Travelling corpses: negotiating sovereign claims in Oaxacan post-mortem repatriation

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This chapter explores the process of death and repatriation of a Mexican migrant, Jacinto, from his home in Los Angeles to his native village of San Pedro Yahlehua, a Zapotec Indian community located in the Sierra Juárez mountain range in the southern state of Oaxaca.¹ In this process, Jacinto's close relatives suddenly find themselves in a situation where they have to navigate the claims of various different authorities representing states (local and federal) as well as local, national and transnational communities who each seek to govern not only the whereabouts of the corpse but also the meaning of notions such as belonging, membership and obligation.

In the case of Jacinto, the number of authorities involved had multiplied as in 1976, at the age of twenty-five, he decided to leave his home town of San Pedro Yahlehua in search of more promising economic opportunities north of the US–Mexico border, thereby following in the footsteps of many of his fellow villagers and Oaxacans more generally. During the years in the United States, Jacinto had together with his wife, Norma, who also came from Yahlehua, saved up enough money to buy a two-storey house in Oaxaca City, where they had for a long time dreamed of returning to live. However, at fifty-one, Jacinto had been diagnosed with diabetes and, despite the warnings of the doctors, continued to enjoy alcohol in large amounts. Four years later, his kidneys failed as a result of the diabetes and alcohol consumption, and he had to undergo dialysis treatment twice a week while on a strict diet. Because of Jacinto's

need for regular dialysis treatment, their dream of retiring in Oaxaca was complicated. On 15 April 2011, any hope of ever returning to live in Oaxaca disappeared as Jacinto suffered from a stroke and fell to the floor in the bathroom of their apartment in Los Angeles.

Jacinto was quickly brought to a hospital, where he was placed in the intensive care unit and put on a respirator. During the following days, Norma and many other relatives made daily visits to see him and pray for his recovery. About a week later, the doctor told the family that it was unlikely that Jacinto would recover because his brain had suffered from a lack of oxygen caused by the stroke. As he explained to Norma, there was no point in keeping Jacinto alive on the respirator at this time, and once it was turned off his heart would eventually fail. Although some of the relatives found it difficult to accept this message, and were convinced that Jacinto had made signs to them by moving his eyes during their visits, Norma reluctantly began to reconcile herself to the doctor's verdict. However, she asked the doctor if it would be possible to wait a few days before shutting down the respirator so she would have time to organise the transportation of the body back to Mexico, a request to which the doctor was sympathetic.

Later that day, Norma began, together with her sister-in-law, Rosa, to investigate what they should do to have Jacinto's body transported back to their native village in Oaxaca. Their first stop was at the Mexican consulate, where a consular staff member explained the services provided by the consulate to help with the repatriation of a dead migrant. Among these services, as the staff member told the relatives, the consulate offers financial assistance that, depending on Norma's economic situation, would most likely be in the range of USD300 to USD500. To qualify for this support, Norma would have to use a special programme set up by the consulate together with a handful of funeral companies that provide only the most basic funeral services and transportation of the corpse to an international airport in Mexico. On the other hand, the programme guaranteed that the total cost of these services would not exceed USD1,763 – less the financial support obtained from the consulate. Norma then contacted one of the funeral companies from the consulate's list and agreed to have them take care of the preparation of the body, necessary paperwork and transportation. The following day, on 26 April, the family returned to the hospital where Norma gave the staff permission to turn off Jacinto's respirator. Four hours later Jacinto's heart beat for the last time and he drew his final breath.

The situation confronted by Jacinto's relatives is not unique but something that many migrants and their families ultimately need

to deal with. For instance, as migrants grow old, they often eventually face the choice of selecting a burial site, specifically whether to be buried in their place of origin or in their new place of residence. In the case of Mexican migration and in particular Oaxacan migration, which began in significant numbers in the late 1970s and then accelerated during the 1980s, an increasing number of migrants have today reached old age, and they are therefore likely to encounter decisions related to death and burial. However, seen in relation to the vast body of literature dealing with the movement of Mexican migrants to and from the United States, the subject of repatriation of dead migrants in the US–Mexican context has so far received slight academic attention. Two notable exceptions are Lestage (2008), which details the increase in repatriations and attributes it to the involvement of the Mexican government and the emergence of a repatriation industry, and Félix (2011), which similarly discusses the institutionalisation of the practice of repatriation along with how the desire for a posthumous return and burial is popularly expressed in the diasporic imagination. Nevertheless, the numbers of posthumous repatriations are significant with an estimated annual average of 8,000–9,000 cadavers in recent years (Lestage 2008: 210).²

Not only do the high rates of post-mortem repatriations in themselves merit attention, the contention of this chapter is that the subject also provides a unique prism for studying the politics of identity, membership and obligation in relation to political communities. Taking my cue from Foucault's description of the body as 'the inscribed surface of events' (1977b: 148), my aim here is to examine the engravings that the different authorities involved in the repatriation attempt to carve onto the dead migrant body. According to Foucault, these inscriptions result from the fact that 'the body is ... directly involved in a political field; power relations have an immediate hold upon it, they invest it, mark it, [and] train it' (1977a: 25). An important effect of the inscriptions, which take place through the powers of discourse, is 'to individuate, to invent subjects, which are attached, so to speak, to bodies' (Lash 1984: 14). However, whereas Foucault's concern is primarily with the living body, the idea here is that much the same argument applies to the dead body, although the objective of these power relations might ultimately be aimed at living bodies.

Thus, similarly to the living body, the corpse is also a site upon which the state and other actors can wield their influence and seek to construct meaning. In this sense, as Posel and Gupta (2009: 299) argue, the corpse has a dualistic life as a material object, a decaying body,

and as 'a signifier of wider political, cultural, ideological and theological endeavours'. Accordingly, the corpse can serve as a 'vehicle' for furthering political projects, as a marker of inclusion or exclusion in the political sphere and with the intention to invent subjects, living and dead (e.g. Anderson 1983; Lomnitz 2005; Verdery 1999). By following the corpse of Jacinto on its journey from Los Angeles to its final resting place in Oaxaca and documenting the practices, discourses and negotiations surrounding his transportation – and Mexican post-mortem repatriations more generally – I intend to illustrate how various authorities seek to exert their sovereignty by inscribing their claims on the deceased migrant body.

A death in the migrant community

For most immigrant groups who struggle in the lower echelons of the US economy death can be a serious economic challenge. The funeral expenses usually involve the costs of a coffin, burial plot, funeral home and mass, as well as expenditures related to housing and feeding family and guests (see Moore 1970). In the case that the body is being sent back to the place of origin, the costs will increase manifold. Historically, in order to meet the financial burdens associated with a death, immigrants with shared backgrounds have often formed burial societies where all members support one another in cases of death. These associations, which have been documented in many parts of the world, are among the earliest ethnic voluntary associations in the United States (Soyer 1997). Besides the immediate economic costs, the death of an individual is also, as Lomnitz points out, 'a crisis for his or her immediate social group, a time in which legacies and debts are revealed and communitarian ideals are enacted' (2005: 58). The enactment and confirmation of such communitarian ideals would seem to be even more important among immigrants, who often find themselves in an unfamiliar and antagonistic new setting with limited access to resources.

In the case of Jacinto, his death left Norma and their closest family in disarray regarding financial matters and all the formalities they needed to deal with. However, relatives, friends and *paisanos* (fellow migrant villagers) quickly responded to offer both emotional and economic support. At eight o'clock in the evening on the day that Jacinto was declared dead, about forty-five relatives and fellow villagers showed up in the apartment of Jacinto and Norma for the first of nine consecutive evenings of rosaries (*novenario*) – a sequence of

prayers – for the deceased. Normally, the *novenario* would begin on the day of the burial, but since the interment would be postponed a considerable time because of the transportation, it was decided that the saying of the rosary should begin that evening. Two days after the last rosary, the family held a wake (*velorio*) in the mortuary of the funeral company attended by almost 150 relatives and *paisanos*. During the ceremony, a priest celebrated mass and the migrant community wind orchestra played a number of funeral marches, as is customary at wakes in Yalahua. The event concluded with the relatives who would be unable to travel back to Oaxaca for the burial taking turns to pass by the open casket to say their final goodbyes to Jacinto.

Not only do the rosaries and the wake provide a ritualised scheme for mourning the loss of a relative, friend and member of the community; this is also a period where a large number of the fellow migrant villagers show their solidarity by giving aid to the family of the deceased. As Hertz (2004: 197) pointed out, 'with the occurrence of death a dismal period begins for the living during which special duties are imposed on them'. In addition to the monetary donations, this aid also takes the form of donations in kind, for example by bringing food and drinks to be served to the attendants at the rosaries or simply by helping out with all the practical preparations in the apartment.

Most of the community members gave their monetary donations to Jacinto's family at the wake by dropping money-filled envelopes into a box placed in front of the casket. In total, Norma received about USD2,400 in voluntary, individual donations and an additional USD100 from the wind orchestra. In addition, the Yalahua migrant organisation in Los Angeles, which has close to 300 members, donated USD600, an agreed standard amount given in case of accidents or the death of someone who originates from the village. Such collections are common among migrants from the same Oaxacan village communities, and the total amount collected can vary from USD1,000 to in some cases USD8,000–10,000, depending on the size of the village community, the reputation of the deceased within the community and whether he or she cooperated with the migrant organisation.

Generally, these acts of reciprocity, which among indigenous Oaxacans commonly go by the name of *guelaguetza*, or *gozona* in Zapotec, serve to reinforce the importance of the village community and create strong bonds of solidarity and goodwill. From a Durkheimian perspective, one can argue that rituals such as rosaries and wakes for the dead serve to strengthen ties between the living

community members by providing occasions for a 'renewal of common values, a reaffirmation of communal conceptions and a strengthening of social bonds' and solidarity (Metcalf and Huntington 1991: 50; see also Hertz 2004). Thus, adherence to the proper mortuary rituals not only serves to mark the separation of the living from the dead and to provide the deceased with a proper destiny in the after-life (see Robben 2004) but also as a confirmation and demarcation of the social collective among the living – for instance, by demonstrating who is considered to be a member of the migrant community and who is considered to be outside of it.

The Mexican state's programme for repatriation of human remains

Although the community plays an important role in helping the family in the event of a death, the Mexican federal state has since 2004 also offered consistent support to the relatives to help them repatriate a body to Mexico. In fact, Lestage (2008) argues that a major factor behind the general increase in the number of bodies being repatriated has to do with the involvement of the Mexican federal state (2008: 213; see also Félix 2011). However, after an initial increase in the families receiving financial assistance through the consulates from 1,831 cases in 2004 to 2,755 in 2005 (Lestage 2008: 214), this number has since levelled off. Thus, over a three-year period from 2009 to 2011, the Secretariat of Exterior Relations (*Secretaría de Relaciones Exteriores*, SRE) helped to pay for the repatriation of 9,297 bodies of Mexicans who had died abroad with a budget of USD13,015,800. That is, more than 3,000 bodies annually, with an average of USD1,400 paid by the Mexican consulates per transfer of human remains.³ In the case of the repatriations that do not receive financial assistance from the SRE, the expenses of returning them are typically covered by relatives and the community, but also sometimes by the Church or private insurance companies.

One notable effect of the intervention of the SRE in the repatriation of human cadavers to Mexico is that prices have fallen significantly over the last decade. As the director for protection for the United States at the SRE explained to me in an interview, the SRE has made agreements with a number of funeral homes in order to ensure that they have a basic service package available at a reduced price for the repatriation of Mexican migrants. Thus, whereas the

shipment of human remains to Mexico would typically cost between USD5,000 and USD8,000, the SRE has managed to reduce the price to USD2,000–3,000. The agreement, on the other hand, supplies the companies involved with a steady flow of customers referred to them by the Mexican consular offices. The basic package negotiated with the funeral companies includes the issuance of a death certificate, embalming of the body, a very basic coffin made from wooden boards, a simple wake ceremony held at the funeral home and the transportation of the body to an international airport in Mexico. Thus, there are certain limitations to the programme, as Jacinto's relatives would come to experience.

The SRE has not only played an active role in lowering the price. They also in many cases support repatriation based on the needs of the closest relatives. As the SRE director pointed out: 'If people do not have the amount of money, we can pay 1,000 dollars, 2,000 dollars ... the contribution can be as high as 100 percent or as little as 10 percent ... it depends on every case, on the economic situation [of the family].' In the case of Jacinto, in the meeting with the consular staff member Norma explained that she had not been working for two years because she had been taking care of her husband during his illness, and that their only income had been the disability benefits that Jacinto had received during this period. The staff member then asked Norma to sign a declaration of truth and provide identification that Jacinto came from Mexico. Norma had brought all Jacinto's documents, among them his US passport, to which the woman replied: 'Don't show me that he was a US citizen, or otherwise we will not help you. Just show me his draft card [*cartilla militar*] and his birth certificate.' In the end, Norma received USD1,200, which she was told is the maximum amount provided by the consulate in Los Angeles, because of her financial situation and the fact that they did not have any children who would be able to help with the costs of the repatriation and funeral.

Although most countries seek to provide consular services to their emigrants, particularly in cases of personal crisis, the extent and scope of the services provided by Mexico to its diaspora is unique (e.g. Laglagaron 2010). When asked about the reasons behind the Mexican government's provision of these types of services to Mexican emigrants, the SRE director put it in this way:

We have a responsibility to our nationals who are overseas. Because they are in a very distressed situation [to begin with]. I mean, they leave with no food, no money. They go out to seek for a better opportunity and we recognise that, and we recognise the contribution that they make in

their hometowns. So, the government of Mexico takes this very seriously, and provides for assistance to their nationals in distress when they are abroad.

In this view, the services provided by the SRE reflect a sense of moral obligation arising from the fact that the Mexican state was unable to provide the migrants with a livelihood to begin with, as well as recognition of the economic contribution that they make to their places of origin once they have left. Similarly, a consul from the Mexican consulate in Los Angeles pointed to the financial contributions made by migrants to their families in Mexico in order to explain why the Mexican state provides this type of service to its emigrants:

Because they come over to work very hard, but a great part of their income is sent to Mexico, to their families to live, for them to go to school, to buy clothes, food, to build a home and all of that. So a great part of that money goes into Mexico and when they [the families] get the money and buy things, then they pay tax [IVA]. So, in one way or the other, they [the migrants] pay tax in Mexico. Maybe it is not [through] the salary but because of the goods that they [their relatives] buy.

As pointed out by the consul, even though the migrants only indirectly pay taxes in Mexico – in the form of value-added tax (IVA) – the large amount in remittances sent by Mexican migrants nevertheless entitles them to demand certain services from the Mexican government. The quotations from the SRE director and the consul also reflect a general change in the perception of migrants since the 1990s by the Mexican state, where migrants no longer constitute a surplus or a danger but instead are celebrated as the new heroes of development (Martínez-Saldaña 2003). This change in representation has been accompanied by a gradual extension of rights to migrants and various outreach programmes aimed at strengthening the affective ties and loyalty of Mexicans abroad to their *patria* and to ensure the continued involvement of migrants in their communities of origin.

Moreover, the direct intervention of the Mexican state in an intimate aspect of migrant existence makes the state concretely visible in the eyes of the migrants and comes to signify the ubiquity and translocality of the state (see Tenekoon 1988). In this way, the employment of state programmes can be a way to legitimate its rule and establish political authority, even if the presence and attention of the Mexican state outside of its territory can seem to be somewhat in contrast to its absence and neglect within, particularly in the case of indigenous communities.

The body and the nation

Although there may be an important, implicit financial motive behind the various programmes created by the Mexican state to protect and connect with Mexican nationals residing abroad, the programme for repatriation of human remains primarily sends a strong message of belonging. Thus, an important function of the intervention of the Mexican state in the lives (and deaths) of migrants is not only to promote material effects in their place of origin but also to create symbolical effects and in the process reinforce the emigrants' sense of enduring membership. The Mexican consul in Los Angeles reinforced this aspect when I asked him why Mexican migrants wanted to go back to Mexico to be buried:

In many ways our people are here, you know, to work and to provide a better life for their families and all that, but they always request when they die to go back. It is a belief. It is a love for the country. It is a love they have for the place of birth. It is something natural. It doesn't matter if they get the US citizenship ... They may be the best and most loving people of the US, but they never forget that they are Mexicans, and their dreams are to go back in one way or the other.

The relation between national identity and death, underscored by the consul, has been explored by Anderson (2006: 13), who points out that with the ebbing of religious modes of thought, the idea of nation provided a 'secular transformation of fatality into continuity, contingency into meaning'. The meaning provided by the idea of nation to fatality is, as Anderson argues, captured in the public ceremonial reverence accorded to cenotaphs and tombs of Unknown Soldiers (2006: 9), which serves to reinforce the idea of heroic death and produce national heroes who gave their lives for the greater national good (Posel and Gupta 2009: 304). However, it is not only fatality that is given meaning in a national frame of reference; the idea of nation similarly acquires its significance in a symbiotic relationship through the people who have given up their lives for the *patria*. In this sense, the place of death and the corpse in particular is, as Posel and Gupta (2009: 301) note, 'a pre-eminent site for the identification of symbolic boundaries between a nation and its other'. In the case of the Mexican state's programme to repatriate human remains, one can therefore argue that the deaths of the Mexican 'migrant heroes' are incorporated into a certain political (national) narrative where their final allegiance to the nation is demonstrated by the choice of burial site.

The importance of death and the corpse as a site for identification of symbolic, national boundaries arises as it not only reinforces the idea of Mexico as a nation but also stresses the importance of Mexico in the lives of the migrants. In this sense, it serves as an ideal site for the cultivation of a diasporic consciousness among the migrant population in which, following the words of the consul, 'they never forget that they are Mexicans and their dreams are to go back in one way or the other'. The message conveyed is that their identity and final loyalty remain unchanged even as the migrants integrate and assimilate themselves into US society – a view also reflected in the changes made to the Mexican Constitution to allow Mexican expatriates to retain their Mexican citizenship even as they gain a new citizenship in their country of residence. In practice, however, such sentiments and ideas about national belonging are not necessarily stable or eternal. They have to be continually constructed – or, sometimes, enforced administratively through practices such as ignoring the fact that the deceased had also become a US citizen, as in the case of Jacinto. In this context, it is also worth noting, as Lestage points out, that with a population of 9 to 10 million Mexicans living in the United States and an annual mortality rate of almost 6 out of every 1,000 Mexicans in the year 2000, it means that only one in every five or six Mexicans who die in the United States are transported back to Mexico (Lestage 2008: 211). Nevertheless, burial in the 'homeland' is a strong symbol of belonging that feeds into the attempts of the Mexican state to nurture relations and encourage the involvement of expatriates in their place of origin. Thus, it is not only life processes that politics are projected into with the intention to shape processes of subjectivation and promote certain moral forms of existence, as Foucault's concept of biopower denotes (Lemke 2011: 42). In the case of the Mexican state's programme for the repatriation of human remains the same argument can be made with processes of death.

As Jacinto had never mentioned anything about where he wanted to be buried, Norma took it for granted that his wish was to be buried in the village where he was born. Furthermore, since music had been a central part of Jacinto's life, and because he had received his musical formation in the village, Norma thought that it was fitting that the village wind orchestra could in this way pay their final respects to him. Thus, similarly to the consul, Norma emphasises the special attachment to the place of birth as the primary motivation for selecting the site of burial. Compared to Norma, however, the consul puts this attachment explicitly in terms of the Mexican

nation-state, and, in his interpretation, the place of birth comes to metonymically signify the nation-state.

Bureaucratic dead ends – from LA to Oaxaca

The transnational process not only extends the period between death and burial, a period that is in itself often associated with uncertainty and danger (e.g. Kaufman and Morgan 2005), but also multiplies the number of encounters with authorities who must be dealt with, where things in principle can go wrong. Although the Mexican programme for the repatriation of human remains seeks to simplify the process of repatriating a cadaver by offering a full service package, it nevertheless only pays for the transportation to an international airport in Mexico. If the relatives are unable to find the resources to pay for the remaining transportation, it is therefore necessary to contact institutions and agencies inside Mexico to obtain support, such as the Oaxacan Institute for Migrant Affairs (*Instituto Oaxaqueño de Atención al Migrante*, IOAM) if the dead body is destined for Oaxaca.

In the case of Jacinto, the funeral company in Los Angeles had assured the relatives that they would make the necessary calls to obtain the financial assistance needed to pay a funeral company in Mexico City to pick up the casket at the airport and drive it to the village. However, when Jacinto's relatives showed up at the funeral company on the day before the wake with the clothes that Jacinto's body should be dressed in an employee told them that he had been unable to find any agencies that could help them with paying the remaining transportation and they would therefore have to pay another USD500. The relatives acted with surprise and disbelief to this news. Rosa then took matters into her own hands and borrowed a phone to call the IOAM in Oaxaca, where she was put through to the head of the Department of Legal Assistance. He told Rosa that the IOAM would help if they could visit their office on Monday and bring a document from the village authorities in Yahelua stating that Jacinto was born in the village and the age at which he had migrated from the village. After the phone call, the employee congratulated Rosa for having been able to arrange the final part of the transportation. However, Rosa was unimpressed and complained to the employee that he had tried to charge them the additional amount.

On Saturday 7 May, the day after the wake, Norma travelled from Los Angeles to Oaxaca City together with Jacinto's sister,

Zulma, and a brother to help arrange the remaining transportation of the body and to take part in the funeral in the village. Early on Monday morning, they met with two other close relatives, Laura and Reynaldo, who live in Oaxaca City, and went to the IOAM office. Rosa had after her conversation with the IOAM called Laura and instructed her to obtain the document from the village authorities. Laura, who incidentally happened to be staying in the village at the time, asked the authorities to prepare the document and then journeyed back to Oaxaca City on the once-a-day public bus, a six-hour bus-ride through winding mountain roads. With the document in their hands, the small group thought it would be a straightforward matter to obtain help from IOAM, as Zulma later recounted in an interview:

When we came to the Institute, we thought it was just a matter of giving them the document, and that they would then reply, 'Yes, everything is fine. We will arrange things with the funeral company from here.' Instead, they were giving us a thousand excuses, 'This is not the right document. We need another document stamped and signed by the village authority, and without it we can't do anything.' Gosh, we were looking at each other in amazement, because we were already there [in Oaxaca City] and we had already bought the return tickets [to Los Angeles]. What are we going to do if the body does not arrive? What is going to happen then? They are already waiting for him in the village! Then, Reynaldo intervened and told them that it was a very long way to go all the way back to the village to get another document. Time was running out, we soon had to bury the body because it had now been several days that it had been like that [in transit].

The additional document requested by the IOAM was a statement by the municipal authorities declaring that Jacinto was a person of limited financial means. However, as Zulma pointed out, there was urgency not only because they had bought their return tickets, but also because many villagers were already busy preparing the food to be served to all the attendees at the rosaries and wakes. The small group was therefore getting desperate because if they had to go back to the village to get the second document it would set the process back by at least two days. For that reason, the group decided to wait in the IOAM to see if they could talk to someone in charge who could grant them an exception from the normal requirements. Nothing happened, however, and they were waiting for hours until Norma accidentally had a chance to talk to the secretary of the director of IOAM. During their conversation, Norma, who knew the director was away on a visit to California, told the secretary that her sister-in-

law, Rosa, and her family were personal acquaintances of the director and that Rosa had already talked to him, although this was not the case. The secretary acted with surprise and asked, 'Do they know the director? OK, let me talk to the vice-director.' When the vice-director came, he asked, 'Who talked to the director?' Norma responded that her sister-in-law had talked to him, to which he replied, 'Why didn't you say that from the beginning? If you wait a moment we will arrange everything, don't worry.' Thus, the strategic use of a white lie by Norma to circumvent the bureaucratic procedures demonstrates, as Gupta argues, that a practical knowledge of the hierarchical nature of state institutions can be used to further one's own ends (1995: 384). Indeed, as Zulma explained in her account of the events, 'You see. In this way they got moving, because otherwise they would have made it difficult for us.' It also illustrates that, as Nuijten (2004: 226) notes, although the Mexican state apparatus 'propagates the idea that it operates in a modern, technocratic, professional manner', based on uniform procedures and standardised, administrative techniques, this image coexists alongside another seemingly contradictory image of the state: the belief in 'the right connection', where power relations determine the final outcome.

With all the formalities in order, the IOAM arranged with a funeral company to pick up the casket at Mexico City airport. From there the hearse drove to Oaxaca, where Reynaldo joined the chauffeur to help guide him the remaining way up to the village. A few minutes before midnight, on Tuesday 10 May, Jacinto's body finally arrived in his native village of Yalahua and the church bells were tolled in a particular way that announced his arrival. Many villagers soon came to help the relatives carry the casket to the house of Jacinto's parents, where it was placed on a large table in the porch in front of the house. The porch quickly filled up with family and villagers who came to pay their respects and the casket was opened so they could all see Jacinto's body. The rosary was then recited and, following that, a small group of family members remained to watch over the body during the night.

The corpse and the village of origin

Although the process of repatriation of a migrant corpse in itself can pose a great number of challenges and obstacles, in the event that the deceased originated from an indigenous village community in Oaxaca and the relatives intend to have the cadaver buried in the

village cemetery, they might face yet another set of challenges. Thus, before a dead migrant can be buried in the village of origin permission is required from the village authorities. In some indigenous Oaxacan communities this permission is dependent upon whether the migrant has been cooperating with the migrant hometown association by paying a fixed monthly or annual membership fee. Usually, this is imposed on the migrant to make up for the *tequios* (collective community work for the maintenance and construction of village infrastructure) that they have missed while being away. The village migrant association typically maintains a list of migrants who have cooperated with the association, which is sent back to the village authorities so that they can keep track of who remains in good standing. In the event that a migrant who has failed to cooperate with the migrant association returns to the village of origin, he or she faces possible sanctions ranging from mockery to fines and sometimes imprisonment by the village authorities (Cohen 2000; VanWey *et al.* 2005).

The village of origin not only in many instances puts certain economic obligations on the migrants. Some villages have also extended the local system of governance, known as *usos y costumbres*, to include migrants (Kearney and Besserer 2004; Trans 2009). This system consists of a hierarchy of village offices (*cargos*), which are rotated annually among members of the community, and all male citizens are expected to serve in various municipal *cargos* in their lifetime without pay (Wolf 1957). The village communities governed by *usos y costumbres* have a large degree of autonomy, and it is for example up to the village assembly to decide who should fulfil which *cargos* as well as to determine the sanctions for not complying with these demands. However, when the authorities assign *cargos* to migrants they place on them a tremendous burden, as they may have to leave jobs and families behind in the United States in order to return to their village of origin to fulfil their duties. If a migrant is unable or unwilling to assume the task of the *cargo*, he risks being met with severe sanctions. For instance, in a village neighbouring Yalehua, a very strict enforcement of the rules follows when migrants fail to comply with *cargo* duties, as the village president explained in an interview:

The sanction is that they lose the right to return and they lose their properties according to the rules. If they do not return the second time they are nominated, then no more [*pues ya no*]. Then they lose the right to live here. For example, if they have a house, if they have properties, then they do not have the right to sell them. That is what they lose. However, those who return, who show respect, they continue to be citizens [*ciudadanos*] with all their rights. That is the way it is here.

In this village, the right of the migrant to return is also extended to the corpse. That is, as the president asserts, the deceased migrant is only allowed to be buried in the village if he cooperated with the migrant organisation while away and fulfilled the *cargos* that were given to him:

If they did not cooperate, they know that they will not be allowed to enter. Because he [the dead] is going to waste the time of the community police officers [*topiles*] to dig the grave, to waste the time of the orchestra, the authorities and the church.

There are, however, great differences among the villages in the region in the degree to which they require migrants to cooperate with the hometown association and participate in the *cargo* system. For instance, in another nearby village, which also nominates migrants for *cargos*, the authorities are less strict about enforcing the rules in the event that the relatives of a deceased migrant wish to have the corpse buried in the village cemetery even though the deceased did not comply with the *cargos* he was nominated for while away. Thus, as Pedro, a migrant from this village, explained about the practices of his hometown:

There have been cases where people are not in good standing, where if it is the dead or the family, they [the village authorities] give them a hard time and say: 'No, you can't bury this person here.' So then, they have to go through kind of like a little legal process where they have to go and get permission and, you know, go back to the city and they make them go back and forth, and then they finally do let them get buried there. I don't think that there has ever been an instance where they sent the body back ... Once the body is in the village, they eventually let them bury their dead. But they do give them a hard time if they didn't pitch in and they didn't contribute. So, when it comes to that situation, if they [the family] know that the deceased or they themselves haven't contributed, then they don't want to go through the hardship of arguing with the authorities when they are already suffering their loss. So, then they just prefer to leave the person in the city, whether it is here in LA, in Mexico City or in Oaxaca City.

In this way the village authorities can, through the corpse, seek to shape an understanding of what is expected of a migrant villager during his or her absence. As Pedro added: 'There is a little scare-tactic in it also. It is not as bad as it looks but they use it as a way to manipulate you, you know, to contribute more.' Although this village compared to the former seems to offer a bit more lenience, in one case, however, when a migrant villager who for long periods

had failed to cooperate died in Los Angeles, the former village president refused to have the village church bell rung, as it is customary, thereby symbolically excluding the deceased migrant from the community. Thus, in the case of both villages, one can argue that it is not only the banished life, *homo sacer*, as Agamben (1998) writes, that acts as the included outside upon which the community constitutes itself and its moral order. As the above cases illustrate, this argument can equally be extended to the deceased migrant who posthumously risks being excluded from the community.

In the case of Jacinto, throughout his years in Los Angeles he was a member of the migrant organisation and paid his dues, while also being a member of the village wind orchestra, therefore remaining in good standing with the authorities in the organisation as well as in the village. Moreover, as the president of Yalehua explained in an interview, the village authorities were aware of the fact that most of the migrants also face hardships in their new places of settlement, and they therefore sought to avoid putting as many burdens on them as some of the neighbouring villages. Therefore, when Rosa phoned the village authorities to inform them of Jacinto's death, she did not have any difficulty obtaining permission to have Jacinto's corpse buried in the small village cemetery.

Before the burial of Jacinto's corpse could proceed, however, the mourning rituals continued for another day with two more rosaries, this time accompanied by the village wind orchestra. For the second night of wake, a small group of relatives stayed with the body and helped one another to place the belongings of Jacinto that should accompany him in the casket as well as a small bag of food for him to take on his final journey to the other side. Early on Thursday morning, 12 May, the day of the burial, a group of male family members had gone to the cemetery to dig out the grave. Before they commenced on their arduous task they had poured mezcaltl on the surrounding graves of relatives, as an offering, and on the site of Jacinto's grave to ask permission from a final claim-making sovereign entity, namely mother earth, to make the grave and receive Jacinto's body.

In the afternoon, relatives from Oaxaca City and friends of Jacinto from some of the neighbouring villages came to pay their final respects and take part in the mass held in the village church. After the mass, all the attendants went in a procession led by the orchestra playing funeral marches, followed by the casket carried by a group of men, while fireworks (*cuetes*) were ignited to signal that the body was now going to the cemetery. When they had covered about 100 metres along the small road leading up to the cemetery,

the casket suddenly began shaking from side to side. As Zulma later recounted the event:

He [Jacinto] did not do this when he left the house, he was calm, but when he left for the cemetery the coffin turned as if it wanted to go [down the road] to the house of his sister instead. It was so heavy that the guys [carrying it] screamed when the casket turned. The poor guys looked as if they were drunk.

A young man, however, came to the rescue by getting down under the casket and helped to lift it with his back. With his help, the men managed to carry the coffin the remaining distance to the cemetery, although they were struggling and suffering. While a number of circumstances such as the weight of the casket, the bumpy dirt road and even alcohol might also possibly account for the zig-zag movements, several villagers explained to me that this phenomenon, which in Zapotec is known as *chbegade*, happens when the dead dies with things pending, if it was not the right time to die, or the deceased is refusing to leave his family and his pueblo. Finally, at the cemetery, while one of the village elders made a short prayer and the orchestra was playing, Jacinto's casket was lowered into the grave. As Zulma added on her return to Los Angeles: 'Now, at last, he is resting in peace, because, poor him, he was sent from one place to the next without the body arriving, but finally he made it.'

Concluding remarks

With the death of Jacinto a process begins where a number of different authorities representing diverse political communities each seeks to exert their influence and govern the handling of the corpse as well as its spiritual afterlife, whether carried out through laws, regulations, policies, rituals or social norms. For Jacinto, having migrated to the United States from his native village in Oaxaca, the process of death extended across a national boundary, which together with his indigenous background multiplied the number of authorities involved in managing his death.

A central contention of the chapter is that the involved authorities in the process of making sovereign claims over Jacinto's dead body concomitantly seek to shape meanings related to membership, belonging and obligation. The meanings that these authorities, metaphorically speaking, try to inscribe on Jacinto's body, and the migrant body more generally, are sometimes overlapping and

complementary, as for example displayed by both the Mexican state and the local village encouraging the migrant's continued membership of the community, along with the sending of remittances. In other cases, however, the claims may be conflicting, as, for instance, when village authorities oblige migrants to return to perform *cargo* duties in order to maintain their membership, and sometimes even decide posthumously to exclude a migrant from the community for failure to meet these obligations while alive.

Although the existence of multiple and, sometimes, overlapping authorities increase the number of demands and potential obstacles that the relatives of the dead have to deal with, it nevertheless also allows room for negotiation and manoeuvring between them. In addition even if the corpse may seem like a privileged site for authorities to inscribe their various sovereign claims – as a subject that cannot resist or speak back – the cadaver does not always lend itself easily to such engravings. For instance, in the case of Jacinto, his soul – as it was perceived by his close relatives and many fellow villagers – continued to make claims on the body after his death in order to avoid being put into its final resting ground.

Accordingly, not all authorities succeed equally well in making their sovereign claims. In the case of the Mexican state's programme for the repatriation of human remains, although the numbers are significant it is, as Lestage notes, less than 20 per cent of the Mexicans who die in the United States whose remains are transported back to Mexico. Thus, not all migrants necessarily share the identities and meaning of belonging promoted by the Mexican government. In some of these cases, mundane reasons such as the economic costs, ignorance of the repatriation programme or simply the location of close relatives – particularly the children – guide the choice of burial site. In other cases, however, the efforts of the Mexican state to promote sentiments of belonging and inclusion among the migrants are perceived to stand in contrast with the failure of the state to provide them with a livelihood to begin with. As a result, some migrants out of resentment towards the conditions that they had to endure before their migration make a deliberate decision not to return to their place of origin, whether alive or dead.

Notes

- 1 In order to respect the privacy of my informants, the names of people and the village appearing in the ethnography have been changed.

- 2 This number does not include the repatriation of human remains in urns.
- 3 The numbers are based on personal communication with the SRE, 27 January 2012. The year 2011 covers the period from January to October. Interestingly, the number of certificates issued for embalming (form 160), which is required for the shipment of a cadaver internationally, have gone down over the period from 9,049 in 2009 to 8,395 in 2010 and to 6,625 in 2011 (January to October).

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