

Ethical Archaeologies: The Politics of Social Justice 3

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After Ethics

Ancestral Voices and Post-Disciplinary
Worlds in Archaeology

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Chapter 5

The Mark of the Indian Still Inhabits Our Body: On Ethics and Disciplining in South American Archaeology

Ivana Carina Jofré Luna

This work attempts to enter into dialogue with other theoretical and methodological positions in world archaeology. It aims to place tension on the notions of “ethics” in archaeology in order to lead the discussion further, into the postdisciplinary abysses¹ (Haber 2010, 2012) where the encounter in intercultural contact zones disrupts

¹According to the Argentine archaeologist Alejandro Haber (2012), archaeological disciplining is carried out in two types of well-defined relationships: between times and between subjects: “Both are relationships between separate and distanced terms: past times known in present times, knowing subjects who know subjects (objects) of knowledge. The terms (past, present, archaeological, archaeologists) are consolidated and stabilized in disciplinary boundary-marking, in the consecration of its object and method. The terms become things in themselves as a result of the language of the academic discipline (they become subjects or objects of knowledge, they become past-to-be-known or present-that-knows) and, at the same time, knowledge becomes the privileged way of relating between those terms. Knowledge is understood according to the model of scientific knowledge: the subject, distanced from the object, knows it and eventually modifies it for its own benefit” (Haber 2012:16). The language of the academic discipline serves to turn the other into the grammatical object, and pre-disciplinary relationships are shifted to “another time,” because in doing so it launches a hegemonic struggle over other undisciplined epistemes, tossing them into a time long gone. I believe, however, that disciplinary metaphysics is not abolished in a *postdisciplinary stage*; this latter stage, rather, means a *recapitulation*. “The discipline is recapitulated in at least two ways in the postdisciplinary stage: First, as a provider of the technology for linking the parties permanently separated by the breach of colonial metaphysics—past other, present self—but also the objects of colony and colonizing subjects, or their descendants. That is, it is a device to enunciate reality in terms of the archaeological and its methodological manipulation. Second, as a provider of the ideological underpinnings of historical meaning, the stratigraphically aligned exposure of the passage of time: that is, its objects, its objectivity, and its objectivism” (Haber 2012:20).

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meanings and signifiers, and where what is at issue is ultimately the responsibilities and interests behind the erection of meanings regarding “the Real.”

I want to focus here on the ethical problem that is implicit for South American archaeology in the “restoration of human remains to indigenous peoples,” and to do so I situate myself in a position of *dual consciousness*, as an archaeologist but also as a person of indigenous descent and an engaged activist for our rights as indigenous peoples, historically turned into subalterns in and by the colonial relationship.

African-American sociologist W.E.B. Du Bois defined that position of dual consciousness as a privileged perspective on reality whose positioning is situated on the border between the dominant society and subordinate groups (Du Bois 1989, cited in Rappaport and Ramos 2005). Thus, the mark of the Indian that still inhabits our body evokes our situation, that of those “nonwhite others” who are the racialized product of an othering dialectic that built “Europe” as an epistemic notion:

This nonwhite is not necessarily Indian or African but rather an Other that bears the mark of the Indian or African, the imprint of historical subordination. It is these nonwhites who are the dispossessed masses of people. If these multitudes share any common heritage, it is precisely the heritage of their dispossession, in the exact sense of an expropriation that is both material—of territories, of forms of knowledge that would allow the manipulation of bodies and of nature, and of forms of conflict resolution suitable to their notion of the world and the cosmos—and symbolic—of their own ethnicity and history (Segato 2007:23).

That mark of the Indian that inhabits our nonwhite body is the aftermath of a historical trauma, or rather, the confusing relationship between absence and loss implicit in dispossession. For Dominick La Capra, trauma and its symptomatic aftermath raise fundamental issues for the representation and understanding of history. Looking at cases involving other genocides, such as the Holocaust, La Capra (2005: 68) explains that...

[W]hen absence turns into loss it increases the possibility that nostalgia will emerge for something that does not deserve it, or that an utopian policy will be recreated that seeks to find a new whole, a fully unified community. When loss turns into absence (or is decoded into a indiscriminately general rhetoric of absence), one reaches an impasse of perpetual melancholy, impossible grief, and interminable aporia, in which any process of elaboration of the past and its losses winds up being prematurely concluded or aborted. To blur or confuse the distinctions between absence and loss can be a testimony to the effects of trauma and the post-traumatic situation. Confusion and trauma are proof that one remains possessed or haunted by the past, whose ghosts and shrouds are reflections of the conceptual distinctions that can be drawn between loss and absence.

“To write History is to write drama,” argues La Capra (2005). Pain, suffering, trauma—these are categories that have been used in the philosophy of history to refer to the realm of emotions. They represent another compromise in language, because they refer to not only how one thinks of the world but also how one feels the world; they define a way of *being in the world* (Kusch 1999).

In his definition of “the small voices of history” Ranajit Guha (2002) stresses that these voices are colored by affect, they are charged with emotiveness, they are relegated to corporeality: that is, they are eminently gestural and ritualized, rather than discursive. They are voices strongly felt—dense and dramatic—constituted in

the painful trauma of having experienced or trans-generationally inherited the aftermath of genocide and/or systematic mechanisms of torture and repression. Only with difficulty can their complexity be captured through analysis and thoughtful explanation, and only with difficulty can they be stripped to the core in the face of the *logos*.

This complexity of our emotion-wrought, dense, and dramatic voices configures a particular way of enunciation that transgresses discourse and finds a new home for itself in other forms of communication, gesturally represented in the act of a ritual ceremony, a sacred liturgy, or a collective solidarity that drives a desire for change, often not expressly stated, but certainly presumed, and hence expected. This is more than a militant action; it is, in and of itself, a challenge, a deliberate transgression of hegemonic forms of modern/colonial thought, represented in this case by disciplinary and postdisciplinary archaeology.

Negation of Indigenous Alterity During the Formation and Consolidation of the Argentine National State

After the time of subjection to colonialism imposed for at least three centuries by the Spanish crown, in the nineteenth century the new Republican construction of the emerging Argentine nation-state demanded a new and unified citizen's subjectivity, a "fictitive notion of ethnicity" in the sense of "fabricated" (Segato 2007:49), under the precepts of the new criollo hegemony in power, which pursued the standards represented by the modern European and American states as its model. As Segato (2007:49) stated:

[T]he national state, facing the split between the capital and the interior of the country, and the contingents of European immigrants that were being added in, exerted pressure on the nation to behave as an ethnic unit equipped with its own unique culture, homogenous and recognizable. The model of essential and indivisible ethnicity applied to the national society as a whole seems to well represent the idea that guided the actions of state institutions, especially schools and public health institutions... The recurrent theme of national identity, the obsession with creating some ontology of the nation, and attempts to discursively sequester that "being this way" under such formative pressures... constitutes a specific chapter in the literature of Argentina, with numerous examples.

In that sociopolitical context, indigenous "others" and their cultural productions not only represented the non-Western but also the static past—distant and foreign—on which basis it was possible to justify their exclusion from the emerging national state. In the name of instrumental reason—accommodated to the purposes of progress and Western civilization—"the indigenous other" had to be symbolically and physically suppressed (Pérez 1989). Therefore, the goal of nineteenth-century science was to dehistoricize the "Indians," to deny them their identity and culture (Stagnaro 1993), as the same time that military campaigns took care of the physical extermination of the indigenous population and the subsequent occupation of their lands.

National constructions or formations of alterity played a leading role in the creation of ethnic diversity (as well as in other types of diversity), a production of local history. That is, “the tensions, patterns of discrimination and exclusion along local boundaries of difference must be understood and treated based on their particular histories and configurations” (Segato 2007:107). These historical formations of alterity involve processes of nation-building and impacted dramatically on the pragmatic practices of the actors in relation to their collective identifications (Escolar 2005, 2007; Briones 2005). That is, these modes of production of difference not only produced categories and criteria of identification, classification, and belonging but also regulated or administered the differentiated conditions of existence of “internal others” who participated in the society over which a particular nation-state extends its sovereignty (Briones 2005).

In our case, Argentine society was the result of an “ethnic terror”: a panic against diversity (Segato 2007). The new political project that led to the Argentine nation would establish a “national episteme”² (Chatterjee 2004) that demanded, as a condition of access to citizenship, the definitive erasure of the traces of its subjects ethnic origins if they wished to participate in the new “imagined community” (Anderson 1993), whose model of Europeanizing modern citizenship, in accordance with a liberal economic model, had placed its hopes for purification in Anglo-Saxon immigration (Grosso 2008; Segato 2011). Rita Segato (2007:31) notes in this regard:

For Argentina, I propose the idea of an “ethnic terror,” the homogenizing institutional patrols and strategic efforts of an ideologically Eurocentric Buenos Aires elite who held control of the state and who sought to “nationalize” a nation perceived of as menacingly multiple in its villages, and foreign. To nationalize meant here to mold it into a tightly unified “fictive ethnicity.” The national subject had to be molded into a neutral profile, void of all specificity. “Civilization” was here defined as “ethnic neutrality,” and “barbarism” as its antagonistic inland Other, in constant retreat and struggling to return.

To the sociopolitical context of this juncture we must add the particular case of the local situation. In the case of the province of San Juan, from approximately 1920 to 1980, a hegemonic model prevailed, exalted by the figure of the “welfare state” (Escolar 2005). This model represented the idea of the state as guarantor of equity and social justice, arbitrator between corporate interests and class conflicts, and promoter of the civic and political incorporation of subaltern social sectors. Following Escolar, this model of the “production of sovereignty” during this period was based on the primacy of “pastoral power” (Foucault 1991, cited in Escolar 2005:65), characterized in practice by the extension of benefits and social security,

²The episteme indicates a mode of perception that is imperceptible to itself, a cognitive schema that establishes an order for seeing and conceiving of a given reality through a discursive apparatus and specific technological assemblages (Foucault 1996, cited in Grosso 2008:23). The national episteme, according to Chatterjee (2004), is expressed through categories of thought and perception that sustain and reproduce the ideology and policies of the national organization. Some of these categories in the Argentine model of national citizenship were city vs. desert and civilization vs. barbarism, dichotomies that became absolute points of departure, the “true facts” of the country, disguising under the meaning of “modernity” and “patriotic greatness” the will to power that inhabited them (Romero 1982; Kusch 1976, cited in Grosso 2008:23).

health care services, and moral training of subaltern groups, now ethnically de-individualized and interpellated by the state as citizens-workers. This new social class, the working class, was culturally homogeneous, and its “differentiating identities compared to the rural interior were defined more in social, and eventually regional or provincial terms than in terms of ethnic or racial specificity” (Foucault 1991, cited in Escobar 2005:65).

Despite this homogenizing project, the modern state has been an efficient producer of diversities, a forger of alterities, given its enormous capacity to interpellate the dramatic plot of the nation (Segato 2007; Williams 1989). This is explained by the relationship of differentiation required in the self/other relationship, which provokes the active, creative, and deliberate mobilization of differences. The key to understanding these discourses on the Other, in this case within the matrix of the national state, is the relationship between colonialism and modernity. In the words of Gnecco (2008), while colonialism (external and internal) held otherness at arm’s length, thus subordinating it in a relationship of domination, modernity demanded its rhetorical inclusion as a consequence of an egalitarian ethic.

The discourses and practices created by this contradictory articulation operate between the attraction and repulsion implicit in the hegemonic mechanism of exclusion/inclusion of difference, the constitutional logic of the national state born of the nonresidual historical relationship between colonialism and modernity. However, the borders of exclusion are essential for the subordination of difference, and hence national states (as producers of otherness) promote the creation of their own discontinuities (both spatial and temporal) along their internal borders. These discontinuities took shape in discourse, generating hierarchies and equivalent tensions (Williams 1993).

For example, within the “national episteme” and in the field of science, the production of cultural diversities work in the temporal key through narratives produced by archaeological series and stratigraphic sequences, whose ultimate goal was to condemn indigenous peoples to prehistory, stitching them up as discontinuous cultural constructs divorced from one another and not linked in the present to the territory that the new criollo and foreign hegemony of the old landed elite and new landowners needed to depopulate:

Mignolo (1995:xi) argued that colonization and modernity established the complicity between the replacement of spatial others with temporal others, and the articulation of cultural differences in chronological hierarchies. Fabian (1983) called this simultaneous phenomenon de-spatialization and temporalization, which established the foundational logic of the colonial order, the denial of contemporaneity. For this reason, one of the essential requirements of modernity was the existence of a chronopolitics. In order for the other (distant in time and space) to be “attracted” to modern times (the locus of culture), history had to be universalized. In order for the other to be attracted, first it was necessary to locate the other in a distant time-space: in this way distance appears to be a prerequisite for the civilizing project, without which that project would not exist. This discourse has typologized temporality and spatiality using political categories rather than disciplinary ones (such as savage, primitive, tribal, mythic)... Thus, the master narrative in this history is simply this: ethnic alterity is different from sameness because it lies elsewhere, and above all, in another era (it is static and should be attracted to our own, dynamic and active, era). Time and space (temporalized) became the basic categories in the rationalization of cultural differences (Gnecco 2008:106–107).

Antecedents to the Treatment of the “Indigenous Body” in the Field of Archaeology in the Province of San Juan, Argentina

Marked by a practice of collecting obsessed with the appropriation of the “body of the dead Indian,” the story of archaeology in San Juan first went through a period of exploratory collecting practiced by well-known and respected members of San Juan society. After the second decade of the twentieth century, those collecting practices, generally characterized by the markers of class, were taken over by a new, scientifically disciplined archaeological practice, this time, marked by the displacement occurring in “the journey” from the national capital to the *hinterland*. Only more recently, toward the 1960s and 1970s, after numerous investigations and isolated archaeological explorations conducted in northern San Juan, as well as in other parts of the province, has another phase in disciplinary archaeology opened up. This new phase of archaeology in San Juan was marked by strong provincial localism, which for over 40 years tried to circumscribe a geographical research space controlled by a small group of researchers led by Mariano Gambier from the National University at San Juan. The expropriation and historical representation of Argentina’s inland territory, which had previously been in the hands of the nation, through scientists such as Salvador Debenedetti, was redeveloped within a local discursive matrix that attempted to exalt the provincial political project of a modern, vibrant city with a “rich prehistory” as its mythical origin predating the national project, and of course, as something to offer up, for example, for the promotional tourism that modern economic development required.

Chronological sequences were constructed using archaeological categories produced within culturalist theories based on the idea of cultural reproduction as a determinant axis of ethnic identity. Such productions were effective discursive technologies for producing new cultural diversities, especially from the 1950s onwards, when typological seriation and stratigraphic sequences were established in the “common sense” of national scientific production. The “indigenous other” in space was replaced by the “indigenous other” in time, and cultural differences were articulated in chronological hierarchies represented by archaeological seriations and stratigraphic sequences. All this work was inscribed within the coloniality–modernity project that established the national state, a political framing project that produced these scientific narratives of otherness.

Indigenous history also was converted into *provincial prehistory*, which, situated in the distant past, stood apart from more closely situated provincial and national historical pasts. Prehistory was attributed to those “other societies” that populated the province and which today are presumed to have disappeared. This is the point of coincidence of the “discontinuist narratives” (Jofré 2008, 2012) that traverse the generality of archaeological research in San Juan, mainly represented by a normative historical/cultural theoretical framework of positivist philosophy.

From the 1980s onwards, the reemergence of indigenous people in the province and the national and global context raised questions of archaeological investigations regarding their classic productions about cultural diversity and ethnic discontinuity; however, those narratives continued to form an inexcusable part of archaeological discourse that even ran counter to practices of inclusion rehearsed by the provincial and national state starting in that period.

All the research conducted in the region was aligned in its discontinuist narratives, through whose interpretations a history of fragmented peoples was constructed and built up. At the same time, such research has fragmented us as subjects in the present, depriving us of the possibility of considering ourselves in history for a project of liberation.

The “heritagization” of indigenous material culture—its appropriation by the provincial state, in this case—creates an antagonistic confrontation with the rights of indigenous peoples (e.g., Endere and Curtoni 2003, 2006; Endere 2005; Jofré et al. 2010; Jofré and Molina 2009). Because of this, Law No. 6801 of San Juan’s provincial legislation does not acknowledge the existence of indigenous peoples, to the extent that it only mentioned them when they are established as coordinates between the archaeological and historical heritage and the people who lived there prior to the arrival of the Spaniards (Jofré et al. 2008). Shifted to the past as obsolete figures of local history, peoples who existed prior to the state have been “disappeared” by the tricky maneuver of their omission from the law on provincial heritage. This negation situates in the realm of *the unthinkable* any possible claims for return and/or recomposition of the subjects and/or communities that associate themselves with indigenous identities in the province, while obliterating the participation of indigenous communities in the Council, or any other area of decision-making or consultation with respect to the management, conservation, protection, and preservation of the “cultural and natural heritage of the province” (Jofré et al. 2010).

In that ontogenic scientific understanding that enabled the expropriation, manipulation, and display of the bodies of indigenous subjects in museums, the turning of the indigenous subject into object, and the repression of meaning surrounding their bodies, a form of terrorism was involved: *it deprived subjects of their identity and therefore their rights* (Jofré et al. 2010). The dispossession of the indigenous body occurs when the case is closed on it as “a body without ethnic and cultural identity linked to current populations.” Historical bonds are thus severed, and along with it their participation in the historical construction of the present and future of the province and nation; they are isolated (closed off) historically in support of their social and political deactivation in the present, becoming what Eric Wolf (1982) has called “people without history.”

To deny the social demands made by communities and self-ascribed subjects as descendants claiming those subjects who have been turned into “heritage” in museums is to deny their memory. These “objectivized” subjects have seen their rights lapse, perhaps because they are situated, in time, far away from the scope of modern discussions of human rights or international conventions of the ILO and

international organizations, or else for being “Indian others,” “not those of today” (Jofré et al. 2010):

The indigenous body thus transformed into heritage can be displayed because it is stripped of certain attributes that allow it to be seen as ‘the body of a subject’.” The regime of truth that guides this disciplining archaeology excludes the self-narration of those subjects who have interests distinct from those of scientists and academics (Haber 2006); for example, they exclude the demands of indigenous descendants who seek to reconstruct their past, recovering the memory of those that have been decimated physically and symbolically in this game of truths (Jofré et al. 2010:180).

Post-abysmal Thought

The Portuguese sociologist Boaventura de Sousa Santos uses a different conceptual formula to characterize modern Western thought and its historical operation in the metropolis and in the colonies:

Modern western thought is an abysmal thought. It consists of a system of distinctions, both visible and invisible, with the invisible ones forming the basis of the visible. Visible distinctions are established through radical lines that divide social reality into two universes: the universe of “this side of the line” and the universe of the “other side of the line.” The division is such that “the other side of the line” disappears as a reality. It becomes nonexistent, and in fact is produced as nonexistent. Nonexistent means it does not exist in any relevant or understandable way of being. What is produced as nonexistent is radically excluded, because it is situated beyond the universe of that which the accepted concept of inclusion considers to be its other. Fundamentally, the most characteristic aspect of abysmal thought is thus the impossibility of the co-presence of the two sides of the line. This side of the line prevails insofar as the field of relevant reality is narrowed. Beyond that, we only find non-existence, invisibility, non-dialectic absence (Santos 2010:11–12).

Western modernity possesses a sociopolitical paradigm based on the tension between social regulation and social emancipation, and this, says Santos, is the visible distinction of all current modern conflicts. But as I pointed out earlier, this visible distinction is supported on an invisible distinction that governs it and forms its foundation. “That invisible distinction is the distinction between metropolitan societies and colonial territories” (Santos 2010:12). Thus, the dichotomy “regulation/emancipation” was only conceived of and applicable in the metropolis, while in the colonies, in contrast, another kind of dichotomy was applied, tailored to the invisible distinctions of “appropriation/violence.” To strengthen these two sides of the line, modern knowledge and modern law consummated Western abysmal thought:

In the field of knowledge, abysmal thought consists of granting science a monopoly over the universal distinction between what is true and what is false, to the detriment of two alternative bodies of knowledge: philosophy and theology. The exclusionary nature of this monopoly is at the center of modern epistemological disputes between scientific and non-scientific forms of truth. These tensions between science, philosophy, and theology have become highly visible but, as I assert, all of them take place on this side of the line. Their visibility is erected on the invisibility of forms of knowledge that cannot be adapted to any

of these forms of knowledge. I refer to the knowledge of the popular classes, of lay people, of the plebe, of peasants and indigenous peoples, located on the other side of the line. They disappear as relevant or commensurable forms of knowledge, because they are beyond the scope of truth and falsehood. It is unimaginable to apply to them not only the scientific distinction of true/false but also the unverifiable scientific truths of philosophy and theology, which three constitute all acceptable forms of knowledge on this side of the line. On the other side of the line there is no real knowledge; there are beliefs, opinions, magic, idolatry, intuitive or subjective understandings, which, in the majority of cases, could become the objects or raw materials of scientific research. Thus, the visible line that separates science from other modern forms of knowledge grows on top of an invisible abysmal line, which places science, philosophy, and theology on one side and, on the other, incommensurable and incomprehensible forms of knowledge that fail to obey either scientific methods of truth or the recognized alternative forms of knowledge in the realm of philosophy and theology (Santos 2010:14)

Meanwhile, in the field of modern law we have the legal and the illegal on one side and the other of the line; these are the only relevant ways of existing, according to the official state or international law. These two domains of modern Western abysmal thought, that of science and law, the divisions made by the global lines that they helped draw, “are abysmal to the point that they effectively eliminate any reality that is on the other side of the line” (Santos 2010:14), managing to obliterate the possibility of temporospatial co-presence that leads to any radical difference in the present.

The global abysmal dividing lines of the modern period were not static; instead, they were subject to shifts, just like the lines of friendship established by international cartographic treaties. Santos argues that in the past 70 years, these lines were affected by two major tectonic shocks: one during the anticolonial struggles and the processes of independence, and the other during a second movement that he calls “the return of the colonial and the return of the colonizer,” which fact triggered a counter-movement identified as “subaltern cosmopolitanism.”

“The return to the colonial is the abysmal response to that which is perceived of as threatening to the colonial intrusion in metropolitan societies..., and it adopts three main forms: the terrorist, the undocumented migrant worker, and the refugee” (Santos 2010:21). Each of these forms involves applying the logic of the global abysmal line by which their radical exclusion and their illegality are defined. This return to the colonial represents a regression from an abysmal logic that is different from that which prevailed in the colonial period. For example, it violates its own technologies of power. The colonizer is bursting onto the scene in the territory of metropolitan societies, applying old-fashioned invisible distinctions of *appropriation/violence* designed in and on colonial territories. “Under these circumstances, the abysmal metropolitan sees itself trapped in a contracted space and reacts by blurring the abysmal line” (Santos 2010:22). The individual cannot situate himself between clear and neat lines distinguishing between old and new world, whites and blacks, between the metropolitan and colonial. “What used to be unequivocal for this side of the line is now a dirty territory crossed by a winding abysmal line” (Santos 2010:22). These new abysmal lines support a dirty cartography leading to dirty practices; on the other side of the line there is room only for the

existence of an incomprehensible subhuman territory. An example of this are the anti-terrorist laws driven by U.S. diplomacy, which voided the civil and political contents of basic constitutional rights and guarantees adopted by countries through international treaties:

Since all this happens without a formal suspension of such rights and guarantees, we are witnessing the emergence of a new form of state, the state of exception, which, contrary to the old forms of the state of siege or state of emergency restricts democratic rights under the premise of safeguarding or even expanding them. Human rights are thus violated in order to be defended, democracy is destroyed to safeguard democracy, and life is eliminated to preserve life. Abyssal lines are being drawn in a literal and metaphorical sense. In the literal sense, these are lines that define borders as fences and killing fields, that divide cities into civilized areas (more and more gated communities) and wild areas, and prisons into places of legal confinement and places of brutal and illegal destruction of life (Santos 2010:23–24).

The return of the colonizer is also expressed in neocolonial territorial land-use planning, both in the metropolises themselves and in the former European colonies; this is the new mode of “indirect government.” This is nothing other than the state removing itself from its involvement in social regulation through the privatization of public services now transferred to powerful nonstate actors who obtain, in the bargain, “control over the lives and welfare of vast populations, control over health, land, drinking water, seeds, forests, or environmental quality” (Santos 2010:24). Now the legal subject not only is tied to the modern constitutional state but also finds itself absorbed by new privatized and depoliticized contractual obligations; this is a regime of unbalanced and disproportionately asymmetric power by which “the strongest part is granted veto power over the lives and livelihoods of the weaker part” (Santos 2010:25). This is what Santos calls “social fascism,” a new form of the state of nature in perfect coexistence with liberal political democracy, which, in turn, has at least three current manifestations, to wit: the fascism of social apartheid, contractual fascism, and territorial fascism. In my analysis here, it is territorial fascism that is of particular interest, described by the Santos as the creation of new colonial territories through appropriation/violence, exercised by social actors with strong financial or military capital who fight for the state’s control over the territories in which they operate, “or neutralize that control by co-opting or coercing state institutions and exerting social governance over the inhabitants of the territory without their participation and against their interests” (Santos 2010:26).

To recognize abysmal thought and its persistence is a condition *sine qua non* to start thinking and acting beyond it, and in terms not derived from it, says Santos. The proposal for overcoming abysmal thought would be a radical shift towards a post-abysmal place, to an epistemological diversity of the world (as a diverse ecology of knowledge), a place of primordial co-presences among contemporary agents on both sides of the global abysmal line, abandoning linear conceptions of history and abolishing war as an expression of intolerance and denial of co-presence (Santos 2010). This post-abysmal thought does not require the abolition of science and other modern knowledge; rather, it demands a counter-hegemonic use of these forms of knowledge and the promotion of interconnection and interdependence between

scientific knowledge and other forms of knowledge, seeking intersubjectivity and intercultural translation, accepting the internal and external limitations that the various types of knowledge possess (Santos 2010):

[I]ndigenous movements are, in my point of view, those whose conceptions and practices represent the most compelling emergency in post-abysmal thought. This fact is the most favorable for the possibility of a post-abysmal thought, given that indigenous people are the paradigmatic inhabitants of the other side of the line, the historical field of the paradigm of appropriation and violence (Santos 2010:30).

Return of Human Bodies to Indigenous Peoples in Argentina. The Case of San Juan

Claims for return of human bodies to their original places of burial, communities, or families of origin were and are an active part of the demands that indigenous peoples have brought forth over several decades against governments and science. In the particular case of the province of San Juan, Argentina, the first public claims were made through the news media, and specific activities were undertaken by the Warpe Community of Cuyum Territory, the first group in the Cuyo region to receive legal status from the national government, which recognized its status as an indigenous community in 1996. Both before and after the Warpe Community's public demands, several other claims for indigenous bodies exhumed from their sacred memorial places of rest have been brought in the Province of San Juan, some of which never went further than the local level, and others of which only fueled the silent critical subjectivity of villagers in communities accustomed to these historic practices of looting.

For its part, Law 25,517 (2001), The Restoration of Human Bodies to Indigenous Peoples Act, was not put into practice through administrative regulations until 2010, as a result of a specific request made by a sector of the indigenous militant movement to President Cristina Fernández within the context of the bicentennial celebrations in Argentina. And although this law attempts to remedy only one aspect of the demands of the indigenous peoples, and in its origin it does not reflect the spirit of representing a territorial reorganization (the return of the bodies of our ancestors to the territory), from our point of view, this law implies the exercise of a right to demand respect for the body of our ancestors and forefathers, opening the door for reinforcement of a territorial order and placing limits on the scientific practices of archaeology and biological anthropology. Precisely this last sector—the scientific—is the one that has put up the most resistance to the regulation and the enforcement of this law of restorations. San Juan's case is a good example of this antagonism between scientificist approaches still anchored in the discourse of the extinction of indigenous peoples, and therefore the nonrecognition of rights won in our struggle, such as the "right to identity by affiliation," the right to claim respect, and the right to make decisions with respect to our cultural heritage, materials, and territories.

Background to Claims for Restoration at the Local and National Level

In the province of San Juan, claims for indigenous bodies that have been turned into “heritage” by science and the state have been brought by the Warpe Community of Cuyum Territory since the 1990s. Understood through the context of a continuity strongly anchored in territorial memory, and pointing to a public acknowledgment of the same “contemporaneity” of the community—and therefore its legitimate capacity as spokesperson in the dispute—these claims takes on a new dimension to the extent that they challenge traditional voices “authorized” to recount the history of San Juan (Jofré et al. 2011). These regional discourses from the “moral elite” of Cuyum (Escolar 2007) are institutionalized in the academic and government sectors. They have been characterized as wielding stereotyped, ahistorical, essentializing notions of indigenous identities through which they reject the legitimacy of all claims on account of the scientific impossibility of proving genetic and cultural affiliation (Jofré et al. 2011).

Thus the Warpe Community of Cuyum Territory, through letters addressed to the National University of San Juan (UNSJ) and numerous news stories in local media, requested the return of bodies considered to be Warpe ancestors. A distinguishing fact in the history of this Warpe Community was the holding of the First Re-encounter of Native Elders of the Southern Hemisphere, at which various indigenous elders from different groups, through ceremony, called on the ancestors in their original abode, in the Morrillos Grottoes and Cerro Alcazar to “ask for pardon” for the ignominy committed by archaeologists against their sacred graves. As a result, and in the context of this meeting, a document was drawn up whose points include one petitioning for the return of the desecrated bodies of the ancestors to their original place of burial. This event, unprecedented in the region, was supported by the departmental governments and had a major social impact in the province, representing a significant step forward for the Warpe people.

The public and media-directed demand of the Warpe Community in Cuyum Territory for the return of the bodies of the ancestors to their sacred resting places, their removal from display in museum halls, as well as requesting the prohibition of the sale of “science tourism” advertising material using photographs of the dead bodies of Warpe ancestors, did not move beyond the legal realm and ultimately was rejected by the Institute of Archaeological Research and Museum “Professor Mariano Gambier” of the National University of San Juan (UNSJ). The institution’s archaeologists rejected the foundations of the claim, arguing that the biological and cultural kinship between the plaintiffs and the individuals whose bodies were in the museum’s possession had not been proven (Escolar 2007), although this was never directly stated to the community, nor did they personally meet with the plaintiffs. The public refusal of Institute of Archaeological Research and Museum “Professor Mariano Gambier” professionals was rooted in a positivist conceptual bases that situated archaeology as the discipline that was responsible for “providing physical evidence” of the relationship between past and present Warpes in order to elucidate

the debate over indigenous identities “usurped” because of some political benefit or welfare, a position that has been shared, with slight nuances, between historians and archaeologists in the province and in the region of Cuyo (Jofré et al. 2010).

Years later, at the beginning of 2000, questioning the demands of the Warpe people, other claims have been processed in different sectors of the province of San Juan, such as the case of the petition for return of the body of the Young Man buried in the Incaic *Capacocha* [ceremonial child-burial] of Cerro El Toro (known locally as the “Mummy of Cerro El Toro”), also in the possession of the National University of San Juan since 1964, when the body was exhumed. This claim for return was made through a letter prepared by students and teachers at a rural school in the village of Malimán, in the north of Iglesia Department.³ The letter was endorsed with the signature of the departmental council members and was addressed to the current governor of the province, but has not received a response to date. Since 2006, teachers and students of that school, together with the Cayana Archaeology Collective, have conducted various activities aimed at strengthening this petition at the local, national, and international levels. Thus, the claim for the return of the body of the Young Man of Cerro El Toro was endorsed by a majority vote of archaeologists and anthropologists who gathered at the plenary session of the fourth Meeting of South American Archaeological Theory held by the WAC (World Archaeological Congress) in 2007 in the province of Catamarca. A year later this support was confirmed in the plenary session of the Fourth World Archaeological Congress held in Dublin, Ireland.

Other claims put forth locally by San Juan communities (with and without legal status recognizing them as indigenous through government-instituted procedures) demonstrate each day the historic debt that science and the state owe to the peoples whose ancestral territorial memories have been expropriated. The petition from the parliamentary seat of the department of Iglesia made in 2010 by a well-known resident of Rodeo, requesting the “cessation of archaeological excavations in indigenous cemeteries and their transfer to the Institute of Archaeological Research and Museum Professor Mariano Gambier”, is another case that clearly expresses the urgent need to effect change in the methodologies of plundering indigenous memory which continued to occur with remarkable force in the province of San Juan, in contravention of existing laws such as Law No. 25,517 and its Regulatory Decree no. 701/10. This legislation provides that “the mortal remains of aboriginal persons, whatever their ethnic characteristics, which are part of museums and/or public or private collections, will be made available to affiliated indigenous peoples and/or communities that claim them.”

Agreements and declarations from academic and professional associations, such as the (Declaración de río cuarto 2005) committed the archaeologists assembled at the National Archaeological Congress to agree to respect the “sacred places” of peoples

³For a more detailed treatment of this claim for the return of the young man exhumed from the *Capacocha* of El Toro, see Jofré et al. 2011 and Jofré 2012. The documentary “Hijos de la montaña” [Children of the Mountain] (2011), sponsored by INCAA and directed by San Juan filmmaker Mario Bertazzo, offers a perspective on this claim. To consult it visit <http://www.bacua.gob.ar/>

and not to conduct archaeological excavations or handle or place bodies on display, without the prior, freely given, and informed consent of the communities. This accord was ratified in the conclusions of the recent Eighth Conference of Anthropology and Archaeology of Patagonia held in October of this year, following efforts driven by indigenous representatives.⁴

Locally, in 2010 Warpe organizations in San Juan and Mendoza expressed their forceful condemnation of these scientific and state practices of looting of the bodies of ancestors and places of indigenous memory. The recent Waro Warpe Territorial Organization, which was established on May 12, 2010, in connection with the First Peoples March, "Marching for the Truth towards a Plurinational State" (whose members include the Warpe Community of Cuyum Territory, the Cacique Cochawual community of San Juan, the San Juan Cienaguita community, the Arroyo Gaquinchay community of San Juan, the Warpe Pablo Carmona community and the Warpe Peletay community), in its memorandum of agreement declares a manifesto, in which Point 5 reads as follows: "That our spirituality be reclaimed, and our calendar of sacred dates be restored, that the remains of our ancestors who are today on display in various museums be returned."

The Warpe Waro demands were also expressed in the debates and conclusions of the Plurinational Forum for the Rights of Indigenous Peoples convened on August 2, 2010, in the city of San Juan, taking place for the first time in the Vice Chancellor's office of the National University of San Juan. On that occasion, the forum brought together seven indigenous peoples (Warpes, Diaguitas, Capayanes, Wichis, Quechua-Aymara, Coyas, and the Bolivian Community of San Juan), and 46 social, political, and cultural organizations and national and provincial institutions (such as the Central of Argentine workers, National Institute against discrimination, xenophobia and racism, social movements, cultural centers, and university student organizations of the Faculty of social sciences of the National University of San Juan, among others).

The precedents to this petition also include the document produced by the First International Meeting of Indigenous Cultures held in San Luis in May 2010. Paragraph 4 of this meeting's final document states:

We support and urge that the abuse and removal of remains in the hands of archaeologists be halted, and everything that was not recorded in subsequent excavations..., taking as an antecedent the recovered Baradero Cemetery, we also request the urgent return of all remains that have been desecrated and taken to museums or laboratories.

At the national level, several returns of human bodies to Indigenous Peoples established important precedents that permitted, among other things, progress in the design and enactment of Law 25,517 and its regulatory decree 701, recently enacted

⁴See note from the newspaper Los Andes, October 11, 2011: <http://www.losandes.com.ar/notas/2011/10/11/ratifican-restos-arqueologicos-indigenas-propiedad-pueblos-origina-rios-599370.asp> (Page last visited on October 19, 2011).

in 2010 by the office of the president.⁵ The return of the remains of Cacique Inakayal to the Teka community (Cacique Inakayal Civil Association) through National Law No. 23,940, passed in the Chamber of Deputies in May 1991, was the first to take place in the country. However, the actual return of the complete body did not take place until 2006. Other returns of mortal remains to indigenous peoples also occurred in the country, jeopardizing the reactionary conservative discourses of important institutions such as the Museum of Natural Sciences of the National University of La Plata, the institution that was sued in 1989 by descendants of Cacique Inakayal through the Mapuche Tehuelche Indian Center of Chubut. Subsequently, return of the skull of the Rankulche cacique Mariano Rosas or Paghitrüz Güor (lion-hunting fox) occurred in 2001 under the auspices of National Law No. 25,276. More recently, in June 2010, the remains of Damiana, a 15-year-old Aché teenager whose body was listed under No. 5602 and also held in the Lehmann-Nietzsche collection at the Museum of La Plata were returned to the Community of Kuetuwive (district of Villa Ygatimí, Canindeyú) and legal representatives of the Indigenous Organization of Paraguay Linaje (Native League for Autonomy, Justice and Ethics).

It is important to state that in the case of the return of the body of Damiana. This was returned to the Aché indigenous community for reburial, along with the remains of the body of one unnamed subject identified as part of the same ethnic group in museum catalogs. This precedent signals an important pathway that has been opened to facilitate returns of indigenous human bodies “deprived of their identity,” as happened with the bodies of indigenous ancestors “objectified” through inclusion in museum inventories, whether they are less than 100 years old, or older. In this same vein, it is also important to note that in the laws of other countries, such as the United States, returns (which in that country are called “repatriations” to native peoples) recognize the historical tie of native communities to bodies as old as 10,000 years, the date that anthropological theories have acknowledged as the start of the process of settlement of the continent.

Finally, the most recent story of the restoration of human remains to native peoples in Argentina is the case of the significant return of 50 bodies to the Mapuche people, which had been housed at the Gobernador Eugenio Tello Museum in the city of Viedma, in the province of Río Negro, an event that occurred in June 2012.⁶

⁵To see recent debates and discussions concerning the return of human bodies to indigenous peoples taking place in Argentina, and informed analysis of these claims, see Curtoni and Chaparro (2009), Curtoni y Chaparro (2009), Pepe et al. (2008), the first edition of the virtual journal CORPUS (Lazzari eds. 2011) and the volume edited by Jofré (2010).

⁶See notes and related videos at:

<http://grupoguias.blogspot.com.ar/2012/06/restitucion-de-restos-humanos-al-pueblo.html>

<http://www.youtube.com/watch?v=54ITSZv5vgw>

<http://argentina.indymedia.org/news/2012/06/815246.php>

<http://www.mapuche-nation.org/espanol/html/noticias/ntcs-484.htm>

The Petition to the National University of San Juan

In October 2011, in the context of the Seminar on Human Rights and Genocide held by the Office of the Vice-Chancellor of the National University of San Juan and the National Institute against Discrimination, Xenophobia and Racism (San Juan Delegation), with the noteworthy presence of historian and renowned human rights activist Osvaldo Bayer (honored by the National University of San Juan with an honorary doctorate) and the Amta Warpe Paz Argentina Quiroga, a petition containing eight points was ceremoniously submitted to the Vice-Chancellor of the university (Fig. 5.1).

The petition contained a folder with the fundamentals and history outlined in this presentation, the fruit of meticulous research work and militant activism, whose opening paragraph declares the following:

This document is a petition, under the framework of National Law No. 25,517, addressed to the Vice-Chancellor of the National University of San Juan, Dr. Benjamín Kuchen, and through him to the High Council of the institution. This document contains a series of points demanded by the Warpe community of the territory of Cuyum and the Warpe Waro Territorial Organization, asking that the return of remains of indigenous bodies housed and displayed in the facilities of its museums and research institutes be addressed.



Fig. 5.1 Handing over of a petition of restitution of bodies to Indigenous Peoples to the National University at San Juan. October 28th 2011, Presidency of the National University at San Juan. Sitting from *left to right*: Amta Warpe Paz Argentina Quiroga, wampen warpes, Osvaldo Bayer, known human rights militant, and the author (Photo by Colectivo de Arqueología Cayana)

The bodies of our ancestors are part of the memory of an ancient territory that was subjugated for more than five hundred years, and their right to eternal rest in their sacred dwelling places is part of the “rights of the Mother Earth” to welcome her children into the maternal womb. To care for, respect, and defend the memory of our ancestors, and thus our Mother Earth, means to care for, respect, and defend our rights as subjugated indigenous peoples, who were raped, forcibly expropriated, and decimated by the modernizing and colonial projects of the territories founded on a legal system imposed by capital. The claim to return the bodies of our ancestors to the earth has a profound meaning in terms of identity; it implies an act of reaffirmation of our preexistence in the millennial territory, the renewal of a commitment to unity between our body and the territory. One cannot be acknowledged without the other; they are part of an inseparable whole. From this knowledge, our aboriginal knowledge, we proclaim the right to honor the memory of our dead, who still live through us and thanks to whom we exist today and are present in the territory.

Finally, the petition posed eight clear points, to wit:

Based on these fundamentals expressed in this document, the Warpe Community of Cuyum Territory and Warpe Waro Territorial Organization beseeches the Vice-Chancellor of the National University of San Juan to attend to the following list of demands so that they may be addressed and decided on by the High Council of this institution of higher education:

WE REQUEST

- That all its units, in all its departments of Museums, Institutes and Research Centers (such as the Archaeological Research Institute and the “Prof. Mariano Gambier” Museum), be immediately ordered to implement and comply with National Law No. 25,517, whose enforcement authority is the National Institute of Indigenous Affairs (INAI), with respect to the Return of Human Bodies to Indigenous Communities, whose Article One establishes “that the remains of indigenous persons, whatever their ethnic characteristics, which are part of museums and/or public or private collections, will be made available to relevant indigenous peoples and/or communities who claim them.”
- Acknowledge and follow up on petitions containing claims for the return of human bodies to their original burial places, publicly demanded by the Warpe Community of Cuyum Territory and the Malimán Community (Iglesia Department) for the bodies exhumed from the sacred sites of Morrillos and the Capacocha of Cerro El Toro, and follow up on other claims that may be submitted, taking into account the legal frameworks that address such claims.
- Immediately order that ALL indigenous human bodily remains in possession of all UNSJ units and faculties be removed from display.
- Prepare a comprehensive inventory of indigenous human bodily remains, whatever their origin, ethnicity, or chronological age, that are housed in its museums and research institutes, so that the return processes can be initiated, pursuant to the provisions of the aforementioned law, as well as ensuring the respectful treatment of the remains while their return to the communities is being decided on.

- Order the implementation of prior and informed consultation with indigenous communities—with or without official legal status as such—before carrying out any research project or archaeological impact studies that includes the study of human remains and places of indigenous memory.
- Ensure indigenous participation in University Councils (associated with their departments, institutes, and museums) that make decisions relating to the administration, custody, research, and management of indigenous remains and the historical and archaeological heritage of the original communities.
- Negotiate the means by which UNSJ may review the content and methodologies used in its Educational and Cultural Policies for Indigenous Peoples, ensuring respect for the autonomy of indigenous communities and organizations that are the subject of the various programs and work plans implemented by this institution of higher education.
- Respond to this petition within six months.

The petition is supported by a long list of signatories, along with letters of support from indigenous communities and peoples in the province, in the Cuyo region, and the country, as well as a list of professionals, including some in high academic regard, and even some of the provincial museums.

To officially address this petition, a case was opened by the Vice-Chancellor's Office of the UNSJ, whose office number is 01-7750, dated October 30, 2012. From the time it was submitted, the Office continued adding pages to the case file after it was discussed by the University Council and then forwarded to the School of Philosophy, Humanities and the Arts for processing, and from there to the Professor Mariano Gambier Museum.

Ethics and Disciplining in South American Archaeology

The vision, wisdom, and knowledge adopted in the work make de-colonial thought its weapons, whose pluriversal genealogy is structured by the colonial difference (Mignolo 1992, 1998). De-colonial thought is produced in contact zones or spaces of colonial encounters where geographically and historically distant peoples come into contact to constitute one another mutually (Pratt 1997) through hegemonic power relations constituted in modern Western thought. This abysmal though consists of drawing invisible and visible lines which determine the impossibility of the co-presence of distinct forms of existence on the other side of "the abysmal line." Born in the fifteenth century under Spanish mercantilist expansion, Western abysmal thought established by the Eurocentric myth of modernity (Dussel 2003) was the source of a number of Western dichotomies that centuries later would end by granting modern science a monopoly on the universal distinction between truth and falsehood, the origin of modern epistemological disputes between scientific and nonscientific forms of truth (Santos 2010; Mignolo 2000, 2001, 2007).

Just as de-colonial thought produced in contact zones or colonial borders is a critical border through which the production and political and social activism of peoples of indigenous and African descent are historically recognized, it can also be a radical shift towards a post-abysmal space, a space of primordial co-presence among contemporary agents on either side of the global abysmal line. This de-colonial, post-abysmal thought calls for the plurality of wisdom and knowledge and does not require the abolition of science and other modern forms of knowledge. Rather, it demands a counter-hegemonic use of such forms of knowledge, and it promotes the uprising of subjugated forms of knowledge (Santos 2010). Because of this, genealogy—as a tactic or theoretical perspective of research—maneuvers within these contact zones, at the intersection of these forms of knowledge and wisdom that confront the scientific hierarchy of knowledge and its intrinsic effects of power.

Looking for de-colonial, post-abysmal paths, I adhere to an experience in progress recognized as a collective construction of knowledge (Jofré 2012) from which standpoint it is possible to release oneself from subordination to preestablished archaeological disciplinary ethical canons.

The indigenous archaeology to which I subscribe is fed by collective experience, which is seen as a new space of social practice where knowledge is produced and new forms of sociability are tested. In this theoretical-activity trajectory I furthermore explore, I speak out loud as I go, I think and I feel certain categories of thought from indigenous archaeology that allow me to narrate the starting points of my research, mainly concerning my personal involvement or the process of self-recognition in the face of the aftermath of transgenerational historical trauma. From this standpoint I create my own political self-determination in a place defined as one of “dual consciousness” (Jofré 2012). I situate my research within indigenous intellectual production, deciding on a place of enunciation that allows me to raise my own voice. And thus, in this way, I demand and propose a polyphony within the discipline that leads to the decolonization of its categories of thought and colonial hierarchical forms of sociability.

In this paper I emphasize the fact that archaeological narratives, and therefore the ethics to which they are bound, are linguistic productions thought up and written largely by intellectuals from anthropological and archaeological academia, who also mediate and arbitrate their own interests and the interests of national, provincial, and global political projects that include them in, and exclude them from, social networks, with their hegemonic frameworks of power.

The subversion of these scientific narratives within the projects of the communities themselves, such as happens in the demands for the return of the bodies housed in Argentina’s archaeological museums, acquires a political dimension which obliges disciplinary boundaries to be forced open, and re-situates the problematic in the arena of hegemonic disputes, where the rewriting of “our history” is settled in order to achieve another, more just, sociopolitical reality.

Some noteworthy specifics of the claims for the return of the bodies of our ancestors raised by the Warpe Community of Cuyum Territory are seen in the fact that scientific research itself, in the hands of indigenous peoples (in this case

anthropological and archaeological research), can also be put to the service of the struggle to defend our rights. This throws the old paradigms into crisis and historically dismantles the scientific discourse of normative archaeology which, in turn, informs laws on heritage, both provincial in the case of Law No. 6801, and national, as with Law No. 25,743.

Finally, the responses of the institutions affected by the claim from the Warpe Community Cuyum Territory—the UNSJ High Council and the Prof. Mariano Gambier Archaeological Museum, make it clear how obsolete and inconsistent the legal framework on the issue is. But above all, this debate openly exposes the fact that at the local level we still lack the political will to address these legitimate demands for the defense and exercise of our rights as indigenous peoples.

It will not suffice to symbolically recognize our human rights as indigenous peoples through the creation of internal university apparatuses, such as endowed chairs, scholarship programs, university volunteers, and programs addressing indigenous affairs and human rights, if these do not serve to support claims arising from the peoples themselves who are the objects of their so-called policy of increasing visibility. This same university delays and denies rights guaranteed by the national constitution, international conventions, and declarations to which Argentina is a signatory member. It puts forth scientific discourse in the name of “disciplinary ethics” that only serves the modernizing project applicable to the format of “archaeological heritage” as the road toward development. All this occurs in order to continue protecting a violently discriminatory hegemonic ideology that is implicated in the ethnocide of our peoples, produced and sustained by a small sector that is reactionary toward changes in the recognition of rights of indigenous peoples who until recently had been relegated to the display case of prehistory.

The mark of the Indian that still inhabits our body mobilizes and represents the emancipation of our small voices. It does not seek representation, or demand a new space of enunciation situated in the dialogic space where the co-presences of a plurality of voices recognized in a nonlinear multitemporality are mutually constituted. As Gayatri Spivak argues (1994), the voices silenced by power are unrecoverable; any attempt to restore the voice of the subaltern consciousness runs the risk of falling into the space of a logocentric violence. In other words, to build a representation of the subaltern from the standpoint of the historiography of power serves only to remove the voices of domination; it is the very reproduction of that power that continues subjecting them (reducing them) to such a representation. There are no subaltern voices to make speak; there are only textual designations. The subaltern (in this case, the indigenous or nonwhite intellectual) would then be a blocked subjectivity. She cannot speak, not because she is mute or does not have her own voice, but because she lacks a space of enunciation. To escape from the position of subordination, the subaltern needs to acquire her own voice, to speak for herself; otherwise, while the subordinate is subalternized, she cannot speak (Spivak 1994). Hence, and for this purpose—that of ceasing to be subalterns—we raise our voices, so long silenced. We cry out our pain “without asking permission”; we look at our dark faces and hands, we embrace the recollection of memory, we tell “our history” and

in that way we try to put into words the vacant space occupied by painful silence, knowing that this silence has been a space of both punishment and survival.

Claims for the return of the body of our ancestors in the context of our territorial struggles run counter to “territorial fascism” (Santos 2010) involved in the “return of the colonizer” that characterizes this postdisciplinary stage. The latter consists in applying the logic of the global abysmal line through which the radical and illegal exclusion of other thoughts or epistemes are defined, the ones that belong to persons who are denied co-presence in a single time-space. But as Haber (2012) suggests in his reflection of the “dark side of heritage,” this return to the colonial (this recapitulation of the disciplinary stage of archaeology, in the words of the author) supposes a return to an abysmal logic distinct from that prevailing in the previous period, since as Santos quite rightly points out, it transgresses its own technologies of power. These new abysmal lines applicable to postdisciplinary ethics in archaeological science support (feed) a dirty cartography that leads to dirty practices. On the other side of the line there is only room for the existence of an incomprehensible subhuman territory: bodies of “the disappeared” stripped of their own history, bereft of an identity that would locate them in a genealogy and that would unite them to the territory, which would join them to the fight put forth by indigenous communities forced to uproot their ancestral memory in the name of a promise of development within this new form of indirect government for which the state delegates our welfare into the hands of transnationalized capital for the unlimited extraction of minerals, metals, and fossil fuels.

One remarkable feature of this claim for the return of human bodies to indigenous peoples and communities in San Juan (it should be noted, a province “launched toward mega-mining development” in the hands of transnational companies such as Barrick Gold and Xstrata Copper, among others) is that it highlights the territorial nature of this claim, pointing to the fact of the cosmological bond between body and territory inseparable entities reconstituted in the memory of the peoples, even after thousands of years. Thus, it is openly suggested that the claim for the return of the bodies of our ancestors is for their reburial in their sacred resting places, demanding thus the recognition of these places as part of an ancient territorial memory. That is, the dispute over their bodies is one that is arranged by territory. This same territory is, from the other side of the abysmal line, given the name of “exploitable resource sold to capital.” This struggle calls for the reaffirmation of our identities in relation to a territorialized memory, demarcated also by the body of our ancestors and their cultural affiliation, which are no longer allowed to be thought of as archaeological heritage that produces returns on the flexible market of state-sponsored tourism. The same state which is now manipulated by a new transnationalized politico-economic power, with which it coexists and negotiates the past of our people and communities in the name of the future of an increasingly flexible capital.

Thus, rebellion against this postdisciplinary ethics mobilizes a hegemonic contest in which their struggle brings territories into being. It is a question of counter-hegemonic social and cultural practices denouncing the scaffolding of power that works through expropriation/violence perpetrated against our people in South America. Critical reflection on postdisciplinary archaeological ethics at this stage

cannot be abstracted away from this hegemonic dispute unleashed in and by the territories enslaved by capital, because it is the product of this neocolonial territorial restructuring, this territorial fascism, a new form of the state of nature in perfect coexistence with liberal political democracy.

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