

## Anomie, Resurgences, and De-Noming

WALTER D. MIGNOLO

### NOMOS (*noun*)

1. a law, convention, or custom governing human conduct
2. (Greek mythology) the daemon of laws and ordinance

—*Collins English Dictionary* (2011)

### NOMIC

Customary; ordinary;—applied to the usual English spelling, in distinction from strictly phonetic methods.

—*Webster's Revised Unabridged Dictionary* (1913)

### ANOMIE OR ANOMY (*n.*)

1. Social instability caused by erosion of standards and values.
2. Alienation and purposelessness experienced by a person or a class as a result of a lack of standards, values, or ideals: “*We must now brace ourselves for disquisitions on peer pressure, adolescent anomie and rage*” (Charles Krauthammer).

—*American Heritage Dictionary of the English Language* (2000)

### RESURGENCE (*n.*)

1. A continuing after interruption; a renewal.
2. A restoration to use, acceptance, activity, or vigor; a revival.

—*The Free Dictionary online*

## Global Linear Thinking and the Second Nomos of the Earth

This book is intended to confront Carl Schmitt’s *nomos of the earth* and, as the editors put it in their introduction, “documents the antagonistic forms of autonomy that are moving away from the Western coordinates of the planetary nomos.” This is indeed one of the crucial aspects of our time that will,

no doubt, dominate the twenty-first century. My endorsement of the general and particular argument hereby put forward highlights the phenomena compressed in the expression “anomie and resurgences.”

To properly understand the global dimension of this shift, of which of course the processes in Latin America documented here are paramount, it would be helpful to understand Schmitt’s *trick*.<sup>1</sup> The *nomos* addressed in this book is indeed Schmitt’s *second nomos*. Which means, obviously, that for him there was a *first nomos*. The first *nomos* was a plurality of them. Before 1500, following Schmitt’s chronology but somehow adding to his conception of the first *nomos*, every socio-cultural-economic configuration (that today we name *civilization*)—ancient China, India, Persia, the Kingdoms of Africa, Mayas, Incas, and Aztecs—had its own *nomos*. Given the scope of this book, let’s concentrate on the *nomos* of ancient civilizations, of what became known as “America,” the fourth continent.

The emergence of the fourth continent, America, in the consciousness of European men of letters is a landmark of Schmitt’s second *nomos*: “The *first nomos* of the earth was destroyed about 500 years ago, when the great oceans of the world were opened up. The earth was circumnavigated; America, a completely new, unknown, not even suspected continent was discovered.”<sup>2</sup>

Notice the relevance for the issues at hand in this book: “America, a completely new, unknown, not even suspected continent was discovered.” The statement is proverbial: America was not known to many people but for different reasons. Europeans had an idea of the world divided into Asia, Africa, and Europe. Mayas, Aztecs, and Incas did not know that America existed because it was invented as such around 1504. What they knew was Tawantinsuyu, Anahuac, and Yóok’ol kaab. At that point in history, what is today Europe was Western Christendom and it was part of the first *nomos*. The second *nomos* of the earth emerged, then, when a group of *indigenous* people of Western Christendom/Europe bumped into the land of *indigenous* people of Ayiti (the indigenous name of the Island that was renamed Dominica by the Spaniards and Saint Domingue by the French). Bottom line of this paragraph: at the moment of what Europeans call “the discovery of America” and more recently Latin American philosophers of history rebaptized “the invention of America,” everyone on planet Earth was living under what Schmitt described as the first *nomos*.

So the second *nomos* inaugurates a planetary European narrative, a narrative that became hegemonic and was consolidated by Hegel’s lesson in the philosophy of history delivered some time between 1822 and 1830. Schmitt

is rehearsing such a narrative and connecting it with international law (*jus publicum Europaeum*). That is to say that the “discovery” that inaugurated the second *nomos* inaugurated at the same time the legal and symbolic European appropriation of the planet. The first *nomos* in Schmitt’s narrative vanished, absorbed in the growing Eurocentric narrative:

A *second nomos* of the earth arose from such discoveries of land and sea. The discoveries were not invited. They were made without visas issued by the discovered peoples. The discoverers were Europeans, who appropriated, divided and utilized the planet. Thus, the second *nomos* of the earth became Eurocentric. The newly discovered continent of America first was utilized in the form of colonies. The Asian landmasses could not be appropriated in the same way. The Eurocentric structure of *nomos* extended only partially, as open land-appropriation, and otherwise in the form of protectorates, leases, trade agreements and spheres of interest; in short, in more elastic form of utilization. Only in the 19th century did the land-appropriating European powers divide up Africa.<sup>3</sup>

Let’s parse this sentence, in the old discourse analysis way. The first line is revealing: the second *nomos* is a European invention. The next two lines, good point: Schmitt, who was very insightful, realized that the second *nomos* came out of invasion. The following line reveals the same blindness as his uses of “discovery”: land appropriation is also land dispossession. Schmitt is operating on the blind spot: what was not known to Europeans was supposed to be unknown to everybody else, including the people inhabiting the land Europeans did not know. Second, Schmitt is already a victim of the idea that what Europeans appropriated were empty lands. For that reason he doesn’t see that dispossession, legalized-theological dispossession that started with the (in)famous *Requirement*.<sup>4</sup>

Then came Asia. Neither Russia nor China were dispossessed. They were disrupted but not colonized like India after Aztecs, Mayas, and Incas. After 1884 Africa was possessed by European states. All that is the work of the second *nomos*. But what happened to the first *nomos*? Schmitt is already into the magic effect of linear time and he thinks of the first *nomos* as one, not as many. It is obvious that the *nomos* of Incas and Aztecs, of Russians and Chinese, of Indians and Africans was not one. But by making them one, Schmitt operates on the already established idea of one linear time, the linear time of European history as narrated by Europeans.

Schmitt's trick consists in this: when the second nomos of the earth materialized what happened to the diversity of the first nomos? It became one, all the planet belonged to the *first only nomos* on top of which the second nomos mounted and continued the supposed unilinearity of the first nomos.

Because the multiplicity of *first nomoi* was never superseded by the second nomos today we are witnessing their resurgence all over the planet. What this book is bringing forward is the variegated resurgence in South America, particularly in the Andes (Bolivia and Ecuador), and the South of Mexico (the Zapatistas).

### Resurgences of Plural First Nomoi of the Earth

The first nomoi of the earth were many. Schmitt's trick consisted in two moves. The first was to cast the plurality of cultures and civilizations in terms of nomos and to see them as precursors to his idea of the second nomos. For we shall be clear that there is no ontological first and second nomos. Both were the result of Schmitt's powerful fictional narrative. The second move consisted in converting the plurality of first nomoi into a singular one and to place it *before* the second nomos. But by so doing he reinforced that idea that emerged in the eighteenth century: the idea of the *primitives* that in the unilinear unfolding of history were the precursors of the *modern*. This powerful fiction is cracking in its foundations and the signs are already seen in the awakening and resurgence of the overwhelming majority of people who have been placed beyond the lines of the second nomos and its internal family feuds (e.g., Western Hemisphere, South of Europe). But let's stay within the boundaries of the Western Hemisphere.<sup>5</sup>

Often and increasingly Pueblos Originarios (ab-originals, natives, Indigenous people) are reported as heroes of resistance against corporations. *Avatar* became an emblem of it. A group of Shuar people, from the Ecuadorian Amazon, went to Quito, in three buses, to watch *Avatar*. It was reported after the movie that they all recognized that it is their story and their history.<sup>6</sup> However, seldom were any of their thinkers, intellectuals, scholars, and activists quoted. White intelligentsia still holds the privilege of controlling the word. Let's hear a couple of them, Native Americans to start with. It would be helpful to get the general picture to start with this two-minute video of Richard Twiss, Lakota American: "Richard Twiss: A Theology of Manifest Destiny."<sup>7</sup>

George Tinker, Native American theologian of liberation, tells an interesting story to start his brilliant argument under the title *Spirit and Resis-*

*tance: Political Theology and American Indian Liberation*.<sup>8</sup> The story is a sort of *Requerimiento* reframed. It took place in 1803, almost four hundred years after the original. The rhetoric of modernity has changed, and so the logic of coloniality. It was no longer God’s design in the pens of Spaniards that guided the *Requerimiento* but God’s design in the pens of Anglo-Americans that proclaimed Manifest Destiny in the name of nation-state:

In 1803 the United States purchased the entirety of Osage land—from France. It had to do with something called the Louisiana Purchase and something having to do with some obscure European legal doctrine called “the right of discovery.” What it ever had to do with Osage people, who were never privy to this doctrine or included in the negotiation leading to the purchase, is still a mystery. It was nevertheless a powerful intellectual idea, mere words that, in a sense, enabled Mr. Jefferson to double the size of his country overnight.<sup>9</sup>

Osage were never invited to participate in the negotiation. This is an “oversight” not just of the predators but of the defenders as well. Bartolomé de las Casas, who vehemently protested the *Requerimiento* and put all his energy in defense of “the Indians,” never had the delicacy to invite “Indians” to help set up his arguments. In both cases, there was a business among white men (theologians defending just war and theologians defending the Indians and promoting conversion in the first case; and between French and American men in the second).

Tinker’s narrative and argument is a consequence of the first internal scramble, among Western states, for the control of the second nomos of the earth: the Monroe Doctrine and the idea of the Western Hemisphere put a halt to the initial European imperial impulse of possession and dispossession. The Western Hemisphere placed an imaginary line in the Atlantic claiming the rights of Americans to the lands of the Western Hemisphere. Needless to say, “American” meant the United States of America. Explicit demand for auto-nomos of the Western Hemisphere established also a nonexplicit line demarcating the North of the Western Hemisphere from the South (Central America, including Mexico, the Caribbean, and South America). A demarcation in the Americas that was already established in Europe: when France and England took over Spain and Portugal in planetary land and sea, and Germany took over the intellectual legacies of the Italian Renaissance, the “South of Europe” was a dominating symbolic construction that made possible the control of the second nomos of the earth. Thus, in the Americas, the

struggle to recover the land is common to all (Pueblos Originarios/Native Americans/First Nations) but the arguments and the specific claims are tied up to the specific local histories of which particular European imperial state (e.g., Spain, Portugal, France, England, Holland) shaped the land's destiny. That struggle has a name today: resurgence.

### De-Naming of the Earth: Resurgences and Border Thinking

We shall give Schmitt the credit he deserves, that of honestly mapping the second nomos of the earth and explaining how crucial was and is international law in establishing, transforming, and maintaining it. The Western Hemisphere was the first scramble among peers; the partition of Africa at the Berlin Conference of 1884 the second: all that was within the boundaries of re-naming and accommodating new players within the same family.

The book you have in your hands abounds in arguments that explain the re-naming: the appropriation and expropriation of land by international corporations with the cooperation of nation-states in South and Central America. Today, the politics of states re-naming moves in two directions. The purely financial and economic interests take precedence over any possible social consideration. This is the politics of the *Alianza Pacifico* (Chile, Peru, Colombia, and Mexico). The second is the social taking precedence over the economic. This is the politics of the Union of South American Nations (*UNASUR*) (Brazil, Venezuela, Ecuador, Bolivia, Argentina, Uruguay, Nicaragua). But we shall not be mistaken and confuse the two trajectories of re-naming with that of de-naming. De-naming is the general project of Indigenous political organizations. The difference is radical: while both *Alianza Pacifico* and *UNASUR* do not question the politics of economic growth and development, Indigenous projects go to the root of the second nomos of the earth: territoriality is a living space where life is regenerated (and not of course, reproduced, which is the concept that defines the economy of accumulation). In order to regenerate, the basic philosophical principle of any of the many first nomoi of the earth (that is, the nomos before the second nomos established regulations for appropriation, expropriation, and exploitation) was based on life regeneration.

De-naming names the processes of erasing the regulation of the second nomos. The task is long and difficult; difficult because the second nomos can neither be avoided nor erased. It has to be overcome. And overcoming needs knowledge and arguments. But not knowledge that unfolds from the very

institutions that were created by actors and institutions that established and maintained the second nomos. Although such knowledge and arguments are important and help in understanding the deadly consequences of the second nomos, the deadly consequences cannot be overcome by means of the same principles that established them, even if such projects are defended by well-meant actors. Amartya Sen's *Development and Freedom* (1998) could be one such example.

De-naming demands the resurgence of knowledges and forms of life, and knowledges that emerge from forms of life who do not build themselves on the ideological principle of "change" and "progress," for "change" is the consequence of the unfolding of life. Nothing remains as is. However, the civilization that was built upon the foundations of the second nomos (e.g., Western civilization) capitalized in "newness" (e.g., the New World) and "change" (progress, development). The ideology is clear upon close inspection: if you "control" change and progress you control the destiny of a civilization, and you hide and repress the fact that "change" always happens whether you want it to or not.

De-naming and resurgences are ethical and political building-processes to supersede and delink from the tyranny of the second nomos. This vision is extremely clear already and also provides the energy, the joy, the enthusiasm, and the motivations of all Pueblos Originarios, Native Americans, First Nations, and Ab-Originals from the Americas to New Zealand and Australia, from Asia to Africa. However, since this book concentrates on the Americas (and the Caribbean) I close this foreword with the voice and insights of Leanne Simpson.

*Dancing on Our Turtle's Back: Stories of Nishnaabeg Re-Creation, Resurgence and New Emergence*,<sup>10</sup> addresses many of the issues in this book, particularly the contributions focusing on de-naming in the Andes and Southern Mexico/Guatemala. Difficult to resist the temptation of devoting four or five pages to underscore some of the crucial points Simpson is making. I will restrain myself to a few paragraphs, and then I will tell you shortly why these paragraphs.

The paragraphs are extracted from two chapters: "Nishnaabeg's Resurgence: Stories from Within," and "Theorizing Resurgence from within Nishnaabeg Thought" (34–35) and reads as follows:

- 1) Building diverse, nation-culture-based resurgences means significantly reinvesting in our own ways of being, regenerating our political

and intellectual traditions; articulating and living out legal systems, language learning, ceremonial and spiritual pursuits; creating and using our artistic and performance-based traditions. All of this requires—as individuals and collectives—to diagnose, interrogate and eviscerate the insidious nature of conquest, empire, and imperial thought in every aspect of our lives.<sup>11</sup>

2) Western theory, whether based in post-colonial, critical or even liberation strains of thought, has been exceptional in diagnosing, revealing and even interrogating colonialism. . . . Yet western theories of liberation have for the most part failed to resonate with the vast majority of Indigenous People, scholars or artists. In particular, western-based social movement theory has failed to recognize the broader contextualization of resistance within Indigenous thought, while also ignoring the contestation of colonialism as a starting point. . . . Indigenous thought has the ability to resonate with Indigenous Peoples of all ages. It maps a way out of colonial thinking by confirming Indigenous life-ways or alternative ways of being in the world.<sup>12</sup>

3) Cree scholar, poet and visual artist Neal McLeod has written extensively about the importance of storytelling, . . . Neal writes that the process of storytelling within Cree traditions requires storytellers to remember the ancient stories that made their ancestors “the people they were,” and that this requires a remembering of language. He also emphasizes that storytellers have a responsibility to the future to imagine a social space that is just and where Cree narratives will flourish. Storytelling is at its core decolonizing, because it is a process of remembering, visioning and creating a just reality where Nishnaabeg live as both *Nishnaabeg* and *peoples*. Storytelling then becomes a lens through which we can envision our way out of cognitive imperialism, where we can create models and mirrors where none existed, and where we can experience the spaces of freedom and justice. Storytelling becomes a space where we can escape the gaze and the cage of the Empire, even if it is just for a few minutes.<sup>13</sup>

As far as the second nomos of the earth caged regions and people with the foundations of global lines and global linear thinking through its process, the second nomos was not only legal regulations and justification of boundaries and legitimization of economic expropriation and dispossession but, above



and foremost, the creation of arrogant subjectivities and colonial subjects. Colonial subjects had to endure arrogance, and it was a long process until the global veil began to be removed. Leanne Simpson's quoted paragraphs give you an idea of what de-noming means and that it starts from the decoloniality of being. Decoloniality of being, like Freedom, cannot be *given* but has to be *taken*. And de-noming and decolonizing being is not a question of public policies and brilliant theories but is a question of reemerging form of knowledges and sensibilities, knowing and sensing. However, reemergences are not promises of "return" to the "authentic" and "primal" paradise before the second nomos arrived. Re-emergence means to deal with the second nomos out of the ruins and energies that the second nomos attempted to subdue, supersede, and destroy. But it couldn't. Today first nomoi of the earth, in their planetary diversity, are re-emerging in confrontation with the second nomos. Border thinking and doing is implied in re-emerging and resurging because of the sheer fact that de-noming processes have to walk over the ruins of the second nomos. Directly and indirectly, this book documents diverse processes of resurgence and re-existence.

#### NOTES

1. I unfolded this argument in chapters 2 and 3 of *The Darker Side of Western Modernity: Global Futures, Decolonial Options* (Durham, NC: Duke University Press, 2011).

2. Carl Schmitt, *The Nomos of the Earth in the International Law of the Jus Publicum Europaeum*. Trans. G. L. Ulmen (New York: Telos Press, 2003).

3. Schmitt, *Nomos*, 352.

4. See López de Palacios Rubios, Juan, *El Requerimiento*, 1513. Accessed Oct. 15, 2014. [www.encyclopediavirginia.org/El\\_Requerimiento\\_by\\_Juan\\_Lopez\\_de\\_Palacios\\_Rubios\\_1513](http://www.encyclopediavirginia.org/El_Requerimiento_by_Juan_Lopez_de_Palacios_Rubios_1513).

5. For more details on the idea of the Western Hemisphere in relation to this argument, see Walter D. Mignolo, "Coloniality at Large: The Western Hemisphere in the Colonial Horizon of Modernity," *New Centennial Review* (2001), <http://muse.jhu.edu/journals/ncr/summary/v001/1.2mignolo.html>.

6. See Alexander Zaitchik, "To get the gold, they will have to kill every one of us," *Salon*, February 10, 2013. Accessed October 15, 2014. [www.salon.com/2013/02/10/to\\_get\\_the\\_gold\\_they\\_will\\_have\\_to\\_kill\\_every\\_one\\_of\\_us/](http://www.salon.com/2013/02/10/to_get_the_gold_they_will_have_to_kill_every_one_of_us/).

7. Richard Twiss, "Richard Twiss: A Theology of Manifest Destiny," YouTube video, posted by Wicon International, March 7, 2008. Accessed October 15, 2014. [www.youtube.com/watch?v=4mEkMy1KNWo](http://www.youtube.com/watch?v=4mEkMy1KNWo).

8. George Tinker, *Spirit and Resistance: Political Theology and American Indian Liberation* (Minneapolis, MN: Fortress Press, 2004).

9. Tinker, *Spirit and Resistance*, ix.
10. Leanne Simpson, *Dancing on Our Turtle's Back: Stories of Nishnaabeg Re-creation, Resurgence and New Emergence* (Winnipeg: Arbeiter Ring, 2011).
11. Simpson, *Dancing on Our Turtle's Back*, 17–18.
12. Simpson, *Dancing on Our Turtle's Back*, 31–32.
13. Simpson, *Dancing on Our Turtle's Back*, 34–35, citing Neal McLeod, *Cree Narrative Memory: From Treaties to Contemporary Times* (Saskatoon, Canada: Purich, 2009).