and the racism of the San Francisco Police Department. These systems of oppression were materialized in the violent deaths of Araujo and Akbar. Admittedly, Gay Shame is a problematic group because while they seek to expose the connections between various systemic inequalities and create a broad social justice movement, their membership does not always reflect the diverse group of people affected by these inequalities. Citing the lim-

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<sup>32</sup> While legislation that protects bodies against violence is important and desirable in terms of survival, what I want to stress here is that legislation often works counterproductively against those it purports to protect by rendering forces working against those bodies invisible and creating further dependency on the state, by the individual, for distribution of "rights."

<sup>33</sup> Mattilda AKA Matt Bernstein Sycamore, "Gay Shame: From Queer Autonomous Space to Direct Action Extravaganza," in *That's Revolting! Queer Strategies for Resisting Assimilation*, ed. Mattilda (New York: Soft Skull Press, 2004), 248.

itations of the original Gay Shame chapter in New York, a limitation that followed the group to the San Francisco chapter, Mattilda, a participant in both, acknowledges, "Gay Shame was essential in building ties between queers who might otherwise have been isolated from one another. That being said, Gay Shame was always a project that included a very specific segment of queer New York: diverse in terms of class and gender but definitely dyke centered, largely middle class, white, under thirty-five, and mostly anarchist leaning."<sup>34</sup> While attempting to fight multiple oppressions from a certain perspective, Gay Shame may have alienated some individuals who were being oppressed in multiple ways through its largely white visual presence, overestimating the ability for some to publicly resist in these radical ways and underestimating the social forces at work on people of color, working-class people, transgender people, etc.

However, despite its practical faults, Gay Shame provides an intriguing theoretical framework to envision public opposition to violence while resisting the pull into legibility. In the context of this political noise funeral, the very notion of memorial is being queered. Rather than reverence, solemnity, and quiet reflection, Gay Shame protested violence against the queer body of color utilizing blaring noise, intense anger, and a combative figurative assault on the systems of oppression it was protesting. There was no blatant aspiration to legislative protection; no demand for inclusion in a political system that cannot possibly imagine nonwhite queer bodies as subjects. Gay Shame, instead, linked transphobia and racism to call for a dismantling of the systems that are sustaining those oppressions. Only once the system has been dismantled can it be reimagined in a way such that no body is seen as an exception, being included after the fact by the grace of those

already existing in the political center. This action exposed the existence of the center as contingent on the violence that marked the lives of Gwen Araujo and Jihad Alim Akbar.

Finally, I look toward popular cultural production for the formation of collectivity across difference in order to counteract violence against the queer body of color while at the same time resisting becoming legible in an unchanged system that cannot imagine that body as a possible subject. I find productive glimpses of this oppositional strategy in the music of Doria Roberts, independent musician and founder of Hurricane Doria Records. Roberts is a black lesbian and as such cannot be imagined as a normative political subject. Her acts of Diva Citizenship, through song and spoken word, can be cataloged alongside the previous examples of claiming public space by citing the figurative space and collectivity that forms, through performance, between her and her audience. Roberts calls the nation on its bluff, almost exclusively, exposing its complicity in the production of impossible subjects rather than seeking to be included in the nation as it exists. As a specific example of this phenomenon, I turn to a song entitled "Flesh and Emotion" from her album *Radio Doria*, an album consisting, in full, of political songs and spoken word pieces released in response to the 2000 presidential election.<sup>35</sup>

"Flesh and Emotion" is introduced with a live recording of Roberts leading an audience in the Pledge of Allegiance, literally miming the privileges of citizenship in a context where she, as a black lesbian, does not possess them. Whatever the identities of the audience, they become implicated in Roberts's act of Diva Citizenship through her drawing them into the song with their active vocal participation of a significant national text. The lyrics, both sung verses

<sup>34</sup> Ibid. 239.

<sup>35</sup> Doria Roberts, *Radio Doria* (Atlanta: Hurricane Doria Records, 2000).

and interjections of spoken political rhetoric, do not draw on specific examples of individuals and bodies that have experienced violence; instead, she uses language that exposes the nation's role in that violence by linking American citizenship to its reliance on racist and heterosexist/heteronormative discourses to expose citizenship's contradictions. All the while, she draws on images of her own body as just "flesh and emotion" rather than the site where the nation should be able to play out its inherent contradictions.

The song becomes problematic to my formulation when, momentarily, Roberts falls back on a language of electoral politics as the way to expand citizenship by including marginalized peoples instead of completely refusing legibility by further disidentifying with the nation. In this moment, she verbally identifies with America rather than imagining herself as impossible within it. This move can problematically be seen as assimilationist; although, the resituation of the signifier American onto her body can also be read as an exposure and further disavowal of citizenship and capital's contradictions as they exist in the queer body of color. Lines like "She's not some magazine you buy," which imply criticism of consumption, further expose capital as lying at the heart of the impossibility of the queer body of color and give meaning to this alternative reading. Despite the possibly problematic moments in the song, the collective assault by Roberts and her audience serves to call out the root of violence against the queer body of color while largely resisting the pull into legibility as a productive oppositional strategy.

Examples of this strategy are not as few and far between as they may seem. It is just that we have not invested the power imperative in exerting the tension that would dismantle the current systems of domination and oppression. We must illuminate the powerful critique made available by those that refuse legibility and seek to forge col-

lectivity around these public claimings of space without relying on the language of "rights" to define who is, and conversely who is not, human. bell hooks eloquently addresses this illegibility in the context of her own work as a vehicle for empowerment: "I was not speaking of a marginality one wishes to lose, to give up, or surrender as part of moving into the center, but rather as a site one stays in, clings to even, because it nourishes one's capacity to resist. It offers the possibility of radical perspectives from which to see and create, to imagine alternative, new worlds."<sup>36</sup>

If we can make bodies matter from a space of illegibility, rather than giving them meaning through expanding the center to include them in a Butlerian formulation, we can reclaim the dignity inherent in all bodies rather than redefining them as worthy of "rights" within the context of the normative unmarked white heterosexual male embodiment of legibility. We can break down the borders the nation uses to separate us, counteract the violence against queer bodies of color that exists as a manifestation of national contradictions, and return to the borderlands of Anzaldúa's original imagining. Essentially, we can render the borderlands borderless. Rather than a physical space where those violent contradictions are materialized in the form of brutal acts against impossibly imagined bodies, we can return to a place of possibility "where the space between two individuals shrinks with intimacy."<sup>37</sup>

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<sup>36</sup> bell hooks, "marginality as site of resistance," in *Out There: Marginalization and Contemporary Cultures*, ed. Russell Ferguson, Martha Giver, Trinh. T. Mink-ha, and Cornel West (New York: New Museum of Contemporary Art, 1990), 341.

<sup>37</sup> Anzaldúa, preface to the first edition.