The encampment lined the city block in front of Paraguay’s Institute for the Indigenous (INDI) where at least one hundred people had mobilized to demand the return of their lands. Black plastic tarps tied to an orange brick wall stretched across the sidewalk and were held down at the edge of Don Bosco Street with small wooden stakes. Woven between tree trunks, a web of ropes hung above the tarps on which clothes dried in the morning sun. Plastic buckets served as seats, sinks, and storage containers. Small fires sent smoke into the air, carrying the smell of fried tortillas. Many camp residents milled about in the shade of trees watching people enter and leave INDI directly across the street. “Hai hue,” muttered Gerardo in exasperation as we walked toward the building’s entrance, “que barbáro,” how terrible. “Mby’a pea,” they’re Mby’a, noted Serafin with a nod. Clemente remained silent. Members of different Indigenous communities frequently come to Asunción to demand that INDI adjudicate their land claims. The tent encampments are a regular but ephemeral sight, often appearing in the night only to be razed days later once officials or local residents grow tired of the disruptions. The itinerant residents are loaded into military cargo trucks or put on buses and taken back to the lands that they seek but do not control. Before Asunción’s mayors installed fences around the city’s central plazas to police their use, they were regular sites for the landless who came to the capital seeking restitution. Now the dispossessed camp on the steps of an institute responsible for their care but incapable of assuaging their plight.

INDI is always busy. This day was no different. We walked up the front steps, weaving through a small crowd of people who packed into the entryway as they waited to talk with the general receptionist team to request meetings or follow up on paperwork. Clemente led the way past the crowd, around the corner, and up the staircase to the second floor, where the executive, legal, and technical team offices were located. The landing at the top of the stairs opened to a small, windowless
waiting room with an L-shaped couch lining two walls and a receptionist desk that Clemente approached. He presented his state identity card, saying, “We are here from Xákımok Kásek for an 11:00 meeting with President Saldivar about our land.” The receptionist looked over his ID, then to a registry below the counter, then closed the window and made a call. Opening the window, she gestured toward the couch: “Please take a seat, the president is running late. It should not be too long.” The room was quiet and calm. We were the only people there. Minutes passed to hours as we watched people come up the stairs. Some were INDI employees who greeted us with “mbaëtekopiko” or “mbaë la porte,” how’s it going, as they passed through the room and disappeared behind closed office doors. Some of the people were Indigenous representatives from other communities who repeated the ritual of checking in with the receptionist for their scheduled appointments before joining us on the diminishing couch space; the rest took a seat on the stairs or stood against the wall. At one point, two middle-aged men dressed in blue jeans, boots, and button-down shirts, and with bellies that strained their belt lines, walked through the waiting room without greeting the small crowd. They were ushered into the executive wing of the building behind the receptionist's desk. “Ganaderos,” ranchers, noted Serafin with a sneer. “Haë,” that’s right, Clemente responded. Another man leaning against the wall with his arms crossed plainly stated, “Patrón.” Sitting and watching, it was clear Indigenous peoples had to wait while everyone else seemed to enter and exit with ease.

The hours passed. The day grew hotter. With no windows or fan, the room was stifling. Under the weight of the humid Paraguayan summer, sweat beads formed on our foreheads as the empty water cooler taunted us. The number of people waiting increased—they were all Indigenous. We waited, talked, and checked in with the receptionist. “It should not be too much longer,” she reassured. Fortunately, two of us brought thermoses and tereré, Paraguay’s ubiquitous yerba mate tea consumed cold and often shared. We drank thermos after thermos until the yerba mate lost its flavor and drinking was more a shared act of connection than done for the tea’s energizing qualities. Eventually, the tereré got to me. Employees and special guests used locked restrooms. So I walked downstairs to the public restroom that INDI clients use. Pushing open the wooden door, I was hit with a tremendous smell. The pungent, stinging odor of ammonia, a sign of dehydration and urinary tract or kidney problems, dominated the small unventilated room, making my eyes water. Feces, urine, and a wet film covered the floor. Black mold crawled from the corners and along the grout around the sink. In stalls without doors, the porcelain toilet bowls were full to the brim and writhing with maggots, indicating that this was not a freak backup of the plumbing system but a systemic failure. This was not a latrine. It was a plumbed indoor restroom in a state institute, the only one for the constituents it is charged with caring for. There were no other options than to use the facilities.
“We always have to wait,” Serafin shook his head, growing more frustrated by the time I returned. “They do not respect our time or the sacrifices we have made to be here.” An older Avá Guaraní man dryly replied, “peicha che ra’a,” that’s the way it is, my friend. Meanwhile, Gerardo was at the receptionist desk again. “We have been here since 11:00 in the morning. We arrived on time for our appointment, and it has been over five hours. We haven’t eaten. We came from very far away, kilometer 346 of the Trans-Chaco [Highway] for this meeting. When will we see the president?” Turning away from the desk, he looked at the group before sitting again, saying, “Incredible.” Ten or fifteen minutes later, just after 5:00 p.m., a chipper young man in dark slacks with a tie and pressed white shirt opened the door to the meeting room and invited the group in. The meeting for which we had a private appointment now was shared with twelve other people from seven different Indigenous communities who had also been waiting. The president apparently wanted to make a group intervention. With high ceilings and a large map of Paraguay overlooking the room, three rows of tightly arranged chairs lined the wall facing a large oblong table. It was remarkably cold, with air-conditioning that brought goosebumps after hours in the sauna next door. The young functionary left us in the room, “The president will be here momentarily.” We sat in relative silence for the next fifteen minutes, waiting.

A door swung open and the acting president of INDI burst into the room clad in a navy-blue suit and a fresh haircut. “I am sorry to keep you waiting! I did not know we had a meeting. Thank you for coming to talk. I hear there are many matters we need to discuss.” As he sat at the table, Clemente, Serafin, and Gerardo moved to join him. “Mr. President, we are a delegation from Xákmok Kásek here to follow up on how our case is proceeding, to inquire about the return of our lands at Retiro Primero,” Gerardo stated. The INDI president had only recently replaced his predecessor, who was ousted after he kicked an Avá Guaraní woman in the stomach during a protest in front of the building. “Yes, yes. I know your case,” the INDI president reassured. He sat with no pen or assistant while the delegation reminded him about the intricacies of their case. In 2010, the Inter-American Court of Human Rights (IACHR) found Paraguay culpable of human rights violations against Xákmok Kásek and ruled the state should restitute their ancestral land. The company that owned the disputed lands was ready to sell. INDI is legally responsible for acquiring the land but failed to do so for months, despite having funds. Sixty-three families from Xákmok Kásek had reoccupied the land in February 2015 to force the state to act. “Everything is in order. Why hasn’t INDI returned our land?” Clemente asked.

Instead of responding, he stood abruptly and looked around the room. “Does anyone know why I am wearing such fine clothing today, a nice suit, new shoes, and this fancy watch? I do not normally wear such nice clothes.” After a moment of silence, a man sitting in the last row of chairs ventured, “Because you are the
president of INDI?” Pointing to the man, the president replied, “No! I am wearing
these clothes because you are presidents, presidents of your own communities!”
He pointed his finger to the seated men to emphasize the point. “I am wearing
these clothes out of respect because I knew that we were going to have this meet-
ing. I put on my finest clothes to meet you the same as if I were meeting with
the president of another country.” His comments were met with silence. Sitting,
he turned back to Gerardo, “I am doing everything in my power to see that the
land is returned. But I ask you to be patient. I alone cannot make this decision
because the President of the Republic must decide. El patrón manda [The patrón
is in charge].” He suggested we go to the Ministry of Finance, in charge of state
payments, or to the Office of the Vice President, responsible for the supervision
of international human rights sentences against the state. Serafin added, with a
notably frustrated tone, “We began with the vice president, who referred us to the
Ministry of Finance that referred us to you. We know that Law 904 says INDI is
responsible for completing this transaction.” Pausing to consider this information,
the president replied, “The issue is out of my hands. But I will personally speak
with President Cartes to see what can be done.” With that, he excused us.

Disrupting the Patrón investigates how Enxet and Sanapaná peoples of Paraguay
navigate racialized land politics in pursuit of environmental justice. I tell a story of
environmental justice by tracing the interwoven experiences of Indigenous activ-
ists, settler colonists, human rights lawyers, ranchers, and state officials from dusty
cattle ranches built on Enxet and Sanapaná lands to IACHR hearings and back to
the Paraguayan Chaco. Throughout, I examine a hallmark of settler power, legal
liminality: spaces, situations, and subjects that simultaneously lie within and out-
side the juridical order. Legal liminality is a de facto mode of governance that the
state uses to manage Indigenous dispossession of land and rights in the current
conjuncture. In effect, state actors and agencies have used Indigenous rights as a
facade of care that attempts to distract from the persistent forms of neglect that
facilitate extractive development. However, this book is more than a critique of set-
tler colonialism. I argue that my Enxet and Sanapaná interlocutors employ dialec-
tics of disruption—strategically working with and against settler law—to unsettle
racialized regimes of land control. Despite long-standing efforts to replace Indig-
enous lifeways with settler cattle ranching, Enxet and Sanapaná persist. This book
shows how three communities—Yakyé Axa, Sawhoyamaxa, and Xákmok Kásek—
are rebuilding relations with their territories by disrupting state and settler power
in an era of radical social-ecological change. Enxet and Sanapaná endurance is
radical, future-oriented resistance that shows the pursuit of environmental justice
is more than a juridical solution to harm but the ability to maintain collectives in
the face of existential threats.
Paraguay is a country divided. The eponymous river that bisects Paraguayan territory not only splits the country’s landmass along a north-south axis; it also marks a dialectic tension between the two primary political economic activities that define contemporary land politics, cattle ranching and soybean production. Currently the world’s fourth largest exporter of soybeans and the sixth largest exporter of beef, the agro-export economy dominates domestic affairs and frames nearly all Indigenous land claims as antithetical to economic growth.4 From the 1960s to the mid-2000s, the drive to establish the agrarian frontier southeast of the Paraguay River resulted in astronomical deforestation rates and violent dispossession that reduced a region of rich biocultural diversity to a veritable tableau for monocultures—soybeans and settler colonists. Today, upwards of 85 percent of the Interior Atlantic Forest that once covered those lands has been razed, with much of that now covered in soybean fields.5 The rapid and extensive land-use change has fueled contentious politics.6

The northwestern region of Paraguay called the Chaco had long been a peripheral site within the global economic order, though it is now emerging as a central node in agricultural commodities trading and transport. A multibillion-dollar road development campaign started in 2019 includes creating several new international highways and bridges to facilitate commodity exports that state officials promise will create a regional “logistics hub” for agro-capitalism.7 Akin to the political ecologies of monoculture palm-oil plantations in Colombia or the veritable sea of soybeans that spans the Southern Cone, the Paraguayan Chaco is dominated by a land-extensive development model that reduces biocultural diversity to a singular commodity: beef.8 As of this writing, nearly 95 percent of the land in the Paraguayan Chaco, more than 233,000 square kilometers, is held as private property, with the majority of those landholdings used for cattle ranching.9 The advance of ranching made the Paraguayan Chaco a global deforestation hotspot where nearly eight million hectares of forestland was leveled between 1985 and 2020.10 With falling trees and growing herds, Paraguay has risen higher in global rankings of beef exporters and is now on the cusp of breaking into the top five, having edged out its renowned neighbor Argentina for tons of beef shipped annually.11

Cattle ranching is thus the backbone of settler colonialism in Paraguay’s Chaco, which is a region that covers more than half the country’s territory but is home to only 3 percent of its total human population.12 At the national scale, cows outnumber Paraguayans almost 2:1, but in the Chaco, the ratio nears 50:1.13 The patchwork of private ranches has created Indigenous enclaves that often serve as de facto labor camps for the ranching industry.14 Although the country’s constitution guarantees Indigenous peoples’ land rights, the realization of those rights has often been hampered by party politics, a labyrinthine state bureaucracy that ensures disenfranchisement, and violent dispossession by non-Indigenous landowners seeking to expand agrarian commodity production.15
RETHINKING ENVIRONMENTAL HAZARDS

This book centers on the particularities of land rights, environmental racism, and Indigenous struggles in Paraguay but speaks far beyond its borders. The theoretical framework weaves insights from scholarship and activism across the Americas, yet is grounded in Paraguay’s Bajo Chaco. Indigenous land struggles across the Americas have often been framed in relation to debates about neoliberal multiculturalism. State-led efforts to recognize multicultural rights for Indigenous peoples in Latin America are often political struggles over the control of “the environment” and resource access when viewed through the lens of land rights. Some scholars
analyze this dynamic through the lens of the “territorial turn,” but here I shift attention to the environmental violence that land dispossession generates. Enxet and Sanapaná territorial struggles cannot be divorced from the resource extractive economies of the Chaco founded on Indigenous land theft. The denial of Enxet and Sanapaná land rights is directly associated with state violations of human rights to life and dignity, among others, as evidenced by multiple IACHR rulings and everyday life conditions. Such rights violations occur along racial lines and the ability, or not, to live free of exposure to environmental hazards. Environmental justice research and activism in the United States began in response to the siting of hazardous industries and toxics in communities of color. I employ a broader conceptualization of hazards exposure and environmental harms than those associated with emblematic cases like those of Warren County, Carver Terrace, or “Cancer Alley” that have shaped this field of study to date in the United States. Thinking environmental justice otherwise requires not only rethinking notions of justice beyond Euro-modern epistemologies but also what constitutes hazards and harms.

Environmental hazards often associated with environmental justice analyses include direct exposure to toxic wastes, construction and zoning practices that create greater risk of the adverse effects of extreme weather, and the siting of industrial polluters in marginalized communities. What about the forms of insecurity, harm, and trauma that result from land dispossession? Conceptualizing the environment beyond the nature/culture dualism that animates much thinking in Euro-modern ontologies shifts attention to social ecologies whereby “the environment” is not an external realm but one intimately related with human practice and belief systems. These are issues that have long animated Indigenous and Native environmental justice struggles in what is now called North America. In the Latin American context, Indigenous struggles against colonialism and environmental change are often described in US- and European-based scholarship as “popular environmentalism,” read through the lens of human rights, or simply framed as “resistance” rather than viewed with explicit attention to environmental justice. Such discursive framings are due, in part, to traditions of mobilizing against the distinct forms of colonial power manifest in Latin America and the region’s recent legacy of authoritarian dictatorships, as well as the distinctly US origins of the environmental justice movement as so named.

The geographic, historical, and social specificity of environmental conflicts and the actions frontline communities use to protect themselves matter. In many parts of Latin America, land dispossession—a process at the root of colonial power and extractivism—creates complex environmental harms that should impel analysts to think with and beyond how environmental justice has long been defined and deployed in the United States. Working with the specificity of environmental hazards that the Yakye Axa, Sawhoyamaxa, and X̱ákmok Kásek communities confront, I center environmental racism in debates about development and the politics of recognition in Latin America.
The history of US environmental justice activism and scholarship places the movement at the intersection of civil rights and exposure to environmental harms.²⁶ Yet given the global circulation of environmental justice discourse and activism in recent years, the US frame only tells part of the story.²⁷ I do not presume to tell “the whole story,” though I want to highlight the role of Indigenous and Latin American histories of resistance to colonialism that bring texture, depth, and distinct understandings to environmental justice otherwise. Language from the first People of Color Environmental Leadership Summit in 1991 is informative. The summit drew together people from across the United States with several participants from Latin America to strengthen collaborative action for environmental justice. Among calls to invigorate an international movement focused on ensuring healthy and safe environments for historically marginalized and racialized peoples, the guiding document produced at the summit centers environmental justice in the lasting effects of colonization, seeking “to secure our political, economic and cultural liberation that has been denied for over 500 years of colonization and oppression, resulting in the poisoning of our communities and land and the genocide of our peoples.”²⁸ Here I underscore that Indigenous efforts to recover stolen lands are environmental justice struggles where the capability to maintain self-determination, relations, and responsibilities is vital to collective well-being.²⁹ Environmental justice otherwise emerges through tensions between the impossibility of return and the everyday politics of resurgence that animate Enxet and Sanapaná refusal to relinquish the pursuit of more just futures.

INDIGENOUS ENVIRONMENTAL JUSTICE

Milciades and I sat outside the home he and his wife had built on the land that sixty-two families from Xákmok Kásek had recently reoccupied after more than thirty years of fighting for restitution. Some flowers grew in a plastic bottle made into a hanging planter that adorned the one-room home’s exterior wall. I arrived in the early afternoon, bringing tereré to share. We sat and talked about life for several hours. Milciades grew up on Estancia Salazar, the ranch built on the ancestral lands of his community. His father, Eulalio, labored for much of his life as a peon on that ranch. Together, they lived with other members of Xákmok Kásek until they were forced to leave the ranch and occupy other lands. The reencounter with the lands where Milciades had built his home was generations in the making. As we talked, the sun transited the sky. Suli invited me to stay for a dinner of roasted armadillo that we ate with a serving of rice the state National Emergency Services delivered in the food rations that month. Xákmok Kásek has received the rations since the early 2000s, when the Inter-American Commission ordered Paraguay to provide emergency aid until it resolved the community’s claim for land restitution. The aid was intended as a temporary measure. Yet, like being the subject of rights that are routinely denied, the decades-long assistance has become a part
of daily life. We moved to hammocks as night fell, and darkness enveloped our conversation. Thinking about the prospect of land restitution, Milciades stated, “We will always be scarred from what they have made us live through. I don't think that land will bring justice, but it will help us find a sense of peace.”

Milciades’s words capture the aporetic nature of the law-justice relation—that the very structure of Indigenous land rights (re)produces legal geographies that limit what justice is and can be.30 This aporetic relation is acute in Enxet and Sanapaná land struggles because settler law not only circumscribes “acceptable” Indigenous difference, but partitions Indigenous peoples from the territorial relations that sustain their lifeways.31 Potawatomi scholar Kyle Whyte draws from Anishinaabe intellectual traditions to argue that settler colonialism is a form of environmental injustice because it severs the ability of Indigenous peoples to maintain “collective continuance,” the interdependencies, systems of responsibilities, and mobilities that enable social resilience.32 Anishinaabe practices and ontologies that inform collective continuance are distinct from Enxet and Sanapaná practices. However, Whyte’s theorization provides a valuable lens through which to examine settler colonialism as environmental injustice across Indigenous geographies.33 The dispossession of Enxet and Sanapaná peoples from their lands and simultaneous exploitation of their labor on those lands since the turn of the twentieth century has radically altered social-ecological relations, traditions, and the ability to maintain cultural practices over generations, including language transmission. Settler colonial disposessions have thus disrupted, though not extinguished, Enxet and Sanapaná social collectives and relations with place. If there is one common theme that defines Indigenous environmental justice work across settler geographies, it is an unrelenting refusal to succumb to the enduring forms of colonialism that produce the uneven distribution of social-environmental harms.

Indigenous environmental justice studies of North America critically evaluate the legal relationship between Native Nations and the US or Canadian federal government to show that Indigenous rights must also ensure environmental self-determination.34 Jarratt-Snider and Nielsen argue that environmental (in)justice experienced by Native and Indigenous peoples is distinct from “mainstream” environmental justice due to “the continuing effects of colonization.”35 Settler colonialism drives Indigenous environmental injustice because, as Whyte insists, “one society rob[s] another society of its capacities to experience the world as a place of collective life that its members feel responsible for maintaining into the future.”36 On the other hand, Voyles shows how settler extractivism converts Navajo lands and bodies into sites of toxic pollution by treating both as wastelands.37 Native scholars, Nick Estes, Dina Gilio-Whitaker, and the contributors to the Standing with Standing Rock edited volume, have reframed environmental justice through their analyses of the #NoDAPL Movement and ways that state-sanctioned violence in defense of the Dakota Access Pipeline project draw
attention to the tensions between settler colonialism and Indigenous resurgence. The broader dynamics that underpin these issues are not confined to the United States and Canada but resonate broadly across the Americas through the persistence of “settler capitalism” and its effects on Indigenous lifeways. Note, however, that this book does not purport to present a unitary theorization of Indigenous environmental justice that can be neatly applied to other contexts. The Yakye Axa, Sawhoyamaxa, and Xákmok Kásek struggles are singular to each community. However, the cases are not unique when placed into the context of Indigenous land struggles across the Americas where frontline communities continue to fight for the environment as freedom.

The urgency to disrupt enduring forms of coloniality requires analysts and activists to think beyond the categories of race, gender, and indigeneity that have long facilitated, and been shaped through, extractive relations in Latin America. Recent environmental justice scholarship from the region stresses the connection between environmental change, marginalization, and resistance while centering place-based conceptions of justice and social-environmental relations. Throughout, scholars call for attention to the geographic specificities of environmental justice beyond the US frame by centering other epistemologies of justice that emerge through Indigenous struggles for well-being in the context of extractivism. Environmental racism predicated on histories of land dispossession and resource control has long threatened Indigenous and Afro-descendant well-being across the region. From early colonization to the present, land, water, and resource grabs undermine preexisting social-environmental relations. Indeed, the very categories used to describe Indigenous peoples in many parts of Latin America are inextricably linked to the appropriation of land and life that derive from Euro-modern conceptions of who and what constitutes value. Thus, in thinking with recent provocations to decolonize environmental justice studies, this book attends to place-based struggles of Enxet and Sanapaná peoples while centering my interlocutors’ theorizations of justice and visions for the future. In so doing, I seek to advance a notion of environmental justice otherwise, enriched by hemispheric conversations about Indigenous politics in the Americas but always attentive to the lived experience of land struggles in Paraguay’s Bajo Chaco.

While returning lands is a first step toward Indigenous environmental justice, Milciades’s remarks remind us that land alone is insufficient. The scars of epistemic and physical violence that Enxet and Sanapaná have endured remain, even after community members recover their lands. Milciades’s words also remind us that there is no simple solution. In this regard, justice is both an aporia and a utopia, a horizon to push toward but not often remedied only by procedure, distribution, or recognition. Despite these limits, the return of stolen lands does open the possibility for more just futures that enable collective well-being in a form that Enxet and Sanapaná determine for themselves. Thus the book does not dwell on settler colonial erasure but instead highlights forms of futurity that “invoke many other
temporalities, other spaces, and yet-to-be possibilities” created through Enxet and Sanapaná efforts to reclaim lands and rebuild relations to their territories. Enxet and Sanapaná strategies to envision a future beyond dispossession—even under the most oppressive circumstances—highlight possibilities that engender Milciades’s invocation of “a sense of peace,” where endurance and resurgence enact environmental justice otherwise.

RACIAL GEOGRAPHIES

In January 2016, I sat under a grove of algarrobo trees drinking tereré with Eulalio, a spiritual leader of Xákmok Kásek. He recalled times living on Estancia Salazar and working as a peon on the ranch. During our conversation, Eulalio looked across a clearing before us until his eyes settled on an old building that he helped construct and that had been used to house non-Indigenous ranch laborers. “They [the ranchers] just used up the Indigenous,” he said. He spoke slowly and deliberately, with a pause between each sentence. “They barely gave us any food . . . We’d work twelve, sixteen, sometimes eighteen hours putting up fences, riding horses, whatever. It was hard work . . . day after day. If you got sick, there was no doctor . . . If you died, you died . . . We were practically slaves until we learned we had rights.” As we sat, passing tereré, he explained how ranchers exploited Sanapaná and Enxet laborers through discriminatory practices that included less pay and worse working conditions than for non-Indigenous peons. Eulalio argued that the operation of cattle ranches denied Indigenous peoples control over their territories, instead forcing them to work their stolen lands as wage laborers or in conditions of debt peonage.

Eulalio’s insights inform my analysis in two important ways. First, land-labor relations, particularly Indigenous dispossession and labor exploitation, are central to the enduring structures of settler colonialism in Latin America—structures predicated on patrón-Indigenous social relations. The incipient cattle-ranching economy in Paraguay’s Bajo Chaco required Indigenous labor. It effectively ensured that labor availability through land enclosures that limited economic opportunities outside of ranching. As with the establishment of cattle ranching in the Bajo Chaco to the present day, Indigenous peoples are often the ranch peons who clear forests, plant pasture, erect fences, run cattle, and build the houses used for ranch operations. Ranching, therefore, undergirds the racial geography of settler colonialism in the Paraguayan Chaco by structuring social-spatial relations vis-à-vis the ranch as a site of Indigenous dispossession and non-Indigenous capital accumulation. Settler territorializations of Enxet and Sanapaná lands produced distinct racial geographies where people were spatially organized in specific ways based on a simple binary calculus: non-Indigenous folks owned land via private property, and Indigenous peoples often labored on the lands taken from them. This racial geography persists to the present. In effect, white