

**UCLA**

**American Indian Culture and Research Journal**

**Title**

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**Permalink**

<https://escholarship.org/uc/item/9th6b2wm>

**Journal**

American Indian Culture and Research Journal , 41(2)

**ISSN**

0161-6463

**Author**

Gonzales, Gregorio

**Publication Date**

2017-03-01

**DOI**

10.17953/0161-6463-41.2.139

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# Otro cuento del Genízaro Pedro de Urdemalas

*Gregorio Gonzales*

*izque*

Pedro de Urdemalas came second in a foot race against Poseyému and Moctezuma. In celebration of his accomplishment of not-necessarily-losing, Pedro invited his running rivals to “throw back some *chelas*” (cold ones) with him at the Genízaro bar, Güile’s, a favorite gathering space and drinking establishment among Rio Chama and Taos-based Genízaros. Poseyému and Moctezuma each groaned; the former wanted to support *real* Native American-owned small businesses, like Chenchito’s, while Moctezuma, furiously waving his laminated Native American Church membership card, insisted on all of them getting *espiritual* with his stash of Wixárika peyote. Pedro listened patiently as each of his *carnales* made their respective cases, then calmly replied with a grin, “I’m buying, *pendejos*.” All three bolted to the nearby 1953 Bel Air, Moctezuma fumbling for his keys as the sunlight glinted off the candy-apple-red paint.

After beating Moctezuma in a fierce game of rock-paper-scissors, Poseyému drove the *carnal*-filled *ranfla* (lowrider) out of Posi-Ouingue, noisily gunning the V-8 engine over his *gramita*’s shrieks of protest coming from the nearby hot springs. Reaching from the back seat, Pedro furiously turned the radio dial to find the border-blaster Genízaro radio station, 87.8 KNDN. The other two had never heard of this station, but Pedro insisted they keep listening—his *primos*, DJ Nacho NDN and DJ Ya Jey Yo—were finishing their set with the Texas Torandos classic, “Guacamole.”

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GREGORIO GONZALES (GENÍZARO) is a 2017–2018 University of California President’s Postdoctoral Fellow in the Department of Anthropology at the University of California, Santa Barbara. His research interests include the politics and conditions of race, ethnicity, and indigeneity within the US Southwest borderlands. In 2016–2017 he was the Katrin H. Lamon resident scholar at the School for Advanced Research, and currently serves as an ambassador for Americans for Indian Opportunity.

Neither Poseyému nor Moctezuma had heard this *rola*, but quickly began to sing along as Pedro sang “Gua-camole! Gua-camole! We were ma-king gua-camole all night long!”

*THUNK!* A plume of white and brown feathers erupted around the lowriders. Immediately Moctezuma started yelling furiously at Poseyému and Pedro de Urdemalas, code-switching his profanity between Spanish, English, and Nahuatl. Blaring sirens and flashing lights spontaneously appeared behind them, adding to the chaotic symphony being performed inside the *ranfla*. Pulling over, Poseyému reassured his *carnales* that they needed “to act as cool as *pepinos* cuz they don’t got shit on us.” Moctezuma viciously seethed under his breath while Pedro sat in the back, smiling from ear to ear. Looking back, Pedro noticed that the cop car wasn’t a cop car at all, but instead an old rattletrap US Fish and Wildlife Service vehicle commonly known as “El Rattler.” At some point the jalopy Ford Bronco had clearly been stationed in Genízaro Country, Pedro pointed out to his *broditas*—etched all over the SUV he saw the stories of his people, what Genízaros called *autocuentos*. Poseyému began to argue with Pedro about Tewa scratches predating the Genízaro ones, when Officer Bernard Pfeiffer, the Critter Cop, began walking toward them.

Wearing yellow-lens aviator glasses and knockoff Birkenstocks with government-issued black tube socks, Officer Pfeiffer approached the three *amigos* with the casualness of a middle school boy going to a dance, Pedro quickly whispering that he knew this fool—*¡éste es el Barney Fife!* Officer Pfeiffer’s unnatural, jerking, sidestep movements between the driver’s-side and passenger-side windows made the instinct to laugh all the more difficult to suppress. Clearly he couldn’t decide which side would be better for engaging them. After making up his mind and sidestepping to the driver’s side, Officer Pfeiffer called out, “Good afternoon, gentlemen. Moo-ee boo-ehnuhs dee-uhs, hohm-brays.” Their smiles immediately melted away from their faces. Officer Pfeiffer immediately began apologizing if he had said something that was offensive—then stuttered his way to say, “Well, g-gentlemen. D-do you know why I st-topped you this afternoon?” All three shook their heads in silence. Pfeiffer continued, “Well, I s-saw you hit that g-golden eagle back th-there. And that, g-gentlemen, is a f-f-federal offense—a f-f-felony, to my understanding.” All three remained silent and stoic, as if one of Edward Curtis’s portraits had come to life, although neither Pedro nor Moctezuma would have appeared in it. Poseyému took a deep breath and calmly replied, “Officer Barney Fife, I respectfully disagree with your assessment of the situation. If my understanding is correct, which it is, then you are outside of your jurisdiction,” pointing with his lips to the highway sign reading “Entering Posi-Quingue Pueblo Reservation.” He continued, “and as such, you do not have the authority to charge me with exercising my inherently sovereign, treaty-protected rights to religious freedom and practice within the exterior boundaries of my Pueblo’s land grant.”

Officer Pfeiffer pondered on this for a minute, then calmly responded, “Sir, do you have a permit for killing that golden eagle?” Poseyému responded defiantly, “Hell no, white man! I don’t need no fuckin’ permit to exercise my cultural and religious rights.” Repositioning his sandal-laden footing, Officer Pfeiffer raised his voice and barked,

“Sir, that is not the law! As a federal law enforcement official, I *do* have jurisdiction within tribal reservations. And since you do not have a permit as stipulated under the federal Bald and Golden Eagle Protection Act, I must ask you to step out of the vehicle! NOW!” Lowering his head, Officer Pfeiffer realized there were other men in the car, shouting, “and who the hell are you two?!” Moctezuma was frozen with shock, while Pedro responded slyly, “¿cómo?”

“Ah shit,” Pfeiffer moaned as he reached for his radio and called, “This is Officer Pfeiffer. I’m requesting Border Patrol agents to provide assistance with an arrest I am making just short of the Poh-see Oo-wing-gay Poo-way-blow Reservation border. It appears we have two Meskin men who only speak Spanish.” As if snapping him out of a trance, Moctezuma abruptly began yelling at the top of his voice, “Fuck that shit! I’m Indigenous royalty, *gabacho*! My blood runs through this land, and has been here before your ancestors could even fathom the idea of using wood to make a boat to cross a river—let alone an entire fuckin’ ocean! This is Aztlán—the ancestral homeland of the Azteca-Mexica people, and it is our birthright to come to the northern frontier of our empire for whatever fuckin’ reason we please!” Pedro remained silent, smiling as his *broditas* shouted down el Barney Fife with US and international legal doctrines on the rights of indigenous peoples and tribal nations.

It would take the caravan of Border Patrol agents several hours to reach the remote road, pull the limply disobedient body of el Genízaro Pedro de Urdemalas from the *ranfla*, and transport him to the corporate-run immigration detention center in Artesia, New Mexico, where he was booked under the name “Juan Hembra.” Poseyému was taken to the Pueblo’s BIA-run correctional facility by ten BIA police officers—two holding each arm, leg, and his head. Moctezuma eventually admitted that he was a dual citizen of Mexico and the United States and was free to go.

It would take Poseyému a day to be fully processed and released from the BIA’s custody. His case was immediately taken on *pro se* by J. Santiago Amador, the Special Rapporteur on Indigenous Issues for the United Nations. Pedro, on the other hand, was denied bail for his continued refusal to cooperate with the Public Defender’s office. Deeming his pleasantly uncooperative attitude a “national security threat,” federal law enforcement agents obtained an expedited search warrant for his house after learning from “two confidential informants” that Pedro used feathers “from eagles, hawks, turkeys, quail—you name it” to make his *plumeros* (headdresses). According to the evidence inventory log, agents “located a shit-ton of turkey feathers—like an inordinate amount of feathers—to the point where it is impossible to accurately account for their exact quantity. However,” the report continues, “Special Agents Chavez, Ortiz, and US Fish and Wildlife Officer Bernard Pfeiffer did find a glass case atop a coffee-stained card table in the bedroom containing 1 (one) flight feather—tail feather, according to Pfeiffer—of an adult golden eagle. Inside the case was a slip of parchment paper with faded handwriting with the inscription: *Sigue el llanero, el llanero sigue*.”

Poseyému’s court case immediately gained international attention as *Indian Country Today* reporters called it “the case of the century for Indian Country,” and “the ultimate test of political sovereignty for tribal nations”—to the point that television stations broadcast the court proceedings live. Poseyému met with teams of attorneys

from the Native American Rights Fund, National Council of American Indians, and the All-Indian Pueblo Council. In Albuquerque, J. Santiago Amador argued eloquently before the federal district court judge that

the Treaty of Guadalupe Hidalgo, Your Honor, was, itself, not just a treaty that ended military hostilities between military forces of the United States and Mexico; rather, it is, in fact, an Indian treaty in its protection of cultural and religious rights for Mexican citizens which, in this case, includes tribal citizens of the nineteen Pueblo Nations. What I'm arguing, Your Honor, is that Pueblo peoples were dual citizens of their Pueblo Nation and the Mexican nation-state—yet this dual citizenship did not undermine, counteract, or erase their Indigeneity. Sure, the whole premise of establishing Pueblo Indigeneity in the 1913 *Sandoval* court is that Pueblo peoples, while having elevated political and legal rights under the Mexican government, were *not* Mexican citizens. Hell, one could argue that it is this very incompatibility between Pueblos-as-Mexicans and Pueblos-as-Indians that serves as the legal linchpin for federal authorities to assume plenary power over Pueblo Nations in New Mexico after the US invasion in 1848.

But that's not at issue today. Rather, Your Honor, I'm simply arguing that the political integrities of Pueblo Nations, as distinct political and legal subjects in relation to colonial and/or settler state power, do not unravel or dissipate when they assume the rights and responsibilities of Mexican citizenship being imposed upon them by authorities in Mexico City under the 1821 Plan de Iguala. So, when we consider where the alleged crime took place—in this case, within the exterior boundaries of the Posi-Ouingue Pueblo Reservation, which also comprises the exterior boundaries of the Pueblo's land grant established under Spanish colonial authority, and maintained under Mexican rule—this Court must ensure that the Treaty's Article IX protections of cultural and religious rights of Mexican citizens be equally applied toward Pueblo peoples and Nations. Pueblo Mexicanness and Pueblo Indigeneity are simply incontrovertible and indivisible.

The room fell silent, only to be disturbed by the muffled-yet-intelligible chants of Pedro de Urdemalas resonating from his holding cell underneath the courtroom: "*Raise your hand! Make a fist! Ind-yun Mexicans exist!*" After a three-hour recess—due mostly to Pedro's nonstop chanting—the federal judge ruled in favor of Poseyému, taking this line of thought in his opinion a step further by adding that the Treaty of Guadalupe Hidalgo should also be considered a "living, Indian treaty" to be interpreted according to the special principles governing the construal of Indian treaties—the canons of construction. Again, Pedro's shouts could be heard from underneath, booming: "*Raise your hand! Make a fist! Ind-yun Mexicans exist!*"

Hearing of his *carnal's* success, Pedro de Urdemalas felt so confident in his ability to replicate Poseyému's legal argument that he went into his trial acting as his own lawyer. But upon launching into his legal reasoning, Pedro quickly realized that his arguments weren't landing the way they did for Poseyému. Prosecutors kept interrupting him with objections and during his own cross-examination, Assistant US Attorney Brandon Price mockingly asked, "Mr. Hehmbrah, do you belong to a Native

American tribe?" Pedro responded, "Well, I'm Genízaro and—" "THAT!" Price interrupted, "was not my question, Mr. Hehmbrah. I'll rephrase it in simpler terms: Are you a citizen of a tribal nation which is officially recognized by the United States federal government?" Pedro responded, matter-of-factly, "I'm Genízaro, and belong to a Genízaro family who belongs to a Genízaro community whose relations extend to other Genízaro communities in my homeland." Price then asked, "Do you have any immediate or extended family who are tribal citizens of a federally-recognized American Indian tribal nation?" Pedro responded, "I'm Genízaro." Smirking, the young prosecutor commented, "Well, that's all fine and dandy for your whole 'Hen-nee-zah-row' deal, Mr. Hehmbrah. But, for the purposes of the federal statutes under which you are charged—specifically, the Bald and Golden Eagle Protection Act, and Indian Arts and Crafts Act—would you say that you meet the legal definition for being an "Indian," as a tribal citizen of a federally-recognized tribal nation?"

Pedro sat in silence, thinking for a moment, and then retorted, "I would say that I'm all *pa' la chuec* any way I respond to that question. I can tell you about our songs, our dances, our stories, our memories. They're what sustain me when I make *plumeros* for my offspring to celebrate who we are. But, let's put it this way: if the only way I can see myself as a Genízaro man is to wear your glasses to make sense of my world, *pues chale*, bro. You do what you need to do, *y yo lo mismo*." His smirk unchanged, the baby-faced prosecutor responded, "Your Honor, I object to Mr. Hehmbrah's comments as hearsay without validity or factual basis, and move that they be stricken from the record." The judge barked, "Objection sustained."

Pedro was eventually convicted of three felonies for "knowingly and willingly possessing a golden eagle feather as a non-Indian," "purposely making Native American-imitating headdresses to be distributed to other non-Indians," and "selling a handmade, Native American-imitating goat skin hand drum for *carne seca* (deer jerky) valued at \$10 (ten dollars) to another non-Indian." While his appeal for a presidential pardon was swiftly denied—the White House simply responding, "Fuck. No"—Pedro's prison sentence was later commuted under the Obama administration's commutation policy for nonviolent federal offenders. Upon his release, Pedro asked his *carnales*, who went to go pick him up at the federal *pinta* in La Tuna, Texas, if they could take him "*pa'lla*," pointing with his lips southward, "to go visit the *Tiguas* down in *el Chuco* (El Paso). I've got a *primo* who married into the Pueblo," he continued excitedly, "*y mi prim me dijo que los Tiguas tienen all kinds* of feathers—and that he might even be able to hook me up with a pair of *teguas* (moccasins) for cheap since his *cuña'o* (brother-in-law) apparently got a hook-up in J-Town (Ciudad Juárez)."

Moctezuma shook his head and laughed, "Bro, that's the whole reason why you got sent to the *pinta* in the first place! Didn't you learn anything?" Pedro calmly replied, "I did, *carnal*. I learned the true meaning behind an old Genízaro *dicho*: *cada chango a su propio culumpio* (to each monkey, their own vine). I learned that you've got your ways *con los Aztecas*; that Poseyému's got his Pueblo ways with Tewa peoples; and that I've got my Genízaro *güey*s in *el norte*. I was convicted for being Genízaro, *y bueno*: I'll be guilty of that until the day I die. Call it *sinvergüenza*; call it stubbornness; call it whatever you want. *Soy yo*, bro."

