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US AND THEM

RESEARCHING DEEP ROOTS OF ANDEAN CULTURE

ARIJ OUWENEEL

Pars pro toto: a part taken for the whole. I have always liked the idea of discussing a research project based on one case only. Even a few short images on YouTube can tell all. October 7, 2007: a surveillance camera inside the S-8 suburban line from Barcelona to Martorell captured scenes of an apparently unprovoked attack. The footage indicates that the time was 11:45 PM. A fifteen-year old Ecuadoran immigrant sits alone to the left in a train compartment, ostensibly reading and sending text messages from a cell phone. Nobody is sitting next to her or across from her. At the station Sant Boi de Llobregat, twenty-two year old Sergi Xavier Martin Martínez (hereafter: S.X.M.) enters the train compartment. He is talking on his cell phone, rather loudly in fact, and takes a seat in the right section of the compartment. Witnesses testified that he said things like: “I killed the Moor. I cut his jugular. I left the woman unharmed. I have friends who can do something as well. I do not know why these filthy migrants come here.” He is wearing blue jeans and a pink-red sweater and must be proud of his meticulously tended crew cut. A young man on a nearby seat watches him.¹

¹ Later on, this young man turned out to be an immigrant from Argentina, anonymously called “P” in the verdict (later identified as Jesús Prieto, age 23). After some time, he provided a press release, asking the television (which had offered him up to € 3,000 for a public statement) and newspapers to leave him in peace. He affirmed that he was aware of his passive behavior during the attack, but he had been deeply terrified. His main action consisted of advising the girl to alert

Of course, S.X.M. notices the Ecuadoran girl. In the trial, her identity is concealed as a protected witness. “Here is another such filthy migrant,” S.X.M. was heard saying, and: “I feel like...” Seemingly agitated, S.X.M. stands up and appears to walk on to the next compartment but suddenly begins harassing the girl. He insults her. The girl tries to repel him with one arm. He grabs one of her breasts. Again, the girl tries to ward him off and responds to her attacker verbally as well. She bends forward to protect herself. S.X.M. seems to walk on. But the moment the situation seems safe again for the girl, he rapidly returns and kicks her violently in the face. Next he punches her, insults her, and slaps her in the face again. He shouts: “Death to all migrants.” At the next stop, Colonia Güell, some seven minutes after he had entered, S.X.M. leaves the train. Outside, he strikes the window next to the girl, shouting: “Filthy migrant, whore, go back to your country!” Immediately, the girl jumps to her feet and walks away from the window. She calls the emergency number.²

To the press and, later, in court, the perpetrator stated that he had no recollection of this act at all and was shocked by the video. He said that he had been drunk and high on XTC and begged the girl’s forgiveness. The girl and the other young man present at the time refuted his defense. They did not remember smelling alcohol, nor had they noticed any signs that he was drunk or under the influence of drugs. The video confirmed their statement. S.X.M. was ultimately convicted of xenophobia (a “*delito contra la integridad moral*,” an offence against moral integrity or moral security) which carries an eight-month prison sentence. In addition, S.X.M. is subject to a restraining order requiring him to remain at a distance of at least a kilometer from the girl for three years and was fined € 6,360. Meanwhile, the girl had changed schools and transformed her lifestyle. For the time being, she no longer rode trains alone, especially not at night.

The Colonial Contract

This chapter is tentative in nature, even speculative, and far from conclusive. Unlike my co-authors in this *Cuaderno*, I have not conducted fieldwork and cannot base conclusions upon interviews or

the police. He also pointed at the camera, indicating that there must be evidence; the YouTube footage shows no sign of such action, however. He had left Argentina eighteen months earlier with his girlfriend in the hope of living amid greater tolerance in Spain—an ideal that now proved futile. See: “Las teles ofrecen € 3.000 al testigo de la agresión racista por contar su experiencia,” at: <http://blogs.periodistadigital.com/24por7.php?cat=100> (accessed February, 2012, or: 02/12).

² For the image, for example: <http://www.youtube.com/watch?v=UcIsvoBHR0andfeature=related> (02/12). For the verdict in this case, see: Juzgado de lo Penal número 16 de Barcelona, PA 672/08, Sentencia 111/09, March 16, 2009.

other qualitative data from the actual research sites. If anything, this chapter is desktop research. I read the *sentencias* (sentences of the court) and the relevant newspaper articles, and I watched YouTube footage and read research reports and other publications by Spanish investigators. The result was articulated to published work I found in the library and personal experiences in the field in Peru and Colombia. My work was guided by one question: how can the preceding contributions help us understand the girl's reaction? After all, she did call the authorities, and the case was tried in court and led to a conviction.

Nevertheless, despite its speculative nature, this chapter can be read as another example of the ecological approach, which concentrates on the direct interactions between a population and its environment or habitat; in this case, the use of cultural resources as limited to groups or networks of people, certain spaces, and specific places. It is as if people arriving from outside can simply “plug in” to share the use of these cultural resources consciously, if they wish, or unconsciously, mimicking habits, internalizing norms and values and adopting mental schemas. This might indeed be true, as the ecological approach is above all an implicit contract between groups of people, regardless of the soil beneath their feet. Submission to local cultures (including all global or universal characteristics these might possess) is strong for one migrant but starts to diminish with two, when they decide to live together. Between them, in daily life, they would behave and speak as if they were “back home,” still using many cultural resources from their place of origin. In Cusco, for example, I met a recent migrant couple who spoke Quechua in their home but Spanish outside. In the kitchen, guinea pigs roamed freely (ready to be cooked), and the entire design and layout of their dwelling was as it had been in their town of origin. Everyone in contact with internal migrants in Latin America or international migrants elsewhere in the world can undoubtedly relate many more such examples.

The use of cultural resources from “home” thus increases with the concentration of migrants. This is the case in Spain, where thousands of Latin Americans settled in the first decade of the present century. Many come from the Andes, especially from Ecuador. They found work as domestic servants and in the construction industry. This must have been *déjà vu*, because the formerly colonized (the majority of Andeans still have deep Amerindian roots) went to serve their colonizer yet again. Conditions in Spain are difficult. Once again, the Andeans experienced the exploitation of low wages and long working hours; they also suffered the discrimination of being treated as “alien” and “less.” At the same time, once again, many exploited and discriminated adult migrants have sued for their rights in court—and won. Others, the youth, also using ancient cultural re-

sources, rebelled and, triggered by riots, started fighting back in organized gangs. Although this sounds like a modern, global response, I found enough characteristics in their actions to stipulate that the Andeans in Spain have remained above all Andeans.

Echoes of the colonial ordering reverberate. During the three centuries of colonial submission, the colonized had the status of *indios* as members of the Amerindian Order or *república de indios*. Spaniards, mestizos, and other “non-*indios*” were administratively and legally embedded in the *república de españoles*. This was not a static arrangement. In many cases, the population adopted different customs and, above all, “amerindianized” modern customs, values, and norms. They continue to do so to this day. The majority of the former *pueblos de indios* are now integrated in the mestizo population of the continent, even though this “other part” of the former *indios* shares the same history as the population referred to as “*indígenas*.” During the colonial era, other communities were formed on large estates (like haciendas) run by Spaniards or on previously deserted or sparsely inhabited lands. Although all lack “original” or “indigenous” roots, most of these hacienda residents were called *indios* as well. If they paid a *tributo* (head tax), they shared the same legal status as other members of the *república de indios*.³

The British anthropologist Tristan Platt has described the relationship between the *repúblicas* as a *pacto de reciprocidad* or social contract: recognition of traditional rights on lands in exchange for the obligation to pay *tributo* and the recognition of the sovereignty of the Spanish Crown.⁴ This hypothesis is tinged with liberal equality embedded in Social Contract Theory or SCT, known for example from Socrates (470BC–399BC), Thomas Hobbes (1588-1679), John Locke (1632-1704), Jean-Jacques Rousseau (1712-78), and John Rawls (1921-2002). Put simply, SCT stipulates that a society is formed by people who gave up several individual liberties to benefit from the social. The Spanish translation—meaning “reciprocity pact”—somehow captures this best: “If you leave me in peace, I won’t bother you either.” In our Dutch world it actually sounds tolerant: “If you let me pray to God my way, I’ll leave you to practice your customs.” At the time, progressive European thinkers admired the Seventeenth-century Dutch Republic for this. The question of course is whether

³ On “amerindianization,” see Ouweneel, *Flight* (2005), pp. 109-129. Also: Mills, *Racial* (1987). More on the *repúblicas*, see: Ouweneel, *Shadows* (1996), *Ciclos* (1998), *Psychology* (2002), and the note “Snapshots of the *República de Indios*,” published as an appendix in Kevin Gosner and Arij Ouweneel (eds.), *Indigenous Revolts in Chiapas and the Andean Highlands*, Amsterdam: CEDLA LAS 77, 1996, pp. 259-262, available on-line at: http://www.cedla.uva.nl/50_publications/pdf/OnlineArchive/77IndigenousRevolts/pp-259-282-Appendix&Bibliography.pdf.

⁴ Platt, *Estado* (1982), p. 40.

this idea of free choice camouflages other or even more fundamental arrangements.

Political philosopher Charles Mills says it did:

White supremacy is the unnamed political system that has made the modern world what it is today. You will not find this term in introductory, or even advanced, texts in political theory. A standard undergraduate philosophy course will start off with Plato and Aristotle, perhaps say something about Augustine, Aquinas, and Machiavelli, move on to Hobbes, Locke, Mill, and Marx, and then wind up with Rawls and Nozick. It will introduce you to notions of aristocracy, democracy, absolutism, liberalism, representative government, socialism, welfare capitalism, and libertarianism. But though it covers more than two thousand years of Western political thought and runs the ostensible gamut of political systems, there will be no mention of the basic political system that has shaped the world for the past several hundred years. And this omission is not accidental. Rather, it reflects the fact that standard textbooks and courses have for the most part been written and designed by whites, who take their racial privilege so much for granted that they do not even see it as political, as a form of domination.⁵

In short, the basic foundation of SCT is wrong: “If we think of human beings as starting off in a ‘state of nature,’ it suggests that they then decide to establish civil society and a government. What we have, then, is a theory that founds government on the popular consent of individuals taken as equals.” In colonial constructions, this is not the case. Mills read the conditions of SCT differently and saw a contract, “though based on the social contract tradition that has been central to Western political theory, [which] is not a contract between everybody (‘we the people’), but between just the people who count, the people who really are people (‘we the white people’).” He recommends understanding SCT as being anchored in Racial Contract Theory or RCT. According to Mills, RCT stipulates that from the sixteenth century onwards, the colonizers have determined the parameters of social contracts worldwide. In his “Overview” chapter, Mills discusses RCT as being “political, moral and epistemological,” as “a historical actuality,” and as “an exploitation contract that creates global European economic domination and national White racial privilege.” Because of its similarities with PostColonial Theory, or PcT, the living legacy of colonialism and imperialism as theorized by, among others, Frantz Fanon (1925-61), Edward Said (1935-2003), Gayatri Chakravorty Spivak (*Critique of Postcolonial Reason* [1999]), or Dipesh Chakrabarty (*Provincializing Europe* [2000]), it seems appropriate to speak of a Colonial Contract, or CC. According to PcT, the effects of colonialism are enduring and permanent, despite massive resistance and adaptation. The colonial *repúblicas* and its con-

⁵ Mills, *Racial* (1987), p. 1.

temporary legacy can be theorized through PcT and Mills' RCT as Colonial Contract Theory.⁶

One problem is how to address the Ecuadorians and Peruvians in Spain. Scholars dealing with their family in the Andes continue to refer to them in CC terms as "Indians," "Amerindians," *indígenas*, or indigenous people. All chapters in this *Cuaderno* struggle with this rather confusing CC terminology. Of course, PcT stipulates that despite their urban focus, in most of the previous chapters the "ethnic" question, once called the "Indian Problem" (*el problema indígena*), remains part of the argument. In a sense, the late Andre Gunder Frank (1929-2005) laid the foundations for the contemporary version of the PcT-CC with an essay originally drafted as a report to the United Nations Economic Commission for Latin America (ECLA) in the early 1960s. "On the 'Indian Problem' in Latin America" still reads as a remarkably current argument, despite a series of dated facts. In this essay, Frank demonstrates that the "indigenous" populations of Latin America find themselves fully integrated in the capitalist structure of the continent, "albeit as super-exploited victims." Their "supposed backwardness" is a characteristic feature of capitalism in Latin America, he says. Therefore, Frank believes that the "all-too-common policy of trying to 'integrate' the Latin American Indians into national life" is inevitably "senseless and condemned to failure." Mills would eagerly agree. To establish a more egalitarian-based social contract, according to Frank, the enduring CC itself must be uprooted. This means not only political, social, and economic decolonization but also cultural, epistemological, and ontological.⁷

In theory, decolonization should also be conceptual. This is still problematic. As part of the colonial legacy, the descendants of the population that was once indigenous to Latin America is still popularly called *indígena* ("indigenous"). From a socio-cultural and historical perspective, this term is a misnomer, of course, because after more than five centuries, contemporary peoples can no longer be directly linked to an "indigenous" genealogy. One problem is that, as is typical of the colonial legacy (CCT), continued implicit use of terms like "indigenous" and "Indian" risks pushing the people back into the past: the "indigenous" is traditional, not modern. If we wish recognize their identity as a colonized population—acknowledging both their exploitation by the colonizers and their success in resisting encroachment and coercion—it would be more accurate to speak of "Amerindians" than of "indigenous." This could include mestizo communities. The word "*indígena*" is often used as a kind of self-chosen positive sobriquet or honorary designation for the contempo-

⁶ Mills, *Racial* (1987), quotes from p. 3, for an overview pp. 9-40.

⁷ Frank, "Indian" (1967), pp. 121-142, quotes from the "Preface," p. xii.

rary politics of emancipation, as is the term “*originarios*” (“originals”).

The second problem is more fundamental. Because the Colonial Contract is based on the Racial Contract, the terminology sets the colonizers apart as white and the colonized as non-white. This terminology is confirmed every time a specific term synonymous with “non-white colonized” is used. The word “indigenous”/ “*indígena*” comes from this source. Decolonization here starts with abandoning such terminology and replacing it, for example, with geographic terms (e.g., “Andino”). In the explicit world of official institutions, however, the terminology is the living proof of the enduring constitution of the Colonial Contract. In fact, in several countries, the concept of “*indígena*” has received constitutional recognition, transforming the term into an official category not unlike the term “*indio*” during the colonial period. In countries like Ecuador, Peru, Colombia, Guatemala, and Peru, the “*indígena*” is therefore back on track toward becoming an artificial person in private and public law.⁸ Seen from the postcolonial perspective, this could be a drawback, but the peoples involved do not see it that way. Anyhow, neglecting the colonial past of Andean migrants in, for example, Spain is fundamentally wrong. As I see it, the case of the S-8 attack must be anchored in the Colonial Contract.

The Stigma in Spain

The attack in the S-8 suburban line from Barcelona in October 2007 instigated a public outcry. The scenes brought swift reactions of disgust from journalists, politicians, bloggers, and the general public in Latin America, Europe, and Spain. In Spain, the video caused others to reflect on the status of immigrants in their country. Perhaps for that reason, the institutions did not let the girl down. She was examined medically and psychologically. The girl sustained various injuries and suffered from post-traumatic stress as well. The video from the security cameras was included as evidence in the trial. In addition, the judge ordered S.X.M. not to leave Colonia Güell de Santa Coloma de Cervelló, where he lived with his father and his grandmother. After the girl made her statement about the attack, the youth was arrested—especially to protect the victim. In the meantime, the Ecuadorian Embassy had taken steps to have the attacker prosecuted. Even President Rafael Correa, who was visiting Italy at the time, interfered in the matter, instructing his executives. In Spain, several

⁸ For more on the *repúblicas*, see Ouweneel, *Shadows* (1996), *Ciclos* (1998), *Psychology* (2002), and, *Flight* (2005).

manifestations were organized against racism in cities like Murcia, Valencia, Bilbao, Barcelona, and Madrid.⁹

The fact that the victim testified in court seems to me to be the first reason to think about CCT. In a way, the subsequent actions taken by the mother Alexia Alejandrina Morla can be understood both as typically Andean and as an example of a novel situation her family was experiencing. These novelties seem clear. Reading Ypeij's words above about the obstacles that single mothers face in big cities, the family situation of the Morlas should be judged as emblematic. Although the NGO SOS RACISMO of Catalonia assisted her every step of the way, Mrs. Morla had to take initiatives to care for her daughter and ensure that a proper report was officially filed at the court to prosecute S.X.M. In Guayaquil, Ecuador, the girl's father William Morla was asked to comment on the case on national television, and his government arranged for him to travel to Spain to assist his daughter. But he had not seen her for two years, ever since she left for Spain to join her mother and her older sister. The mother had left Ecuador seven years earlier, while the father stayed behind in Guayaquil to care for his 83-year old mother and a sister. He had worked previously in Spain in 1998. Little is known about this family, but, as Ypeij concluded regarding Lima, the very fact that Mrs. Morla generates an income in Spain for her family, perhaps including her husband in Ecuador, may signify a crossing of gender boundaries and resistance to existing gender inequalities. The trip made by the father to Spain could be understood as reproducing gender and class inequalities (he would "naturally" take the lead now), but her earnings would have given Mrs. Morla a tool for renegotiating her relationship with him. Scholars and students should not dwell excessively on the many ways that gender inequalities are reproduced, because it might negate the importance the women concerned attribute to their income and economic activities. For Mrs. Morla, the decision to press charges fits perfectly in the overall process. Indeed, this is a small step forward in the complex and slow process of social transformation and strongly merits additional research.

In the struggle for justice, I have the impression that although the mother had taken the decisive initiatives rather than the father, she received competent assistance from local activists. Persuading the victim to testify in court must have been difficult for them. Psychologically, the S-8 suburban line can be considered part of a "safe" situation, as her daily commute between work or school and the home where she lives with her mother and sister. In short, S.X.M. had attacked her on a kind of safe home ground. This is deeply injurious.

⁹ See *ExploRed*, "¡Inmigrante de m..., vete a tu país! 28/Octubre/2007, Archivo de Noticias de Ecuador," at <http://www.explored.com.ec/noticias-ecuador/inmigrante-de-m-vete-a-tu-pais-280885-280885.html> (02/12).

On the train, the Ecuadorian girl must have experienced acute shame and embarrassment. Long neglected by most social science theories, this factor should not be underestimated. “Shame is bound up with our acute sense that we are the target of other people’s aversion, particularly disgust, physical or moral.” Our immediate response, Patrick C. Hogan recalls, is the wish “to hide, disappear, or die.”¹⁰ Perhaps the first to notice that shame has an innate basis in humans was Charles Darwin (1809-82). He realized that humans blush with shame. He wrote to colonial administrators and missionaries all over the world to ask them if this held true for the people under their care as well. Since it did, blushing with shame was not first and foremost cultural. In fact, “it had to have *evolved*, in the biological sense of the word.”¹¹ In his *Moral Origins* (2012), Christopher Boehm demonstrates that shame is universal all over the world, but guilt is not. He argues that guilt is culturally bound to the Judeo-Christian world. Guilt is not “frequently on the tongues,” he says, “of Buddhists or Hindus or Confucians or followers of Islam.”¹² This sounds like the CC in reverse but excludes shame from any “contract” argument.

Feelings, however, can be culturally manipulated if needed. For example, whether or not they blush, people may resist the attitude of submission and obedience and respond with appeasement, contention, protest, or riot. This response is popular among organized minority groups raised in colonial or postcolonial settings, and we usually recognize them in their state of ethnically or gender-inspired social movements. Again, they would adopt some more or less universal characteristics, because social psychologist Aaronette M. White reminds us that organization includes rituals:

Social movement theorists have noted how rituals can serve as important mechanisms for challenging dominant norms and mobilizing participants. The Black liberation movement thrived on songs, poetry, rallies, chants, and a host of other rituals to evoke certain emotions that drive protest. The feminist movement also uses a variety of rituals to produce solidarity among women, such as speak outs on rape, healing circles, and Take Back the Night marches. Rituals dramatize inequality and injustice; at the same time, they allow feelings of ‘fear, shame, and depression to be transformed in to feelings conducive to protest and activism rather than resignation and withdrawal.’ The rituals performed at these meet-

¹⁰ Hogan, *Affective* (2011), pp. 36-37; Arneson, “Shame” (2007), p. 36.

¹¹ Boehm, *Moral* (2012), p. 14 (quote, italics in original).

¹² Boehm, *Moral* (2012), p. 19, on p. 20 he writes (italics added): “a moral word similar to ‘guilt’ is *not* to be found in many world languages [... but], ‘shame words’ do appear everywhere, and they seem to be quite prominent in people’s minds.” Furthermore, “shame feelings are directly linked to a universal physiological response” (*blushing*), “whereas guilt has no such physical correlate as far as we know.” If anthropologists and sociologists speak of “shame-guilt cultures,” they seem to be wrong. There is a “guilt culture”—the one with Judeo-Christian roots—but shame is universal world-wide, not necessarily articulated to guilt.

ings (libation ceremonies, testimonials, and singing) may have increased the salience of a Black feminist perspective and identity in a supportive environment. In addition, most of these women belonged to organizations and networks that emphasized the empowerment of women—economically, spiritually, emotionally, and physically (health wise). The combination of these embedded networks, direct contact with organizers, and the rituals created some of the important conditions for participation as described by recruitment analysts.¹³

Here we see the direct articulation of primary, secondary, and tertiary artifacts: the ritual, what it means, and what purpose it serves. Apparently without such backing, the victim responded actively. Calling the police, as she did, reveals remarkable confidence either in the Spanish police or in her own powers of resistance. We learn from De Waardt's chapter that being a "victim" may be intrinsically stigmatizing: people might think that they are to blame for their misfortune. Had Mrs. Morla's daughter been negative? Passive? This is how she avoided the impression that by not resisting the assault or failing to fight back sufficiently in the eyes of the attacker, in some bizarre way, she would come to be regarded as a participant who had consented to undergo his abuse.¹⁴ Victims of violence may also use their communal roots to organize or to seek organizations that may serve their interests. I have no indication that the Morla women belonged to any organization, but the interest of SOS RACISMO served them well. In addition to obscuring gender boundaries at home, their resistance is the second major theme that articulates them to the CC of their cultural and social roots.

Soon after the Morla case, on October 13, 2007, the NGO *Movimiento Contra la Intolerancia* (Movement Against Intolerance) reported another attack, this one against a Bolivian couple. Such attacks stigmatize the Latin American migrants. Stigma exists, according to a discussion in the *Annual Review of Sociology* (2001), when elements of labeling, stereotyping, separating, status loss, and discrimination co-occur in a power situation that allows these processes to unfold. Examining the stigma associated with an individual circumstance (such as "racial" minority) or assessing an individual outcome at a time (such as impact on self-esteem or social interactions) is insufficient, because the researchers are likely to find some level of effect for a particular stigmatized group on a particular outcome. The ingredients include the official channels, as the Spanish police itself has a poor reputation in these matters. In 2006, SOS RACISMO rec-

¹³ White, "Talking" (1999), pp. 90-91. She refers to Verta Taylor and Nancy Whittier, "Analytical Approaches to Social Movement Culture: The Culture of the Women's Movement," in: H. Johnston and B. Klandermans (ed.), *Social Movements and Culture*, Minneapolis, MI: University of Minnesota Press, 1995, p. 178; Giddings, *When* (1984); and, McAdam, and Paulsen, "Specifying" (1993).

¹⁴ McNeill, "Body" (2008), p. 252.

orded 158 cases of blatant and violent racism, including cases against the police. In fact, the NGO confirmed that they had presented some four thousand complaints in about two hundred municipal Spanish courts. Especially people of African descent are regularly beaten up. Traditionally, members of stigmatized groups have been portrayed as passive victims of negative stereotypes, prejudice, and discriminatory behavior by others. The authors affirm that stigma processes have a dramatic and probably a highly underestimated impact on life opportunities in terms of careers, earnings, social ties, housing, criminal involvement, health, or life in general. Stigma is not just one of many factors. It is a social schema guiding social interactions within minority groups and between them and their surroundings.¹⁵ We need to work with it as a key concept of the CCT.

Inequality and discrimination are of course not unique to the CC. Within traditional SCT arrangements, egalitarian negotiations are usually utopian. In *Stigma* (1963), sociologist Erving Goffman speaks of *in-group alignments* and *out-group alignments*. This is a social identity theory, indicating that a person's theory of self is based on his or her real or imagined group membership. Since Henry Tajfel's successful compilation *Social Identity and Intergroup Relations* (1982), social identity theory has expanded enormously. Research into Tajfel's proposition that the groups to which people belonged (e.g., social class, family, football team, gangs) has confirmed that these groups are indeed an important source of pride and self-esteem as a sense of belonging to the social world. We also know that to improve their self-image, group members enhance the status of their group. After creating "In-Groups" and "Out-Groups" (*Us and Them*), Tajfel believed that the former would discriminate against the latter, finding negative aspects of the out-groups to enhance their self-image.¹⁶ This became institutionalized from scratch in the Colonial Contract, which means that resistance to the oppressor may be immanent as

¹⁵ Link and Phelan, "Conceptualizing" (2001), pp. 381-382. Moreover: Major and O'Brien, "Social" (2005); Pachankis, "Psychological" (2008); Hatzenbuehler, Nolen-Hoeksema and Dovidio, "How" (2009). See also: *ExploRed*, "¡Inmigrante!" <http://www.explored.com.ec/noticias-ecuador/inmigrante-de-m-vete-a-tu-pais-280885-280885.html> (02/12).

¹⁶ In reviewing the literature of human motivation, consider the advances in human genetics. Behavioral geneticists have gained considerable importance by producing substantial evidence that demonstrates the prominence of genetic influences. About half the variation in the measured characteristic—the differences from one person to another—could be attributed to differences in their genes. See: Harris, *No* (2006), pp. 255-256, and, *Nurture* (1998), pp. 38-40, 45-49, 50-51, 98-100; also John D. Mullen's review of *No Two Alike* (2006), in *Metapsychology Online Reviews* 10:10 (March 8, 2006), <http://mentalhelp.net/books/books.php?type=deandid=3039> (06/2007). Also: Harris, "Where?" (1995), and her recent paper, "Why" (2007). Tajfel (ed.), *Social* (1982 [2008]). For more recent work: White, *Identity* (2008); McLean, "Space" (2010); Owens *et al.*, "Three" (2010); Staerklé *et al.*, "Ethnic" (2010); Feliciano *et al.*, "Racial" (2011); Goffman, *Stigma* (1963[1990]), pp. 137-149.

well. The CC has a legacy of continuously checking the balance of power and provision by the colonized. Indian historian Ranajit Guha is widely known for having branded the CC as *Dominance without Hegemony* (1997). For Guha, the British motherland or “metropolitan state” was hegemonic because its claim of dominance at home was based on a power relation rooted in traditional social contract arrangements, in which persuasion outweighed coercion. In Guha’s eyes, the colonial state in India was non-hegemonic, because in its structure of dominance coercion was paramount. Within the CC, Guha believes, assimilating the civil society of the colonized to itself would be very difficult or impossible.¹⁷ For this reason, contention was imminent; perhaps even “indigenous nationalist,” favoring “*indigenista* movements” and anti-imperialism. I like to see the Morla girl’s active response to the racist attack as an example. Perhaps backed by her community, even if only virtually, in notifying the authorities, she displayed resilience, protest, and objections typical for CC situations. The case also shows that this resilience is articulated to a practical mind. In cases of looking for justice, individual Andeans have been known to prefer “forum shopping,” argues Simon Thomas in his chapter. This means that they move tactically between customary law and national law to settle their conflicts and find justice. Looking for instruments that promise a more favorable outcome is only logical. From this perspective, working with SOS RACISMO fits more into the CC category than I had previously assumed.

Rituals of Respect

Resorting to collective action enables victims to avoid stigmatization. In Peru, rooted in the wave of grassroots organizations of the late 1970s, a cultural resource was at hand for victim-survivors of the conflict of the 1980s to find a way-out. These grassroots organizations were expressions of the everyday struggle to improve livelihoods, fight poverty, or adapt to an urban lifestyle. They dedicated their efforts to obtaining access to basic services. The leftist-nationalist regimes in power in Ecuador and Bolivia these days also promote the spread of grassroots organizations. In Spain, violent discrimination is probably not yet sufficiently rampant and severe for victims to organize.¹⁸ Official data provide convincing evidence of this. As early as 2001, the Spanish Minister of the Interior and the Spanish police is-

¹⁷ Guha, *Dominance* (1997), containing modified versions of three very influential essays published between 1988 and 1992. For immanent contention as part of the CC, see also Ouweneel, *Flight* (2005), pp. 140-144.

¹⁸ Interestingly, national “country” organizations sponsored or supported by the embassy of Ecuador were not involved in the Morla case either.

sued press announcements that crime rates in urban metros had risen dramatically. According to newspaper journalists, officials explained that they had the impression that about half of the crimes were committed by immigrants, and that these immigrants therefore intended to subsist mainly from crime. Rereading the official figures, however, researcher Daniel Wagman actually found a *decrease*. Moreover, the number of criminal migrants was much lower than the figure publicized, especially if arrests of illegal migrants (who did not commit any violent crime at all) were purged from the figures. Wagman concluded that only seventeen percent of the crimes was attributable to immigrants. Still, the figure remains disproportionate, since immigrants were about five percent of the population in 2001. The kind of contention initiated by Wagman is of the utmost importance, because research in the United States has made clear that perceptions of crime and the operations of the criminal justice system are important forces in shaping how Americans think about “race”—despite the obvious fact that “race,” being continually negotiated in everyday interactions, cannot be a viable characteristic of individuals. Supposed “racial” disparities in incarceration affect how individuals perceive their own “race,” as well as how they are perceived by others. In sum, the idea of immigrants being criminals negatively influences stigmatization, as well as the immigrants’ self-esteem.¹⁹

An Andean stigma schema would contain generalized information about being colonized and exploited as secondary citizens, about discrimination and resistance, and about how to deal with such issues. Goffman discussed themes like information control about personal identity, including the discredited versus the discreditable, and in-group versus out-group alignments; he also addressed the problems of visibility, appearance, passing, covering, deviations, and norms. An Andean stigma schema would also involve scripts, containing encoded sequences of events in stigmatizing situations that are directly articulated to colonization or its legacy. The scripts tell Andeans what may be expected to occur and may therefore be used to guide their behavior in such situations. Their objective is to command respect. Andean cultures, housed in the towns and villages of the Andes and in the urban surroundings of migrant groups in Lima, Quito, Guayaquil, La Paz, and elsewhere, usually recognize that respect for others is the most central and significant element of

¹⁹ Daniel Wagman, “Estadística, delito e inmigrantes,” published at: [http:// habitat.aq.upm.es/boletin/n21/adwag.html](http://habitat.aq.upm.es/boletin/n21/adwag.html) (02/12); Saterstein and Penner, “Race” (2010). In the US, people who have been incarcerated are more likely to identify and be seen as black and less likely to identify and be seen as white, regardless of how they were perceived or identified previously.

thought and action. To remind people, it must be ritually enforced and acted out.²⁰ This is their contribution to the Colonial Contract.

For this reason, in the Andes, reclamation occurred principally not through protests and rebellion but through courts of law. Traditionally, the use of customary law to deal with internal conflicts could be seen as a form of resistance, as a counter-hegemonic strategy. However, says Simon Thomas, the *indígenas* appear to move tactically between customary law and national law to settle internal conflicts. This has been the case for centuries. The archives are full of reclamations and petitions, and especially during the later Spanish period, their claims were usually granted. Such cases could have been a first step of resistance, especially when the colonial power or its representatives were the adversary or counterpart. The Colonial Contract anticipates the next one: “negotiation by rioting.” If the sense of justice is not satisfied, rioting may be the only means of action left. During most of the Andean past, claiming rights went hand in hand with the opportunities for rioting, which is not the same as violence: “The riot, then,” says George Rudé, “is the characteristic and ever-recurring form of popular protest which, on occasion, turns into rebellion or revolution.” Hence, *We Come to Object* as the title of a famous study of former colonized peasants in Mexico; *We Alone Will Rule*, as the title of a study of “Native Andean Politics in the Age of Insurgency” (1780-1824). Over the past decades, colonial and national historians have revealed the insubordinate nature of the colonized Amerindian and black populations of the Americas. Historical research has taught us that the Amerindian descendants under Spanish rule had developed an almost inbuilt sense of contention and protest, which not only survived the nineteenth and twentieth centuries but, due to increased exploitation, must also have been reinforced.²¹ Thanks to this achievement and knowing how the schemas are generally constructed, the CC reclamation scripts must nowadays be part of the Latin American stigma schemas.

No doubt, the victim in our case must have somehow triggered these stigma schemas. In Barcelona the Morla girl lived—whether nearby or at a distance—in a community of Latin American youth that had begun organizing against discrimination, thereby defraying feelings of shame and embarrassment in their own way.²² The vanguards to this process interfered in the case. On November 3, 2007, several news agencies reported that S.X.M. had to move. He reported to the authorities that he had received threats from the infamous Latin Kings gang. Although this was confirmed by the local Guardia Civ-

²⁰ Goffman, *Stigma* (1963 [1990]); Van Vleet, “Adolescent” (2003), p. 358.

²¹ Warman, ‘*We*’ (1978 [1980]); Thomson, *We* (2002); Baud, “*Huelga*” (1996). For a discussion of riots, see the introduction of Ladd, *Making* (1988), pp. 1-6; and above all: Rudé, *Crowd* (1964), p. 10 (quote).

²² See for example: Martín Coppola, “Actores” (2010).

il, immigrant youths of North African descent had sent him a threatening letter as well.²³ This brings me to a tentative discussion of the other side of the Andean stigma schema, articulated to gang membership, and how this schema derives from the Andean *tinkuy* practice and tells us more about Andean culture than about the situation in Spain.

Youths of Andean origin—Amerindians—in Spain prefer to call themselves *Latinos*. This is the case especially for members of youth gangs in Madrid and Barcelona. Broadcasting images of Latino gang rituals from a surveillance camera, a Catalan news agency spoke of “evidence of resistance.”²⁴ A solemn voice-over informed viewers that the camera had recorded an initiation ceremony of the infamous Latino gang Latin Kings. The footage shows four youths beating up a fifth one, in three short turns. The blows are basically inflicted on the upper torso, hardly any are to the head or below the belt. Although the initiation is considerably less harsh than initiations known from other gangs, especially in the United States, the recruit suffers visibly. After this “initiation light,” the boys congratulate the recruit, welcoming him as one of them, using the expressive gestures that are part of their greeting ceremonies. Spanish researchers believe that gangs like the Latin Kings are indeed “evidence of resistance” against discrimination and stigmatization in European society.²⁵ The video suggests they are consuming from a globalized resource: images of gang behavior, symbols, and rituals on the Internet. In addition, an important Latin American CC-resource seems to be in use here: the tradition of *tinkuy*, or the physical encounter of equals. In the Andes, it involves music, dancing, and heavy drinking. This ritual battle enforces and affirms community bonds between the participating groups or, as anthropologist Inge Bolin recorded, “confirm[s] the rules of life.” Bolin’s book is called *Rituals of Respect* (1998). The *tinkuy* is such a ritual, and respect is what the participants want to confirm or, if necessary, establish. Sometimes, writes anthropologist

²³ For example, see the note on S.X.M. who has moved, 02.11.07, Archivado en Violencia, at: <http://blogs.periodistadigital.com/cronicanegra.php?cat=6723> (02/12). Also: http://www.cadenaser.com/espana/articulo/agresor-menor-ecuatoriana-cambia-domicilio/csrrsror/20071101csrrsrmnac_8/Tes (02/12).

²⁴ “Prueba de resistencia,” *El Periódico de Catalunya*, at: http://www.youtube.com/verify_age?next_url=/watch%3Fv%3DOZqSFMKQUww%26oref%3Dhttp%253A%252F%252Fwww.y (02/12).

²⁵ Lahosa i Cañellas *et al.*, “Bandas” (2008a); Lahosa I Cañellas *et al.*, “Bandas” (2008b); López Corral, “Barcelona” (2008); Feixa *et al.*, ‘*Jóvenes*’ (2006), esp. p. 137; Feixa *et al.*, “¿Organización?” (2010); Carles Feixa, “Unidos por el Flow: juventud migrante y agencia,” *Mugak* 50 (2011), at: <http://revista.mugak.eu/articulos/show/452> (02/12). On “respect,” see the chapters in Jones and Rodgers (eds.), *Youth* (2009).

Thomas Abercrombie, fighting takes a playful form, whereas in other cases it derails in bloodshed.²⁶

The situation in Barcelona suggests that this is also the case for the Latin Kings. In his discussion of Goffman's contribution to sociology, Thomas Scheff describes and analyzes the pride/shame continuum. He adds that he regards "respect" as "an emotional/relational correlate of the pride end of the pride/shame continuum": "One is rewarded by pride to the extent that one participates, level by level, in the cognitive structure of mutual awareness, and punished by shame, level by level, to the extent that one does not."²⁷ It remains to be seen whether we are dealing here with true emotions. Expressions of shame, writes Nico Frijda in his compelling and persuasive *The Emotions* (1986), can be understood as submission behaviors: head bent, glance downward (or upward from the bent head), hands hanging in explicit inaction. "They are not specific for shame or guilt," he concludes. At the other end of the continuum we find expressions of pride as dominating behaviors. These are behavior patterns encoded in cultural schemas. If so, again, the relevant schema that might explain the Latin Kings' presence in Spain would be a shared cognitive representation of a colonized and exploited people (articulated to objects, events, situations, or behavioral codes) and could be used to describe real or imagined knowledge about how to act and behave in stigmatizing (CC) situations.²⁸

Around 2002, the authorities of Barcelona became aware of the presence of Latin gangs in their city. The phenomenon of "urban tribes" was of course not new at all. Throughout the twentieth century, many European cities had accommodated youths with, for example, a hippy or punk background like *mods*, *punkis*, *skins*, *heavys*, or *góticos*. But with the arrival of thousands Latin Americans in Spain, their children joined *tribus urbanas* that were defined by their place of origin. In 2007, Barcelona officially had about 250,000 immi-

²⁶ Platt, *Guerreros* (1996); Mendizábal Nuñez *et al.*, *Tinku* (1996); Bolin, *Rituals* (1998), pp. 94-100; Abercrombie, *Pathways* (1998), pp. 66, 102, 290, 301-301. Is my reading of the Spanish case through the lenses of Andean history and anthropology too far-fetched? It would not be, if we follow Steven Pinker's *The Better Angels of Our Nature* (2011). Based on a truly extensive literature survey, he performed a similar exercise regarding the cultural difference between the Northern and the Southern states of the US. He concluded that "it's sufficient to assume that settlers from the remote parts of Britain ended up in the remote parts of the South, and that both regions were lawless for a long time, fostering a culture of honor." He adds that "cultural mores can persist long after the ecological [and historical, AO] circumstances that gave rise to them are gone, and to this day southerners behave as if they have to be tough to deter livestock rustlers." See: Pinker, *Better* (2011), quotes resp. pp. 102 and 101.

²⁷ Scheff, *Goffman* (2006), p. 84 (quote), also pp. 36 and 117. Despite its interesting discussion, a warning is in order. Alas, Scheff sometimes adheres to the now often discredited theories of psychoanalysts; see Ouweneel, *Freudian* (2012).

²⁸ Frijda, *Emotions* (1986), p. 37. For schema theory, see the "Introduction" to this *Cuaderno*.

grants, including slightly over 117,000 from Latin America (47 percent). In the winter of 2002-03, investigating the murder of a Colombian boy, the Barcelona police noted an unexpected increase in specific graffiti, targeting groups of Andean youths. Most members of these groups were school-age children, between thirteen and eighteen (by 2007, they would be up to 25), and they were struggling with rival gangs to conquer parts of the urban public space—in practice, only a few parks and plazas. The gangs had a pyramid structure comprising several rites of passage for social climbing, and every member need to pay a fixed quote (e.g., € 12). Gang members look at themselves as warriors for the cause of the Latin American community. For that reason, the gangs propagated this novel identity: being Latino. This identity had not been *en vogue* in their countries of origin.²⁹

Being Latino appeared to be a cognitive representation shared by their parents as well and figured on shared stages, like the neighborhood, churches, markets, and schools. On the streets, the children of Latin American immigrants had the choice of merging with other migrants (e.g., Moroccans), with Spanish youths, or with each other. The instrument of the gang was conducive to teaming up with fellow Latin Americans. In general, the gangs comprised between twenty to forty members, but they did not total more than five percent of their peer group in Barcelona. Their main goal was to cope with the pain of migration. Curiously, their success attracted a few individual youngsters from Morocco, Romania, and the Philippines. If this view is correct, the Latin gangs should not be regarded as a risk to social cohesion but, on the contrary, as an expression to strengthen it. True, especially after short and isolated moments of violence, the relatively small groups received substantial media attention. But gangs like the US-inspired Latin Kings or the Asociación Ñeta are important, not because of their numbers or their power on the street but because of their symbolic role, representing the social problems of migrant children from formerly colonized countries.³⁰ Their sympathizers hugely outnumber their members.

The US organization of the Latin Kings, which originated in 1940s Chicago, is called *Todopoderosa Nación de Reyes y Reinas Latinas*, meaning Almighty Nation of Latin Kings and Kingdoms. In Spain the active membership of the Latin Kings is about 1,300, including some 50 leaders but excluding members presently serving prison sentences. In Barcelona, the Ñetas, initially formed in 1978 in a Puerto Rican prison and the Kings' usual adversaries in *tinkuy bat-*

²⁹ Lahosa I Cañellas *et al.*, “Bandas” (2008a); Lahosa I Cañellas *et al.*, “Bandas” (2008b); López Corral, “Barcelona” (2008); Feixa *et al.*, “*Jóvenes*” (2006), esp. p. 137; Feixa *et al.*, “¿Organización?” (2010).

³⁰ Lahosa i Cañellas *et al.*, “Bandas” (2008a); López Corral, “Barcelona” (2008).

bles as “Latin brothers,” are about half this size. While some of their encounters may have been playful, the gangs are known for serious crimes like theft, assaults, and homicides, if only to sustain themselves economically. In 2006, the Spanish police forces reported having arrested 31 members of the Latin Kings, 20 from the Ñetas, and 33 from the Dominican gang Don’t Play (DDP). Hatred against their enemies and coercion to remain with the gang are key elements. Like the ancient Inka Empire, the Latin Kings in Spain are organized in four units or *suyus* in Quechua: the Inka Kingdom of Madrid, de Spanish Kingdom of Barcelona, the Maya Kingdom of Valencia-Alicante, and the Aztec Kingdom of Murcia. Traditionally, *suyu* representatives had to face off against each other regularly at *tinkuys* to establish mutual harmony and community. Whether the same holds true for these Spanish bands has not been investigated.³¹

The founder of the Latin Kings in Madrid—the Inka—was sentenced to 21 years imprisonment for grand theft auto and assault of the owners in the public park Casa de Campo in 2003. That same year, the seventeen-year old Colombian boy killed at the entrance to his school had been the victim of a fight between the Kings and the Ñetas. After this incident and the ensuing negative publicity, the gang leaders seem to have taken steps towards appeasement, integration, and legalization, assisted in these processes by the Barcelona municipal authorities. The leader of the Puerto Rican Ñetas had issued a missive to the Spanish members that the main task of the Ñetas was to serve their imprisoned members and asked them to refrain from fighting the Latin Kings, who “are not our enemies.” Perhaps the gang threat was a tempest in a teapot, for in 2006 only one member was connected to the forty murders committed that year in Madrid and to two of 33 murders there in 2005.³² Eventually, the practical Andean mind prevailed once again. Strongly urged by the Barcelona city council to pursue a peaceful course, the leaders of the Latin Kings and the Ñetas negotiated a truce. Spanish researchers under the aegis of Carles Feixa concluded that the diplomatic attitude of Barcelona’s city council had helped avoid escalation, whereas the more hostile stand of the one in Madrid achieved the opposite result. In Madrid, the youths still felt the need to counter exclusion and discrimination with violence. In Barcelona the gangs were transformed into officially recognized youth associations, which successfully provided an identity of non-violent resistance.³³

Despite its “Latino” self-labeling, “indigenous” examples are available of a similar kind of regrouping. One such case took place during the 1980s in the Lacandón Forest of Eastern Chiapas, where

³¹ López Corral, “Barcelona” (2008); Lahosa I Cañellas *et al.*, “Bandas” (2008a).

³² López Corral, “Barcelona” (2008); Lahosa I Cañellas *et al.*, “Bandas” (2008a).

³³ See Feixa, “¿Organización?” (2010).

“new communities” were founded by migrants—economic and political refugees from highland Chiapas and elsewhere. These migrants acquired their new status without having to forfeit their Amerindian identities. Tzeltals from Los Altos moved into the Northern Lacandón; Tzotziles joined them, pushed out from the town of San Juan Chamula, bringing with them Protestantism and some political experience with fighting traditional Amerindian elites. In addition to members of opposition groups, expelled in massive numbers from highland towns, landless Amerindians from Oaxaca and Veracruz settled there as well. Over time, a pan-Maya ethnicity was adopted, as the basis of higher levels of organization and opposition to the governing institution. Even the Maya languages merged into something new.³⁴ All this attests to the flexible nature of cultural resource use. New “group identities” are easily formed if circumstances change but may go back very far indeed.

Concluding Remarks

The Morla case shows us the importance of semiotics, the interpretation of signified and signifiers,³⁵ as do the cases discussed in the previous chapters. In the seriously troubled mind of S.X.M., the Andean body of the Morla girl signified some dangerous alien presence in his community. S.X.M. obviously lived in a Barcelona community where exterminating the “aliens” was and continues to be accepted. Talking on his cell phone with another troubled youth from his community must have instilled him with the drive to kick the Ecuadorian girl in the face. A small group of Andean youths, as a group of other young Latin Americans, had been reading this type of aggression as a sign of danger for some time and as incitement to take actions in their own defense. This defense appeared as the form (signifier) of ancient communal traditions (signified) long embedded in the Colonial Contract, combined with novel attitudes and symbols (signifiers) now incorporated in the re-created Colonial Contract in Spain but taken from the Internet and other modern communication media: they founded the Latin Kings and the Ñetas in Spain. The Morla family, aided by SOS RACISMO, chose the course of justice to defend themselves. In this particular case, this proved to be the most successful course of action.

³⁴ See Ouweneel, *Alweer* (1994).

³⁵ Semiotics is dictionary knowledge by now and part of our language. Alas, since the curious popularity of Lacanian texts, it must be expressed this way. Psychoanalyst Jacques Lacan invented something that no semiotician or language scholar would support: the “empty” signifier. Despite the harsh criticism from academics that has fundamentally discredited Lacan’s ideas, some colleagues in anthropology, the literary sciences, and sociology continue to believe this nonsense.

Reading artifacts as signifiers connects people to the signified world, generally to the explicit and implicit institutions that have formed them. In her contribution to this *Cuaderno*, Klaufus discussed competing ideologies about urban space and the value of local cultural resources to understand socio-spatial dynamics in the rapidly transforming urban center of Riobamba. The implicit institutions in Riobamba include values attached to spaces and aesthetics. These were connected as a sign to primary artifacts of the urban built environment, like architectural styles, monuments, public space furniture, and other environmental implements. They are used selectively by different social groups to claim authority over urban space. The conflicts described by Klaufus show a growing awareness of the need to construct a multicultural city and to overcome social conflicts, as a tertiary artifact. Ypeij's discussion of changing gender relations also focuses on implicit institutions, changing to bring about more equal gender relations. More explicit cultural resources were discussed in this volume by De Waardt and Simon Thomas. De Waardt highlighted the tradition of social organization. She presents Peru as an exceptional case, because of the large number of grassroots associations. This kind of explicit institutions had proven to be an artifact that could work in social change. Simon Thomas discussed the use of different systems of law, in which individuals may choose between several forms as a kind of forum shopping. Both explicit and implicit institutions were used as cultural resources in the Morla case in Spain, including social organizations, gender ideology, the law, and collective struggle. As said, by examining their embedment in the Colonial Contract, researching the use of cultural resources eventually unravels the politics of changing the world.

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