

THINKING WITH NGANGAS: REFLECTIONS ON EMBODIMENT AND THE LIMITS OF "OBJECTIVELY NECESSARY APPEARANCES"¹

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As Marcel Mauss (1967:46) famously remarked, western societies draw a "marked distinction [...] between real and personal law, between things and persons". Writing at the height of self-conscious early 20th century Western modernism, Mauss was at pains to point out that it was "only our Western societies that quite recently turned man into an economic animal" (ibid.:74), and that such a distinction was, historically speaking, a contingent elaboration². Commenting on Mauss' insights, James Carrier (1995:30), thus, speaks of "an increasing de-socialization of objects, their growing cultural separation from people and their social relationships" and the development of conceptions of "alienability and impersonality of objects and people in commodity relations" as characteristic of this moment³. But Carrier is not entirely happy with the uses made of such insights by students of western societies. His intent, rather, is to qualify Mauss' famous distinction between forms of enacting object-relations as social relations shaped by sharply contrasting modes of gift- or commodity exchange. Carrier, thus, expends much energy on expounding the extent to which "blocked exchanges" (Walzer 1983) "singularized goods" (Kopytoff 1986), conceptions of "market-inalienability" (Radin 1987) and "inalienable possessions" (Weiner 1992) are not random pre-capitalist survivals fortuitously lingering on within western cultures, but constitutive of forms of sociality indispensable to them. Of course, Carrier is largely concerned with dispelling the economic fictions of forms of "occidental" discourse that systematically project a normative language of market functions and failures onto social practices which regularly produce, rather than merely accidentally throw up what economists call "externalities" inhibiting optimal market allocations. Nevertheless, it is striking that both Mauss and most of his critics (Carrier being merely an example) take a principal, ontological distinction between people and things for granted. As a result, we are treated to sets of contrasting representations of how cultures (capitalist or other) construe such fundamental realities into different configurations of subjects and objects, so that the mystifications of one social formation or cultural order illuminate those of the other – to ultimately prove a Cartesian point.

This moment is just as obvious in another famous set of explorations of the boundaries

¹ This essay is dedicated to Bonno Thoden van Velzen to whose work it owes more than superficial inspiration. I would also like to acknowledge the comments and criticisms offered by Greg Beckett, Jeannie Rutenburg and Erwan Dianteill.

² Despite the evolutionistic structure and tone of his famous essay, Mauss clearly did not view such a distinction as the final discovery of any "natural" (and therefore "real", or "truthful") relation between human and non-human forms of existence, society and nature, simply hidden from the view of earlier stages of cultural development, or "contemporary primitives".

³ "[I]n commodity relationships", Carrier writes (ibid.:33), the link between the parties is based on alienable attributes, while in gift relationships it is based on inalienable identities".

between people and things – the theory of fetishism. Whether in Marx’ or Freud’s terms, whatever else the fetish may be, it is made to perform the work of an epistemological crowbar by means of which the analyst pries apart and unhinges the fictions which direct and channel the circulation of value (or desire) between subjects and objects in the world of the fetishist. Whether routinized in individual neurotic practice, or institutionalized in social forms of reification, the fetishist illusion is based in systematic forms of misrecognition that analytically can be exposed as instances of category mistakes – so that it is clear that the shoe is not (or “not really”) the absent female phallus, or that the commodity represents a mere mystification of objectified and expropriated human labor, forgotten as such, and instead circulating as exchange value. The products of such analytics are obvious and well known. Just as the sexual fetishist erotically invests the wrong (namely inanimate) type of object with inappropriate (namely personalistic) value, so does the commodity fetishist erroneously treat relations between people as relations between things. No less obvious, however, are the assumptions underlying such fetish-criticism, perhaps the most crucial one being that there exists a bright ontological dividing line between things and people which merely has gotten obscured or distorted in fetishistic reasoning and desire.

Numerous objections can – and have been – raised against such appeals to a fundamental reality beneath the surface of fetishistic representations, and it would be futile to rehearse them here. For in the present instance, I am more interested in the productivity of the distinction common to both critique and counter-critique – viz. the notion that we somehow *ought* to be able to tell where things end and people begin (cf. Bynum 1992, Charo 1999, Sharp 2000). Like Bruno Latour (1993) I am inclined to think that this notion – as well as the discursive strategies of categorial purification that render gifts and commodities, people and things mutually contradictory and exclusive – is at the core of the problem that makes the fetish thinkable as a problematic in the first place. And I would like to explore this issue by focusing not on what the fetish obscures, but what it brings to light in regards to certain contradictions in the management of persons and their bodies in early twentyfirst century economics, law and medicine – contradictions that become patently visible in the case of an Afro-Cuban ritual complex centered on the manipulation of personalized objects, but which increasingly irrupt into more ostensibly rationalized contexts in the very concrete and often palpable reality of conceptual hybrids turned flesh and bone. What both cases would seem to problematize is the thoroughly naturalized notion of a coincidence of bodies (material units) and persons (bundles of rights) – a notion not just constitutive of those commonsense understandings of selfhood and embodiment on which routine social praxis builds in contemporary western societies, but central to those social and economic theories which, since at least the eighteenth century have sought to rationalize, enable, and direct such practice.

What I will argue is that reading such practices and rationalizations through the lens of what, at first glance, would appear to be a richly exotic instance of “fetishistic” thought and agency reveals not just their remarkable compatibility across what seems to be a deep divide between different forms of rationality (a classic ethnographic sleight of hand). More importantly, I believe it also throws into sharp relief their common origin in a singular historical constellation out of which both emerged in tandem, as it were. As a host of scholars including Max Horkheimer and Theodor Adorno, Aime Cesaire, William Pietz, Paul Gilroy, and – among others – I, myself, have pointed out (albeit in very different ways), there are good grounds for arguing that notions of western modernity, reason, individual autonomy etc. not just became thinkable only in contrast to emerging conceptual antitheses – non-western tradition, irrationality, dependence and so forth. Rather, and by

the same token, the concrete historical conditions of possibility for such distinctions lie decidedly not in abstract philosophical reflections, but in those violent Atlantic scenarios where the systematic dehumanization and commodification of non-western others generated not just truly novel notions of western self-hood, individuation and subjectivity, but also non-western systems of analyzing and rationalizing precisely the same kinds of historical moments and experiences (Palmié 2002). The two, or so I argue, were cut from the same cloth, and both, at least in part, revolved around a truly phantasmatic object: the human being who, to use Aristotle's language, is "a thing possessed" by an alien power – a body seized and transformed into what may be the most uncanny commodity of all, viz. a slave. That said, let me turn to a few cursory remarks about bodies and selves in the intellectual tradition of which this essay necessarily forms a part, and look at the body as the primary fetish as which it emerges in classical economic theory – a thing possessed by a mind and self.

MARKET-AGENCY, SELF-POSSESSION AND THE SKIN-BOUND INDIVIDUAL

Let me begin by suggesting that the notion of the body as an integral, objective locus of individualized identity, self-control, and personhood – rather than as e.g. a volatile and even partible nexus of social relations and practices (Strathern 1988) – is not an idea that Renée Descartes merely dreamed up in a 17th century German boarding house. Were this the case, we might not even know his name, or merely regard him as a Mathematician. That this is not so, that we can speak of Cartesian distinctions between subjects and objects, bodies and minds, however, has less to do with the brilliance of his insights than with the conditions under which such a configuration that both disenchanting and desocialized the body as a mere vehicle and tool of the autonomous mindful self became culturally salient and – one should add – economically meaningful in European societies. Nor was this transition anything but uneven and protracted (e.g. Sahlins 1996), and it was less a precondition for, than a symptom of, a new economic order dawning on the horizon of societies in which transactions in commodified objects were beginning to reshape the contours of selfhood and legal subjectivity. Its conditions of possibility – and credibility – were strongly tied to the emergence and successful institutionalization of the conception of society as a market (Agnew 1986).

As the historian J.G.A. Pocock (1979:153) thus puts it in respect to 18th century quandaries about the nature of "economic" man, prior to what Polanyi (1968[1944]:75) polemically described as the transformation of human society into a notional accessory of the economic system, the market was all but the domain of the triumphant "masculine conquering hero" fantasized in the 19th century imagination as having superseded dependency and achieved unconditional individuation⁴. Rather,

⁴ "Economic man as masculine conquering hero," he writes (ibid.:153) "is a fantasy of nineteenth-century industrialisation (the Communist Manifesto is of course one classic example). His eighteenth century predecessor was seen as on the whole a feminized, even effeminate being, still wrestling with his own passions and hysterias and with interior and exterior forces let loose by his fantasies and appetites, and symbolized by such archetypically female goddesses of disorder as Fortune, Luxury, and most recently, Credit herself". Cf. the now classic treatment of these issues by Hirschman (1976)

in a very important sense, such a creature was talked into being in the course of the development of a particular form of "rhetorics of self-making" (Battaglia 1995) centered on isolating (ibid.:5) "the skin-bound individual as the primary site of moral control", and investing it with what Locke (1963:328f., i.e. book II §27) identified as "every Man's" primary, and inalienable property: a rationally structured, interest-maximizing and, most important of all, autonomously embodied self -- or self-controlled body.

The primacy for this formulation of concepts of bodily self-possession, and the subject's rational control over an objectified body that is *sui juris* can hardly be overemphasized. For apart from the issue of the proper management of bodily needs and desires (including forgoing their satisfaction for reasons of political obligation)⁵, inhabiting a body capable of removing objects out of a "State that Nature has provided", mixing one's labor with them, and so incorporating them into one's self as additional qualifiers of social personhood, i.e. property -- or, alternatively, disposing of them in an equally self-interested, self-chosen, i.e. contractual manner is the prerequisite for personhood in Lockean (or Hegelian, for that matter) conceptions of civil society. The body, thus, becomes the primary tool of the properly individuated self, an objectified means of production of further property, the archetypical motor of the generation of utility and the satisfaction that possession brings to the self⁶.

This proposition of bodily self-possession (implying, as it does, a conceptual separation between mind and matter, subject and object, self and body), is fundamental to any idea of free labor, i.e. the voluntary entrance into a contractual arrangement consisting in the hiring out of embodied capacities for value-creation for a specified time and price⁷. But is also a proposition

⁵ The view of human beings as creatures of want and desire is, of course, an ancient element of western anthropologies (cf. Appleby 1993 and Sahlins 1996).

⁶ This is not the place to elaborate how such a conception eventually merged in modern western cultures with post-Cartesian visions of a mind-body duality on the one hand, and the vision of the body as a functionally optimizable machine for human self-production (stated in its most outrageous form by the enlightened trickster de la Mettrie in his *L'Homme Machine* [1747]) which continues to inform our present day popular health culture (cf. Martin 1987). But it is important to note that despite the affinities between political theories of economic individualism, and the mechanistic vision of human corporeality -- obvious as its various ramifications seem to us today -- this merger was a protracted, and by no means easy one (cf. Easlea 1980, Merchant 1980).

⁷ Conversely, when Marx rails against the alienation of objectified labor as a source of self-estrangement in the Economic and Philosophic Manuscripts of 1844, he likewise argues from a position where "man's sensuous species being" ("Gattungswesen") centers around a conception of embodied capacities for value-creation, i.e. labor (e.g. in Marx [1964:106ff.]). Quite clearly, neither Marxian conceptions of alienation nor the "idealist" forms of predicating personhood on abstract subjectivity (e.g. in Kant or Marx's own Neo-Hegelian strawman Max Stirner) were even thinkable before forms of mind-body dualism became the reigning anthropological trope in European intellectual circles (let alone among the general population in western societies).

without which most modern conceptions of human individuality and social personhood remain incomprehensible. So indispensable is this proposition to western economic and political philosophy and, indeed, common sense, that the idea of self-possessed embodiment as a prerequisite of the capacity for appropriation as a determinant of social personhood has come to provide the foundations of most classical theories of civic rights -- including, rather importantly, the right to alienate one's property (cf. Radin 1982, Engelhardt 1996:154-166)⁸. Hence, the Wittgensteinian "hinge" -- that element in a language game on which doubt turns, but which itself is not open to doubt -- of modern (bourgeois, if you will) subject formation ultimately was not the abstract Cartesian "cogito" merely accidentally cast in an individual (literally speaking) physical shell socially capacitated to produce and appropriate. It was a need-afflicted and desire-ridden (as in classical and neo-classical theories of utility), or at least embodied (as in Marxist labor theories of value), and certainly gendered and racially marked type of social person that might have consisted of more than one human being⁹. If this strikes us as peculiar today, it is because 19th and 20th century economic and political liberalism gradually, but rather thoroughly freed previously ill-

⁸This becomes immediately clear once one considers the case of categories of people systematically disabled through the operation of such criteria: slaves, children, or women under legal coverture contracted through marriage, for example, inhabited bodies marked as distinctly unfit to hold and exercise such rights. Since the deployment of their bodily capacities for the creation of value was already entailed in someone else's property rights (masters or husbands, fathers, and legal wardens), their persons were subsumed under the appropriating capacities of others who -- legally speaking -- represented or "corporately" entailed them. Cf. Radcliffe-Brown's (1952:32-48) discussion of rights "in rem" and "in personam" on which a good deal of corporate lineage theory came to rest, but which he, in a significant aside, extended to the claims modern nation states lay on the persons of their citizens (e.g. in demanding extradition). Rights "in rem" can of course create their special problems -- to wit the characteristic paradox arduously circumvented in most New World slave codes that the property-status of chattel slaves made it impossible for them to commit theft on their master's estate (cf. Lichtenstein 1988). Another case might be seen in conceptions of female housework as non-remunerated labor originating in customary rights "in personam" established through marriage, even though husbands' formal legal rights "in rem" no longer exist (but see McClintock 1992 for a perspective foregrounding the re-contextualization of such conceptions in the context of prostitution).

⁹ A case illustrative of this issue concerns the so-called "three-fifth compromise" reached in the debates between delegates from slave-holding and non-slaveholding states at the US Constitutional Convention in 1787 over the issue of whether slaves should be counted into the general population in order to determine representation in the lower house of Congress. The solution eventually agreed upon was to count slaves as "three fifths of a man". Of course, since enfranchisement was a priori preempted by property-considerations, the absurdity of this construction hardly registered in the language in which these debates were conducted. Much like the Catholic Trinity, a Southern slaveholder owning five slaves would have been represented in Congress as a single citizen consisting of one person and three individuals. The inspiration for this example comes from my former colleague Jeannie Rutenberg.

embodied populations from the "categorical unfitnes" (Appleby 1993:166), and consequent legal disabilities to engage in market relations. However long it took to attain hegemonic status, what MacPherson (1962) called "possessive individualism" has nowadays become thinkable as a condition to which all adult members of the human species can (or should be enabled to) rightfully aspire.

By the same token, as Nancy Fraser (1997) argues, if the market has come to engulf categories of people inhabiting bodies which previously marked them as non-self-possessed (women, enslaved non-white people, etc.), the continued operation of a discourse of agonistic individuation has rendered economic identities not predicated on full market-participation (such as e.g. welfare-dependency) liable to extraordinarily heavy burdens of self-justification. Indeed, a threat incurred by those failing to live up to such discourses of individual autonomy in late capitalist western societies is outright pathologization. Through the increasingly systematic hypostasis of economic disprivilege as a personal proclivity to forego full social individuation by relying on a state-administered livelihood, what Sen (1981) might call social deprivation of opportunities to generate exchange entitlements -- i.e. structural poverty -- transforms into a disease inherent to unself-controlled bodies, but afflicting society at large through state-organized income-redistribution. Paradoxically, then, as a discourse on individual rights has proliferated outward from its 18th century white male elite core, self-making is no longer a privilege conferred by citizenship, but must, perhaps more realistically, be viewed an obligation incurred through formal membership in the body politic of "post-socialist" western welfare states¹⁰.

Of course, as Fraser makes clear, like their predecessors, such late 20th century "amendments to Hobbes' problem" (as MacPherson might put it), have a normative rather than mimetic relation to the realities they purport to reflect. As their foremost organizer, the idea of the market exists primarily in a systemically empowered discourse that evokes rather than depicts (cf. Heinzelman 1980). For that its reality-effects tend to socialize individuals constituted through its operation into their proper roles as executors of its functions is, logically, a secondary consideration¹¹. As Zizek (1997) might have it, such executive subject positions, and the palpable

¹⁰ If the market's rhetoric of possessive individualism as a natural human proclivity has notionally become available to everyone, then there is really no other language left in which to explain the failure to embody the image of economic man than a medical idiom of individual deficiency of self-control and/or psychological autonomy. As Emily Martin (1987) made abundantly clear one of the results is that women -- long conditioned to view their bodies as insufficiently self-controlled, or otherwise deficient sites of social and biotic production -- are now facing another form of socially imposed reduction. Particularly if they are black, pregnant, and legally minor, they appear to critically threaten to sap the vitality (if not to say the virility) of the North American economic body politic, creating seemingly uncontrollable externalities for a welfare state that is increasingly seen as imposing "unnatural" burdens on its "productive" citizens.

¹¹ Nancy Hartsock (1983:109 et passim) takes this issue to its logical conclusion in arguing that "at an epistemological level defined by or even influenced by the exchange of commodities" assumptions about the nature of the individual and/or social life cannot adequately come to terms with the fact that power inheres not only in structural constraints, but in the forms of consciousness produced through practical engagement of such constraint as well.

havoc its incumbents may wreak rest on systemic (rather than individual) disavowal. If, as Sahlins (1976:211) argues, "in Western culture the economy is the main site of symbolic production", one should, indeed, expect no less¹².

Still, conceptions of "skin-bound" individuality are tricky ground for establishing moral and legal personhood. For the "prodigious expansion of capital into hitherto uncommodified areas" which Frederic Jameson (1991:36) identifies as a crucial element of the "cultural logic of late capitalism" have once more rendered the relation between embodiment, individuality, and personhood tenuous, to say the least. As a result, and in good keeping with what some of us think is a postmodern predicament, the old western philosophical issue of having and being a body is being revisited in a variety of practices for which no coherent (or at least hegemonic) intellectual and moral justification exists, or even appears in sight in western culture. If the naturalization of autonomously embodied, individual market agency was a consequence of the massive diffusion of previously marginal (or, at least, ideologically marginalized) monetized "exchange technologies" capable of setting, as Kopytoff (1986:72) puts it, "dramatically wider limits to maximum feasible commoditization", then technological change is nowadays once more suggesting the need for a novel vocabulary for claims to personhood and expressions of sociality in an economy that has become technologically enabled to define the human body as a resource capable of being processed into a consumable good. Put differently, what we face is a return of the repressed which centers on an unexpected interference of embodiment with projects centered on conceptions of abstract economic individuality which has led to novel and rather thoroughgoing forms of ambiguation of the boundaries between people and things.

NGANGAS IN THE CLOSET

An example from my own work may serve to introduce the kinds of muddles between people and things which – rather than receding into past or towards the ethnographic horizon – are becoming more, rather than less prevalent both in western social reality, and in the discourses aimed at reflecting, or reshaping it. When I began my fieldwork on Afro-Cuban religion in Miami in 1985, I soon came in contact with one of the local authorities on the more grizzly aspects of Afro-Cuban ritual practices: Dade County's deputy chief medical examiner Dr. Charles Wetli. Wetli, a suave pipe-smoking expert in matters of death, introduced me to a rather remarkable collection of objects that had been confiscated in the course of police investigation. Brown-bagged and tucked away in closets and filing cabinets were piles of Afro-Cuban ritual paraphernalia well as a profusion of photographs of domestic altar displays taken at crime scenes. For Wetli, the prime pieces in his collection of forensic ethnographica were a number of human skulls and long bones recovered in the course of routine police operations (drug busts, searches of suspects' premises, even child custody investigations, if I remember correctly), and inevitably brought to the attention of Wetli's office -- usually amid vociferous public clamor about the subversion of American values through the savage African-derived practices of Caribbean immigrant populations.

¹² "The uniqueness of bourgeois society", Sahlins (ibid.) continues, "lies not in the fact that the economic system escapes symbolic determination, but that the economic symbolism is structurally determining".

Obviously, Wetli's position in the American system of justice obliges him to routinely investigate the origins of any human remains found outside of publicly regulated settings such as hospitals, funeral parlors, or cemeteries¹³. Still, for him and Rafael Martínez (his co-author in a number of publications) the rather unusual contexts of the latter finds constituted them as a category apart. Consider the following case description (Wetli and Martínez 1981:507):

A farmer had an altercation with a Cuban tenant concerning the upkeep of the property and the lack of care rendered the tenant's animals (goats, pigs, and chickens). The next morning, the farmer found on his front porch a decapitated chicken (the head was shoved into the cloaca), a split coconut, and 14 pennies all wrapped in cloth. The farmer immediately went to the tenant's shack where he beheld a bizarre altar. In the center was an iron cauldron filled with dirt. On top of that was a goat skull that supported a blood-drenched human skull that in turn supported a chicken head. A chain was draped across the front of the skull. To the left of the skull was a small doll with an appropriately sized sword piercing its chest. Behind the skull were deer antlers (draped with a red ribbon), an antique-appearing sword, and a machete. Two knives were also thrust into the dirt of the cauldron. Candles were burning in and around the cauldron, and some (on the floor) had the depiction of Saint Barbara. In front was a plywood board with a glyph drawn in chalk, a decapitated chicken, and a section of railroad track.

And on their description goes in a bewildering litany of juxtapositions of seemingly disparate objects arranged in an utterly strange and seemingly ominous fashion: there are things hanging from the ceiling, more cauldrons, other glyph-inscribed boards, plastic skeletons, more beads, antlers, knives, blood and dirt. The scene, we might say with Mary Douglas (1966), brims with matter seriously "out of place" in respect to the aesthetic norms governing the North American public sphere. The mere visual effect of such tableaux vivants (or morts?) composed of human and animal remains mixed with natural substances, and industrially produced objects confounds not only standards of propriety and cleanliness, but scrambles a commodity aesthetics that builds on images of orderly separation of object domains: visually at least, for most non-practitioners of palo monte, a nganga suggests the violent, even sinister subversion of conventional western conceptions of what kinds of substances and objects ought to be encountered in immediate proximity to each other. In Mary Douglas terms it is an example of pollution raised to the status of method.

An ethnographic reading of this description, of course, suggests a rather different interpretation. What the police beheld at the scene was not an ominous mess, but an intricate ritual landscape or better perhaps, a functionally differentiated, man-made environment inhabited by a powerful being: a life-form constituted through ritual action. Surrounded by objects documenting or directing its past or future actions ("trabajos", i.e. "works"), the entity dwelling in this environment - an Afro-Cuban nganga or prenda -- takes its origin in complex rituals by which practitioners of palo monte, mayombe, or other Afro-Cuban religious traditions collectively known as "reglas de

¹³ Florida Statutes (§872) nowadays mandate a division of labor between the medical examiner's office and that of the state archaeologist who takes over when the former has determined that the remains in question indicate that death occurred more than 75 years ago, and involved no criminal activity.

congo" gain control over the spirits of dead human beings, in order to harness their powers to curative or destructive ends. "A nganga", writes Lydia Cabrera (1983:118)

is constructed, "mounted", or "charged" by the brujo [literally "sorcerer", i.e. religious specialist] with a dead [i.e. spirit of a dead person], a kiyumba [i.e. skull], branches from the bush, vines, nfitá or bikanda [i.e. herbs], earth, and animals. By rule of association, the vessel containing the supernatural forces concentrated in the bones, sticks, plants, earths and animals, and which are utilized by the ritual specialist is called nganga, nkiso or prenda. It is into this mixture of diverse materials that the spirit enters when called upon. It is where he lives.

Moreover, the entire assemblage constitutes more than the sum of its parts. Inside the total object, its various and variegated parts enter into synergetic relations. The "work" performed by a nganga is a function of the interaction of its animated -- and mutually animating -- parts, recalling conceptions of organismic functional interdependence, or even images of human sociality including relations of dominance and subalterity which, as I have argued elsewhere (Palmié 2002) for historical reasons play on the trope of plantation production: a type of enterprise resting on the productive coupling of objectified humans with dehumanizing objects such as the steam-driven sugar works whose grinders and boiling equipment literally devoured fixed human capital¹⁴ -- overworked, and ill-nourished slaves, and later on contractual workers who consented to such hyperexploitative arrangements in the absence of viable economic alternatives (cf. Martinez 1995).

Priestly manipulators of such objects -- popularly known as "paleros", but more properly called "tata nganga" -- avail themselves of the service of such spirits, because they have come in the possession of bodily remains, or substances connected with the body the spirit once inhabited (such as soil from a grave). Establishing such possession involves negotiations with the spirit, and results in a relationship with it that is oftentimes explicitly seen as contractual. Crucial to this conception are two unquestioned suppositions. The first is that there is an indissoluble bond between the spirit (nfumbí) and the remains of the body it formerly inhabited. This alone, however, does not allow for the classically Frazerian pars-pro-toto syllogism whereby the mere appropriation of human remains would eo ipso confer power over the spirit connected to such remains. For the second factor that comes into play is a notion that such appropriation of bodily parts remains futile unless the spirit has expressed consent. The key to the making of a nganga-object, a Miami palero told me was to "con a spirit who wants to get out of his grave"¹⁵: irrespective of whether human remains have been

¹⁴ As Marx phrased it in the *Grundrisse* (Tucker 1978:255f.), as "a totality of force-expenditure, as labour capacity he [i.e. the slave] is a thing [Sache] belonging to another, and hence does not relate as subject to his particular expenditure of force, nor to the act of living labor. [...] In the slave relation, the worker is nothing but a living labor machine, which therefore has a value for others, or rather is a value". Shackled to the dead labor embodied in the sugar mill's technology, the slave's embodied capacities were "verwertet" rather than "verwirklicht" (ibid.:253), wasted in the process of value creation, rather than realized.

¹⁵The underlying idea here derives from spiritist conceptions about the craving of "earthbound spirits" (i.e. spirits of humans who either led a morally corrupt life, or died a bad death) for closeness to humans who will give them "peace and light".

extracted from a grave or bought from a commercial retailer, one will have to chant to even a mere spoonful of grave dirt; offerings of liquor, tobacco, money and blood have to be made even to a skull anonymously obtained through the services of a medical supplier. For pace Frazer there is nothing mechanical about this operation of gaining control over a *nfumbí*. Unless the spirit willingly comes under the command of a priestly operator, the resulting assemblage of materials will remain just what the police officers in the case reported by Wetli and Martinez thought they had before them: a senseless jumble, a bloody mess.

In the understanding of practitioners of *palo monte* a *nganga*-object, thus, originates in the conclusion of a contract ("trata") between the spirit and the person whose familiar it is to become. To achieve this end, the *palero* (i.e. practitioner of *palo monte*), in essence, ritually simulates a market situation in which he makes the spirit an offer it cannot refuse. The idea is that the spirit sells itself for a price negotiated with a future employer of its capacity to empower "trabajos" (works) undertaken in the service of the priestly owner/manipulator of the object-assemblage the spirit consents to inhabit. It is an arrangement compatible, on one semantic level, with understandings of wage labor as the voluntary conveyance of title over one's personal embodied capacities to a second party under market conditions. Accordingly, once specific "works" have been completed, the spirit is, indeed, paid by appropriate sacrifices of blood, alcohol, food, or tobacco. However, since the spirit only becomes embodied (and, thereby, capable of performing such labors) through ritual action, the ritual specialist constructing the *nganga*-object also acts in accordance with classical liberal principles of appropriation: in mixing his will with otherwise unutilized resources, the *palero* transforms the spirit who consented to being objectified in a *nganga* into a species of property. In line with the semantic ambiguities of Hegel's concept of "Besitzergreifung", i.e. the "seizure" of something as property, the seemingly contractual "trata", in other words, constitutes a moment of capture¹⁶. This creates a somewhat paradoxical situation. For the resulting hybrid being is in fact a slave. Not only is the spirit incapable of separating itself from the embodiment it has received through the *palero*'s ritual action. The spirit becomes an extension of its owner's self to a point where the *tata nganga* can become possessed ("montado", lit.: "mounted") by the *nfumbí* in order to see through the spirit's numinous eyes, and attain knowledge of his (or a client's) enemies' moves, or observe the destruction the spirit visits upon them in averting or returning their mystical attacks.

Furthermore, the strange mixture of objectified person and spirit-animated object a *nganga* represents not only figures in the constitution of its owner's cult group through initiation of human neophytes who thereby become enabled to incorporate its force by becoming possessed. It is also

¹⁶ Paleros themselves often take precautions against the posthumous appropriation of their remains by any but their closest associates. In Miami, a *palero* once introduced me to a *nganga* (they are all treated as individually named "persons" who demand being accorded respect from strangers) which -- so my informant claimed -- contained the skull of the Chinese man who once initiated him into *palo monte* back in Cuba, and whose remains he had dug up and smuggled into the USA. Appropriately, a plate of fried rice sat in front of the *nganga* which, as the *palero* explained, had been fed just last night. Legends have it that the famous Cuban *babalao* (priest of the *ifá*-oracle) and *palero* Eulogio Rodríguez (Tata Gaitán) 1861-1944, asked his "ahijados" (junior members of his cult group) to decapitate his corpse and bury his head separately from his properly entombed body so as not to be posthumously enlisted into the services of other *paleros*.

rendered capable of the (assisted) reproduction of similar possessions: in constructing new ngangas for junior members of his cult group, a palero will not only "seed" such objects with parts of the contents of the original object (which usually had similar precedents), but rub materials derived from his nganga-object into incisions cut into the shoulders, chest, and wrists of the future possessor of a new nganga. Once constructed, ngangas, thus, not only assimilate new spirits into relationships with new human "possessors" (who, in turn, can become possessed by them). Over time they ramify through a form of social space conceived as extending to both sides of the grave in a rhizomatic pattern¹⁷ that gives ideological (though not necessarily historical) credence to the words of an informant of Lydia Cabrera's (1983:147) who claimed that "since the first slave ship landed there ... the first congo who stepped on Cuban soil cut branches, disinterred the dead, and began to work with his [nganga] and to teach his dependents to do so as well". Nganga-objects, in other words, condense and express branching histories of social relations growing within and against what Marx called a "monstrous" world of commodities¹⁸, originally constituted by one of capitalism's most blatantly violent appropriative mechanisms, slavery. In fact, the awesome power and potential violence emanating from these objects bespeaks a vision of depersonalization through the agency of things that turns the fantasy of total control over human objects back upon itself (Palmié 2002).

Viewed from this angle, the skulls on Wetli's shelves document what paleros would consider acts so perverse, and of such horrendous consequences for virtually everyone involved, as to render them almost inconceivable. Normally, ngangas are disassembled only upon the death of their owner, and only if the spirit assents to being "set free" (the phrase usually employed is "dale camino al nfumbí"), i.e. emancipated to forms of obliteration of their identity and powers recalling - like so much of what I have elsewhere called the "Afro-Cuban nganga complex" -- a violent past of dehumanization under slave-labor-driven forms of plantation-production. Extending this metaphorical skein downwards in time to the brown-bagged skulls extracted from "live" ngangas in the course of police investigations, their fate recalls that of "super-annuated" slaves who were manumitted precisely because the cost of their physical maintenance exceeded their capacities for surplus production. For just as elderly freedpeople would have found themselves largely devoid of means to secure their sustenance in rural areas dominated by a mode of production centered on a near-absolute division between productive activities performed by enslaved black bodies, and acts of appropriation performed by free white persons, so -- one might argue -- do the skulls in Dade County's medical examiner's office represent a tragic categorial anomaly: not restituted to either a purposive (if alienated) existence, nor consigned to the generalized oblivion notionally prescribed for the spirits formerly inhabiting dismantled nganga-objects, their plight is to perennially hover between cultural templates: that of palo monte, and the American legal system which has now become their involuntary master -- unconscious of their wants, and incapable of fulfilling them.

For needless to say, none of these considerations can enter into the legal discourse which

¹⁷ The term was suggested to me by Erwan Dianteill.

¹⁸ "Monstrous world of commodities" is my paraphrase of "ungeheure Warensammlung" -- a term Marx uses on the first page of *Das Kapital* to characterize his own social formation. The standard translation as "immense collection of commodities" (Marx 1977:125) fails to convey the sense of monstrosity and uncanny-ness that is very much part of the semantically far more ambiguous German original.

informs the ways in which Dade county's police force, and Wetli's office can fashion such "finds" into evidence. On the terms of US civil or criminal law, little of what the police report cited above revealed could be construed as legally actionable. Though obviously under the custody of the American legal system and its executive institutions, Wetli's skulls are no less patently beyond its semantic reach. As Wetli and Martínez (1981:509) summarize the results of the investigation performed subsequently to the initial find in the case quoted above, the

skull appeared to be that of a middle-aged black male. The tenant (dressed all in white, which is typical of a santero) produced a receipt for the skull. It was purchased at a local botanica [store selling ritual paraphernalia] for \$110. The receipt further indicated that it was from a 39-year old African male and was sold for educational purposes. Although the State of Florida does not prohibit the owning of a skull, it does have statutes prohibiting the trafficking in human remains.

The outcome, thus, affirmed the maxim "ex turpi causa non oritur actio": the Cuban tenant eventually was charged with cruelty against animals for reasons totally unrelated to the presence of human remains on the leased property (live animals belonging to the Cuban tenant were judged to be badly cared for). No charges were pressed against the botanica, nor was there any sustained investigation as to the ultimate origins of the skull.

I do not know whether the skull in question wound up on the shelves in Wetli's office (along with the half dozen of other crania, and similar "unknown human remains" which had accumulated there by 1985) after his department had examined it for any traces indicating a violent death, and had satisfied themselves that -- like most human bone material used as medical specimen in the US -- was, in all likelihood, of foreign origin. As Wetli pointed out to me¹⁹, from a legal point of view, most human remains discovered in Afro-Cuban religious settings never come to constitute forensic evidence. Though grave-robbings linked to Afro-Cuban religious practices have occurred, the vast majority of "unknown human remains" found on sites associated with Afro-Cuban ritual practices and brought to his attention had been either provably purchased, or, at least bore visible marks of what Wetli regards as Third World origin (such as massive, unrepaired dental decay in adult skulls, or deficiency-disease induced bone deformations). For Wetli, even in the absence of proof of purchase, such signs plausibly indicate their origin in the practice of importing medical specimen. The matter, thus, becomes a question of federal laws regarding international commerce, rather than a subject of local statutes concerning either forensic evidence, the regulation of the storage or disposal of unburied human remains, or the controlled elimination of biomedical waste²⁰.

Gathering dust in Wetli's office, the skulls extracted from ritual contexts, it seems, fall in a rather peculiar, and patently hybrid category of objects. For along with other unclaimed body parts or tissue permanently separated from the person in whose body they originated²¹ they do not legally

¹⁹ As well as in writing: see Wetli and Martínez (1983).

²⁰ Though the 1987 US "Uniform Anatomical Gift Act" precludes the sale of human remains by US citizens, it does not seem to restrict the commercial circulation of anatomical specimen originating outside the country.

²¹ Such as, for example, surgically extracted tonsils, appendices, or tumors -- all of which are legally "biomedical waste", and so fall under the jurisdiction of public health codes. According to

constitute anyone's property. Since death extinguishes the person as a subject of law in most western legal systems, such objects are left in a limbo. Indeed, as US laws going back to 1872 have held again and again (Murray 1987:1061), Hegel's theory of property as one of occupancy ("Besitzergreifung") -- demanding proof of the admixture with, or presence in, the object of its owner's will (cf. Radin 1982:973) -- can in the case of corpses, at best, lead to a "fiction of property" (Murray 1987), at worst to a "no-property rule" (Richardson 1988:58, Renteln 2002) applying to objects which can neither "be owned nor stolen" (Jackson 1936: 113-175, cf. Michigan Law Review 1974, Skegg 1984:232, Gottlieb 1998)²². However, as the case of Wetli's skulls patently shows, such objects can nevertheless become subject to re-appropriation, legally established in this case through direct proof of, or plausible evidence for, the operation of market mechanisms (such as sales receipts, or signs of Third World origin). Irrespective of whatever else such objects may be said to be or represent, their commercial valuation effected through sale constitutes them as fungible utilities, and therefore reveals their social character as commodities²³.

Maynard-Moody (1995:84), in US clinical practice, legally aborted fetuses are likewise largely treated like other "tissue by-product[s] of legal surgical services", over which the person undergoing such procedures usually abdicates all subsequent rights. As Morgan (2002) argues, this conception evolved out of early 20th century pragmatic medical-legal alliances that are now patently breaking down under the impact of the debate unleashed by stem-cell research and non-reproductive cloning on the one hand (e.g. Sparks 1998, Gottlieb 1998, Outka 2002, Fitzpatrick 2003), and the growing political clout of fetal personhood advocates on the other.

²² Legally speaking, the term "grave robbery" is inaccurate, if not oxymoronic when applied to the activities some paleros occasionally resort to. For unless objects other than human body matter are extracted from the grave (e.g. jewelry buried with the deceased), such offences do not constitute theft, but tend to be construed either in terms of desecration of a sepulture (i.e. liability for property damage), or in terms of psychological harm inflicted upon the decedent's relatives. Already Blackstone was clear on this point: "But though the heir has a property right in the monuments and escutcheons of his ancestors, yet he has none in their bodies or ashes; nor can he bring any civil action against such as indecently, at least, if not impiously, violate and disturb their remain when dead and buried" (cited in Iserson 2001:694). See Feinberg (1985) and Renteln (2002) for how the mistreatment of dead bodies" (e.g. as dummies for vehicle safety tests) or "corpse mismanagement" (e.g. in unauthorized autopsy) have been dealt with in US law. German law, in contrast, makes "disturbance of the dead" (including taking or doing mischief to a corpse, its ashes, or parts of the body, including those of a dead fetus) a criminal offense punishable by up to three years of imprisonment (Hogle 1999:61).

²³ As the author of a "note" on "The Sale of Human Body Parts" in the *Michigan Law Review* (1974:1248) noted, the 1968 US Uniform Anatomical Gift Act contains "no language that would bar sales". Hence a "source [sic] can conceivably make a contract to donate [sic] his body to a specific individual under the Act and can receive compensation for making that contract." The implication is that such procedure might fall under the Uniform Commercial Code which defines the "the transfer of blood and other human tissues, including organs, as services (rather than sales), whether or not any remuneration is paid". The 1987 revisions to the Act do not seem to preclude

Of course, this decidedly exotic case might well be taken to merely indicate a peculiar loophole in the American legal system unprepared as it may seem to deal with the exotic religious antics of Caribbean immigrants. But such commonsense reasoning only mystifies the fundamental imbrication of the legal sign in a discourse on personhood and agency that has solid economic roots. For rather than facing a mere anomaly, we arrive here at one of the limits of the "objectively necessary appearance" of personhood as a state of self-possessed embodiment demanded by, and normalized through, market transactions²⁴. This becomes immediately clear once we consider the legal dilemmas generated by increasingly routine medical and bio-technological practices which involve the social circulation of human bodily materials. For the language appropriate to the historical project of naturalizing a conception of social personhood centered on the utility-maximizing skin-bound individual as the primary locus of both market agency and moral control is plainly collapsing in the face of forms of medical-economic semiosis that destabilize not just the boundaries of the body, but the very categories through which western modernities have characteristically established hegemonic forms of difference and identity. Though various examples might come to mind, the moral quandaries engendered by the medically engineered excorporation and/or recombination of human tissue appear to provide a particularly striking case in point.

UNCANNY HYBRIDS AND SHYLOCKEAN BARGAINS

Consider, for example, that the first four cases of heart-transplantation performed by

commercial exchanges either (see Iserson 2001:751-756)

²⁴ As I will argue in the following, such forms of reasoning are becoming increasingly foundational to the vast commercial possibilities opened up by recent advances in medical technology and biogenetic engineering which have come to redefine the "utility", individual and social, of human tissue. Nevertheless, it should be clear that conceptions explicitly enabling the attachment of monetary value to human bodies are long-standing, and vital elements of the models of society generated by economic discourse. A particularly striking example is provided by Dublin and Lotka (1946): in attempting to set life-insurance premium calculations on a mathematically secure footing, these authors define the capital value individuals represent for their dependents as consisting in their embodied (i.e., among other things, age- and sex-related) capacity for generating disposable income. In doing so, they explicitly place themselves in a genealogy of thought that excludes the market-generated value of slaves (which they rather inconsistently consider an arbitrary appraisal), but rather follows the likes of William Petty and Adam Smith in calculating "human capital" as a species of "fixed capital". However, they seem only too willing to paper over the fact that (as they themselves briefly note), the practice of treating human productive capacities as fully (i.e. not just abstractly) fungible originates nowhere else than in the context of New World chattel slavery (cf. Moreno Fraginals 1978,I:23, Painter 1994). That the North American reparations movement crystallized around class action suits against insurance companies such as Aetna, MetLife, or Lloyd's should not come as a surprise (Biondi 2003, cf. U.S. District Court for the Eastern District of New York, *Farmer-Paellmann vs. Fleetboston Financial Corporation, Aetna Inc., CSX*, 2002)

Christian Barnard at the Groote Schuur Hospital in 1967 and 1968 involved the transgression not just of everyday conceptions of individually embodied selfhood, but of boundaries of gender, race, and species as well. While the fact that Barnard's first patient Louis Warshansky received the heart of a young woman went largely unnoticed, Barnard's first moderately successful cardiac allograft performed on the white dentist Philip Blaiberg caused public consternation to a degree where the South African state saw fit to declare that the donor's identity as a "Cape-Coloured" would in no way affect Dr. Blaiberg's legal status as a white citizen of the Republic (Michigan Law Review 1974: 1217n242, Lock 2002:81-84). What apparently went unnoticed in the uproar over such medical broach of Apartheid was that the same year Barnard had also (although unsuccessfully) transplanted simian hearts into human bodies (Fox and Swazey 1992:213n6). Now, whatever this may tell us about South Africa in the 1960s²⁵, it points to a problem that has haunted western cultures at least since the medieval debate about universals (Bynum 1991), but was given a rather specific shape in liberal economic theory: if possessive individuality rests on an objectification of the body as a person's primary possession, and if all rights to appropriate or alienate further objects in accordance with one's self-interests originate in this proposition, then to what extent can human bodies (or parts thereof) become subject to appropriation and alienation without endangering the continuity and homogeneity of the individual self? This question is, of course, an old one. Marx, for one, exploited it to the hilt in exposing that Hegel's theory of personhood as self-objectification in will-containing things once combined with his theory of the right to alienate such objectifications yielded a fetish-world where things come to act not just in lieu of persons, but upon them. Rephrasing the matter in terms of the example at hand, if the body is an object external to the self (for how else could one conceive of it as a possession?) to what extent can bodies or parts thereof become fungible -- i.e. interchangeable -- without jeopardizing the individual nature, let alone social identity of the self?

Paraphrasing Haraway (1991:216) we might say that if "the individuality of worms was not achieved even at the height of bourgeois liberalism", there now exist forms of bio-technological commensuration that render the subject of bourgeois liberalism increasingly worm-like in its new-found capacity for partition, and artificial recombination²⁶. Harking back to the example at hand, we are thus faced with a series of unpleasant question: Was Blaiberg still the white South African he was before Barnard temporarily relieved him of his cardiac problems? Had he taken possession of a

²⁵ In a truly remarkable case in the US, some ten years later, questions arose about the "racial identity" of an immortalized (and commercially available) line of cervical cancer cells that apparently had "contaminated" other similarly commodified cell lines presumed to have derived from socially "white" donors (Landecker 2000).

²⁶ Ironically, it was Trembley's discovery of the divisibility of freshwater polyps which provided de la Mettrie with prime evidence for extending Descartes' theory of animals as machines to humanity (his other favorite case in point was the erratic behavior of the human penis: both involuntary erections and impotence, for de la Mettrie, proved the independence of the body's "springs" from the mind). To what extent his views of humans as "perpendicular crawling machines" (1994[1741]:71) composed of interchangeable matter acting on its own accord are beginning to approach western social realities is not as moot a question as it may seem at first glance.

black heart, or might that piece of alien human tissue have taken possession of him by sustaining his selfhood beyond the point where cardiac arrest would have terminated his identity as a white South African dentist? Did Blaiberg's body sustain an alien heart for some 18 months beyond the original "owner's" death? Or did a piece of alien, racially marked flesh prolong Blaiberg's life for that period of time by taking possession of his body, thus threatening to alter his social personhood? What (or who?) was "the thing possessed" in this case? And who its possessor?

The rapid discursive submergence of such quandaries in the general euphoria over the subsequent explosion of transplant surgery aside, the conundrum of Blaiberg's post-operative identity is only the tip of a rapidly emerging iceberg. For it mirrors another conceptual malaise encapsulated in the painful, but no less indicative legal debate over fetal personhood -- to wit the question of whether a pregnant woman is an individual undergoing a physiological process, or the mother of an as of yet unborn child -- i.e., the gestatrix of a potential person whose individual interests and rights, for example, can come to conflict with those of the fetus²⁷. For, along with Strathern (1992:140f.) one might argue that in both cases the conjunction of semantic domains pertaining to social entities (persons) and organic tissue (matter) necessarily throws up questions about the conditions under which "one can recognize in a natural form the presence of a social one". The same problem necessarily crops up in the semantic meltdown of legal language occasioned by surrogate motherhood: here remunerated "gestational services" secured through surrogacy-contracts become a form of objective physiological production. Not surprisingly, however, the alienation of the product generally necessitates legal adoption procedures as a kind of last minute rescue operation returning the gestatrix to social personhood by answering the question "is there a woman in the body?" in the affirmative²⁸. Biotic morphology, in other words, is a treacherous guide to

²⁷ Cf. Maynard-Moody (1995:83-93). For a searching exploration of the cultural implications of recent US abortion legislation see Poovey (1991). But abortion is not the only issue at stake here. As Meyers (1990:13) sums up the legal possibilities opening up through the increasing personalization of fetal tissue represented as an unborn child,

A fetus, once born, has been held [by US courts] entitled to sue his or her mother for prenatal injury negligently caused in an auto accident. The fetus, once born, may also sue third parties for negligently caused personal injury, just as a person recklessly attacking a full-term pregnant mother may be convicted of murder for the consequent death of her viable fetus. Given this precedent, an action imposing legal liability on the mother for prenatal injury proved to have resulted from poor maternal habits, or drug use, may only depend on clear proof of causation after birth. For example, in Michigan, a child was allowed to sue his mother for tooth damage allegedly caused by the mother's use of tetracycline during pregnancy.

As Strathern (1992:136) aptly puts it, "the embryo visualized as a homunculus is a consumer in the making": the moment of "choice" -- retrojected into the uterus -- appears crucial to its humanization in late 20th century western cultures. Once this premise is accepted, then the fact that a fetus has to be born before he or she can exercise consumer rights (such as paying a lawyer to speak in behalf of an infant victim of maternal neglect during pregnancy) logically becomes a secondary consideration.

²⁸ In the rather dramatic "Baby M" case (Supreme Court of New Jersey, 1988) in which the

moral status: where things end and people begin is hardly as evident in western cultures as the logic of possessive individualism would predict. A Shylockean bargain, it seems, is always just around a further bend in the road, threatening to expose the misrecognition of people as so many pounds of flesh at the command of the impersonal logic of market allocation. The question revolves around the properties of script we choose to narrate embodiment. It is a matter of emplotment²⁹.

Hence, for example, the legal scholar Margaret Radin's (1987:1896f.) caveats about constructing "metaphysical bright lines" between persons and things in symbolic universes where "individuating characteristics and personal attributes are conceptualized as possessions situated in the object realm". For once that step is taken, a plot begins to form: "it is another easy step to conceive of them as separable from the person through alienation". Once more, however, having one's cake means eating it as well. For the counterintuitive, but medically pervasive construction of socially dead bodies ("cadaveric organ sources") into Maussian gift-givers ("donors") is surely indicative of the existence of what Radin might conceive of as a vast grey zone, but which we can safely designate as a "fantasy space" (Thoden van Velzen and van Wetering 1988) or, in a different theoretical inflection, a contact area between orders of value ripe with the potential for novel fetish-formations (Pietz 1985, Spyer 1998, Sharp 2000)³⁰. In societies where according to entrenched common sense (and, until recently, according to law) a white woman can give birth to a black child but a black woman can never give birth to a white child, and where -- as in the case of the USA --

gestatrix asserted her personhood by claiming the child contrary to previous contractual arrangements, the court went even further: as Chief Justice Wilentz (1995:81) found, the arrangement the prospective adoptees had made with the "natural mother" (sic!) constituted "the sale of a child, or, at the very least, the sale of a mother's right to her child, the only mitigating factor being that one of the purchasers is the father". The court found the plaintiffs' contract with the defendant unenforceable.

²⁹ See Shell (1982: chapter 3, especially p. 81n58) who sees a troubling dialectic between sexual and asexual -- viz. linguistic and monetary -- generation to be at the core of the ideological tensions exposed in *The Merchant of Venice*: "Linguistic generation", he says (ibid.) comprises the generation of supplemental meaning from words and the generation of a plot from hypotheses (or first principles). Monetary generation comprises the generation of monetary interest from hypothecs (or principals)".

³⁰ As Sharp (1995) shows, transplant patients are routinely disciplined into reifying the organs they received, occasionally pathologized for "personifying" such body goods in regards to knowledge about the "donor's" social identity, and often "experience transplantation as a force that threatens to fragment their sense of self" (ibid.:379). See also Lock (2002: 314-344). Perhaps tellingly, however, as Hogle (1999:145-152) reports, the categories used in U.S. Hospitals for compiling donor information in the early 1990s "had little or nothing to do with the medical condition of the body or the cause of death" that could have represented contraindications for transplantation, but included questions such as "'has the deceased ever had sex with a male who has ever had sex with another male?' and 'Has the deceased ever been to jail?'" (ibid.:146).

commercial blood supplies were subject to legal segregation until the late 1960s (Starr 1998:170), the question of whether Dr. Blaiberg's new heart was merely a piece of human tissue or part of a black person's body -- capable of semantically impregnating Blaiberg's social personhood -- is not easily dispensed with. Rather, it opens up what Thoden van Velzen and van Wetering (1988) would call a "complex theater of the emotions", redolent with irreconcilable scripts suggesting a variety of rather unspeakable story lines: surely, we would not want to see Blaiberg's eventual death as the spontaneous abortion of the alien heart his body had been nurturing for an 18 month term; yet neither had Barnard's initial labors, and Blaiberg's remaining capacities for physiological reproduction effected a rebirth.

Still, it is not just the semantic weight of concrete possibilities of bodily fragmentation and artificial recombination that is eroding the semantic functionality of the economic construct of individual embodiment and self-possession as the hegemonic signifier of social personhood. For, to give yet another example, it is precisely the vocabulary of contemporary immunology -- rife as it is with metaphors of high-tech military defense systems and post-industrial flexible accumulation (cf. Haraway 1991: 203-230, Martin 1994) -- which undermines the cultural salience of the definitions of biotic individuality on which it focuses to a degree where biological and social "non-self recognition" are no longer easily reconcilable. As Renée Fox (1996:255f.) reports, increasing biomedical control over the "rejection reaction" in transplant surgery (commonly conceived as based in a "natural" capacity of the body to distinguish between "self" and "non-self") appears to suggest that "the capacity of immunosuppressive, anti-rejection drugs to induce the recipient's body to 'tolerate' and retain whole-organ grafts rests on a process of cell-migration and systemic *chimerism*". What occurs is that "a population of donor cells (leukocytes) from the transplanted organ migrates to and 'seeds' other tissue of the recipient's body; simultaneously, a 'reverse traffic' of similar recipient cells flows into the graft", eventually producing a relatively stable, chimeric unit: a heterogeneous individual in which both the biological, and social boundaries between "donor" and "recipient" have become blurred.

What language (other than that of Greek mythology) might be appropriate to these processes? What imagery or narrative might reconcile such techno-biotic events with market-inculcated understandings of skin-bound individuality? Surely, the joining of gametes in sexual reproduction would seem a rather troubling analogy. Yet would we rather speak of alien tissue colonizing its new milieu? Might slave labor or the more benign image of the naturalization of economically vital immigrants provide an adequate metaphor? Or would we follow the physician and psychiatrist Stuart Youngner (1996:49) who provocatively speaks of transplantation as "a form of non-oral cannibalism, that is, the taking of the flesh and blood of one person into another"? Were we to agree with the philosopher and prominent bioethics-advocate H. Tristram Engelhardt, this, indeed, might be our conclusion: expounding on Hegel's theories of property Engelhardt (1996:155) argues that

There is nothing we can more fully grasp [in the sense of a Hegelian seizure] or use [in Locke's sense] than ourselves. We render things ours by eating and devouring them, by incorporating them into ourselves. They become part of us, such that an action against them is an act against us as persons and therefore a violation of the morality of mutual respect.

What Youngner calls "cannibalism", can be justified, in other words, as long as it presumes a form of consent modelled on the mercantile transactions which -- for Engelhardt's intellectual ancestors -

- provided the basis of the individual's "natural" freedom to carry aspects or even physical parts of his or herself to the market. Nor should we forget here that for both Locke and Hegel an essentially economic rationale provided the justification for colonialism: in the first case the simple logic of establishing dominion by bringing natural resources (i.e. uncultivated land) to economically higher uses; in the second case, the inevitable course of history conceived of as a process of progressive rationalization that maximized value through seizure and subsequent contractual exchange. Such reasoning obviously lends itself to both the conception of bodies as underutilized matter capable of redefinition as productive resources (as, for example, in international flows of labor), and that of "body goods" as transactable according to conventional theories of social wealth maximization through market allocation: i.e. the principle by which a kidney might have a lower utility to its starving producer than the \$5,000 a prospective buyer afflicted by renal failure might be willing to offer³¹.

Youngner's purposely outrageous rephrasing of what essentially appears a medically engineered capacity of human bodies to metabolize alien body matter³², thus, returns us both to the terrain of the market, and to the psychological space occupied in western societies by the fantasy "to slash and suture our way to eternal life" -- as the theologian Paul Ramsey (cited in Fox 1996:259) phrased what economists such as Richard Ehrlich and Hiroyuki Chuma (1987) theorized as a question of more or less effective demand for quantity of life. For medically engineered forms of individual "consumption" of "body goods" produced by other individuals irresistibly point back to the contradictions inherent in most classical conceptions of individual bodily self-possession as the model case for both personal property-holding, and property-acquisition. If human body parts have become *technically* exchangeable, and if maximizing utility through market transactions be a natural propensity of our species, surely the logical conclusion must be that such objects be rendered saleable. This, at any rate, is the opinion of several medical and legal experts intent on solving the problem of market failure evident in dramatic failure of organ supply to meet medically feasible as well as economically effective demand³³. The problem, however, is that in order to facilitate such transactions, embodiment and personhood must be rendered unambiguously distinguishable -- a grave decision, given the foundational fictions of capitalist societies. Speaking with Appadurai (1986) what western legal systems called in to police distinctions between "persons" (i.e. subjects of recognizable capacities and rights) and things (i.e. objects of their exercise) increasingly face today, are, thus, emergent "regimes of value" which blatantly expose that, as Judith Butler (1990:17) puts it in a different, but related context,

³¹ This is precisely what the lawyer and economist Lloyd Cohen (1989) suggested in his much discussed article advocating the legalization of a "futures" market in human body parts to increase the supply in transplantable organs (cf. Joralemon 2000). For a more recent example of such reasoning see Clay and Block (2002).

³² Recall here, too, Marx' pervasive metaphor of a metabolic relationship between humanity and nature in the process of production and value creation.

³³ See Murray (1987, 1996) for an exposition and impassioned criticism of several such proposals. In addition see Joralemon (1995), the contributions to Caplan and Coelho (1998, part three), Das (2000) and Scheper-Hughes (2000).

the "coherence" and "continuity" of "the person" are not logical or analytical features of personhood, but, rather, socially instituted and maintained norms of intelligibility³⁴.

MARX' "UNGEHEURE WARENWELT" REVISITED

So far, most recent legal proceedings involving the question of property rights in human body parts have, centered around medically extracted materials over which patients subsequently tried to establish -- or, in their view, re-assert -- ownership. Cases in point are blood extracted for future autologous transfusions, ovae removed from a woman's body for in vitro fertilization, and "non-donated" sperm stored for future "self-interested" use (Heubel 1998). Such human bodily materials tend to be construed as property of the persons in whose bodies they originated.

Death however, legally depersonalizes the individual's body to a degree where, his or her biological residuum winds up in a limbo somewhere between the legal categories of personal property, potentially hazardous "biomedical waste" (the disposal of which is not an individual, but public concern) and a natural resource of eminent utility. For since the advent of cyclosporin and similar immuno-suppressants, parts of such "unoccupied" bodies can, become elements of the medically enhanced biological make-up of entirely different persons³⁵. Hence a problem that has particularly occupied those who oppose abandoning legal constraints on the monetization of human body parts obtained from what transplant surgery-language defines as "live cadavers", "heart-beating cadaver donors" (Fox 1996:261, 264) or "neomorts" (Youngner 1996:48): though the former owner (or better, perhaps, incumbent) of such biomatter is no longer legally capacitated to create, hold, or alienate value, the corpse produced through his or her demise may well come to attain marketable value. This semantic construction has led to massive border skirmishes between advocates of cardiopulmonary or cerebral definitions of the precise moment when (given "presumed consent") people turn from economically empowered "persons" into raw materials for the medical reconstitution of other bodies, i.e. quarries for transplantable organs. The result is not just conceptual gerrymandering at the borders of life and death, but the chilling reality of the brain dead individual whose body is kept on life-support and "comfort measures" until the hour when a suitable recipient has been "prepped" for transplantation (Kaufman 2000). At least as envisioned by the University of Pittsburgh Medical Center's controversial transplant protocol in the early 1990s, the medically supervised phasing out of life support can then seamlessly lead into eviscerating surgery,

³⁴ As Caroline Bynum (1991:239ff.) points out, it is not only that Cartesianism reaches its final theoretical limit in the philosophical problem of whether a brain transplant would not better be viewed as a body transplant; rather, in focusing on issues of bodily integrity and partition late 20th century western popular culture seems far more concerned with -- essentially medieval -- universals of identity and survival *sub specie aeternitatis* than a sublunary mind/body dualism.

³⁵ Fox and Swazey (1992), Lock (2001, 2003) and the contributors to Younger, Fox, and O'Connell (1996), Caplan and Coelho (1998), and Ten Have, Weiler and Spicker (1998) provide a good overview of the various contradictions in Western cultures exposed by organ transplantation practices.

and the plunging of freshly "harvested" organs into appropriate cavities carved into their prospective consumer's body (Fox 1996:264f.): a (hopefully chimerically enhanced) being, uniting the producer of forcefully alienated body matter with the consumer of parts of his or her body; a hybrid (in)dividual who in turn gives personal continuity to piece of flesh captured (or salvaged, if you will) from the biologically failing embodiment of another person under rationally controlled conditions securing maximum utility.

It would surely not be farfetched to construe such forms of "death by protocol" (Fox 1996: *ibid.*) under conditions of presumed consent into a ritual analogue to the manner in which practitioners of the Afro-Cuban *reglas de Congo* enlist spirits of the deceased into the construction of life-forms that transcend western commonsense conceptions of life and death, personhood and objectivity. In both cases, we might say, the animation of composite bodies of matter, anthropomorphic or not, depends upon the generation of a culturally effective sense of consent to what, in essence, are irrevocable contracts. In both cases, the powers of the dead -- whether coned out of their graves, or produced according to medical protocol -- are pressed into the service of the living, and in each case the result is a precarious blurring between persons and things, agency and its object. But the analogy bears further extension. Just as the biotic "work" performed by a surgically alienated piece of human tissue (but is it really just that?) can be easily construed into surplus value medically appropriable from an "owner" unable to realize it while vegetating on ICU life support, so do the spirits seized and objectified in *ngangas* by *paleros* perform their "works" ("trabajos") under constraints which conform to "market conditions", but at the same time invalidate the conception of personhood the market's logic aims to routinize. If value there was in the contractions of a South African colored man's heart in Philip Blaiberg's chest, it was "all surplus", and in barring noisome cultural externalities, the South African government's legal communiqué to the press made sure it stayed that way.

Once more we can take the matter one step further: just as the successful suppression of the "rejection reaction" is crucial to transplant surgery, so do similar forms of inhibiting the reassertion of repressed forms of personality safeguard the *palero's* dominion over a *nganga*. For in both cases, the appropriation of human objects does not lead to unalloyed forms of commodified consumption. Something appears to linger on, or shades into the consumer's personhood (Sharp 1995, Palmié 2002). However much *paleros* might shower their *ngangas* with verbal abuse, tie them with chains, or whip them into action in order to ritually explicate the irrevocability of the "trata" establishing mastery over them, in true keeping with the metaphor of slavery underlying such transactions, the spirits contained in these objects remain dangerous possessions. They may turn rebellious. Refusing to fulfill the ghastly errands of vengeance they are sent on, they may be bought over by their owner's enemies, or decide to turn against him on their own. In a mystical version of the immunological rejection reaction, *ngangas* "gone awry" are known to have destroyed their owners through violent accidents, or slow and painful wasting of their vital substance which the *nganga* -- once it has acquired a taste -- begins to corrupt or consume.

If, as I have argued elsewhere (Palmié 2002), the ambivalent attitude of *tata nganga* towards their familiars represents a recension of the historical fantasy of total control emulated in New World plantation slavery, the cultural problems generated by medical technologies capable of assigning utility to socially dead bodies might indicate no less than a permutation of the pervasive fears of revolt the denial of personhood to people under chattel slavery entailed for their masters throughout the slaveholding Americas. Far from becoming extensions of the self, alien body parts

can come to subvert the orderly functioning of the economic unit that is the subject of market agency, and return him or her to the status of an entrepreneur faced with a non-compliant labor force, or broken down technology of self-production. In line with my previous remarks about the muted presence of the slave in conceptions of western personhood, we might, for example -- and I do not think the analogy is in any way outrageous -- think of transplant failure as the incomplete physiological appropriation of alienated tissue, or, phrased differently: as a re-assertion of biotic individuality on the part of its (by then disembodied) former "owner". The rejection reaction, in other words, may be seen as a form of slave flight, or marronage; a revolt against productive consumption, so far only inadequately controlled by medical means³⁶.

Might we then speak of "marooned body parts", or am I merely setting up a language game that artificially subverts medical reality to inappropriate ethnographic analogies? In a pragmatic sense, I certainly am. But given that contemporary philosophers of self-hood, identity, and embodiment worry about brain-transplants, tele-transportation, or other seemingly bizarre questions concerning the linkages between selfhood and embodiment (cf. Bynum 1991:244-252), I think I am not in bad company. In a more crucial sense, it is clear that immunological discourse in transplant surgery has long moved from what Cohen (2001:11) calls "an unwieldy biopolitics of recognition" centered on identifying mutually assimilable tissues to a "more pragmatic biopolitics of suppression, disabling the recognition apparatus so that operability and not sameness/difference becomes the criterion of the match". In principle, though not necessarily practice, there is thus no longer needs to consider the "individuality" of what Landecker (2000:54), adopting James Loeb's late 19th century formulation, calls "technologies of living substance" -- provided they can legally be "freed" from lingering suspicions of potential personhood, and sufficiently dominated by pharmacological means. Hence the precarious and shifting nature of the boundaries between what the Italian philosopher Giorgio Agamben (1998) calls sovereignty and the "bare life" that contemporary fetuses and neomorts share with those other "strangers" (Bauman 1997) whom an essentially "occult" (Comaroff and Comaroff 1999) regime of value can come to assign the status of resources awaiting productive consumption. The dialectic of violent domination and rebellion foregrounded in the case of the Afro-Cuban *nganga* merely highlights and concretizes what contemporary biotechnological discourse systematically abstracts and obscures. And here I think the particular slant my casuistry imparts to current discussion about people and things opens up a dimension rarely considered when philosophers, bioethicists, and medical or legal practitioners engage the terrain of scientifically enhanced existential questions. That dimension pertains to both history and political economy, and - - once engaged seriously -- it opens up profoundly unsettling vistas on the promises and pitfalls of post-individual personhood in capitalist societies.

Nowhere have these emerged in clearer relief so far than in the case of the so-called Mo Cell Line (*Moore v. Regents of the University of California*, 1990). Here, surgically extracted cell material from the spleen of a cancer patient was turned into an artificially immortalized cell line producing a therapeutically significant type of lymphokines, and commercially patented as a "Unique T-Lymphocyte Line" under US law in 1984. Moore survived the splenectomy, and sued

³⁶ Cf. Joralemon (1995) who analogizes the two reigning discourses aiming to suppress the *cultural* rejection of organ procurement and transplant surgery (gift-giving and property-rights) to medical technologies suppressing biotic rejection. Although I sympathize with Joralemon's treatment of the issue, the analogy itself would seem to underscore my point.

his physicians for the illegal conversion of his property for profit. Moore's property claims over the cell line produced from his spleen tissue were eventually rejected in favor of public interest in medical research which the court, at least implicitly, recognized as being driven by commercial interests³⁷. His cancer temporarily at bay, Moore remained alive as a citizen of the US until he finally succumbed to the disease in October 2001 (Washington Post 10/14/2001). Notwithstanding the State of California's evident recognition of his legal personhood, and the fact that the Washington Post's obituary was based on the assumption of the ending of his life, after the dismissal of his case in 1990, Moore's body no longer constituted him as a self-possessed individual. Nor has his earthly existence ended. Sufficiently enhanced by the will and biotechnological ingenuity of his physicians at UCLA Medical Center descendants of his tumor cells are available for further pharmaceutical research at the National Institute of Health in the form of patented bio-matter. Although their commercial potential apparently proved to be rather less than a bonanza, in all likelihood, they will survive Moore for decades to come. Were it not for the thirteenth and fourteenth Amendments, Moore, in other words, would be the first human person to have been enslaved in the US since 1865. Obviously, this cannot well be an interpretative option. But in a somewhat weaker sense we might well call the Mo-Cell Line a *nganga*.

We return here to a question I purposively underplayed in my discussion of Wetli's collection. For the patently utilitarian ring of the California Supreme Court ruling in Moore's case reveals a moment of commodification that defines human bodies as natural resources that *can become* commodities once someone -- such as Moore's physicians -- sufficiently mixes their wills with their physical substance. Wetli's construction of the legality of the possession of skulls or bone fragments for ritual purposes given either proof of purchase, or plausible Third World origin indicates no less. Just as a *res nullius* construction allowed the Mo-Cell Line to turn into a commercial good, so did the prior facts of the skulls' provable sale or likely commercial importation into the US indicate their fundamental status as commodities. Misquoting Marx we might say that by the time they arrive on Wetli's desk, they already have their description as social hieroglyphics branded upon them. For their presence in South Florida is no less than an indication of market allocation: however the ghastly supply-mechanisms might work, the shape of the trajectory these objects traversed obeyed a variety of geographically differentiated forms and stages of effective demand -- from the initial sale of skulls to Third World exporters, to their eventual purchase by medical schools, or paleros. Quite clearly, the movement of a skull from Africa or India to the US describes a curve of increasing utility: if we accept Richard Posner's (1972:4) textbook definition of efficiency as the exploitation of "economic resources in such a way that human satisfaction as measured by aggregate consumer willingness to pay for goods and services is maximized", then they have no business disintegrating in non-western graves (cf. Clay and Block 2002).

By the same token, however, the travels of such body parts also indicates the global operation of a rather sinister Malthusian political-economic logic, according to which some bodies are worth more dead than alive -- particularly if geographically re-allocated through market-mechanisms. Ruth Richardson (1988) has meticulously retraced the emergence and operation of this logic in the 19th century British case, where Tudor laws relating to the anatomical dissection of

³⁷For the case, and its various legal, medical, and political implications see e.g. Murray (1987), Stone (1996), Rabinow (1996:129-152), Gold (1996:23-40), and Andrews and Nelkin (1998).

executed criminals as an aggravated punishment were transformed into a privilege of the state to appropriate and apportion to anatomists the corpses of paupers who had come to be its wards either during their lifetime, or because they failed to provide for their burial³⁸. Arguably, her point bears extension. For Wetli's skulls document only one aspect of the operation of this particular form of logic on an international, if not global scale. The market, thus, increasingly regulates a medically enhanced political economy of life and death: as Elizabeth Abbot (1988:171f.) has documented, prior to 1972, "Baby Doc" Duvalier's henchman Luckner Cambronne's company Hemocaribian not only shipped some 5 tons of Haitian blood plasma per month to US laboratories such as Cutter or Dow Chemical. He also supplied American medical schools with Haitian cadavers legally obtained from Port au Prince's General hospital at \$3.- a piece, surreptitiously removed from funeral parlors, or allegedly even "produced on demand". Haitian cadavers, Abbott (ibid.) adds, were much appreciated among Cambronne's customers because they "had the distinct advantage of being thin, so the student had not layers of fat to slice through before reaching the subject of the lesson" (cf. Farmer 1994:49f.)³⁹.

The Haitian case is not an isolated one (cf. Starr 1998:231-249, Scheper-Hughes 2000). Nor is the logic by which the technical supervisor of Hemocaribian, Werner A. Thrill, expressed its efficiency in an interview with a French newspaper. "If the Haitians don't sell their blood", he is reported to have said (quoted in Farmer 1994:51), "what do you want them to do with it?". Indeed, what to do when you are stuck with a body whose property-creating capacities you cannot realize for historical reasons, but whose parts are of eminent utility on a global market for human commodities? As Veena Das (2000:283-4) puts it in a chilling variation on the Marxian theme of the body as an instrument of value creation argued from the case of India,

the conferring of autonomy on the poor in order that they may be enabled to sell their organs from bodies already wasted from poverty, is a convenient fiction that masks new ways of recycling for the benefit of the rich what has always been conceptualized as social waste. A vocabulary of rights here simply masks the facts of social suffering – such techniques of survival are seen by the poor not as acts of autonomy but a part of their everyday life in which all kinds of violence has to be turned into opportunity.”

No less than in the case of the properly ventilated “cadaveric organ donor” we are dealing here with a systemic fiction – a form of what Marx (1967: 128, 189) called “objective” – and objectively necessary (Zizek 1997) – “appearances”: “phantom-like” objectivities, that uphold a fetishistic regime of valuation and value extraction. That the ancestors of Cambronne's Haitian victims would have coined the image of the *Zonbi* – the living dead who mindlessly labor away in the service of an alien master – has often been noted as an “African survival” or a quaint outgrowth of the formation

³⁸ cf. Linebaugh (1975), Richardson (1996), the contributions to Blakely and Harrington (1997), and Sappol (2002).

³⁹ Though Cambronne's career was cut short far earlier, by 1983, when the US Center for Disease Control declared Haitians a high risk group in respect to the transmission of HIV, his merchandise would have lost all value even only on the US market for medical specimen. Though further importation of human remains from this source is not improbable, if detected, classification as hazardous biomatter would surely have been mandated.

of local belief systems in environments of extreme scarcity. What it has rarely been taken for is an astute folk analytic of precisely the problems that contemporary First World bioethicists belatedly find themselves pondering in their own social worlds. Is it a mere coincidence that conceptions of the Haitian *Zonbi* or the case of the Afro-Cuban *nganga* would so closely mirror the dilemmas and contradictions engendered by the technoscientific blurring between humans and things? Obviously, I cannot prove my point – it is unprovable. But what I do believe I can assert is that thinking with *ngangas* (or *Zonbis*, for that matter) allows us access to an analytic dimension that radically exposes, rather than merely metaphorizes a dimension of the now globalized moral dis-order that first emerged, in stunningly drastic form, on those New World production sites where a novel regime of value made it possible to productively merge depersonalized humans with machines, treat their bodies as sheer sources of extractable value, and terminate their lives solely in regards to considerations of utility.

Obviously, this may sound like a gross overstatement. But alas, the market keeps being haunted by the returning specter of externalities. One of the key incidents that eventually led to the passing of the 1984 US National Organ Transplantation Act (*US Public Law 98-507*) was the initiative taken by Dr. H. Barry Jacobs, founder and director of International Kidney Exchange, Inc. in propagating a plan to set up a commercial clearing house for human kidneys. As Fox and Swazey (1991:65) write, what Jacobs "proposed was commissioning kidneys from persons living in the Third World or in disadvantaged circumstance in the United States for whatever price would induce them to sell their organs, and then negotiating their acquisition, for a fee, by Americans who could afford to purchase them". There is no need here to turn to the, by now longstanding, efforts of the United States Information Agency to control or diffuse organ-stealing rumors in Central America or other regions where US security interests generate ample amounts of potential donors through the operation of US-armed or trained death squads⁴⁰. Though Jacobs' project was foiled by legislative action, the vision of organs (and therefore life chances) circulating upwards along a scale of rising efficiency and utility speaks to an increasingly precarious political economy of embodiment that thrives not just on the market's ability to allocate in accordance with effective demand, but to limit human personhood in accordance with geo-political considerations. What returns, then, is the vision of deficient embodiment -- this time not in a legal, but political-economic sense. Just as pro-slavery advocates never tired in arguing that New World dehumanization was vastly superior to personhood in Africa, so we might envision a future where the distinctions between First and Third Worlds fully dissolve into an "ungeheure Warensammlung" where whatever aspects of the market's "natural" operations are still artificially suppressed will enable us to have the cannibalistic feast that might have been our future all along. Perhaps then will we truly be flesh of one flesh.

⁴⁰ See Scheper-Hughes (1996) on such disinformation policies.

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