A transdisciplinary and divergent approach to the complex relations found between Latin American human rights and identity art media

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Fernando J. Rosenberg’s work is a 296-page book divided into seven chapters and an epilogue. Within its pages, we do not find ‘windows into history’, but ‘mirror-houses’, complex readings and analysis of photographs showing concentrated versions of the uncanny intersections between the rule of law, colonization, the rights of the people of Latin America, and the space in which this takes place. We begin with photography such as one of native American farmers sitting in court titled, *Campesinos indígenas en el juzgado*, or *Campesinos acusados en el juzgado* (1929) by Martin Chambi, and move on to a reading of literature and audiovisual media performances that highlight the circumstances and consequences of these unprotected citizens.

*After Human Rights* begins by acknowledging the narrative of human rights popularized in the 1980s and 1990s, which coincided with the end of the Cold War and the ‘return to a liberal-democratic ethos’ (1) also referred to as “third wave democratization”, a policy-making ideological machine that would raise Western European and US American economistic, neo-liberal ideals and plans above the just demised ‘monster of socialism’. These individualist and capitalist ideals, with visions of a progress and success that was only attainable through monetary means, and an imagined sector of winners who needed losers (communities unable to become individualistic, consumerist capitalists) to prove their worth, came with what appeared to be an unavoidable ‘common sensical’ indifference towards moral issues involving the ‘other’ communities, diversity, respect for nature, and human rights. Fernando J. Rosenberg hits the mark. Ironically, ‘the ascent of global capital, was promoted as a ‘return to the natural order of things and described, with a mix of celebration and nostalgia, as the end of politics altogether’ (1). Which brings us to a place of myth debunking, no longer cynical conspiracy theories, but a very attractive and hip academic approach that is deeply historical, theoretical, political,
cultural, artistic, psychoanalytical at times, as well as critical and elegant. Latin America’s liberatory, emancipatory and politically defining strength through the agency of human rights expression, culture and creativity, is now finding itself before a logic and conditions of marketization that intersects with Latin American artistic production, where hybridity becomes an oversimplifying resolution. Yet there are many factors that are revised and analyzed before delving into a logic of coloniality with its so-much-desired resolutions.

Such a study forces us to look at the United States and Latin America as a unit (many times forced), whose relationships go beyond cause and effect, beyond immigrants longing for the American Dream, beyond First World and Third World definitions, beyond the violence of the conquerors, the assumed savagery of the conquered and the hierarchy of coloniality, into the give-and-take of a disproportional socio-economic relationship, lawful injustice and turmoil, where Latin Americans are no longer represented and taken as passive silent victims, no longer anthropologically, but who speak, as in conversation, under their own terms and discourse. Rosenberg brings to us the ‘Other’ side, through underground and local Latin-American media history, that rarely (if ever) makes it into our educational curriculum. He familiarizes us—through critical, cultural analysis—with what is found both in intimacy and the public arena, starting from the realms of visual arts, literature, and films which, in turn, have continuously contested and responded to the experience of marginalization, the enforced and imposed silence of subalternity, and a wrongfully presumed passive and inert victimization. Even though they are not all mentioned or specifically cited for these reasons, Rosenberg’s study further branches out, develops and proves the ideas presented by previous theorists and writers like Ramón Grosfoguel in “Hybridity and Mestizaje: Syncretism or Subversive Complicity” (2005), Enrique Dussel’s Philosophy of liberation (1985) and Aníbal Quijano’s Nationalism & capitalism in Peru (1971).

The first chapter, ‘After Human Rights’, gives historical feedback for understanding the concept of human rights as a discourse that expanded toward movements of identity rights that served to provide a ‘new’ language for phenomena that would otherwise remain unnamed. For example, he explains that this historical legitimization of language relates to the historical shift towards a legal order in which we learned to interpret the figures of contract and property; concepts that surpass the sanctity of sovereignty and liberty. Rosenberg highlights the ties of human rights discourse to power and hegemony by relating how the concept of private property served to justify the colonial order further enforcing the concept of contract as it was ‘central for conceiving the political legitimacy of the new nations’. To begin, Rosenberg moves didactically swift and transphilosophically coalesces a great variety of layers and voices, contemporary U.S. American, Western, Eastern, and Latin American law and political philosophers, anthropologists, and socio-cultural historians (Adi Ophir, Alain Badiou, Willy Thayer, Jodi Dean, Alberto Toscano, Jacques Derrida, Étienne Balibar, Aldo Shiavone, Claudio Lomnitz, Angel Rama, Judith Butler, to name a few), the thoughts and actions of political figures (Michael Ignatieff, Alejandro Toledo, Getulio Vargas, U.S. imperialism), and the perspectives to the Roman and Greek classics (as found in Plato, Aeschylus’s Oresteia and Agamben’s Homo Sacer). From among these, Rosenberg interlaces an intricate, deep critique and analysis of XXth century politics ‘after human rights’, a phrase which the author mentions, as an acknowledgment of ‘the
passing of human rights activism and its incorporation into the state and the market mechanisms of subordination through identity... also an expression of desire, pointing to the persistence of a post- and transnational imagination for social change that resists codification’ (12). As enticement for the reader to nestle into the fabric of his work, Rosenberg, affixes the following compelling points:

1. If—as Jorge Luis Borges puts it—Law and the Hegelian aphorisms that see it as a reflection of a moral ideal are but a sinister joke to any Argentinian (any Latin American for that matter), and since that same concept of Law was used to justify and legitimize the war of conquest and the logic of coloniality (Franz Fanon) that brought upon extermination and enslavement to the colonial Americas, we must pay more attention to the artistic, literary and filmic responses through a lens that understands the existence of this dynamic relation/tension between the imposed idealized legal institutions and the people they only claim to represent, regulate and ‘protect’. Something we must learn to see with decolonized eyes.

2. Universality within a nation is as fictitious as the concept of the sovereign individual proceeding any social grouping, through the functions of that same law. Giving birth to an alternative take of the individual as continuously marginal that exists in spite of the law. A rebel subjectivity, a preamble to the artistic take and response to sociopolitical life through everyday life practices outside the state, not without constantly fighting its professionalization (colonization). In fact, the artistic value of Latin American works has been forced to directly correlate to its market-friendliness in order to be studied and understood as valuable.

In chapter two, “Literature Between Rights and the Possibility of Justice”, Rosenberg begins with a beautiful, rare and analytical comparative reading of Mexican novel, Juan Rulfo’s Pedro Paramo (1955) and two Colombian novels, Fernando Vallejo’s La virgen de los sicarios (1994) and Laura Restrepo’s La multitud errante (2001), as ‘processes of subjectivization that give rise to the justice seeking subject’ (quoting Balibar, Mezzadra, and Samaddar). They present the individual as post-political subject contrasting with ‘the common’ and the re-creation of political community amidst catastrophe and trauma. The reading incorporates studies of gender, space/place, totalitarianism, necropolitics, and the spectre as it relates to two different Latin American cultures with a shared past of colonization and a current one of imperialism in relation to the USA.

In the next chapter, “Global Fictions, Truth and Reconciliation, and the Judgement of History”, Rosenberg discusses what he refers to as, ‘novels of truth and reconciliation’, a body of novels published in the 1990s and 2000s that cover the aftermath of Latin American dictatorships and civil wars that occurred in the 70s and 80s. With ‘truth and reconciliation’, Rosenberg analyzes the assumption of this paradigm, as writers recreated ‘the conditions of enunciation, investigating the possibilities, limitations, and legacy of this global metajuridical framework that became a paradigm to apprehend and address the aftermath of these historical processes in the Global South’ (59), when artist took historical
reality into fiction, they interrogated the framing that had once attempted to legitimize the rule of law, recreating the limitations and exclusions once embedded in the foundation of such laws and their imagined universality. Among the novels analyzed are the Mexican *En busca de Klingsor* (1999) by Jorge Volpi, Peruvians *La hora azul* (2005) by Alonso Cueto and *Abril rojo* (2006) by Santiago Roncagliolo, Chilean *El desierto* (2005) by Carlos Franz and Salvadorian *In-sensatez* (2004) by Horacio Castellanos Moya. These novels showcase memories or fragments of memories, the methods and aesthetics of coping that have been so perfected by Latin American culture as they satisfy what Rosenberg calls the global imaginary of post-politics; the imaginary of human rights overcoming insurmountable political disagreements (63). Rosenberg tells us of the Latin American writer's stance as interlocutor, as a holder of agency that inhabits the in-between of authority and alterity, projects the un-projectable and writes between the lines with treacherous loyalty. In this chapter, Rosenberg enters and even partakes in the melancholic nature of Latin American literature and its universal declaration of the irreconcilable stance in which we are held and yet, we stand on our own.

Chapter four, titled “Exhibiting the Disappeared: Visual Arts and Auratic Distance”, focuses on a touring show and collective exhibition *The Disappeared* which was organized and started by the North Dakota Museum of Art. Transnational circulation of this Latin American art contains an interplay between localized ‘loss’ / ‘trauma’ and the universalizing concept of “crimes against humanity” while at the same time being reproductive of a distance that equates to safety and is yet a universal relational concept that ends-up minimizing the search for those responsible. Rosenberg provides deep and insightful readings of various artwork pieces as he identifies them in their relation to an ‘after human rights’ discourse. The photograph is privileged as visual ‘body of evidence and representation of the absent in the context of street demonstrations’ (100) contained in a museum. The author analyzes the theoretical and symbolic relation of the photograph as medium used in pieces like, Nicolas Guagnini’s *30,000*, Ana Tiscornia’s *Portrait I* and *Portrait II* and Luis Camnitzer’s *Uruguayan Torture Series*. He scrutinizes the socio-political meanings and expression by using the critique of the bystander, the gaze, a comparative between the photograph and the mirror, the individual vs. the multiplied individual (community), and estrangement in *Identidad*, an installation by the Abuelas de Plaza de Mayo and a group of Argentinian artists. Included is a study of interpellation, the guise of the subaltern, and the poetics of relation in the reading of extreme close-up video portraits of underrepresented misplaced and massacred Afro-Colombians of the Magdalena River region in Juan Manuel Echavarria’s *Bocas de ceniza*. Finally, included are examples of sculpture that are studied from the perspectives of commodity, consumption, ideology, Yankee imperialism and the power embedded in the inherent design and fabric of things in pieces such as Brazilian artist Cildo Meireles’s *Insertions into Ideological Circuits—Coca Cola Project*, and Ivan Navarro’s *Criminal Ladder* and *The Briefcase*. Amongst other art exhibitions and readings, the author introduces the concept of the economy of the gaze and exhibitionism in light of a critical term *pornomiseria*, created by Colombian artists, which remains critical to art exhibitionism and the lack of responsibility and repatriations in spite of the problems presented, that without resolution become scopic violence, ‘an operation of fetishism’ (106), yielding no direct socio-political benefit to those affected.
Rosenberg also includes a critical review of the curatorial and ethical premises of the exhibitions. The artistic stance dedicated, for example to the disappeared, makes this issue simultaneously appear from a local point to a level of universality, yet not without first having to fulfill the expectations of a universal human rights narrative in order to be selected for exhibition. Rosenberg alludes to Walter Benjamin’s concept of the aura to study the impact and “realness” of the exhibition which he concludes holds, the ‘aura of radical politics’ (99); “a cult value of expressive authenticity, thus transforming politics into rituals as the condition for the work of art’s translocal circulation” (22) that works in spite of the afore mentioned issues surrounding it, as a performative grievance of memory’s own commodification and subjection to ideology. Never looking for repatriations, but pushing the audience to see how the past is still very present.

In Chapter five, “Judicial Documentary, Evidence, and the Question of Technology”, Rosenberg introduces with a brief look into the essence of documentary film making as ‘real’ or visual evidence, from the Latin *videre* ‘to make visible’ and as a *denuncia* (reveal, denounce publicly and to the authorities). In this case, Rosenberg explains that the authorities here are not necessarily those under law, but those elusive to the law, or which the law occludes; the human community represented as audience. Five Latin American documentary films are read: *Granito: How to Nail a Dictator* (Pamela Yates, Paco de Onis, and Peter Kinoy 2011), *La Isla: Archivos de una tragedia* (Uli Stelzner 2009), *Presunto culpable* (Roberto Hernandez and Geoffrey Smith 2008), *El Rati Horror Show* (Enrique Pineyro 2009) and *Juizo* (María Augusta Ramos 2007). These films all ‘hint at a different notion of justice, through but beyond the law… recalls a sense of justice transcending institutionalized forums and that is not exhausted by judicial evidence detection and decoding’ (125). The author looks into the films production and how their representation of the ‘real’ serves to question the apparent order, legitimacy, and validity of the law that perpetuates injustice in Latin America, and order often times traced and connected to our colonial past. Ultimately this chapter highlights the ‘continuities between legal strategies and the documentary ethos that incorporate and mimic them in their narrative structure. Framed in the transitional human rights narrative, judicial and documentary processes address state crimes, while they also underscore the shortcomings of this same state in bringing about basic legal legitimacy and accountability—a distrust of the state that persists in documentaries not concerned with dictatorial exception but with contemporary violence and (in)security’ (7).

Chapter six, “After Interpellation I Police Violence and Spectacle in Jose Padilha’s Films” and Chapter 7, “After Interpellation II Artistic Performance and Police Collaboration” center upon Padilha’s filmography as a boundary crossing exemplar of the seventh art moving beyond entertainment, information gathering, exposé and what Rosenberg refers to as ‘hypervisibility’; “the predicament by which everything might or must be mediatized and available for exhibition” (147). In the first chapter the films are analyzed through issues of social legitimacy in its relation to police work and the links between visibility and force. Rosenberg’s argues Padilha’s films are “concerned with the filiation and legacy in the production of social subjects” (147) in their relation to the police, who ironically is supposed to be there to prevent violence, yet even contributing to it. We are given a thorough reading and critique of *Ônibus* (2002), *Tropa de Elite*
(2007), Tropa de Elite 2: O Inimigo Agora É Outro (2010). In the seventh chapter, we are presented with contemporary artist-police collaborations, that understand the incapacity of sovereign power over communities. Rosenberg analyses and discusses: Francis Alÿs’s Re-enactments (video installation/performance), Yoshua Okón’s Orillese a la orilla (video performance), David Lozano’s Oficios para el cuerpo, Tania Bruguera’s Crowd Control and Tatlin’s Whisper #5 (participatory installations), and Martin Weber’s reenactment of Martin Chambi’s photograph Policía con niño. He further examines the relation between police force, performance, and the visual arts in an era where the state and police have lost ground and the arts can no longer pretend to critique from a perspective outside of hegemonic formats such as mass media, video production and representation.

Finally, the author closes with an epilogue, a recap that offers a recapitulation of the exemplars that show how Latin American artists are working both against and within the hegemonic circumstances of society in order to achieve a healing process that ultimately saves them from invisibility and insignificance. Disappearance does not only happen to cities, people and things, but reality and history as well. Latin American art (in all its diverse manifestations) has already been at the forefront of an unearthing process that is about to become the biggest socio-cultural movement in history.