Justice over the Body: Human Rights and Indigenous Territory in the Bolivian Amazon

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In the past decade Bolivia has become internationally recognized as an inspiring experiment for the extensive and revolutionary inclusion of indigenous rights. Following the election of the country's first indigenous president Evo Morales, the new 2009 constitution makes inclusion of indigenous peoples the basis of national identity and sovereignty. The enumerated rights of indigenous citizenship draw directly from international human rights conventions, specifically ILO Convention 169 Rights of Indigenous and Tribal Peoples. While human rights and citizenship are literally one and the same as indigenous rights, it has become clear since the constitution's passage that they are imagined as one or the other depending on the stance of the person relative to state power. Hannah Arendt famously argued that human rights and citizenship are mutually exclusive, but the exact nature of this exclusion remains perplexing. In this paper, I will discuss how this exclusion is enacted and contested through embodied performance in disputes over the interpretation of forms of indigenous justice. I argue that the political practices of restive subjects in disagreement with the Bolivian state are oriented towards radically transforming the body of law with alternative notions of justice.