

THE MUXES OF JUCHITÁN: A PRELIMINARY LOOK AT TRANSGENDER IDENTITY AND ACCEPTANCE

ALFREDO MIRANDÉ*

There is much public concern today in the United States with bullying and harassment in schools and hate crimes, particularly those directed against gay, bisexual, and/or transgender persons (GLBT) whose sexual orientation and lifestyle threatens the prevailing hegemonic homophobic model of sexuality and gender identity. In a widely publicized case, for example, fifteen-year-old Lawrence King was gunned down when Brandon McInerney, his fourteen-year-old classmate, allegedly put two bullets into the back of King's head.¹ Brandon and his friends had spent weeks tormenting King when the effeminate youth finally responded, using flirting as his defense.²

This article reports on a preliminary study of *los muxes* or *mushes* (pronounced "Moo-shey") of Juchitán, a city in *El Istmo de Tehuantepec* in Oaxaca, México. The *muxes* constitute a unique group of indigenous men who openly dress in female Zapotec attire and assume traditional female roles. "*Muxes*" is a Zapotec word derived from the Spanish word for woman. The *muxes* are widely accepted in the Zapotec community and have been described as a third sex,³ analogous to the institutionalized homosexuality found among

* Alfredo Mirandé is a Professor of Sociology and Ethnic Studies at the University of California, Riverside and previously taught at the Texas Tech University School of Law. He has a Ph.D. from the University of Nebraska and a J.D. from Stanford University.

1. See Rebecca Cathcart, *Boys Killing, Labeled a Hate Crime, Stuns a Town*, N.Y. TIMES (Feb. 23, 2008), <http://www.nytimes.com/2008/02/23/us/23oxnard.html>.

2. A large number of youth suffer from depression and sometimes attempt suicide in response to bullying, including internet harassment. See Michelle L. Klampe, *Father Shares Lessons Learned About Bullying*, PRESS-ENTERPRISE (Riverside, Cal.) (Aug. 23, 2011), <http://www.pe.com/local-news/local-news-headlines/20110824-murrieta-father-shares-lessons-learned-about-bullying.ece>.

3. Veronika Bennholdt-Thomsen, *Los Muxe's, el Tercer Sexo*, in VERONIKA BENNHOLDT-THOMSEN ET AL., JUCHITÁN, LA CIUDAD DE LAS MUJERES 279, 283

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some Native American groups.⁴ Although lacking the religious significance associated with the *berdaches* among Indian tribes, they may have had such significance in former times.⁵

Although Mexico City has legalized same sex unions and its *Zona Rosa* is a tourist attraction known not only for the prevalence of fine restaurants and upscale shops but for tolerance of gays and alternative lifestyles, Mexican society has often been depicted as male dominated, driven by the cult of machismo, patriarchy, and excessive masculinity, and intolerant of homosexuality.⁶ However, in Juchitán, a city that has been described as “the most purely indigenous community in Mexico,”⁷ the *muxes* appear to flourish in a macho nation. An anthropological study estimated that approximately six percent of the men in the *Istmo de Tehuantepec* were *muxes*,⁸ an estimate that does not include many gay men who are not identified as *muxe*.

This article focuses on the “coming out” process and the degree of societal acceptance of homosexuality and transgender identity in Juchitán. It addresses the policy implications of this third sex for the treatment and acceptance of homosexuals in the United States. In particular, this article hopes to combat gay bashing, bullying of youth, and homophobia. To conduct preliminary research for this essay, I visited Juchitán, attended a *muxe Vela* (or festival), and conducted

(1st Spanish ed. 1997) [hereinafter Bennholdt-Thomsen, *Los Muxe's, el Tercer Sexo*].

4. See Harriet Whitehead, *The Bow and the Burden Strap: A New Look at Institutionalized Homosexuality in Native North America*, in *SEXUAL MEANINGS: THE CULTURAL CONSTRUCTION OF GENDER AND SEXUALITY* 80, 89 (Sherry B. Ortner & Harriet Whitehead eds., 1981); WALTER L. WILLIAMS, *THE SPIRIT AND THE FLESH: SEXUAL DIVERSITY IN AMERICAN INDIAN CULTURE* (1986).

5. BEVERLY NEWBOLD CHIÑAS, *THE ISTHMUS ZAPOTECOS: A MATRIFOCAL CULTURE OF MEXICO* 109 (2d ed. 2002); Marc Lacy, *A Lifestyle Distinct: The Muxe of Mexico*, N.Y. TIMES (Dec. 6, 2008), <http://www.nytimes.com/2008/12/07/weekinreview/07lacey.html>; WILLIAMS, *supra* note 4, at 135.

6. See generally MATTHEW C. GUTMANN, *THE MEANINGS OF MACHO: BEING A MAN IN MEXICO CITY* (1996); ALFREDO MIRANDÉ, *HOMBRES Y MACHOS: MASCULINITY AND LATINO CULTURE* (1997).

7. JUDITH KELLER, GRACIELA ITURBIDE: JUCHITÁN 2 (2007).

8. David Rymph, *Cross-Sex Behavior in an Isthmus Zapotec Village* (Nov. 1974) (unpublished paper presented at 73rd Annual Meeting of the American Anthropological Association, Mexico City).

interviews with members of the local *muxe*' organization, *Las Auténticas Intrépidas Buscadoras del Peligro*.

HOMOSEXUALITY IN PRE-COLOMBIAN SOCIETY

While the practice of sodomy was widely condemned by the Spanish conquistadores, open homosexual relations among men were widespread throughout the American continent—virtually all chroniclers of the time commented on its existence.⁹ “At the time of the conquest, same-sex eroticism existed in many, perhaps all, of the indigenous societies of Latin America.”¹⁰ In Yucatan, it is clear that “ritual transvestism existed among the last Maya societies to be conquered.”¹¹ A letter from a priest in seventeenth-century Yucatan reported that:

‘[N]ext to one of their principal temples they had a walled-around large house of very decorous construction solely for the habitation of acquiescents, into which entered all of those who wished to have their sodomitic copulations, especially those who are very young, so that they could learn there, these are ministers of the Demon wearing women’s skirts.’¹²

For the Spanish, in turn, sexuality among men, particularly anal sex or sodomy, was an abominable sin.¹³ Hernán Cortés noted in his dispatches to King Charles V that the natives worshiped false idols, or devils, as he called them. He was especially appalled by practices such as cannibalism and human sacrifice. In addition, he reported that “we have learned that they all practice the abominable sin of sodomy.”¹⁴ The first indication that the Spaniards had seen

9. Bennholdt-Thomsen, *Los Muxe's, el Tercer Sexo*, *supra* note 3, at 295.

10. Pete Sigal, *Introduction: (Homo)Sexual Desire and Masculine Power in Colonial Latin America: Notes Toward an Integrated Analysis*, in *INFAMOUS DESIRE: MALE HOMOSEXUALITY IN COLONIAL LATIN AMERICA 1* (Pete Sigal ed., 2003).

11. *Id.* at 10.

12. *Id.* at 10 (quoting GRANT D. JONES, *THE CONQUEST OF THE LAST MAYA KINGDOM* 499, n.45 (1998)).

13. Bennholdt-Thomsen, *Los Muxe's, el Tercer Sexo*, *supra* note 3, at 295.

14. Hernan Cortez, *First Dispatch*, in *CONQUEST: DISPATCHES OF CORTES FROM THE NEW WORLD 1*, 17 (Harry M. Rosen ed., 1962).

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transvestism and heard of homosexuality can be seen in his First Dispatch to King Charles V of Spain,¹⁵ where he speaks about the region of Vera Cruz on July 10, 1519.¹⁶ Bernard Diaz del Castillo, one of the soldiers who accompanied Cortés in the Conquest, also makes reference to sodomy among the Maya, Aztecas, and Huastecos.¹⁷

In his *Historía General de Las Indias*, another chronicler, Francisco López de Gomara, noted that the natives went around naked and all slept together in the same room like hens do with one rooster, concluding “they readily couple with women, not unlike crows and snakes, and are in addition great sodomists, indolent, deceitful, untrustworthy, and vile.”¹⁸ Written shortly after the Conquest, *La Historia General de las Cosas De La Nueva España (Florentine Codex)*,¹⁹ a Nahuatl document, yielded important insights into pre and post-Conquest Nahua history. Its author, Fray Bernardino Sahagún, is widely recognized as the father of modern ethnography. Sahagún quickly learned Nahuatl, immersed himself in native culture, used Indians as informants, and trained them in ethnographic methods. The *Historia General* and other texts provide a rich description of pre- and post-Nahua culture as seen through the eyes of the Nahua themselves.²⁰

There are numerous textual references to homosexuality in the *Florentine Codex*, but the meaning of these references appears often to have been literally lost in translation. According to Geoffrey Kimball, translators of the *Florentine Codex* have relied on earlier biased and erroneous translations regarding homosexuality, while

15. Bennholdt-Thomsen, *Los Muxe's, el Tercer Sexo*, *supra* note 3, at 295 n.55.

16. Cortez, *supra* note 14, at 18-19.

17. Bennholdt-Thomsen, *Los Muxe's, el Tercer Sexo*, *supra* note 3, at 295 n.55.

18. FRANCISCO LÓPEZ DE GÓMARA, *HISTORIA GENERAL DE LAS INDIAS* 51 (Pilar Guibelalde ed., Editorial Ibero 1954) (1552) (author's translation).

19. BERNARDINO DE SAHAGÚN, *FLORENTINE CODEX: GENERAL HISTORY OF THE THINGS OF NEW SPAIN*, bk. 10 (Charles E. Dibble & Arthur J. O. Anderson, trans. 1961) (1540-1585).

20. J. Jorge Klor de Alva, *Sahagun and the Birth of Modern Ethnography: Representing, Confessing, and Inscribing the Native Other*, in *THE WORK OF BERNARDINO DE SAHAGUN: PIONEER ETHNOGRAPHER OF SIXTEENTH-CENTURY MEXICO* 31, 35 (J. Jorge Klore de Alva et al. eds., 1988).

accurate translation of these passages requires knowledge of the original Nahuatl.²¹

Aztec attitudes toward homosexuals, for example, are found in the eleventh chapter of Book 10, which tells of the vicious and the “perverse,” and notes:

The pervert [is]
of feminine speech,
of feminine [mode of] address.
[If a woman, she is] of masculine speech,
of masculine mode of address”²²

Kimball is critical of Dibble and Anderson’s translations of the *Florentine Codex*, maintaining that rather than serving to inform, their limited translations of the Nahuatl text often obscure, mask, or distort the original meaning of the text. For example, they seriously erred in translating *patlācheh* as “hermaphrodite” rather than “homosexual woman.”²³ Kimball retranslates the passage substituting “[t]he one who is homosexual” for “[t]he pervert” so that:

The one who is a homosexual is:
one who has feminine speech,
one who has feminine address;
one who has masculine speech,
one who has masculine address;
one who has genital organs . . .
one who makes others into homosexuals.²⁴

According to Kimball, the word *xōchihuah* seems to mean homosexual of either sex and is derived from the Nahuatl word for flower or *xōchi-tl*.²⁵ The fact that homosexuality was often associated with flowers seems to have eluded Dibble and Anderson. In Illustration 61, “[t]he Sodomite” “shows two men seated on the ground with a flower growing between them.”²⁶ Dibble and Anderson

21. Geoffrey Kimball, *Aztec Homosexuality: The Textual Evidence*, 26 J. HOMOSEXUALITY 7, 10 (1993).

22. SAHAGÚN, *supra* note 19, at bk. 10, ch. 11, *quoted in* Kimball, *supra* 21, at 10.

23. Kimball, *supra* note 21, at 12.

24. *Id.* at 10-11.

25. *Id.* at 11.

26. *Id.*

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incorrectly translate the chewers of chicle as the “effimantes” or “sodomites.”²⁷ Kimball provides the following corrected translation:

Those sick people
that are called homosexual men
truly it is their inheritance, the chewing of gum;
it is just as if it were their possession,
it is just as if it were their fate.
And whoever of our men chews gum in public,
he arrives to the status of faggotry,
he equals the state of male homosexuality.²⁸

Native attitudes toward homosexuality then ranged from acceptance among some groups to dislike among the Aztecs, but not to abhorrence or disdain, as was the case for the Spaniards. Instead, the homosexual was found to be amusing and was often mocked or ridiculed. According to the retranslation of the Florentine Codex of the homosexual:

He is one who is fucked,
he is a homosexual man.
He is something corrupt;
he is obscene (or dirty)
he sucks an obscene (or dirty) things.
he is an obscene (or dirty), awful thing.
He is a corrupt person
he is a lost person.
He is amusing,
he is humorous . . .
he is one who acts the role of the woman.²⁹

27. SAHAGÚN, *supra* note 19, at bk. 10, ch. 24.

28. Kimball, *supra* note 21, at 17.

29. Kimball, *supra* note 21, at 14. A single passage contains reference to the homosexual being burned, but Kimball suggests that “there is linguistic and internal evidence that the attitudes that would lead to this practice were not the previous Aztec ones” but those of the Spaniards after the Conquest. *Id.* at 15. For example, the passage uses the preterite tense, not the present tense, as was the case in the description of most professions and personality types, suggesting that the attitudes described in the text were former attitudes. *Id.* But the set of verbs following, which describe “burning” of homosexuals are in the present tense, indicating that they reflect current post-Conquest attitudes toward homosexuality. *Id.*

Pre-Colombian societies tolerated or frowned upon homosexuality, but under Spanish law homosexual men were sentenced to death by burning, and this influenced the subsequent treatment of homosexuals by Indians in colonial times.³⁰ The work of Juan de Torquemada states that “[t]hey hanged those who committed the abominable sin.”³¹

JUCHITÁN: SITE OF RESISTANCE, REBELLION, AND RADICALISM

Though space limitations preclude a detailed discussion of the history of Juchitán, it has been the site of resistance, political conflict, and radicalism from Pre-Colombian times to the present.³² It is, for example the home of the Worker-Peasant-Student Coalition of the Isthmus of Tehuantepec (COCEI), a radical Zapotec Indian coalition that has dominated politics in the regions since the 1980s.³³

In *The History of the Conquest of New Spain*, Bernal Díaz del Castillo notes that the Zapotecs of Oaxaca were great warriors who fought valiantly and initially defeated the Spaniards.³⁴ When the Zapotecs would not respond after being summoned to peace, a man named Briones was sent to pacify them along with “one hundred Spanish soldiers . . . and over a hundred allies from the pueblos which had made peace.”³⁵ After being defeated by the Zapotecs, Briones remarked that they were great warriors and that “he would rather fight

30. See Louis Crompton, *Gay Genocide: From Leviticus to Hitler*, in *THE GAY ACADEMIC*, 67, 70, 72 (Louie Crew ed., 1978).

31. Kimball, *supra* note 21, at 8 (quoting JUAN DE TORQUEMADA, *LOS VEINE Y UN LIBROS RITUALES Y MONARQUÍ INDIANA* 380-81 (Chávez Hayhoe ed., 1943) (1723)).

32. See MARGARITA DALTON PALOMO, *MUJERES: GÉNERO E IDENTIDAD EN EL ISTMO DE TEHUANTEPEC, OAXACA* 101 (2010); BRUCE STORES, *THE ISTHMUS: STORIES FROM MEXICO’S PAST, 1495-1995*, at 10-14 (2009); *ZAPOTEC STRUGGLES* (Howard Campbell et al. eds., 1993).

33. See generally Sergio Zermelo, *COCEI: Narodniks of Southern Mexico?*, in *ZAPOTEC STRUGGLES*, *supra* note 32, at 191; JEFFREY W. RUBIN, *DECENTERING THE REGIME: ETHNICITY, RADICALISM AND DEMOCRACY IN JUCHITÁN, MEXICO* (1997).

34. BERNAL DÍAZ DEL CASTILLO, *THE HISTORY OF THE CONQUEST OF NEW SPAIN* 326-27 (David Carrasco ed., 2008).

35. *Id.*

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against cannon and great armies of enemies whether of Turks or Moors than against those Zapotecs.”³⁶

Although the Zapotecs initially sought protection from Aztec invasion, once the Spaniards imposed colonial rule, exacting large tribute and seizing major tracks of Indian land, they resisted vigorously.³⁷ Isthmus colonial history is, in fact, filled with armed rebellions and resistance by the Zapotecs; the most prominent of these occurred in 1550, 1660, and 1715.³⁸ Women have played a critical role in these rebellions, as “[t]hey are the ones who participate in demonstrations and beat policemen.”³⁹ Juchitán also gained notoriety in 1980 when the town elected Leopoldo de Gyves as mayor, a left-wing, pro-socialist mayoral candidate who managed to defeat the *Partido Revolucionario Institucional* (PRI).⁴⁰

The mid-1800s saw the people of Juchitán participate in several armed struggles to resist subjugation. In 1834, José Gregorio Meléndez led his native Juchitán in a revolt against the Oaxacan government, demanding local control of the county and its salt mines.⁴¹ The U.S. invasion of 1846 delayed the response of Benito Juárez, the Governor of Oaxaca, who finally sent troops to burn Juchitán and assassinate Meléndez in 1850.⁴² But in 1866, the indigenous people of Juchitán joined with other indigenous peoples, under the leadership of Juárez, to repel European efforts to subjugate their land, defeating Louis Napoleon’s invading French army.⁴³

36. *Id.* at 327.

37. Leigh Binford & Howard Campbell, *Introduction* to ZAPOTEC STRUGGLES, *supra* note 32, at 1, 7.

38. *Id.*

39. Elena Poniatowska, *Juchitán, a Town of Women*, in ZAPOTEC STRUGGLES, *supra* note 32, at 133.

40. See Leopoldo de Gyves de la Cruz, Inaugural Speech as Mayor of Juchitán (Mar. 10, 1981), *reprinted in* ZAPOTEC STRUGGLES, *supra* note 32, at 183-84.

41. See RUBIN, *supra* note 33, at 32.

42. John Tutino, *Ethnic Resistance: Juchitán in Mexican History*, in ZAPOTEC STRUGGLES, *supra* note 32, at 41, 56-58.

43. Binford & Campbell, *supra* note 37, at 7.

IN SEARCH OF THE AMAZONS AND MATRIARCHY

While a number of observers have commented on the strength and independence of Juchitán women—given that Zapotec society in the Valley of Oaxaca was militaristic and patriarchal, whereas the *Istmo* was agricultural and matriarchal—the extraordinary strength of Zapotec women is likely to have emanated from an ancient Isthmus social structure that preceded the Zapotec.⁴⁴ Writer Elena Poniatowska described them as almost Amazon-like: “huge women, mountain women, rattle women, women whom nothing can hurt.”⁴⁵ And in Juchitán everything is different as “women like to walk embracing each other, and here they come to the marches, overpowering, with their iron calves. Man is a kitten between their legs, a puppy they have to admonish.”⁴⁶

Zapotec women have always been extremely and openly erotic, and are said to have “*presencia*,” or a presence, which implies respect and esteem.⁴⁷ *Juchiticas* (or “*Tecas*”) are recognizable anywhere in Mexico because of their long skirts, multicolored *hupiles*, and a long kerchief, which is attached to the skirt.⁴⁸ Juchitán shares a number of characteristics with other matriarchal societies; they are typically agrarian and have cyclical celebrations that revolve around the seasons, last several days, and are tied to the harvest.⁴⁹

In discussing the so-called matriarchy in *El Istmo de Tehuantepec*, it is often difficult to separate fact from fiction. But it is clear that by the beginning of the twentieth century, the myth of Tehuantepec as the land of liberated Amazon women had taken hold. In 1859, French traveler and historian Brasseur de Bourbourg described the marketplace in Tehuantepec as dominated exclusively by women and

44. Veronika Bennholdt-Thomsen, *Juchitán, Ciudad de Mujeres*, in BENNHOLDT-THOMSEN ET AL., *supra* note 3, at 19, 45 [hereinafter Bennholdt-Thomsen, *Juchitán, Ciudad de Mujeres*].

45. Elena Poniatowska, *The Man with the Sweet Penis*, in JUCHITÁN DE LAS MUJERES 1, 4 (Cynthia Steele & Adriana Navarro trans., 1989), *quoted in* KELLER, *supra* note 7, at 3.

46. Poniatowska, *supra* note 39, at 133.

47. Cornelia Giebel, “*La Presencia*”: *Importancia del Traje en Juchitán*, in BENNHOLDT-THOMSEN ET AL., *supra* note 3, at 241, 255.

48. *Id.* at 254.

49. Bennholdt-Thomsen, *Juchitán, Ciudad de Mujeres*, *supra* note 44, at 23.

found them to be the least reserved in the Americas.⁵⁰ “[They] chattered, laughed, conversed, screamed, and argued with an incredible animation. They openly made fun of their men, who they provoked in Spanish and Zapotec with a shamelessness hardly equaled”⁵¹

At the urging of José Vasconcelos, a native of the city of Oaxaca and Mexico’s Minister of Education, the young Diego Rivera returned from Europe in 1922, seeking to shed European influences in his work.⁵² He made a trip to *El Istmo* where he sketched Isthmus women, festivals, and landscapes.⁵³ He observed Isthmus women bathing in the Tehuantepec River and painted “The Bather of Tehuantepec.”⁵⁴ This was a turning point in his career with the creation of a style that was free of European influences.⁵⁵ By the late 1920s, the Isthmus had become a popular destination point and center for many artists and intellectuals including Frida Kahlo, Sergei Eisenstein, and Langston Hughes.⁵⁶ Whether because of bathing in the Tehuantepec River without shame or regret, or because of the bluntness of the Zapotec language which is said to have no forbidden words, “[t]he Women of the Isthmus soon had a reputation as sexually liberated Amazons” who assumed a dominant role in a matriarchal society.⁵⁷

American anthropologist Beverly Chiñas, on the other hand, has denounced the matriarchy as a myth because “anthropologists have never documented a matriarchal society anywhere in the world.”⁵⁸ A team of German anthropologists led by Veronika Bennholdt-Thomsen countered that Juchitán is a society where matriarchy reigns supreme and where “[e]verything that women do in Juchitán is considered important, not *in spite* of the fact that they do it but *because* they do

50. TOM DEMOTT, INTO THE HEARTS OF THE AMAZONS: IN SEARCH OF THE MATRIARCHY 18 (2006).

51. *Id.*

52. *Id.* at 19.

53. *Id.*

54. *Id.*

55. *Id.*

56. *Id.* at 20.

57. *Id.* at 21.

58. CHIÑAS, *supra* note 5, at 87.

it.”⁵⁹ And “the distinction between work which is valued because it is salaried and is defined as masculine in our society, and female work which is less valued is unknown in Juchitán.”⁶⁰ Rather than assuming the role of housewife, a more common role for women is housewife-artisan-merchant.⁶¹

In Juchitán, going to the market entails much more than the simple exchange of economic goods. The market is also where you exchange news, gossip, and comment on any and all existing social issues. But the most important function is reinforcement of interpersonal relations. The custom is to shop at the stand of one’s friends, relatives, neighbors, and acquaintances, so that prices are negotiated and depend on the relationship that exists between buyer and seller.⁶²

The debate on whether Isthmus society is or is not a true matriarchy may turn on how matriarchal societies are defined. Chiñas has noted that Isthmus Zapotec society is more accurately described as a patriarchy with a matrifocal focus: “matrifocality (in contrast to matriarchy) can function perfectly well along with a patriarchal superstructure because matrifocality operates mainly at the informal level and in separate arenas from the patriarchal overlay of male roles.”⁶³ Matrifocality can be likened to an iceberg, with the part of the iceberg that is readily visible being the formal patriarchal system, while the informal matrifocal system lies beneath the surface and is not readily visible.⁶⁴ This blend of Isthmus Zapotec gender roles leads to balanced equality between the sexes as it is not only acceptable but expected for women to exercise power.⁶⁵

59. Bennholdt-Thomsen, *Juchitán, Ciudad de Mujeres*, *supra* note 44, at 22 (author’s translation).

60. *Id.* (author’s translation).

61. *Id.*

62. Veronika Bennholdt-Thomsen, *El Mercado: El Corazón de Juchitán*, in BENNHOLDT-THOMSEN ET AL., *supra* note 3, at 67, 69.

63. CHIÑAS, *supra* note 5, at 87.

64. *Id.*

65. Matrifocality has been found in a number of societies, including those of West Africa and Java. *See id.*

LOS MUXES: A THIRD SEX

Isthmus Zapotec society is characterized by “two contrasting attitudes concerning sex and gender.”⁶⁶ First, under the traditional view of gender roles, Zapotec women are expected to be virgins at marriage, there is concern over women’s honor, and traditional Catholic and conservative views of sex and gender are accepted.⁶⁷ Second, at the other extreme, “there is an openness and acceptance of gender/sex ‘deviations.’”⁶⁸

Despite its openness toward *muxes*, Juchitán maintains traditional patterns of marriage and courtship. *Noviazgo* (“courtship”) is traditional and virginity is still expected before marriage, and “the daughter’s behavior is mainly the mother’s responsibility.”⁶⁹ There have always been two paths to marriage in Juchitán.⁷⁰ In the first form, the prospective groom, through his parents, “has a group of honorable old men ask for the woman’s hand in marriage.”⁷¹ The father then asks his daughter if she wants to marry; if the answer is yes, there is nothing to do except set the date for the wedding.⁷² But if the girl wants to wait before giving her response, messengers convey the response to the groom and later return for the answer.⁷³

Rapto, or running away with a boyfriend, is the second common route leading to marriage.⁷⁴ It occurs under different circumstances, such as when the groom asks for the girl’s hand using the legal or conventional method and is rejected by the woman or her parents.⁷⁵ Or if the parents say no and the girl says yes, she voluntarily elopes with the young man.⁷⁶ “If, on the other hand, the woman rejects the marriage proposal, the man may take her by force, literally ‘dragging

66. *Id.* at 108.

67. *Id.*

68. *Id.*

69. *Id.* at 51.

70. Andrés Henestrosa, *The Forms of Sexual Life in Juchitán*, in ZAPOTEC STRUGGLES, *supra* note 32, at 129, 130.

71. *Id.*

72. *Id.*

73. *Id.*

74. *Id.*

75. *Id.*

76. *Id.*

her away.”⁷⁷ *Rapto* also provides some protection for the girl and her family as “the man who takes a woman is obligated to marry her or to pay an indemnity to her family.”⁷⁸

Because value is placed on female virginity and premarital sexual intercourse is frowned upon, *muxes* reportedly often introduce young men to sex. Cristal, for example, a fifty-something *muxe* interviewed by Bennholdt-Thomsen, is well known and sought out in the community as one who initiates young men into sex.⁷⁹ Another distinguishing characteristic of *muxes* is that their sexual partners are heterosexual men rather than other *muxes* or homosexual men. Juan, a thirty-one year old *muxe* also interviewed by Bennholdt-Thomsen and known as “*la rubia*,” or the blond girl, explained “that only one member of a couple is considered a *muxe*, the other is clearly and openly a man.”⁸⁰

The *muxe*, or “man-woman,” is a person who seems predominantly male but displays female characteristics such as dressing in the traditional Zapotec female attire. *Muxes* wear their hair in ponytails, use makeup and jewelry, and take on some of the characteristics of each gender. The *muxes* are an anomaly, given prevailing homophobic attitudes toward homosexuals in most of México, because in the Isthmus they are officially recognized and accepted.⁸¹ *Juchitecos* are keenly aware and proud of this difference, “[a]nd pointing to *muxes* without rejection is part of a code of acceptance.”⁸²

Although *muxes* are distinguished from the general male population, they are neither devalued nor subjected to discrimination.⁸³ Boys may occasionally be harassed or discriminated against by mestizo youth;⁸⁴ but Zapotec parents, especially mothers

77. *Id.*

78. Marina Meneses Velázquez, *El Camino de ser Mujer en Juchitán*, in BENNHOLDT-THOMSEN ET AL., *supra* note 3, at 99, 111 (author’s translation).

79. Bennholdt-Thomsen, *Los Muxe’s, el Tercer Sexo*, *supra* note 3, at 286, 289.

80. *Id.* at 284 (author’s translation).

81. *Id.* at 279.

82. *Id.* (author’s translation).

83. CHIÑAS, *supra* note 5, at 108.

84. There have been isolated incidents of violence against *muxes*. For a discussion of the alleged murder of a *muxe* sex worker, see Octavio Vélez Ascendio,

and women in general, readily “defend them and their rights to ‘be themselves.’”⁸⁵ The prevailing view is that one does not choose to be, but is born, *muxe* because “‘God made them that way.’”⁸⁶

When asked whether they identify as men or women, *muxes* invariably respond that they are not one or the other, but that they are *muxes*.⁸⁷ Their status as a separate sex is reinforced by the fact that work in Juchitán is clearly gendered. A precondition for *muxe* identification with certain jobs is the existence of a clear sexual division of labor.⁸⁸ Under these conditions, there are intermediate positions that can be best carried out by a third sex.⁸⁹ One job that is defined as *muxes*’ work is the production of paper ornaments for large fiestas and *Velas*, or community festivals.⁹⁰ Artistic work is typically defined as men’s work, but the fiestas are left to the women.⁹¹ Lighter things like music, poetry, and art are the concern of men, whereas women’s work is always linked to subsistence as lighter work is not honorable for women.⁹² Women have to do heavy, hard work.⁹³ The models for embroidery are also frequently designed by *muxes*.⁹⁴ Some *muxes* own bars and sell liquor, work that is often associated with women. Proprietors of such establishments are considered to be sexuality erotic—this is consistent with the societal image of *muxes*.⁹⁵

Whether a man is viewed as a *muxe* is determined not only by the type of work the person does but also by their sexuality and sexual identity.⁹⁶ *Muxes* are thought to be highly intelligent and artistic and their work is believed to be done even more artistically and more

Exigen Esclarecer Muerte de Joven Muxe en Juchitán, LA JORNADA (México, D.F., Mex.) (Mar. 14, 2009), <http://www.jornada.unam.mx/2009/03/14/estados/025n3est>.

85. CHIÑAS, *supra* note 5, at 108.

86. *Id.*

87. Bennholdt-Thomsen, *Los Muxe’s, el Tercer Sexo*, *supra* note 3, at 303.

88. *Id.*

89. *Id.*

90. *Id.*

91. *Id.*

92. *Id.*

93. *Id.*

94. *Id.*

95. *Id.*

96. *Id.* at 304.

carefully than when it is done by women.⁹⁷ Some *muxes* also carry out traditional male jobs, such as making silver and gold jewelry⁹⁸ or working for Pemex, the petroleum company in the state. Many families pressure *muxes* to assume traditional male jobs in hopes that it will impede their homosexual tendencies.

Given its matrifocal emphasis, it is perhaps not surprising that the birth of a girl is celebrated in Juchitán. Marina Meneses Velásquez describes how after the birth of a daughter, Rosita, a seventy-eight-year-old family friend (an expert in raising children and a midwife), told the mother that “[i]t’s great that it’s a girl, now you have someone who will take you by the hand when you are not able to walk.”⁹⁹ The birth of a boy, on the other hand, can lead the older women to feel sorry for the mother, stating that “[a] bachelor was born, you are going to have to get him married,” referring to how difficult and costly the wedding of a boy is for a mother.¹⁰⁰ Most parents are not embarrassed or burdened by having a son who is *muxe*. On the contrary, to have a homosexual son is a blessing because they generally do not abandon the home; they stay to help their parents, unlike heterosexual men who get married and leave.¹⁰¹

Acceptance of the *muxes* is such that it is misleading and condescending to say that they are “tolerated,” which implies token and reluctant acceptance.¹⁰² After attending a *Vela* in Juchitán, anthropologist Bennholdt-Thomsen was surprised that the host or *mayordomo* (patron) of the *Vela* was a *muxe*.¹⁰³ Attired in a white shirt, well-fitted black trousers, and fancy Italian shoes, the only thing that distinguished the host from other men in attendance was the massive gold jewelry he wore around his neck, wrists, and fingers—like many other women who were present at the event, he wore a

97. CHIÑAS, *supra* note 5, at 109.

98. *Id.*

99. Velásquez, *supra* note 78, at 99 (author’s translation).

100. *Id.* (author’s translation).

101. Ge Zeta, *Muxes (Mushes)*, GAYCOLECTIVO (Feb. 7, 2009, 12:06 AM), <http://gaycolectivo.blogspot.com/2009/02/muxes-mushes.html>.

102. Bennholdt-Thomsen, *Los Muxe’s, el Tercer Sexo*, *supra* note 3, at 280.

103. *See id.*

necklace with thick gold coins.¹⁰⁴ The young host was accorded great respect and unlimited acceptance.¹⁰⁵

Not all *muxes* cross-dress in traditional attire with long skirts and *huipiles*. Some dress like heterosexual men except for wearing jewelry around their necks and on their hands, wearing makeup, or having their hair in a ponytail. Because the market belongs to women, a man who dedicates himself to working in the market is defined as a *muxe*; only then is he accepted by the female merchants.¹⁰⁶ Because women are known as hard workers, a quality recognized and praised by men, when a man works hard, it is said that he “works like a woman.”¹⁰⁷ In addition to being hard working, *muxes* are believed to be the brightest and most gifted children.¹⁰⁸ Parents generally consider them the most likely to get educated, but they will only be supported beyond the sixth grade if they demonstrate superior intellectual ability because of the cost of pursuing higher education.¹⁰⁹

Muxes appear to place great value in the fact that they are socially accepted in society. When interviewed, Juan noted repeatedly that “[e]veryone respects me, my neighbors appreciate me, they value me, they like me, well, they like me as I am.”¹¹⁰ As to his homosexuality, Juan noted that he was born that way and that by the age of ten he was already flirting with the boys, adding “I live happily the way I am because no one in my family chastises me, no one humiliates me; they accept me as I am.”¹¹¹

Juan only attended the first grade.¹¹² He related how his first grade teacher wanted the children to do some manual work and asked the boys to have their families buy brushes and frames to paint and the girls to get materials so they could embroider.¹¹³ Juan asked his

104. *Id.*

105. *Id.*

106. *Id.* at 281.

107. *Id.* (author’s translation).

108. CHIÑAS, *supra* note 5, at 109.

109. *Id.*

110. Benholdt-Thomsen, *Los Muxe’s, el Tercer Sexo*, *supra* note 3, at 282 (author’s translation).

111. *Id.* at 283 (author’s translation).

112. *Id.*

113. *Id.* at 283-84.

mother to buy him an *aro* (wooden hoop) to embroider napkins. When he showed up at school the next day, the teacher said, “That work is not for you. It’s for girls.”¹¹⁴ Juan told the teacher that he could not do the work he was asked to do and that if he couldn’t do the work that he wanted, he would leave.¹¹⁵ And so he left and continued embroidering.

Not all *muxes* are immediately accepted, however. Cristal, recognized as an important embroidery artist in the community, commented that in the past it was more difficult to “come out.”¹¹⁶ His mother, for example, beat him regularly and his place as a *muxe* was not assured until he was twenty because his parents punished and ridiculed him in public.¹¹⁷ Today he notes that in the past it was more difficult for them to dress like women or use makeup while today you can do both without any problems.¹¹⁸

Bennholdt-Thomsen describes a “coming out” or initiation ritual in which authoritarian parents used corporal punishment as a test to determine whether their sons were really *muxes*.¹¹⁹ If the child persisted in his effeminate behavior in the face of habitual corporal punishment, it affirmed the child’s natural predisposition to be a *muxe* and led to his acceptance by the family and the community.¹²⁰ On the other hand, the *muxes* themselves often interpreted their resistance and persistence as evidence that they were born with different characteristics, as all *muxes* are proud to defend their “birthright” to be different in the face of all kinds of attacks and adversities.¹²¹

Because *muxes* identify as women, they are attracted to and prefer to be with straight men, although there are men who never live with a woman and are involved in serial relations with a variety of *muxes*. Interestingly, these men do not define themselves as either *muxes* or as homosexuals. Juan, for example, does not approve of a man who has

114. *Id.* at 284 (author’s translation).

115. *Id.*

116. *Id.* at 286-87.

117. *Id.* at 287.

118. *Id.* at 286-87.

119. *Id.* at 288.

120. *See id.*

121. *Id.*

come out as a *muxe* pairing up with a woman or with another *muxe*.¹²² Juan was also personally opposed to living in a permanent relationship with a man because the *muxe* is the one who has to work to support the man.¹²³ He felt that a man would restrict him too much and that he would not be able to go out dancing and partying with friends if he was in a relationship with a man.¹²⁴

There are also men who are married, have children, and who still define themselves and are recognized by others as *muxes*.¹²⁵ One of the *muxes* interviewed by Bennholdt-Thomsen mentioned that she knew a man in his fifties who was married, had children, would go out as a *muxe* and take more time to get dressed and put on his makeup than his wife.¹²⁶ This was the subject of a great deal of good-natured kidding and joking.¹²⁷ Some *muxes* like Juan disapproved, but others like Cristal accepted him.¹²⁸

THE *MUXE* ORGANIZATION: “AUTHENTIC INTREPID SEEKERS OF DANGER”

The foregoing overview of Juchitán and the *muxes* provides a backdrop for my study of this unique population and to report and reflect on my trip to Juchitán to carry out field research on the *muxes*. Several days before departing for Juchitán, I was in the city of Oaxaca and had the opportunity to meet with “Julie,” a hair stylist in the neighborhood where I was staying. Because Julie is not a *muxe*, I wanted to get the perspective of an Oaxacan gay man on the *muxes*. My son-in-law is a native of Oaxaca and Julie is his hairstylist and a person who knows quite a bit about *muxes*. She was very gracious and asked me to come to her hair salon at around five o’clock in the afternoon, which is the time she has her dinner there. The interview was brief but informative and Julie kept chewing on her food and sipping a *refresco* (“soda”) as we talked. She said, “We are all

122. *Id.* at 285.

123. *Id.*

124. *Id.*

125. *Id.*

126. *Id.*

127. *Id.*

128. *Id.*

technically gay but the *muxes* distinguish themselves from other gays because they consider themselves to be a sort of third sex.”¹²⁹ Most also live the *muxe* lifestyle “24/7” and are always out of the closet. Julie mentioned that their origins are in Zapotec culture, that most spoke *Zapoteco*, and that they were generally accepted in their community and culture, whereas gays were not accepted in Oaxaca or in México as a whole.¹³⁰ Julie confided that she had come to the United States as a *bracero* and remarked that she was mistreated, not by the Americans but by *mexicanos*.

My daughter and her husband had attended a *Muxe Vela* or festival in the city in October. They knew I was interested in the topic and wanted to attend so they could report back to me and made a video of the event for me. They had a really good time and were fortunate enough to have met a *muxe* from Juchitán named Biiniza. She gave them an invitation to the *Vela* in Juchitán in November, which they scanned and forwarded to me. They told Biiniza that I was interested in the *muxes* and she gave them her e-mail address and told them to have me contact her. Biiniza also commented that there were only a couple of *muxes* at the *Vela* in Oaxaca, even though many of the men in attendance were dressed in traditional Zapotec attire and looked very much like *muxes* to the unsuspecting eye. The rest were pretenders and not genuine.¹³¹

I contacted Biiniza via e-mail several times both prior to and after arriving in Oaxaca and called her immediately after arriving in Juchitán. It turned out that she had given me the number at the salon where she works. The owner answered the phone and told me that Biiniza was in Oaxaca and had not returned. The salon owner had a somewhat hoarse voice that sounded like a woman to me or perhaps more accurately like a man trying to sound like a woman. The day after I arrived, I sent an e-mail to Biiniza telling her I was at the Hotel Lopez Lena and gave her the telephone number. She wrote back and said, “I will communicate with you today, okay.”¹³² Unfortunately, Biiniza never contacted me. In fact, the only time I saw her was at the

129. Interview with “Julie” the hairdresser, in Oaxaca, Mex. (Nov. 17, 2009).

130. *Id.*

131. Interview with “Biinitza,” in Juchitán, Mex. (Oct. 17, 2009).

132. E-mail from “Biinitza” to author (Nov. 19, 2009, 1:07 PM) (on file with author).

Muxe Vela on stage where she was surrounded by people. I never had an opportunity to talk to her directly but she was introduced and I saw her walking down the red carpet in a glamorous low-cut gown.¹³³

When I called her number again her co-worker answered. She asked me to come down to the salon at five that evening to see if Biiniza would pop in to work. The name of the salon was “*Estética Felina*” but I misunderstood and thought she said “Selina,” so I was asking people downtown if they knew of an *Estética* (beauty salon) called Selina. I was lucky and eventually found the salon and figured out the correct name but Biiniza never showed and still appeared to be in Oaxaca City. Felina was very pleasant and welcoming. It was clear from the way she was dressed that she too was a *muxe*. I introduced myself and told her I was a professor and researcher who was interested in the *muxes*. She invited me to an event at the Ecological Preserve that was about six or seven blocks from the downtown area. She told me that several of them would be meeting with a politician from Mexico City who was instrumental in passing domestic partner legislation for the City, which legalized or at least formally recognized Gay unions, an important issue for the *muxes*. Mexico City subsequently legalized gay marriages. This would give me a chance to meet some of the *muxes* and to socialize with them in an informal setting and I took advantage of the opportunity.

The next morning I went to breakfast at a little restaurant that was down the street from my hotel. The waiter was a young man around twenty-one or twenty-two years of age. In the course of the conversation, he asked what I was doing in Juchitán. I said I was a researcher and that I was in town to study the *muxes*. He confessed that he was gay but not a *muxe* and that he was not originally from Oaxaca. He also mentioned that he knew a couple of people down the street who were involved in a splinter group of *muxes* that had separated from a larger group. He added that there was a *Vela* that night, noting that the proprietor of a bar down the street was a *muxe* and that Enrique the owner of Enrique’s hair salon, would be a good person to talk to. I went to the bar and I don’t know if I made a mistake on the location but the manager told me I had the wrong place. I also went by Enrique’s *Estética* three different times, but it was closed (perhaps because it was a national holiday). I was upbeat

133. I was able to meet and to interview Biinitza on a subsequent trip.

after meeting this young man and Felina because it seemed like some doors were beginning to open up for me.

I attended the meeting at the Ecological Preserve. The first person that I met was a freelance photographer from México City as we waited for the *muxes* to arrive. She told me she was there to cover the *muxes*, specifically the meeting with the politician. The photographer requested a picture and one of the young men really hammed it up, taking cheek-to-cheek pictures with an older man who struck me as being straight but went along with the joke and posed for the pictures. People who were standing nearby and watching were also smiling and laughing at the scene. Also present was a film crew from Colombia that was doing a documentary on the *muxes*. The six to eight *muxes* in attendance were friendly and I had a chance to hang out with them for several hours. People were warm but there were no formal introductions because I think almost everyone knew everyone else, so the introductions were one-on-one and informal. I had an opportunity to meet and to chat with several of the people in attendance.

At first they announced that the politician, a woman, would not be attending but that she had sent one of her assistants to represent her. However, it soon became clear that no one was coming. The members of the group were obviously disappointed but everyone took it in stride. One of the members had made sandwiches for the group and passed them around. They were simple counterparts to a bologna sandwich on pan *Bimbo* (white bread). Several *muxes* were disgusted because they had reserved a room for the meeting and members of the splinter group had arrived first and occupied the room. It was clear the groups were in competition and that there was tension between them but that this was the main organization and that the other was a splinter group.

I was later able to interview Felina. We initially made an appointment to talk at 5 p.m. at the salon. When I arrived, she told me that she had to take another *muchacha* (*muxe*) home and then go shopping for the *Vela* the next night. She said to call her after 8:00 p.m. When I called she asked me to call her after 9:00 p.m. When I called again she suggested that we meet at her salon at 10:30 p.m. She didn't arrive until after 11:00 p.m. We proceeded with the interview, which went well, except for the fact that people kept dropping in to chat. This was bad because it interfered with the flow of our conversation but good because I was able to meet a number of *muxes*

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and their friends as they came by to say hello. The hair salon was clearly a place where the *muxes* felt comfortable hanging out and socializing.

Felina is one of the leaders of the group and the outgoing President of the *muxe* organization. She was obviously very busy getting ready for the *Vela* and I appreciated that she took time to talk to me. The *Vela* is very important and is the culmination of the activities for the year. She said some very interesting things. The group that had splintered off was made up of fourteen people who were very negative, so they formed their own group. Predictably, they subsequently had an internal disagreement and split into two groups, one with eight and the other with six members. *Felina* remarked that their members came from all walks of life, including accountants, lawyers, and merchants.

She added that the *muxes* were different from gays because they did not date one another. *Felina* also said that you would not find any gay bars or clubs in Juchitán because the *muxes* were integrated into the entire community.¹³⁴ She repeated that not only did they not date each other but that their partners were heterosexual men. In response to the question regarding major problems facing the *muxes*, she said that one of the problems is the they are well aligned with the PRI, the dominant political party in Oaxaca, which had been the ruling party in México for seventy-one years prior to the 2000 Presidential election. Because the *muxe* organization is supported by the PRI a lot of the members are not very progressive politically and this is frustrating.¹³⁵ In the middle of the interview one of the *muxes* came in to say hello. She is a one-armed *muxe*, *Amaranta*, who had given a speech in front of the Municipal Palace the night that I first arrived in Juchitán. *Amaranta* apparently lost her arm in a recent automobile accident. She was extremely articulate and political and I was very impressed both with her public-speaking skills and with how articulate she was in person, even though when she came in she was obviously a bit tipsy. I had stopped the tape but she wanted to say something and asked me to turn it on. One of the problems with the *muxes* is that they would not accept people like her because she was too much of a

134. Interview with “*Felina*,” in Juchitán, Mex. (Nov. 20, 2009).

135. *Id.*

leftist and progressive.¹³⁶ Amaranta noted that most of the members of the group belonged to the PRI and that the PRI supported the organization.¹³⁷ This meant that many of the members were not very progressive politically and were reluctant to speak out on important controversial issues in the community.

THE GREAT *MUXE VELA*

The economy of Juchitán remains embedded in what Bennholdt-Thomsen terms a “prestige economy” in which, in the prevailing societal and cultural context, the highest esteem is not accorded to “the one who owns most, but the one who gives most” in the community. More specifically “one earns one’s merits in the community through the festivals.”¹³⁸ At the top-ranked merit festivals are *Velas*, wonderful festivals that occur about three times per month, or thirty-five per year. These festivals last for four days and are attended by several thousand people. To assume the sponsorship or patronage of a *Vela* is the dream of each “*Teca*” (*Juchitica*), since *Velas* largely fall within the sphere of women and it is through them that they gain prestige for themselves and their families. Bennholdt-Thomsen notes that “[i]t is easy to detect fertility rites as the roots of the *Velas* which are celebrated by groups of interrelated people who live in the same area” and “come from matrilineal clans who assemble around a Clan-Totem or a Nahuatl Part of each *Vela*.”¹³⁹ In total, some 628 great street festivals are celebrated in Juchitán, including birthdays, weddings, and initiation rites for young girls on their fifteenth birthday or *Quinceañeras*.¹⁴⁰ There are no comparable festivals for young men.

In general, one person is primarily responsible for the *Vela*, the *mayordomo/a*, but there are multiple godmothers, or festival sponsors, who assume part of the responsibility for organizing and financing the

136. Interview with “Amaranta,” in Juchitán, Mex. (Nov. 20, 2009).

137. *Id.*

138. Veronika Bennholdt-Thomsen, *A Matriarchal Society in the Age of Globalization: Juchitán/Southern Mexico* (Jutta Ried trans., 2003) (select paper from the First World Congress on Matriarchal Studies, Luxembourg), available at <http://www.second-congress-matriarchal-studies.com/bennholdtthomsen.html>.

139. *Id.*

140. *Id.*

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event.¹⁴¹ The guests also contribute through offerings and gifts. In addition, most of the neighborhood women are actively involved, beginning at 4 a.m., preparing food for hundreds of guests who will be attending. The host is expected to keep track of these contributions as strict reciprocity is expected. It is in this way that festivals become an integral part of the economy, maintaining the mutual exchange, and encouraging “the spirit of reciprocity.”

When I first met with Felina, she told me that people would be going to the place where the *Vela* was being held in order to set up the night before the event. This was good for me because I was able to go that day, hang out with the *muxes*, and see them relate to one another in an informal setting. The event’s location was huge but disappointing. The decision was made to hold the *muxe Vela* outside this year because it had just gotten too large. The site was a large, open field near a local university. There were two large stages on opposite ends of the locale, connected by an asphalt floor. It looked like a very large asphalt basketball court, surrounded by a field with a dirt floor. Acting as godmother of the festival, each *muxe* staked out an area for their invited guests. In each area, they set up wooden chairs around the periphery and plastic tables in the middle for food and beer. I began to help by opening and arranging the wooden chairs in a large rectangular shape. They were small, new, and, therefore, hard to open and unfold. It took about three hours to set up and I was tired and my hands were sore the next day.

I decided to help “Mandis” set up. She was one of the more serious and mature *muxes* I had been talking with and I developed some rapport with her. Mandis is around fifty years old and has thinning hair. Interestingly, she and Angel were among the few *muxes* who did not dress like women or wear traditional Zapotec clothing. They dressed like ordinary men, although Angel was very flamboyant in his dress at the *Vela*. Mandis explained that she could not dress like a *muxe* because she worked for the government in the Office of Tourism.¹⁴² When they finished, someone brought out quart-size bottles of beer and people started to drink and socialize.

141. *Id.*

142. Interview with “Mandis,” in Juchitán, Mex. (Nov. 20, 2009).

On Saturday morning, there was a mass for the *muxes*. They were being recognized and incorporated as a society within the Church. There were two groups of *muxes* and each had sponsors and a banner or standard that represented their group. The main *muxe* group standard read, “*Las Auténticas Intrépidas Buscadoras del Peligro.*” Many of the *muxes* were dressed like women in traditional *Tehuana* dress with their hair braided with pretty flowers. Some of them really looked like women, others like men in drag. The priest talked about the *muxes* in his sermon and formally welcomed them as a society into the Church, like the Knights of Columbus or other groups. He had to be corrected because initially he was only recognizing one group. The priest apologized and proceeded to formally acknowledge and to recognize both groups, as each group and its leaders went up to the altar in a procession with their standard at the front. In addition to the *muxes*, there was a ceremony for a little girl who was being recognized and incorporated into the Church as a member. She must have been around four years old and was dressed in her *Tehuana* dress with her hair in braids with flowers and was extremely cute. Her mother and father proudly stood at her side.

As we walked out of the church after the service we were handed colorful banners. We then marched through the downtown area to a hall owned by the PRI about a mile away where we had a traditional Oaxacan breakfast with *mole* and *champurrada*. We marched as a group with banners and balloons through the middle of town. It was a *muxe* parade, although we were walking down the main street of Juchitán and did not have any cars or floats. Most of the *muxes* were dressed up like Tehuanas with flowers in their hair and a lot of golden jewelry, but a few were dressed in street clothes. Mandis was dressed in civilian attire and attended the event with her partner who looked like an ordinary heterosexual man but was clearly in a relationship with her.

When I attended the *Muxes Vela*, the celebration was really impressive. It was hard to believe that this was the same place that we had helped to set up the previous day because it had been dramatically transformed and looked beautiful. Tents had been placed around each area and there was lighting. The two stages were also colorfully decorated and well lit. There were three stages now, two for the bands and the other for the *muxe* celebration and crowning of the new Queen. As a fee for the event, each gentleman bought a case of beer

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at the entrance. Ladies could make cash contributions. This is consistent with the spirit of reciprocity engendered in the community. I bought my case of beer, put it on my shoulder, walked in, and went directly to Mandis's area and handed her the case of beer. It was early and she was glad to see me and graciously accepted it. I then walked around and visited with Angel who introduced me to another *muxe* who, along with Mandis, was one of the founders of the *muxe* organization some thirty-four years ago. Angel struck me as a very nice person. He had a shaved head and, like Mandis, did not dress like a *Tehuana*. He was, however, dressed in a very outlandish white outfit with a large necklace, silver top hat, gray cape, and a black cane. He told me that he made his outfit every year and that last year Mandis and some of the other *muxes* had told him he had to go home and change because his outfit was too outrageous and embarrassing.¹⁴³ He looked great during the ceremony honoring the Queen. His outfit seemed appropriate for *Carnaval*.

They had three bands, but the most famous of them was *Sonora Dinamita*, an iconic band that has been around for a long time. They were reputedly paid U.S. \$12,000 to play, and it was clear that the *muxe* organization had to raise a lot of money to pay for the event. The highlight of the evening was the coronation of the Queen. There were two masters of ceremonies. One of them was Amaranta, the very articulate one-armed Muxe that I met at Felina's salon. It was a gala affair with everything, including a red carpet and lots of *paparazzi* pushing and shoving each other, fighting to get a good view. It was quite difficult to see the people as they came down the red carpet. A special guest was Karen Davis, a pretty black woman and a Guatemalan supermodel. When they introduced one of the more hefty *muxes*, "*Mistica*," the mistress of ceremonies said that one (Davis) was a supermodel and that the other was a *Modelo Especial*, which is the name of a popular Mexican beer and means a "Special Model." Prior to the coronation, they introduced fifty *muxes* from throughout the Republic of México. Some were *ex-muxe* Queens while others lived in other cities in Oaxaca and other regions. Among those introduced were *ex-queens*, including Felina, who was the Queen in the early 1990s.

143. Interview with "Angel," in Juchitán, Mex. (Nov. 21, 2009).

The culmination of the ceremony was the introduction of the Queen and her court. They had been practicing for several hours the previous evening, when we were setting up. The Queen was a young woman, about fourteen years old. Her court consisted of eight male dancers who were around the same age. Interestingly, when they were practicing the day before, the Queen and the boys were dressed casually and I actually thought that the Queen was a girl, not a *muxe*. She wore shorts and looked like a pretty girl, so I would have never guessed she was a *muxe*. At the time, I thought the group was entertainment for the evening consisting of a girl and her eight male escorts or as they call them *chambelanes*. In any event, the Queen and her court danced, and it was a great performance. They sang and the song's lyrics spoke of being Queen for the day. The ceremony had all the trappings of a traditional beauty contest. In fact, once the Queen took the stage, one of the mistresses of ceremonies asked the other ex-Queens to remove their tiaras in order to properly honor the Queen and to acknowledge that there could only be one reigning Queen.

When I left the party, I noticed that the dance floor was so crowded with dancers that I had to walk carefully to make my way to the exit. The entrance to the event was crowded with vendors and onlookers.

I later learned that the Queen was a thirteen-year-old named Carmelo López Bernal—he had made his debut at a recent annual town-wide *muxe Vela* at the town of Unión Hidalgo, marking his first appearance in the identity of a girl.¹⁴⁴ Carmelo lives with his grandmother who loves and readily accepts him. He does not go to school, but instead cleans the homes of relatives and other neighbors. He has begun to identify as a girl, and he is excited about growing up and becoming like “*Mistica*,” a popular well-known and well-liked *muxe*.¹⁴⁵ *Mistica* is respected as a businesswoman and is visible throughout the community as she sells cosmetics and other products door to door. When asked about Carmelo, his grandmother said, “I feel normal about it, it is how God sent him, and I love him even

144. Lacy, *supra* note 5 (describing the young *muxe* in a caption to a photograph taken at the *Vela*).

145. *Week in Review: In Mexico, Beyond Gay and Straight*, N.Y. TIMES, http://www.nytimes.com/slideshow/2008/12/07/weekinreview/1207-MUXE_9.html (follow slide show to slide 8 of 15) (last visited Feb. 21, 2012).

though he isn't a woman. Who knows what kind of person he will be: he is still young."¹⁴⁶

SUMMARY AND CONCLUSION

In summary, though called the "The City of Women" and known for its strong women and gender equity, Juchitán is not a matriarchal society. Instead, it is a matrifocal family system which persists in the face of patriarchy, where women have a great deal of power and autonomy economically, socially, and in the kinship system. A matrifocal society is one where: (1) the role of the mother is socially, culturally, and affectively central; (2) the relationship between men and women is relatively egalitarian; (3) both men and women have important cultural and ritual roles; and (4) girls are taught to be assertive, active, and decisive in the family and the society at large.¹⁴⁷

Because women assume the role of merchants and traders in the market, they also control familial resources and are recognized as economic heads of households.

Juchitán is also known for its tolerance and acceptance of *muxes* who constitute a third sex or what is often described as "*hombres mujeres*" ("male women"). Acceptance of persons of mixed gender can be traced to pre-Colombian Mexico, as anthropologists have pointed to instances of cross-dressing Aztec priests and Mayan gods who were at once male and female.¹⁴⁸

Ironically, acceptance of the *muxes* as a third sex appears to be facilitated by a sharp division of sex roles and the prevalence of gender equity. Because of the sharp division of labor there are occupations that are in-between, not assigned to one sex or the other, and are recognized as the work of *muxes*. Although certain jobs are reserved for *muxes*, they are represented in virtually all walks of life.

Muxes themselves and members of the community at large believe that rather than being a voluntary choice one is born a *muxe*. Indeed, the belief expressed by young Carmelo's grandmother that "it is how God sent him" appears to be the prevailing view. Since being *muxe* is seen as an immutable characteristic, perhaps it is not surprising that

146. *Id.* (follow slide show to slide 9 of 15).

147. CHIÑAS, *supra* note 5, at 85.

148. Lacy, *supra* note 5.

people readily distinguish between those who are genuine *muxes* and those who are inauthentic and simply cross-dress or mimic the *muxe* lifestyle. Biinitza, for example, noted that there were only a handful of *muxes* among the hundreds of transvestite men who attended the *Vela* in the city of Oaxaca. They were not *muxes* but gays in drag. The idea that some transvestite men who dress and act like women are imposters or pretenders while others are authentic is intriguing because it conjures images of someone “impersonating” a man impersonating a woman. This concept reinforces the socially constructed idea that *muxes* constitute a distinct third sex in Juchitán and are not simply “transvestites in drag.” It also reinforces the view that *muxes* are a third sex, in that being one is a 24-7 proposition, a lifestyle that cuts across all aspects of one’s life and extends beyond how one looks or dresses. Perhaps it is for this reason that not all *muxes* cross-dress and that some can be *muxe* without necessarily dressing in the traditional Zapotec dress. Being *muxe* thus refers to one’s overall identity, an identity which transcends external, superficial markings like one’s dress or appearance.

Significantly, the name of the major *muxe* organization, “The Authentic Intrepid Seekers of Danger,” connotes several things about the organization and their identity. First, it connotes that the members of the *muxe* organization are audacious or fearless seekers of danger. Second, it connotes that they are the “authentic,” “true,” or genuine *muxes* and not imposters or pretenders.

As I reflect back on my visit to *Juchitán* I feel like it was very successful. But I plan to return soon to get more in-depth information and interviews, particularly about community response and acceptance of *muxes* as a third sex. Ironically, going during the *Vela* is a great time because you get to see and partake in the yearly celebration, yet it is more difficult to talk to people because they are so busy preparing for the event. One of the things that impressed me is not only how accepted the *muxes* are but how integrated they are into the community, not only socially and culturally but politically and even within the Church. The night I arrived in *Juchitán* there was a performance in front of the city municipal building. The event was hosted and organized by the *muxes*. Some of the issues addressed during the program were the prevention of domestic violence, birth control, and AIDS education. I learned that the group works with

youth in the community on these issues and they put on a skit with the youth focusing on them.

Based on my interviews and observations, it is clear the *muxes* are very well-integrated and accepted into the community, as most of the people in attendance were not *muxes* but friends and family of the members of the organization and represented a cross-section of Juchitán society. The *Vela* was a festival sponsored by the *muxes* for the community at large. In fact, the *Muxe Queen* was crowned by the mayor of Juchitán. The *muxes* were also recognized as an organization by the Church. I found this integration to be true across social, economic, political, and religious aspects of Juchitán.

The treatment of *muxes* in Juchitán stands in sharp contrast with the treatment of gays in many other parts of México and in the United States. People were shocked recently, for example, by the “vicious” hatred that apparently caused a New York City street gang’s alleged beating and torture of three gay men.¹⁴⁹ The violence, according to police, included sodomizing one of the men with a plunger handle and torture of the others.¹⁵⁰ The attacks occurred during a period of increased attention to anti-gay bullying following a series of teen suicides around the country the previous month.¹⁵¹ Significantly, several of the suspects were Latino.¹⁵²

The New York City attack took place in a neighborhood where residents say homosexuality is common and tolerated.¹⁵³ Ironically, the prevalence of gay neighborhoods or gay-friendly communities in the United States may work to promote rather than to discourage attacks against gays, bisexuals, and transgender persons because some people go into such areas seeking to find and to victimize homosexuals. Tolerance and acceptance of gays needs to occur across the community at large, not simply in designated gay-safe zones, for as Felina mentioned during the interview, you are not going to find gay bars or a gay section of the city because the *muxes* are well-integrated into the entire community.

149. *NYC Leaders Condemn ‘Vicious’ Attack on 3 Gays*, NEW HAVEN REG. (Oct. 10, 2010), <http://www.nhregister.com/articles/2010/10/10/news/cc5gaygang101010.txt>.

150. *Id.*

151. *Id.*

152. *See id.*

153. *Id.*

Gay advocates were recently similarly outraged by yet another instance of bullying against gay, bisexual, or transgender students, as an Ohio student waited in a classroom and then viciously attacked a 15-year-old gay classmate, all captured by a bystander's cellphone.¹⁵⁴ While the student mercilessly attacked the gay student on the floor, other students watched and nobody did anything.¹⁵⁵ The perpetrator was suspended for three days and has not been criminally charged in the case.¹⁵⁶ The victim "broke two teeth, and may have suffered a concussion."¹⁵⁷ The boy's mother said, "'Just for all the people out there who have hate in their heart—they need to let it go,'" she said. "'People are going to be who they are.'"¹⁵⁸

The findings of this study have important policy implications for the treatment of GLBT in the United States. With increased concern over harassment, gay-bashing, and bullying of gay and effeminate youth in this country, it seems that much could be learned from the treatment and acceptance of the *muxes* in a place like Juchitán and the Isthmus of Tehuantepec. For example, because people in Juchitán are not generally homophobic, they are not opposed to having the *muxes* take an active part in working with local youth addressing issues such as domestic violence, birth control, and AIDS education. The prevalence of homophobia in the United States makes the idea of gays working with youth problematic, particularly if you consider things like the refusal of the Boy Scouts of America, the largest youth organization in the country, to admit homosexuals into the organization in membership or supervisory positions.¹⁵⁹

Acceptance of homosexuality, bisexuality, and transgender identity has to cut across the entire society and cannot be confined to gay areas or gay-friendly sections of a city. Rather than occurring in gay bars or clubs, the "coming out" process in Juchitán starts in the

154. Susan Donaldson James, *Boy Assaults Gay Student as Cellphone Captures Attack*, ABC NEWS (Oct. 28, 2011), <http://abcnews.go.com/Health/ohio-bully-beating-gay-student-caught-cell-phone/story?id=14834057>.

155. *Id.*

156. *Id.*

157. *Id.*

158. *Id.*

159. The right of the Boy Scouts as a private organization to restrict admission has consistently been upheld by the courts. *See, e.g., Boy Scouts of Am. v. Dale*, 530 U.S. 640 (2000).

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family when parents and other family members begin to recognize and accept the fact that their son is different, effeminate, and is more inclined to pursue feminine arts and crafts like embroidering than traditional male endeavors. Once the boy is accepted by the family and is ready to dress like a girl in public, he begins to cross-dress and to appear at Velas, and is eventually recognized and accepted as a *muxe* by other *muxes* and the society at large. Also, if bullying and gay bashing were problems in the community, the *muxes* would be at the forefront of efforts to educate people and to combat such abuse. However, because of the general acceptance of *muxes*, they are free to focus their efforts on other political and social issues in the community.

Carmelo, the youth who reigned as Queen during the *Muxe Vela*, may not have an idyllic life and future since he lives in a rural area in relative poverty, does not attend school, and makes his living by cleaning the houses of relatives and neighbors, but he is accepted by his family and the community. Unlike Lawrence King who was mercilessly harassed by his peers and gunned down by a fourteen-year-old classmate, or other youth who are subjected to gay bashing and bullying, Carmelo does not need to worry about being harassed or bullied because of his lifestyle. In fact, he enjoys dressing as a girl and is looking forward to growing up living the life of a *muxe*. He even has role models and looks forward to becoming like "*Mistica*," a popular and well-known *muxe* that he looks up to and is a reputable and respected businesswoman in the community.