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BORDERS

DAGOBERTO GILB'S *THE LAST KNOWN
RESIDENCE OF MICKEY ACUÑA*

Without the emergence of the universal within the historical terrain, emancipation becomes impossible.

—Ernesto Laclau, *Emancipation(s)*

On December 4, 2006, the U.S. Supreme Court heard oral arguments in two different cases—*Meredith v. Jefferson County Board of Education* and *Parents Involved in Community Schools v. Seattle School District*—that questioned a school board's right to consider race when assigning students to schools. While these cases challenged the conclusions reached in many landmark decisions, including the student busing sanctioned in *Swann v. Charlotte-Mecklenburg Board of Education* (1971), the definition of "diversity" articulated in *Regents of the University of California v. Bakke* (1978), and the limited version of affirmative action permitted in *Grutter v. Bollinger* (2003), they most directly confronted the Court's ruling in *Brown v. Board of Education of Topeka* (1954). By requiring the end of *de jure* segregation in the public schools, *Brown* implicitly endorsed the use of race-conscious means to achieve race-neutral ends, effectively carving out an exemption to the "equal protection" clause of the 14th Amendment: "No State shall . . . deny to any person within its jurisdiction the equal protection of the laws."¹ That exemption allowed the state to treat people of different races differently as long as its actions were working to end *de jure* segregation. Once a school district achieved integration—a condition known as "unitary status"—the exemption would be rescinded and everyone would be treated equally regardless of race. The 2006 cases directly asked whether or not these goals are even possible.

In 1975 a district court mandated the integration of Jefferson County (Louisville, Kentucky) schools, and in 2000 the school district was granted unitary status after a court found that it had successfully overcome its segregationist history. Lacking Louisville's history of *de jure* segregation, the Seattle schools were, in effect, always-already unitary, at least from the court's perspective. Theoretically, then, neither school was exempt from the "equal protection" clause, and the universal and race-neutral category "student" should have already supplanted any racially particularized categories such as "black student" and "white student."² In practice, however, this was not the case, as both school districts argued that only race-conscious policies designed to prevent future *de facto* segregation would allow them to remain "unitary." Paradoxically enough, according to their logic, the exemption to the 14th Amendment's "equal protection" clause must remain open indefinitely to guarantee the very equality it promises. Supporting the plaintiffs in both cases, the U.S. government and its Solicitor General argued the opposite: the exemption must apply only to *de jure* segregation, and in all other cases school districts must forgo race-conscious behavior, even when confronted with overwhelming *de facto* segregation. If the exemption temporarily particularizes the citizenry to achieve universality, then the logic behind rescinding the exemption assumes that all universals, once achieved, remain universal. Even if the schools resegregated themselves, as the school districts argued would inevitably happen, this segregation would be different from the pre-*Brown* "separate but equal" segregation. As a benign reflection of the facts on the ground, it would necessarily be color blind, a result of what Justice Thomas's majority-concurring opinion describes as "any number of innocent private decisions" (3).³

Despite such antithetical positions, everyone involved in these cases—the litigants, the justices, and the federal government—appears to share the universal dream of race neutrality, but they disagree over whether paying attention to race or ignoring it will best achieve that aim.⁴ This is because they have diametrically opposed ideas about difference in its most abstract form. Those who want to pay attention to race must see difference as at least benign and at most wonderful for its own sake. This position belongs to those champions of diversity who smooth out difference's rough and unequal edges, rejoicing in its presence while rendering it utterly insignificant. On the other hand, those who want to ignore race view all difference as malignant, retranslating "discrimination" as "differentiation" and suggesting that discrimination "between" is tantamount to discrimination "against." Exhibiting just such an understanding of "discrimination," Chief Justice Roberts writes for the majority, "Simply because the school dis-

tricts may seek a worthy goal does not mean they are free to discriminate on the basis of race to achieve it, or that their racial classifications should be subject to less exacting scrutiny” (36). Echoing this position, Justice Thomas cites the opinion he wrote in *Adarand*: “As far as the Constitution is concerned, it is irrelevant whether a government’s racial classifications are drawn by those who wish to oppress a race or by those who have a sincere desire to help those thought to be disadvantaged” (12).

While these arguments against difference identify a universally formal truth that exists independent of socio-historical content and context, those in favor of difference always link it to and insist on the value of a particular socio-historical content and context. In other words, these competing ideas about race entail a specific relation not only to particulars and universals, but also to history itself. When Chief Justice Roberts and Justice Thomas assert that the history of segregation ends the moment a school achieves unitary status, they sever all relations with the past.⁵ History and its content—what Justice Thomas calls a “discrete injury”—can be healed, and once healed, they are no longer relevant to our present. Conversely, when the school districts insist that they must continue to take race into account despite their unitary status, they base their claims on history’s continued presence, or on what Justice Breyer’s dissent calls the “stubborn facts of history” that “linger and persist” (44). By this account, race must always matter; if racial difference in the present is determined by the fact of racial difference in the past, then there will only ever be racial difference because the past itself cannot be changed. For Justice Thomas, however, anything so “limitless in scope and ‘timeless in [its] ability to affect the future,’ . . . cannot justify government race-based decisionmaking [*sic*]” (22).

However, even for those like Chief Justice Roberts and Justice Thomas who confidently declare its irrelevance in the face of a school’s unitary status, history proves conspicuously inescapable. This becomes most apparent in each author’s reliance on the historical impact of the *Brown* decision. As one would expect, Justice Breyer, writing in favor of the race-conscious programs in Louisville and Seattle, invokes *Brown* and its integrationist vision to support his contention that the ruling against the school districts ignores history and threatens to reverse the improvements *Brown* made possible. Paradoxically, however, Roberts and Thomas also invoke *Brown*, deploying its historical legacy and significance to justify their universalizing opinions and to stake out a position diametrically opposed to Breyer’s. Contending that “the position of the plaintiffs in *Brown* . . . could not have been clearer: ‘[T]he Fourteenth Amendment prevents states from according differential treatment to American children on the basis

of their color or race,” Roberts dramatically writes that “when it comes to using race to assign children to schools, history will be heard” (39–40).⁶ Justice Thomas is even more aggressive, developing an elaborate, historically grounded argument that invokes *Plessy v. Ferguson*, the 1896 case that sanctioned segregation, and situating his argument on the side of universal right while equating Justice Breyer’s ideas with the segregationists who ultimately won the case. Thomas reasons that just as the segregationists in *Plessy* asked the Court to heed “the established usages, customs and traditions of the people . . . with a view to the promotion of their comfort, and the preservation of the public peace and good order” (27–28), so too does Breyer “pin [his] interpretation of the Equal Protection Clause to current societal practice and expectations, deference to local officials, likely practical consequences, and reliance on previous statements from this and other courts” (27). Thomas then extends this analysis to *Brown*. After noting that the segregationists in *Brown* used the *Plessy* decision to justify their claims, Thomas concludes, “Though *Brown* decisively rejected those arguments, today’s dissent replicates them to a distressing extent” (28). Even when not discussing *Brown*, the conservative rejection of the past relies heavily on history to support its position. In denigrating what he sees as the dissent’s tendency to treat the beliefs of the current time (e.g., diversity and race-conscious decision making) as the beliefs that best suit all times, Roberts quotes Justice O’Connor’s claim from a 1990 dissent: “history should teach greater humility” (42). Despite his refusal to acknowledge its continued effect on the present, Justice Thomas indicates that he too has learned important historical lessons: “[i]ndeed, if our history has taught us anything, it has taught us to beware of elites bearing racial theories” (35).⁷

We are thus left with a curious paradox. Roberts and Thomas argue that a universal principle such as color-blindness and not a historical particularity such as slavery should ground our treatment of race in the present day. And yet, in making this argument, both make recourse to historical particularities; they use history to contend that history should not matter. Granted, according to their “strict constructionist” approach to constitutional interpretation, both Roberts and Thomas believe that they are universalizing history: it was as wrong to “discriminate” racially in 1896 and 1954 as it is today. The paradox appears, however, when we remember that both Roberts and Thomas caution us against assuming that what we think is true today will be true for all time. They thus simultaneously assert the “eternal truth” of color blindness and the unavoidable fact that our ideas and beliefs are always specific to our present time; consequently, they can support their universal ideal only with historically particularized evidence

such as the *Plessy* and *Brown* decisions. Their inability to suppress historical content from their universalism implies just how unpalatable a life lived according to their vision—a life purged of history—would be. But the dissent’s position is equally paradoxical and unpalatable. Grounding his decision in the persistence of history’s inequalities, Breyer sets up a relationship between past and present in which history’s particularities will never be universalized away because it will always be true that they occurred. If history justifies race-conscious behavior in the present, it also ensures race-conscious behavior in perpetuity because the “facts of history” will always be the “facts of history.” For the conservative justices, who believe that *Brown* teaches us that skin color should never matter, history teaches us history’s irrelevance. And for the more liberal justices, who believe that *Brown* teaches us that the violence of slavery and segregation will never be fully healed, history teaches us history’s permanently binding relevance.

Taken together, these competing interpretations manifest two different relationships that a nation can adopt toward its history, each of which entails a unique formulation of the particular-universal relation. Moreover, the divergent treatments of that relation underpin quite disparate legal arguments. The notion that history can be overcome suggests the universal’s easy subsumption of the particular and leads to legal decisions that refuse to consider the socio-historical context in which the law is being judged. Conversely, the notion that history affects the present suggests the particular’s core irreducibility and leads to legal decisions that insist on the relevance of socio-historical context. The former approach erases facts, and the latter approach fails to achieve enduring legal principles. In both instances historical content gets in the way. For Roberts and Thomas, whose “strict constructionism” envisions a timeless universal, a continuous and unchanging line that stretches from the original intent of the equal protection clause to the present, any and all historical content threatens to undermine their universalism with the myriad ways in which one moment in time is different from another. For Breyer, whose support of race-conscious decision making depends precisely on this difference—on the fact that people used to be enslaved, segregated, and brutalized—the eternal presence of this historical content ensures the constant deferral of his universal dream of making “a land of three hundred million people one Nation” (40).

If a focus on particular historical content precludes history’s universality while a focus on the universal simply ignores history and its particular content, then what might a history absent of any particular content make possible? Might it not allow history to matter in a way that it

does not for Roberts and Thomas *and* enable history's universalization, and thus progress, as Breyer fails to achieve? Might it not even change the way that we make the kind of political decisions that we see represented in these court cases? Dagoberto Gilb's 1994 novel *The Last Known Residence of Mickey Acuña* portrays just such a contentless relationship to history and insists on the past's relevance despite its radical emptiness. Gilb's work is highly critical of particularized difference, which plagues Mickey's self-understanding to the point that he can no longer determine whether his history really belongs to him; but Gilb also remains leery of universalism's history-erasing impulse. In short, Gilb wants to be postrace while keeping race, and the history it implies, alive. Consequently, Mickey's identity constantly vacillates: sometimes he is a universal, a guy just like any other guy, while at other times he is a particular, a Chicano living on the United States–Mexico border at the end of the twentieth century. Unable to make much of the particularities of his historical difference, Mickey spends much of the book paralyzed with inactivity and indecision. But once he evacuates history of all meaningful content, treating it instead as a hollow form constituted by the fact of historical loss in general, he achieves a universal that no longer conflicts with the particularities of his life. Crucially, this innovative relationship to history articulates a field of universality and particularity that changes the way we think about race, difference, and the law. If history is conceived as the pure fact of loss—as a determinate absence—then acts of identity formation and acts of legal judgment can still account for the fact of history without relying on the indeterminate differences among historical particularities that, as Breyer's opinion shows, preclude the universal. I will discuss exactly what this might look like at the end of this chapter.⁸

“Making the Difference”

Gilb's novel begins as Mickey moves into the El Paso YMCA where he rents a room with a view of the United States–Mexico border. The duration of the novel concerns his stay at the Y, where very little happens: he sleeps a lot, he plays handball and ping-pong and never loses, he flirts with women, he gets high or drunk with his buddies, he eats at McDonald's, watches a cock fight, works out, takes a job working at the front desk, and later gets fired. Most of all, Mickey tells stories, primarily about his past, occasionally about his future, and always surrounded with veils of mystery. Although he implies that he has been involved in some shady dealings somewhere in his past, neither his friends at the Y nor the novel's readers ever discover

any details about his personal history. In the opening pages we learn that he needs a permanent address because he plans to receive a large sum of money in the mail; but we never learn why or from whom, and by the end of the novel, although he has checked his mailbox multiple times every day, the Godot-like money never arrives. After an epiphany in the desert that helps him know that he is “alive,” everything changes for Mickey: he stops waiting for the money and checks out of the YMCA, walking “south, the direction of downtown, or the border” (218).

Paralyzed by the indeterminacy of his past and the radical unknowability of his future, Mickey is stuck—spatially at the YMCA and temporally in the present—throughout the majority of the novel. When asked to identify himself on his registration card, for example, he is a blank slate: he “filled it out as a person named M. Acuña, from New Mexico, with a previous address he made up . . .” (6). Here his identity is unmoored not only from history, but also from geography and even language, as the narrator gives us no reason to believe that any of this information, including his name, is accurate.⁹ Further obscuring his past, the narrator summarizes the kinds of things that Mickey would tell anyone inquiring into the particulars of his past:

Once upon a time, he'd tell you, he used to pride himself on his confidence and clarity—he knew what he was doing, he knew where he was going. He'd done shit. He'd been brave in battles and he'd been mean. He'd been smart when he was right, he'd gotten smarter when he was wrong, he'd been good when he knew it was good, bad when he knew it was bad. Modesty aside he was convinced he'd once had admirers. . . . So what happened? Where and when did he lose it? Or had he become so convincing that he'd even deceived himself? (7)

In other words, his history is entirely indeterminate. Believing that “he [doesn't] have to be specific,” his “once upon a time” fairy tales deal in broad and frequently tautologous generalities that refuse to acknowledge “why he was in El Paso, what or who he was waiting for, what the deal was, why he had to hide out.” Even when dropping what the narrator calls “unsubtle hints,” we only learn of “something that he wasn't exactly happy about having done, that he was ashamed of one minute and proud of the next. While some people would think what he'd done was good, took guts and hair, others might pronounce it as bad or even, according to those with stronger views and no uncertainty, as criminal” (11). And on the rare occasion that Mickey does tell a story with apparent certainty, he remains skeptical of its truth: “Didn't it mean it wasn't a hundred percent true if he

had to convince himself, double-check his memory? And if *he* wasn't sure, if the truth of something was questionable even to himself . . ." (59).

This indeterminacy is not just your everyday ethical uncertainty (Mickey's acts can be judged both good and criminal), nor is it merely postmodernism's well-worn epistemological uncertainty (how can Mickey know what is true?). Rather, this indeterminacy extends all the way to Mickey's ontology, calling the material content of his past into question and in turn challenging his ability to both know and to be who he is in the present. For example, when Mickey meets a man who recounts a story about Mickey being thrown out of Denny's, Mickey does not just wonder if the man's story is true but if the event was real and if that person in the story was he (126). Gilb's novel thus asks the foundational question of identity: what makes us who we are? Is it some core truth that seamlessly sutures our entire existence as an essentialized view would claim; is it an identity that is constructed, both intentionally and unintentionally, as the antiessentialists contend; or, as I think Gilb will reveal, is it perhaps *how* we are in the world—the form rather than the content of our experiences? Until he can answer these questions, Mickey remains in ontological limbo at the YMCA.¹⁰

To connect these identity choices to the language of universal and particular from the beginning of the chapter, identity correlates to universality and difference to particularity. Essentialist conceptions of identity rely on universal categories to describe and understand the substance of identity—a kind of “unitary status” of the self. Conversely, antiessentialism, which predicates its constructed understanding of identity on historical, cultural, social, or performative differences, needs concrete particulars to distinguish one history from another, one performance from the next. Too much universality might slight a given group's historical specificity, threatening them with unwanted assimilation and the indiscriminate reach of the universal. But too much particularized difference provides no basis for coalition building, political action, or the comfort of collective identities. Moreover, as long as the precise location of difference remains indeterminate (e.g., should we differentiate among individuals, races, ages, foot sizes?), any difference-based theory of identity remains susceptible to a relativized perspectivalism.

Mickey's personal ontological limbo, which stems from just such indeterminate differences, suggests that because of these compromises and contradictions, neither version of identity formation brings adequate meaning to his life. He cannot figure out how his historical specificity makes any difference for his identity in the present, and he does not know how to locate a difference in his history that will provide a solid ground for his self-understanding. In discussing the “truth” of Mickey's stories, for example,

the narrator reveals that “Mickey couldn’t understand what difference to him it made—who believed, who didn’t, what was true, what was not true. If he couldn’t tell them apart, why concern himself? If they couldn’t, why concern himself? And so on” (60). Crucially, Mickey’s inability to see what difference his past makes stems not from a lack of difference but from an abundance of difference, from the fact that difference could be anywhere and could be anything. His history makes no difference to him because its indeterminacy makes too much difference; he has too many ways to tell his stories, too many ways to interpret his past, and too many possible paths leading into the future. Paralyzed by the freedom that difference brings, Mickey’s condition nicely allegorizes the theoretical and practical limits of antiessentialist conceptions of identity in general, and of border-defined Chicano identity in particular. In fact, given the U.S. and Mexican halves of his name, he embodies border difference itself. Inside the text Mickey imagines his own allegorical representation of the problem of difference: a businessman who thinks that the “different color and different textures” of his clothes are “difference” itself. Mickey ridicules the man’s belief that “mixed pants and jacket meant ‘liberal,’ matching meant ‘conservative.’” Instead, Mickey contends, “A man like that . . . shouldn’t . . . think himself less dazed and confused and frightened . . . than some hippie-looking guy clutching a radio” (54). Just like the differences that Mickey has access to (different stories, different interpretations, different histories), the differences that the businessman identifies in his mixed and matched outfits do not make any determinate difference to his identity; they do not meaningfully differentiate him from other identities or change the fact that he is as “dazed and confused” as the next guy.

In this passage we see that Gilb does not predicate his indictment of difference on a nostalgic longing for identity. He is not arguing that the differences that you think make you who you are do not really determine who you are, but he is, in fact, suggesting something much more radical: that there is no “who you are.” Difference-based identities are not identities at all because the arbitrariness of the difference precludes identity altogether. Instead, there is only the indeterminacy of being “dazed and confused and frightened.” We should note, however, that Gilb’s indictment aims at a specific kind of difference: the indeterminate difference that exists among particular pieces of content—the content of Mickey’s stories or the content of the businessman’s wardrobe—which fail to produce meaning and truth because the differentiating criteria remain equivocal and fungible. To move on from the Y, therefore, Mickey does not need to reject difference in favor of presence, but he must instead make difference determinate by finding a universal rather than a particular form of difference.

From the moment that he checks in at the Y, this burden is upon him. Fred, the man working at the counter, asks Mickey if he wants a room “with or without a bathroom.” When Mickey asks, “What’s the difference?” Fred jokes, “Shitting or showering in the room by yourself, or shitting and showering down the hall with everybody else.” Mickey sighs and tells Fred that he is interested in the monetary difference, not Fred’s perspectival difference. Mickey wants to make the difference quantifiable, meaningful, and true in a way that Fred’s articulation of the difference as a matter of perspective is not. By the end of the novel’s second section, Mickey makes some headway in identifying this meaningful difference. Rather than just sitting idly in his room, he decides to take a job working behind the desk at the Y, and the narrator tells us, “It would be either the best choice or the worst, Mickey couldn’t be sure. There was something about his working the desk that was going to make the difference” (69).

Before Mickey can determinately make his difference, however, he must first confront the lure of identity, of presence, which appears in two forms: God’s intentionality and the myth of the “wild West.” While sharing her conversion narrative with Mickey, *Mária*, one of his romantic interests, suggests that life’s contingency and chaos is all part of God’s plan. As proof, she tells Mickey about a previous relationship she had with a “bad man,” explaining that “she had given herself to anything he asked of her, until she didn’t know the difference between love and fear” (83). Trapped by the undecidability of this difference and needing to have her difference “made,” she went to church where a vision of God told her that “nothing is unintentional, and that we are God’s vessels” (84). *Mária*’s religious belief and acceptance of God’s ultimate intentionality successfully makes her difference determinate, as the empty vessel represents, but it then fills up that difference with God’s presence.

Although Mickey remains skeptical of *Mária*’s story, he finds his own version of God’s comforting presence in a cowboy novel that he finds in his room. The novel, which coincidentally takes place in El Paso, tells the story of Jake, a “rock-hard” cowboy who spends his time chasing the Apaches who have kidnapped *Consuela*, his one true love. The first time Mickey leaves the Y after reading the book, we learn that “the effect of the book . . . was that his eyes were on the Old West” (14). As Mickey proceeds to pick up a woman named *Ema* and walk her home to the Mexican side of the border, he imagines himself as Jake and *Ema* as *Consuela*, allowing the cowboy novel to filter out Mexican poverty and to romanticize away the border differences such as poverty highlights. Eventually, however, the novel’s seamless suturing of Mickey’s reality leads him to toss it in the trash: “he was tired of Jake doing so well. Tired of it going so smooth out in his Wild

West, for him and everything he did being believable” (207). In other words, Jake lives a life expunged of difference; he is his essential identity in an entirely unproblematic way, and Mickey finds such ease, whether manifest in Mária’s personal relationship with God or Jake’s testosterone-fueled romp through the Wild West, ultimately unpalatable. Both may offer comfort, but they also overdetermine and preempt lived experience, leaving Mickey no difference at all with which to assert agency, choice, and freedom.

Borders and Histories

Such totalizing modes of existence not only threaten Mickey’s individual subjectivity but also mitigate the differences required for a collective politics. While not particularly committed to his Chicano identity, Mickey nevertheless preserves its differential status whenever political issues arise. When he throws away the cowboy novel, for instance, the narrator reminds us of Mickey’s chagrin over the text’s misspelling of “Consuela”—“not spelled *Consuelo* like people in Mexico commonly and on this side too named their daughters, beautiful or not” (14). Notice here that Mickey does not indict the novel for erasing the difference between Mexican and U.S. citizens; he is not suggesting that it racistly Anglicizes the Mexican spelling of the name, since people “on this side too” name their daughters “Consuelo.” Instead, his critique retains an awareness of the border despite the fact that no difference exists between the U.S. and Mexican spellings of the name. That is, Mickey is upset not because the novel erases one identity in favor of another but because it ignores the formal fact of the border itself, independent of any content-based differences it might signify. In effect, this critique of the novel’s misspelling achieves universality (there is no difference between the Mexican and Anglo spellings of the name) while preserving a purely formal difference (the fact of the border) that does not register on the level of content.

In much the same way, many of Mickey’s daily interactions seem simultaneously apolitical and attuned to the fact of the border. When an employer calls him “Mexican” and speaks endlessly of “you Mexican boys,” Mickey snaps, “Don’t call me *Mexican* again,” and he refuses to return to work the next day. Later, when Mickey tells his friend Sarge that he has not crossed the border to see Ema recently, Sarge comments, “I never go over there anymore. . . . It’s not safe. It’s too filthy, and practically everybody over there is a thief, envying everything about you that’s American.” When Mickey challenges him, asking if that means that Sarge’s “parents are filthy pelado thieves too,” Sarge defensively reports that his most immediate

family was born in Texas. In both of these scenes Mickey insists on the fact of difference but refuses to use it as the foundation for identity. After the exchange with his employer, the narrator reveals that Mickey views “Mexican” as a word, not an identity—a floating signifier which sometimes “didn’t mean anything and other times [meant] a lot. It was dependent on how it was used, on the point being made, on how it was pronounced even” (31). Similarly, Mickey’s taunting sarcasm undermines the apparently Chicano sympathies articulated in his conversation with Sarge; despite ironizing Sarge’s description of Chicanos as “children of criminals and beggars,” Mickey neither takes up the cause of Chicano identity nor identifies himself as Chicano (45).

Mickey thus seems intent on embracing difference, specifically the difference marked by the border, as a given, but not as the constitutive difference of Chicano identity. We see the fine line he walks when the narrator describes how Mickey might explain his personal history: “Mickey would explain to you how he was American, a U.S. citizen of Mexican parents, one from this side of the río, one from the other, both with families that were on this land only after the indios, many years before his people taught those cowboys to ride horses and be cowboys. Mickey’d tell you he was from the New Mexico Territory and the desert . . .” (11). Although this self-description of historical identity is loaded with political claims, their generality and conditional narration render them indeterminate. We have a dictionary definition of Chicano: “a U.S. citizen of Mexican parents”; we have a politicized genealogy of who was here first and who taught what to whom; and finally, in his claim that he is “from the New Mexico Territory,” we find a reference to the 1848 Treaty of Guadalupe Hidalgo in which Mexico ceded the land that would later become the southwest United States, the treaty that made Chicano identity possible in the first place. But with typical ambiguity, it is not clear if Mickey “would” make this reference to describe a neutral fact or to highlight the injustices of a treaty born from a war prompted by U.S. imperial aggression. In light of this ostensibly depoliticized history, it is all the more telling that the word “Chicano” appears only once in the novel, and even then Mickey deploys it facetiously to mock Sarge as a “sensitive Chicano.” Add to these ambiguities the many ways in which the text calls attention to the border but refuses to assert an explicit border politics, and we have a novel that teases us with its politics while refusing to make any political claims—a novel that begs to be read as a border narrative while only ever uttering the word “Chicano” ironically and resisting that reading at every turn.

This border politics which is not one echoes Gilb’s strategically ambiguous relationship to his own Chicano identity. Born in Los Angeles to an

undocumented Mexican mother and a German father from Kentucky, Gilb never gives a straight answer when interviewers interrogate him about his identity and the politics he attaches to it. On the one hand, Gilb seems quite attuned to the particularities of difference. In recounting a University of Arizona search for a “Latino” author, for example, Gilb displays incredulity that the department was considering a Cuban and a Puerto Rican for the position: “in Tucson, Arizona, there is no Cuban community, there is no Puerto Rican community, and it’s just, like, appalling that you would suddenly call that Latino. . . . This is Chicano land and you don’t get to just pretend that we don’t exist here” (Smith). But for every time he notes that “we are people who were here generations previous to the western expansion” (Devereux Interview) or that “the Southwest . . . was Mexico once upon a time” (Farnsworth Interview), he also insists, “I’m not a Chicano, I’m just a culture of me, one guy. This is it. Fuck you, I don’t need to be your Chicano-whatever” (Smith). When it comes to borders, Gilb’s comments are equally rambunctious and opaque. For example, he answers a question about figurative “border-crossing” by instructing the questioner to never cross a border if there are “*trocas de migra* [immigration trucks] on the other side and you see them and they have their beams on you.” Conversely, when asked if he believes in “something universal in the human spirit which can overcome all boundaries,” he quips, “I think that is called ‘sleep’” (POV Interview). While granting that it might very well be unintentional, I nevertheless want to suggest that this self-contradictory blend of arrogance and silliness actually articulates a unique and productive relationship between identity and difference. In the same way that Mickey’s description of the common spelling of “Consuelo” erases border difference while taking note of the fact of the border, and in the same way that Mickey’s personal history both does and does not name a legacy of political injustice, so too is Gilb dismissing history’s relevance while simultaneously asserting its enduring presence. This pragmatic approach that disavows both the possibility of universal equality *and* the value of difference for its own sake is nicely captured in Gilb’s advice to “bi-racial and intercultural youth”: “work harder, do more, be better. Be proud when the time comes. Be humble and be generous. But don’t take any guff” (POV Interview).

Taking these personal comments into consideration, I suggest that we absolutely cannot read Gilb’s novel as a border narrative, which is precisely how reviewers and critics consistently treat the sum of his work.¹¹ Instead, as a narrative that indicts the equivocating difference at the heart of border identity, *Mickey Acuña* is, in fact, a narrative about antiessentialism’s inability to politically resignify the border’s differential logic. We might read the mystery and undecidability surrounding Mickey’s sto-

ries as an allegory of border-induced difference, but to be sure, Mickey does not revel in the confusion and ambiguity surrounding the truth of his past. Instead, the novel mocks the desire to treat the border as the differential grounding of Chicano identity, as a thinker such as Gloria Anzaldúa does when she emphasizes the border's pluralism, ambiguity, contradiction, and indeterminacy while insisting that these differentiating categories constitute the identity of the border subject. This same logic of creating identity out of difference leads Ramón Saldivar to claim, "[L]iving on borderlines, Chicanos and their narratives have assumed a unique borderland quality, reflecting in no uncertain terms the forms and styles of their folk-based origins" (25).¹² For Mickey, however, who experiences the proliferation of indeterminate difference as an ontological unmooring, not as the basis for identity formation, there are only "uncertain terms."

While the border offers a convenient way to understand the political stakes of difference and its relationship to identity, its metaphorical potency comes not just from its reference to an irreducible geographical divide, but also from the temporality of historical difference embedded in it. That is, the border does not just mark the territorial difference between Mexico and the United States; it also signifies the variable history of that difference: the fact that today's border is not the same border that existed in 1519 when Cortés began decimating indigenous Mexico, in 1819 when the Adams-Onís treaty established the boundary between colonial Mexico and the United States, in 1836 when Texas declared its independence, in 1848 at the end of the Mexican-American War, or in 1853 when the Gadsden Purchase was made. Accordingly, Mickey's primary source of problematic difference throughout the novel is historical, not geographical, suggesting that Gilb's critique extends to a tendency in Chicano Studies, particularly prominent in the late 1980s and early 1990s when Gilb was writing *Mickey Acuña*, to treat history not just as the fundamental ground of a distinct Chicano identity but also as a potential source of political liberation. Anzaldúa concludes the critical section of *Borderlands*, for instance, by laying out a course of action in which history plays a vital role: "Before the Chicano and the undocumented worker and the Mexican from the other side can come together, before the Chicano can have unity with Native Americans and other groups, we need to know the history of their struggle and they need to know ours" (86).¹³ Even more challenging to an author like Gilb, who is clearly skeptical of history's significance for the present, Saldivar writes, "For Chicano narrative, history is the subtext that we must recover because history itself is the subject of its discourse. History cannot be conceived as the mere 'background' or 'context' for this literature; rather, history turns

out to be the decisive determinant of the form and content of the literature” (5). If we compare this claim to Mickey’s various attempts to “recover” his history, however, we quickly see that Gilb’s novel is not your ordinary “Chicano narrative.” But why exactly has Gilb concluded that history is a paralyzing source of indeterminacy rather than the “decisive determinate” of Chicano narrative and identity?

Perhaps he has been reading too much Walter Benn Michaels, who has been arguing for more than a decade that identity is a function of what one thinks and does, not a function of individual or collective history. Michaels prefers thinking and doing because they allow for the possibility of disagreement and change—two things required for politics—while history cannot be debated or changed.¹⁴ Accordingly, history for Michaels actually precludes the possibility of politics because different histories amount only to different perspectives that we must respect, not different ideas that can be promoted or assailed.¹⁵ At the heart of antiessentialism’s call to respect difference, Michaels sees a malignant tendentiousness that lets essentialism in through the back door: “In racial antiessentialism, the effort to imagine a history that will give people an identity” is no less essentializing than biological essentialism’s attempt “to imagine an identity that will connect people through history” (*Shape* 137). Deeming it illogical to treat race as both socially constructed and a reality, Michaels instead reasons that a true commitment to the social construction of race should lead to the conclusion that race does not exist, not that racial differences should be respected. In the same way, the fact that Mickey can construct a multitude of identities from his proliferation of difference means that identity does not exist in any meaningful way for him, not that he is liberated from racist oppression. Ultimately, for both Gilb and Michaels, difference makes identity much more complicated than the difference-based logic of socio-cultural construction allows.

The Shape of the Universal

As I suggested earlier, Gilb’s critique of difference-based identity does not retreat to the comfortable terrain of essentialized presence, Mickey’s flirtation with the cowboy narrative notwithstanding. Similarly, Michaels avoids antiessentialism’s inevitable tumble into essentialism by altogether rejecting difference as a viable ground for identity and turning instead to universalism, specifically the universality implied by all acts of disagreement. For Michaels, universality does not require consensus because “it is the mere possibility of disagreement that is universalizing.” He explains, “[T]he fact

that people have locally different views about what is universally true in no way counts as a criticism of the universality of the true. Just the opposite; the reason that we cannot appeal to universal truths as grounds for adjudicating our disagreements is just because the idea of truth's universality is nothing but a consequence of our disagreement" (*Shape* 31). In predicating universality of disagreement, Michaels avoids the essentialism that would follow from a universalism of totalizing presence. Consequently, despite championing beliefs, ideas, and arguments, and despite his very Kantian assertion that "the claim that something is true . . . is always a claim that it is true for everyone," Michaels never actually tells us what "the true" is (179). Because he never attaches it to content, Michaels's universal remains purely formal, defined solely by its negative form.

In much the same way, Ernesto Laclau's search for a universal that transcends difference leads him to embrace pure negativity as the only politically viable form of the universal.¹⁶ Specifically, Laclau's *Emancipations* argues that particulars and universals are not mutually exclusive, and demonstrates instead how a politically productive universal might emerge out of particulars without entirely subsuming them. If for Michaels the universal is a consequence of whatever particular content two people disagree about, then for Laclau it grows from particular instances of oppression. For example, Laclau imagines a hypothetical minority group suffering under a totalitarian regime, and he then postulates other antagonistic forces arising against this group—a depleted water supply, a threat from a different state actor (as the Iraqi Kurds face from Turkey), or an AIDS epidemic. Functioning as equivalent threats to the group's identity, these particular oppressions suggest a commonly antagonistic element that the minority group then recognizes as such. In such a scenario a set of circumstantial particulars gives rise to a politically potent universal that defines the group's equivalent oppressions. Furthermore, because the commonly universal element is antagonism itself rather than some positively defined content, Laclau argues that his hypothetical reveals a "general negativity" that transcends the specificity of each different threat, a "universal impossibility which penetrates the identity in question" (14). As he writes later, "The universal emerges out of the particular not as some principle underlying and explaining the particular, but as an incomplete horizon suturing a dislocated particular identity" (28). Rather than the particularity of a given subject position precluding the universal, here we see it actually producing the universal. Moreover, rather than ignoring politics by dissolving the particularities of ethnic, cultural, and national history, Laclau shows how the universal's radical emptiness—its purely formal expression of differential content as universal equivalency—actually makes democracy

possible in the first place. After all, giving content to the universal, Laclau reasons, “would imply that a particular body had been found, which would be the *true* body of the universal.” But identifying the “*true* body of the universal”—*L’État, c’est moi*, for example—leads to totalitarianism, not democracy, which instead requires that “the universal has no necessary body and no necessary content” (35). For the same democratic reasons, Michaels always speaks of truth formally without ever naming its actuality.

Admittedly, this solution devalues particularized content, imagining as it does that identity (for Michaels) and politics (for Laclau) will be determinately constituted by the universal’s empty form rather than indeterminately constituted by differentiated content. But this slight to the particular is a problem for constituting identity and politics only if universals and particulars are mutually exclusive, and Michaels’s disagreement and Laclau’s antagonism commonly demonstrate that this need not be the case. They allow us our universalism and our particulars too. Nevertheless, one very large problem remains, and that is history, which, as we have seen, flummoxes both Mickey’s desire to secure his identity and the Supreme Court’s juridical intervention in racial politics. Both Michaels and Laclau only describe a universality that emerges out of particulars situated firmly in the present, not in the past, implying that there might be something unique about history’s particulars that actually resists universalization in a way that a disagreement’s particular sides or a minority group’s particular oppressions do not.

Michaels is, in fact, resoundingly clear when it comes to the role that history plays in disagreement’s universality: none whatsoever.¹⁷ This is because, according to Michaels, grounding identity in history guarantees that our differences will always remain experiential matters of relative perspective rather than cognitively determinate ideas that can be debated and argued. This “disarticulation of difference from disagreement” occurs whenever we allow history to determine who we are, a process that Michaels finds particularly maddening when that history is one that has not even happened to us (*Shape* 30). For example, he writes, “If history isn’t able to serve as a source of identity, it isn’t needed to serve as a source of ideology. It isn’t able to serve as a source of identity because things that didn’t happen to us can’t count as part of our history. And it isn’t needed as a source of ideology because beliefs need reasons rather than sources” (158). Having jettisoned history, Michaels commits himself not just to a universal that emerges only in the present moment of disagreement, but also to a universal that must constantly re-emerge with each ensuing present moment. If history weakens disagreement into mere perspectival

difference, then I am prevented from drawing on the position I held in yesterday's disagreement to support my side of today's disagreement. This is true for two reasons. First, because the universal is actually the formal negativity that defines the space of disagreement, appealing to the content of yesterday's ideas entirely misidentifies the universal's location. Second, my recourse to yesterday's ideas is not so much an appeal to my thought as it is an appeal to the fact that I held a position yesterday and so will also hold it today; it reduces my ideas to my situatedness. For Michaels, therefore, "the true" only ever amounts to "whatever is true now."

Although he forgoes Michaels's disembowelment of history, Laclau's approach also implicitly severs universality from the past if only because it remains difficult to imagine how a historical particularity could constitute an oppression equivalent to those confronting a minority group in the present. Even if a given oppression in the present, like institutional racism, derives from history, the relevant temporality of that oppression is its present and not its past. In fact, because of his focus on a revolutionary politics of liberation and unity, the temporality of Laclau's universal actually belongs to the future—hence his description of it as an "incomplete horizon" that must remain perpetually empty (28). Fortunately, although his examples do not describe how historical particularities might produce the universal, Laclau does not entirely rule out the possibility in the same way that Michaels does. In fact, Laclau provides a useful opening onto history when he notes, "Any term which, in a certain political context becomes the signifier of the lack, plays the same role"—that is, the role of making a universal politics possible (44).

This, I contend, is how history can remain relevant to identity and its political formations without condemning them to the indeterminacy of particularized perspective: "history" need not name specific historical content and can instead function as the "signifier of the lack." As that which is no longer present, history represents an apt candidate to designate the universal form of loss itself.¹⁸ Because Michaels views history merely as something that people claim to constitute their identity, it is easy for him to reject it out of hand. For Gilb, however, history is also something that happens to people, a series of losses that subjected them in the past and continues to do so in the present. And yet, at the same time, he is loath to dwell on history's particularities, leaving him in the difficult position of identifying a historical universal that both avoids history's relativizing particularities and accounts for the experiential truth of oppression—what Gilb calls "guff"—both past and present. Michaels and Laclau have shown that universal and particular need not be mutually exclusive as long as the universal is conceived negatively. It remains up to Gilb, however, to

figure out whether the same can be achieved in a historical context while remaining sensitive to a politics of loss.

The duration of this chapter will argue that Gilb successfully identifies the pure empty form of history as a negatively grounded universal that makes difference determinate without entirely erasing historical particularities. Like Michaels and Laclau, Gilb depicts a scenario in which the universal emerges from a given set of particulars, but for Gilb, both particular and universal remain intimately connected to history. More specifically, a universal conception of history as the form of loss—history as that which is lost—emerges out of particular instances of loss, which when treated solely as specific historical content are only ever indeterminately true. Their universal truth is realized, however, when those losses are sublated into historical form—that is, into the pure form of their absence. The Supreme Court’s conservative justices may offer universality, but they do not give us the flexibility of the negative. Michaels’s universal may offer absence, but it does not account for historical loss. Justice Breyer may offer historical loss, but he compromises the universal when he insists that “the facts of history” must be remembered. However, by predicating his universal on loss rather than presence, and by locating that loss in history rather than on disagreement in the present, Gilb’s novel offers a productive alternative to Michaels’s presentism and to the Supreme Court’s paradoxical relationship to U.S. history.

A Contentless History

Throughout the novel, Sarge, Mickey’s primary companion at the YMCA, represents the hollowness that comes with the complete rejection of historical loss that Michaels advocates. Sarge lands at the Y after his wife takes their children and leaves him for a “man with more hair in [a] city more lush than El Paso” (39). But the past is entirely irrelevant to Sarge, who is a “proud, yessir soldier type, confident in the most cheery, can-do, rise and shine, whistle a happy tune fashion, no questions asked” (35). Fully believing that we are what we do and not where we come from, Sarge embodies a Michaels-like universal in which the truth is always now. His belief that deeds are more valuable than words leads him to replace Mickey’s novelistic description of “good guys and bad guys” with his own rigid philosophy of “good work and bad work, good jobs and bad jobs” (42). Sarge not only reduces Mickey’s plight of uncertainty and indeterminacy to the fact that he does not have a job, but he extends this diagnosis to Mexico as a whole: “In terms of natural resources, Mexico is one of the

wealthiest [countries] on earth. All they have to do is show some discipline and strength and both our countries would prosper” (44). This is the remark that elicits Mickey’s “sensitive Chicano” jab, suggesting just how drastically Sarge’s equation of identity with work erases history, culture, and politics.

Resistant to Sarge’s ethos, Mickey wants universalism—to know “what would be true”—but he does not want it severed from history; he does not want work, discipline, and manly handshakes to be the only true things (24). Mickey’s response to Sarge’s loss nicely captures just what this might look like: Mickey interprets the loss of his wife and children as “particulars not too unique.” Citing the “proof [that] scuffed up and down the linoleum halls in overused slippers” at the Y, Mickey concludes that such loss is “predictable” and “had to be expected” (39). In effect, Mickey’s evaluation purges the details from Sarge’s history while leaving its form—the fact of loss—intact. Sarge’s history is more important to Mickey than it is to Sarge, but it is important only because the particular losses that make up its content bespeak the universal truth of history as loss.

In his own life, achieving universal truth from contentless form proves more difficult, as Mickey’s meditation on his employer’s use of the word “Mexican” reveals. His observation that the word’s relative offense depends on how it is used, not on its referential content, is a purely formal insight. Indeterminate content intrudes, however, when he notes that the event’s political significance depends on how the person hearing the word is feeling, an affective contingency that binds the word’s political significance to a particular subject position (31). The content of the listener’s feelings relativizes the event’s “truth,” leaving meaning as indeterminate as it is in Mickey’s stories that fail to “make a difference.” Content similarly intrudes when Mickey thinks about his future in purely formal terms. In one of the many scenes describing his state of anxious waiting, the narrator explains, “Mickey wished he could figure out what form [the future] might take, so he himself could be ready, but he came up with too many scenarios” (49). Here again the presence of “too many scenarios” creates too much content-based difference, rendering formal knowledge indeterminate and action impossible.

To avoid this paralysis, Gilb suggests that content—like the “feelings” and “scenarios” in the above examples—must be actively purged from the form of an event, which is one thing that Mickey’s constant winning helps him realize. Wondering why Charles Towne, another Y resident, gets so mad when Mickey beats him at ping-pong, he notes, “Losers, like poor people, dwell on the details, the small shifts of personality and attitude” (52). Here Mickey rejects the relativizing content of feelings in favor of

the pure form of the game, a formal lesson that Gilb reiterates on the same page when Mickey asks Butch how he knows that Charles is angry about losing. Butch replies, “It’s not lo que dice, bro. It’s how.” In this case, however, Mickey’s denigration of details seems rather imperial and insensitive, as he realizes when he second guesses his interpretation and retreats to the mushier ground of subjective perspective, wondering if “Charles Towne saw something from his end that Mickey didn’t.” While Mickey’s formal impulse is correct here, he is also correct to second-guess his winning ways because they represent a formal turn that ultimately proves hollow and meaningless. Since it is mindless and unaware, Mickey’s unfettered winning represents just another version of indeterminate difference. It makes no difference to him if he wins or loses, and he wins only because “[h]e can’t lose if he isn’t trying to win” (101). To make his life meaningful again, he requires a more consciously considered sense of determinate loss. Achieving a purely formal relationship to experience will involve not just moving from a form populated with details to one purged of details, but also moving from a form absent of detail because one’s life is fraught with indeterminacy to a form absent of detail because that is the universally determinate nature of experience.

Mickey evinces such knowledge in his assessment of Sarge’s loss, and he comes closest to highlighting the determinately contentless form of his own life while recounting a story about a woman in Albuquerque. He insists that the details of his story are unimportant:

The point is, the thing that happened, was how we were, how it was. It’s hard to explain except that we were in love. We were in love and it had to do with that I wasn’t staying, that I was leaving. And that’s what did it, that’s why it got the way it did. We cared about each other because we weren’t going to see each other again. ’Course I knew where she lived, and I got her phone number, that sort of thing, but we both knew I wouldn’t ever see her again and she wouldn’t ever see me. (58)

Rather than an absence of details stemming from Mickey’s mindless indeterminacy, here we see the opposite: a purely formal experience purged of details because of a very determinate absence—the shared awareness of impending loss. In a novel where no one knows anything for sure, this passage stands out because both Mickey and the woman “know” the truth of the other’s future absence; the determinate knowledge of Mickey’s eminent departure entirely predicates the love that defines their formal relation to each other. And this formal relation to the woman in Albuquerque differs categorically from his formal relationship to winning because the former is

predicated on his knowledge of a determinate absence while the latter rests solely on not caring one way or the other. And yet, even here details eventually intrude: “I see her perfectly, all these details of us being together, so many little things about her body and her voice, how she looked when she slept, how her hair felt. I remember the plastic clock by her bed, the green light on it, the metal second hand circling” (59). Not surprisingly, with this return of historical content, the very next paragraph highlights Mickey’s inability to know the truth of his story: “It was, he’d say, a true story. And he was sure it was true. Except why was he *sure* of it? Didn’t it mean it wasn’t a hundred percent true if he had to convince himself, double-check his memory?” (59). Their time together avoids the relativity of situated perspective and instead becomes something true and known only when Mickey and the woman from Albuquerque empty their future of all meaningful content. Once Mickey recognizes the same truth about his past as he recognizes here about his future—the determinate truth of its loss—he will be able to leave the Y and move on with his life.

Late one night on a hillside overlooking El Paso, Mickey achieves this broader understanding of history as the universal form of loss. To do so, however, he must reject Mária’s belief in God’s presence-giving intentionality. As he meditates on her assertion that “nothing is unintentional,” he tries to apply that logic to the nocturnal scene before him: “Nothing was unintentional. Not the star-punctured sky, the bleached moon, not the blackened earth below: a gulf of flat desert ringing to the curved brim, falling into the emptiness of this world.” This initial attempt to understand the intention behind these various pieces of heaven and earth—stars, sky, moon, earth, and desert—juxtaposes them to an emptiness that defines their outer limit. Upon further consideration, however, Mickey decides that these various presences are not positive proof of God’s intentional hand because “the emptiness wasn’t really at that faraway edge. The emptiness was all around . . .” (196). Here Mickey rejects Mária’s belief in God’s plan, seeing instead a determinate absence and emptiness in the very presences that she might describe as God’s intentional creations.

To reinforce the implications of this insight, Mickey offers an alternative creation story that embraces the contingency and chaos of a universe in which nothing is intentional in the most determinate of ways:

Those lights below—window lights, streetlights, head- and taillights—were broken glass, shards and slivers and chunks moonlit to sparkle yellow and white and green and red and blue, the remains of bottles from a celebration still going on, and they’d been tossed against this mountain. It was a good party, fun. People drank, and some drank too much. They laughed

and argued. Men and women fell in love, made love, fought against and for. (196)

This bacchanalian description of El Paso's creation rejects Christianity's notion of God as an intelligent designer in favor of the whimsical caprice of Classical gods and goddesses. By the end of this hillside epiphany, Mickey dismisses the logic of presence and intention and accepts the logic of determinate "emptiness." Significantly, the narrator ends the scene with Mickey's first difference-making choice in the novel: "Right then, he'd say, he decided" (196).

Armed with his determinate knowledge of emptiness, Mickey loses his first postepiphany handball match with Sarge despite his stated intention to win (199). His epiphany also allows him to differentiate himself determinately from the other residents of the Y. Throughout the novel, Isabel, one of the housekeepers, stops by Mickey's room to clean and change the sheets, and, without fail, a chronically flatulent man across the hall farts, embarrassing both of them. But when Isabel arrives the next morning and the man releases his wind, "Mickey, for the first time, wasn't ashamed, didn't feel like he'd been the one with the farts. He laughed, guiltless, too" (197). Finally, in addition to gaining individualized intent and a distinct identity, Mickey secures determinate access to his past. Walking around El Paso the next day, he remembers his boyhood: "He rode horses. There were lots of birds: doves and mockingbirds, hawks and grackles, quail, owls. Dogs howled, cats brawled. He cried about thorns and needles and stings. Crickets and cicadas. There were fly balls and passes. He aimed a .22 rifle at a can, and he dreamed of adventure and fame" (210).

Of course, his intent, his nonfarting identity, and his past are all presences, but they are not a priori presences plagued by indeterminate difference. Instead, they are presences made possible only by his understanding of a determinate and all-encompassing emptiness. That is, the point of making difference determinate was not to reject content and presence out of hand, but to identify a form of difference strong enough to make presence justifiable and not just a matter of relative perspective. As Gilb's indictment of this mushy perspectival difference that grounds the subject-based politics of antiessentialist discourse suggests, this is precisely what the difference of historical content fails to do. Only the determinate difference of pure emptiness, not the difference of particularized historical content, gives true meaning and significance to a life.

Consequently, when Mickey later wants to "remember true and real things," he does not remember the history of his Chicano ancestors, the woman he was with in Albuquerque, the embarrassing incident at Den-

ny's, or Mária's message of God's intentionality. Instead, he thinks of the "everpresent wilderness" that surrounds his daily life, of the "desert and the mountain [that] were still everywhere he walked." "Rocks might be gathered and piled and sorted, mixed and separated, they might be used in fences and foundations and for walls of homes, but they were never under control . . . and the dirt . . . no matter what temporary domination or management, won over most front and backyards, alleys, easements, and lots" (209). The chaos of Mickey's El Paso creation story here returns in the indomitable power of nature, a power that for Mickey is a function of time: "He'd found an old tennis ball and, walking, bounced it on the sidewalk cracked by time and filled in by weeds" (210). This, then, is how Mickey solves his problem of relating to the past. The indeterminacy that paralyzes him throughout the novel is swept away once he embraces the universal truth of the world's radical emptiness and here links that emptiness to geological and evolutionary history. Emptied of ethnically, culturally, or nationally specific content, it is a history that denotes little more than the purely formal fact of past-ness, represented here as the truth of time's passing.¹⁹ In other words, only the pure form of historical change awakens Mickey to the fact of time and thus to the truth of his existence, which is a foundationally temporal truth.

A Contentless Narration

Thus far, in an attempt to pin down Gilb's ideas about difference and identity, particulars and universals, I have intentionally avoided discussing the text's formal elements. However, given that my content-based discussion of those ideas has led to the conclusion that content is irrelevant for producing meaning and grounding identity, the text's narrative form will presumably provide a useful example of just what a contentless approach to the past might look like. Indeed, reading this novel representationally overlooks the proliferation of metafictional moments in which Mickey's approach to storytelling might be productively applied to the narrator's own stories about Mickey. Are those stories—which recount past events in Mickey's life—rendered indeterminate by a proliferation of content that leaves readers unable to determine what difference they make and whether or not they are true? Or, despite having to tell a story about the past, does the narrator manage to evacuate the story's content, leaving only a formal relationship between Mickey's past and the narrative present in which "[i]t's not lo que dice. . . . It's how" (52)?²⁰ Before answering this question, we should remember that deriving the universal from a formal negativity

does not preclude particulars. As I argued earlier, Michaels's and Laclau's work is so exciting because it demonstrates that universal and particular need not be mutually exclusive. Consequently, to successfully evacuate the story's content and highlight the purely formal fact of its past-ness, the narrator need not remain silent. Instead, with the proper treatment of a story's particulars, the narrator can both tell a story that recounts specific events and achieve a universality predicated on the fact of history's absence.

To do so, Gilb deploys a narrative mood that accentuates the radical indeterminacy governing Mickey's past, present, and future, and he achieves this indeterminate narrative mood through the narrator's consistently ambiguous use of the "d" contraction. The "d" in lines such as "[h]e'd snap that he didn't have to be specific" (11), "he'd tell you knowledgeable" (14), and "[m]aybe, he'd say, it was better" are narrated in a conditional mood that renders their precise meaning utterly undecidable (21). In these and other sentences like them, the "d" clearly means "would," as in "Mickey would say this" and "Mickey would say that," but the conditions that would make the conditional determinate are never given. In fact, almost every time a "would" or "d" appears, it does two things simultaneously. First, it creates a sense of repetition and typicality—as in "He would say this thing frequently" or "This is the kind of thing he would often say." Second, it implies a more temporally circumscribed conditionality—as in "If this scenario were actually occurring, this is what he would say." In the same way that Mickey cannot determine the truth and significance of his own stories, this narrative mood obscures the truth of the narrator's story. When we read "He'd snap that he didn't have to be specific," are we learning that Mickey frequently and consistently refuses to be specific or that he would refuse to be specific if we were to ask him about his past? With the discourse always appearing as indirect discourse, we do not know if these are things Mickey really did say, if they are merely typical of what he would frequently say, or if they are things that he would hypothetically say in a particular set of given circumstances. This indeterminacy utterly dominates the first chapter that introduces Mickey and his past, and although the increased presence of direct discourse limits such ambiguity in the next three chapters, it reappears whenever the narrator is not directly recounting a specific event that Mickey experiences at the Y. Significantly, in the fifth and final chapter, once Mickey has his epiphany about emptiness, the ambiguous "d" entirely disappears from the narrative (e.g., his boyhood recollections are narrated in past tense), but not before it intrudes into the epiphany's concluding line: "Right then, he'd say, he decided" (196).

In effect, then, these passages both produce and are about indeter-

minate meaning. When we read about the ambiguity with which Mickey describes his history (“Mickey’d tell you he was from the New Mexico Territory”), that same ambiguity adheres to the history being narrated to us as readers. And when Mickey has an epiphany about the determinate emptiness of existence, the “d” of his “decision” embeds a similar emptiness at the heart of the description of the epiphany. But these narrative evacuations of historical content produce only a localized indeterminacy about the particular event being narrated; they do not yet achieve a purely formal emptiness that might point us toward the universal. This is because they function by blurring the relationship between what Gérard Genette describes as the “singulative” and “iterative” frequencies of narrative.²¹ If a singulative narrative narrates what happened once, while an iterative one narrates what happened many times over (or narrates many times over what happened once), then our narrator’s prolific and ambiguous use of the “d” makes it impossible for us to know if the narrated event is singular or iterative. With each ambiguous use of the “d,” we are confronted with the paradoxical relationship between the particular and the universal; the singulative particularity of the “d” fails to overcome its indeterminacy and produce a universal truth, while its iterative universality cannot outrun the particular’s relativizing shadow.

If this ambiguation of historical content cannot be considered tantamount to its entire evacuation, then we must still figure out how a universal can emerge from these local indeterminacies. This requires us to shift the scale of our thinking once again. That is, just as “truth’s universality is nothing but a consequence of our disagreement” for Michaels, just as a collection of oppressive forces entails a universally equivalent antagonism for Laclau, and just as Mickey’s attempts to empty specific historical events of their content prepares him for the universal truth of history’s formal absence, so too do the novel’s particular instances of narrative ambiguity point us toward a universal narrative truth. Specifically, the conditional narration not only produces indeterminacy but also highlights the fact of narration itself. By so thoroughly foregrounding history’s narrative construction, Gilb implies that the only historical truth *not* determined by narrative and thus not permanently condemned to indeterminacy is the formal fact of history’s absence. When the narrator highlights the past’s indeterminacy while refusing to fill in Mickey’s past with any content, the only truth readers ultimately have access to is the past-ness of his past, the fact of its loss. On the text’s narrative level, therefore, we see the same universal—the past’s present absence—emerge out of a set of indeterminate and ambiguous particulars.

On two different occasions, Mickey intuitively connects this narrative to the universal truth of history. First, while feeling particularly unsure about his place at the Y, Mickey imagines a future when his present “time would be forgotten, and he’d be like someone else, and it’d be like nothing unpleasant even happened to the new guy he’d have become. . . . He could tell *this* as a story” (61–62). And much later, during a sexual encounter with Rosemary, the daughter of an employee at the Y, the narrator describes Mickey’s response to her breasts: “[I]n the throes of caressing them, he reminded himself that he would like them more as time passed, when he wasn’t touching them” (171). In both of these scenes Mickey realizes that he will be free to narrate his past however he likes. This, however, is not the realization that gives him solace—after all, the freedom of narrative construction is what renders his life so indeterminate and distant from truth in the first place. Instead, the truly comforting part of these realizations comes from the simple fact that Mickey’s “now” will eventually become a “then.” The truth of these events is not what they mean in the present or what Mickey can manipulate them to mean in the future. Their truth is that they will be lost; their truth is a negatively defined universal that emerges from but does not preclude their myriad particularities. This is presumably why the narrator tells us nothing about Mickey’s history. Because the relevant truth of his past is that it is lost to him, it remains lost to readers as well.

A Return to Politics

The universal absence of the past thus provides a universal that is both empty and historical. Moreover, this universal emerges out of particulars that it unites through the common form of loss rather than falling prey to their differences. Instead of being subsumed into the universal’s negativity, life’s particularized content, in both the past and the present, becomes determinate and meaningful, which is why Mickey’s epiphany about nothingness leads to substantial and positive changes in his life rather than to nihilism. But is the universal truth of history’s formal absence strong enough to ground a politics? Does it allow us to account for the enduring effects of historical racism, oppression, and violence, or has too much content been purged from its formal emptiness? What would it mean to treat history’s particularly politicized losses (e.g., slavery, segregation, racism, the Mexican-American war, police brutality) as merely the common ground of universal loss? If Chicanos embraced the universal truth of this

purely formal loss, then what would be the proper relationship for them to adopt toward the Mexican-American War and its violent legacies? Or for African Americans to adopt toward slavery and *de jure* segregation?

According to the model I have elicited from Gilb's novel, the details of these events are no longer relevant—not just because they did not actually happen to those living today, but also because foregrounding those details and insisting that they be remembered ensures that they will never lead to universal equality. However, the Chicano's or the African-American's *formal* relation to the events remains entirely relevant, and because that formal relation is one of historical loss in general, those particular instances of loss continue to register in the present, albeit in a universal and negative form. This permits a much more nuanced relationship to history than we find in Michaels, for whom history is simply that which is not present and thus irrelevant. In locating the shape of the universal in history's absence, Gilb takes the notion of history as that which is not present and uses it to universalize specific experiences of loss that would otherwise amount to little more than indeterminate differences of perspective—experiences that will never cohere into an enduringly effective politics.

This is precisely the kind of universalization that Justice Breyer's minority opinion needs. By grounding his decision in “the stubborn facts of history,” he asks the nation to accept that its historical particularities will remain permanently inassimilable to its universal ideals. This is also the kind of universalization that the majority need, since they locate their universal entirely in a timeless present: the moment of unitary status is a history-erasing moment of universality that exists outside of time's passing. In offering a historically situated universal, Gilb challenges both Breyer's “facts” and the majority's failure to consider history. How then does Gilb's historical universal require the Supreme Court cases to be solved? How would the decision be affected if the universal truth at issue were history's permanently present absence rather than the detemporalized achievement of unitary status?

According to Roberts and Thomas, once racial inequality is fixed, the nation is done fixing it, and race no longer matters. According to Breyer, race will always matter because racial inequality is a founding fact of history that can never be totally fixed. According to Gilb, however, racial inequality can be fixed, but it always remains susceptible to coming unfixed, and so race sometimes does and sometimes does not matter. This last scenario thus recommends a constant return to the question of inequality. For example, we might have an annual trial to determine if schools are fully integrated. If they are not, then we fix them, and if they are, then we do nothing. Although this sounds like mere pragmatism, it is a pragmatism

that finds a strong theoretical justification in the empty universal of historical form. The universal truth of history's present absence requires that we constantly acknowledge the past, but it does not require us to refer to particular events in the past. Consequently, our annual court cases could fix problems in the present without having to worry about redressing past wrongs or establishing permanently universal ideals. The simple fact of history's absence replaces the timeless presentism of the majority's universal and demands our constant return to the question of racial equality. And this is history's only role: its universality justifies our continued evaluation of the problem without requiring us to discover racism and inequality every time we return to it. In this way, Gilb's contentless and thus universal version of history retains Breyer's investment in the past while providing a universal that can justify a ruling in the way that Roberts and Thomas think their universal does. Best of all, this universal justifies not just one faction's ideas, but whatever decision is reached year after year; any decision reached in the present is equally grounded by its purely formal relation to the past. This is a universal that actually promotes particularity, an identity principle that actually produces difference.

It is telling that our courts do not work this way—that they insist on rehearsing an irresolvable debate between “strict constructionism” and socio-historical context. It tells, in particular, of a nation's reluctance to think historically and of a citizenry's inability to include time in the way it imagines its politics. These failures are nowhere more prominent than at the Supreme Court, where nominees who pay sycophantic obeisance to *stare decisis* during the nomination process promptly overturn significant precedents upon joining the Court. (I am thinking here of Chief Justice Roberts; Justice Alito; and the ruling in *Gonzalez v. Carhart*, the 2007 “partial-birth” abortion case that overturned the Court's ruling in *Stenberg v. Carhart*, a nearly identical case decided just seven years earlier.) Of course, the logic of strict constructionism allows them to argue that they are not rejecting the universality of precedent but are, in fact, returning law to the most universal precedent of all—that of the founding fathers' original intent. And in their defense, I would suggest that their recourse to “founding intent” is not entirely their fault. Given our collective failure to treat timeless universals and timely particulars as anything other than mutually exclusive, these conservative justices do not have anyplace else to look for universals that might coherently ground their legal opinions. And the opposing view, which bases legal decisions in the socio-historical context of the time, has no claim on universality whatsoever. Ultimately, however, neither of these approaches thinks about time in a way that allows it to contribute meaningfully to the juridical process.

But what if time itself, abstracted from all content, were the universal that grounded our judicial system? Then we would not have to count on timeless first principles that might have grown irrelevant or inapplicable over the centuries, and we would not have to limit every legal decision to its relative context. Instead, overturning precedent, changing the law to meet our contemporary needs, would not represent an affront to universality but would instead be justified by it. In this way, Gilb's historical universal, freed of all content, provides a universal justification for overturning precedent that rests on neither presence nor the present; it should be overturned not because the relative content of the present is different from the relative content of the past, but simply because the past is universally absent from our present. This would then allow for universal grounding, political change, *and* the continued significance of history.