

CHAPTER 5

Five Years of Life

In February 2015, sixty-three families from Xákmok Kásek risked everything. Each family packed their belongings, then emptied and deconstructed their homes of palm wood and tin roofs in 25 de febrero. The old freight truck that community members had pooled scant resources to rent made trip after trip. With each journey a new set of families loaded all their material possessions into the back of the open-air truck bed: bags of clothing, old refrigerators, small orange satellite dishes and TVs, treasured photographs, bedding, and pets—everything. A dusty, hour-long trek bouncing in the back of the truck under the summer sun followed. Upon arrival at the Retiro Primero land, each family that crossed through the faded gray entrance gate walked down an uncertain path while simultaneously setting foot on lands most had never physically traversed. Yet many carried those lands in their hearts and minds throughout Xákmok Kásek's decades-long struggle to reoccupy Mopey Sensap—the place of the white hummingbird. Sitting with Clemente in the shade of his new shelter, a lean-to made of the weathered tin roofing material that had adorned his old home, we looked at grainy cell phone pictures in a WhatsApp feed he and others used to document the move while he recounted the story.

As discussed in previous chapters, the Xákmok Kásek community had challenged the Paraguayan state to reconstitute lands within their ancestral territories since 1986. The legal claims and court proceedings were troublesome to area ranchers and an annoyance to the state, as demonstrated in fierce resistance from both sectors in media campaigns intended to smear Tierraviva and cast doubt on movement leaders themselves. Leveraging the law to maintain pressure on the state was meant to break the patterns of land control that dispossessed Enxet and Sanapaná peoples. However, complying with the law and adhering to the dictates of state bureaucratic orders reaffirmed Paraguay's authority to set the terms of recognition and the social-spatial relations of land control in the region.¹ Refusing to fully comply with the state any longer, the Xákmok Kásek land reoccupation was a direct challenge to geographies of settler capitalism. This chapter traces

how members of Xákmok Kásek have employed shifting strategies of engaging and refusing settler legal orders to force the Paraguayan state to reconcile the community's demands for land rights, actions grounded in a politics of reconstituting collectives.

Sanapaná and Enxet experiences fighting for land rights reveal the dialectical politics of selectively refusing and engaging the state. The Xákmok Kásek struggles, similar to those of Yakye Axa and Sawhoyamaxa, cannot be reduced to either absolute rejection or acceptance of state recognition. The actual practices employed over the long arc of Enxet and Sanapaná resistance shows that community members have leveraged *both* rejection/refusal and acceptance of recognition.² This subtle but important point brings nuance and texture to ongoing struggles for legal recognition and associated rights that many Indigenous communities in Latin America experience.

Here I want to pause to discuss comments that Anibal Gómez, a leader of Yakye Axa, shared that index subtleties of working with and against the law. Anibal lives by himself in a small home on the south side of Ruta 5 near his aging parents' house. We sat in the morning sun on twenty-liter plastic buckets turned upside down. During our conversation, we talked about the short trip we took the day before to evaluate the construction of the access road to the community's land when he reflected on the outstanding legal struggles Yakye Axa confronts. "We have fought for a very long time. But the patrones are very strong and did not help anything. Even now, from what I have seen they don't really respect the law. There is the law in reality [on paper], but you have to act in addition to that. Because with the law alone you can't do anything. You have to act in addition to that, in person, in order to be strong." He looked toward the highway as a car passing by kicked up dust. "Our legal proceedings went on for a while, but the parliamentarians just sat around and did little to help. Many times they came out against rather than in favor of, many came out against Indigenous rights. They left us like that and we saw what the situation was. So you have to act above the law [*ley ári*]."³ Working in addition to, or above, the law involves many acts. When Yakye Axa and later Sawhoyamaxa and Xákmok Kásek took their cases to the Inter-American System, they acted in addition to Paraguayan law by scaling their struggles to the international sphere. When Sawhoyamaxa community members cut the fence that had long hemmed them in at the margin of the highway, they acted above the law to force the state to respond. Similarly, when Xákmok Kásek community members reoccupied Retiro Primero and later closed the Trans-Chaco Highway they worked with and against the law.

This chapter focuses on how Xákmok Kásek has worked above and with the law using extralegal strategies that disrupt histories of dispossession and thereby chart a new future. Earlier chapters assessed some early actions to comply with the law for remedy, like naming state-recognized leaders and navigating years of legal proceedings from Paraguay to the IACHR and back. I juxtapose the two

strategies to illustrate how the dialectics of disruption work through efforts to employ a favorable judgment from the IACHR alongside extralegal actions to reconstitute the community as a place-based collective. By reworking recognition to force state officials to reconcile with Enxet and Sanapaná demands, community members assert their self-determination through embodied and emplaced practices that restore relations and build pathways toward more just futures. The restorative actions taken by Xákmok Kásek show that settler power is not total; such power can and must be disrupted. For all its limits, recognition did create a narrow political opening that Sanapaná and Enxet peoples have gradually expanded, like water dripping on a rock that slowly erodes a seemingly impenetrable barrier. Although rights should guarantee the ability of the subjects of them to enjoy their benefits, that is clearly never the case.

Time and again social movements show that rights are never given but must be taken through action. This is, in part, why I insist that right-based approaches alone are insufficient. Critiques of the politics of recognition discussed throughout the book show that relying on the state to uphold rights is Sisyphean. Theoretically and normatively, states should uphold the laws they create, but that is generally only done to uphold specific political economic and class relations. Anibal's comments about working "ley ari" above the law, show the paucity of rights-based approaches that do not disrupt settler modes of emplacement and replacement. Starting from a point where Indigenous rights simply did not exist, the decades-long struggle for labor and land rights led by Enxet and Sanapaná communities has tacked between strategically following and, now, strategically working above the law. The dialectics of disruption have become a powerful tool to challenge legal liminality as a logic of racial capitalism.

I have spent many years conversing with members of Xákmok Kásek and accompanied the community in its land reoccupation, attended negotiations with state officials, documented protests, and celebrated several anniversaries that mark new life on, and with, the land. Through the strategies of refusal and engagement, Xákmok Kásek community members have eroded the social-spatial control of settler patrones to re-create sovereign spaces for collective life.⁴ So often, a focus on the politics of recognition or neoliberal multiculturalism centers on notions of indigeneity as a political-judicial relation with settler states and the myriad ways that relation revolves around dispossession. These are undeniably significant factors. I take this discussion further by arguing that environmental violence is inherent in the politics of recognition on extractive frontiers, something that does not reduce Indigenous movements to mere resource politics but that works with the complexity of justice struggles in this conjuncture. I reiterate a key point: Enxet and Sanapaná struggles for land restitution are struggles for Indigenous environmental justice. Returning land to Indigenous peoples creates the conditions of possibility for transformative justice based on restoring relations through self-determination.

Indigenous resistance and intellectual traditions, as well as a significant body of critical scholarship, make clear the importance of place, land, and relations to many

Indigenous peoples.⁵ Aware of this, the IACHR has advanced jurisprudence that codifies the spiritual, cultural, and extraeconomic value of specific sites to Indigenous communities, arguing that land understood as “productive” within capitalist systems is not more sacred than Indigenous claims to lands that were taken without consent. And while much literature focuses on the defense of Indigenous lands against usurpation or the politics of land titling, fewer studies examine the politics of land restitution for Indigenous communities who were removed from their lands, let alone the process communities take to reconstitute collectives on those lands after restitution. If restitution is “the restoration of something lost or stolen to its proper owner” and land is more than a mere resource but a site of embodied relations, how do communities negotiate their reencounter with what has been stolen? By what means do people reconstitute their relations, both with one another and to other-than-human counterparts in place? In considering these questions, I draw from the first months of the Retiro Primero reoccupation to trace the contours on which members of Xákmok Kásek began to remake relations with their lands.

By explicitly drawing a concern for environmental justice into conversation with the politics of recognition, two important dynamics come to light. First, as several scholars have shown, the politics of recognition circumscribes a range of acceptable Indigenous behavior as defined by the settler state.⁶ Many of these works focus on the limited range of actions, both socially and politically, that recognition and rights-based claims afford Indigenous peoples. These are important contributions to debates about the intimate relations between settler colonialism and law as a tool of social control or governance. Yes, many studies critically evaluate Indigenous land-titling initiatives, which literally circumscribe collective property within ancestral territories or sites beyond those territories.⁷ The spatial ramifications of such circumscriptions are less explicitly discussed, however.⁸ Second, if Indigenous environmental justice hinges on the capability of communities to maintain or reconstruct relations in and to territories, as Whyte suggests, the literal delimitation of those spaces vis-à-vis state-sanctioned property-rights regimes ultimately also constrains the spatial practices necessary to (re)constitute social collectives in territory.⁹ By foregrounding how Enxet and Sanapaná resistance strategies rework recognition, this chapter shows how spatial practices are related to the operation of environmental injustice, on the one hand, and vital to the dialectics of disruption, on the other.

LAND BACK

As I write, seven years have passed since Xákmok Kásek reoccupied Retiro Primero. The tarp encampment where I spent several months with community members has long been abandoned. Homes, gardens, soccer fields, a school, a large community center, and much more now dot the land as you travel down the dirt road that leads from the entrance of the community to its terminus several kilometers away near Clemente’s new house. What is more, the state acquiesced to



FIGURE 13. Milciades commemorating the “heroes” of Xákmok Kásek during the five-year anniversary of the land reoccupation. Photo by author, February 2020.

pressure from the land reoccupation and purchased 7,701 hectares that encompass Retiro Primero and Mopey Sensap for the community in 2017, partially complying with the community’s claim and IACHR recommendation of 10,001 total hectares. With the purchase of the land, new state-led development projects that had not been envisioned in the IACHR restitution as development strategy soon followed. One project, by the National Service for Environmental Sanitation (SENASA), aims to provide greater water security via the construction of rain-water storage tanks at key sites in the community. Through a different project led by the Ministry of Urbanism, Housing, and Habitat initiative called Che Tapyi, nearly every family now has a two-room home constructed of brick with a tin roof and wired for the eventual arrival of electricity. While state officials like to suggest that they execute these projects to comply with the IACHR ruling, such claims are misleading. Che Tapyi is a national antipoverty initiative funded by Taiwan, whereas SENASA is leveraging a World Bank loan to improve water access in thirty-one Indigenous communities in the region.¹⁰ On the other hand, community members have used restitution-as-development funds to purchase strategic shared resources like a truck that serves as an ambulance, a tractor and other necessary implements to maintain roads within the territory and till fields, a communal cattle herd, and sheep or goats for every family. However, one of the

most symbolic acts to date is the reappropriation of the old *retiro* that Eulalio and other community members once helped build to accommodate Estancia Salazar's non-Indigenous peons.¹¹ The building has been refurbished with a new tin roof, a fresh coat of white paint, and electricity to power a large freezer and refrigerator; it now serves as a cooperative store where community members can purchase fair-priced food staples or offer their own goods for sale. Xákmok Kásek community members have rewritten the geography of Retiro Primero, reterritorializing it as Sanapaná and Enxet in the recent years of life living on lands once stolen from them and where many once worked for the *patrones*.

"There is much work to be done. There is still a lot of need in the community. But thanks to the strength of the community, to God's blessing, and for our sacrifice we have achieved much. We are here on the land and living in peace." Clemente's words cracked through the speakers of a portable sound system as he addressed a crowd of about fifty people who had gathered in the shade of the new community meeting space to commemorate the fifth anniversary of the land reoccupation. At the invitation of Clemente and other community leaders, I traveled from Florida to Xákmok Kásek to celebrate the occasion. It was a hot, late February day in 2020 with few clouds and a dry north wind. The event was held on the site of the new community church that was still under construction. A corrugated tin roof welded atop tall rebar pillars provided shade as we sat on small wooden benches listening to the day's program. Clemente, Serafin, Amancio, and Eulalio took turns speaking to the crowd, each recounting elements of the community's land rights struggle.

However, it was Milciades who orchestrated the event and prepared a special commemoration to close the formal ceremony. Milciades solemnly recounted a history of struggle to remind everyone not to take for granted the gains we had gathered to celebrate or forget the lives lost in the decades-long struggle. "We would not be here today if it were not for the heroes whose sacrifice and courage broke the locked gate and reoccupied this land, who left everything behind and faced the unknown. Living under tarps, passing hunger, suffering, and never knowing what could happen. We recognize the heroes today." He concluded by calling the names of every person who first agreed to reoccupy Retiro Primero and enter the land on the day the lock was broken. "Ignacia Ruiz-Dermott . . . Felix Dermott . . . Ramon Larossa-Dermott . . . Clemente Dermott . . . Serafin López . . ." As he called the names, each person slowly and solemnly made their way to the front and stood facing the crowd. Milciades, his wife, and his daughter were the last people to join. All told, a group of about forty people—from five to over seventy years old—stood in silence, reflecting on the significance of the moment. Behind the group, a blue tapestry had been tied up to create a backdrop on which gold letters spelled out a message that read, "Xákmok Kásek Cinco Años de Vida [Five Years of Life]."

The ceremony ended with little fanfare. Some people gathered in small groups to talk in the shade of an algarrobo tree, while others wandered over to watch the soccer tournament taking place. A small army of women worked feverishly to make a meal of chicken, goat, rice, and bread. Milciades and I sat under the tin roof, drank *tereré*, and talked. We have long shared a connection, as we are about the same age, are teachers, and spent time in Arizona—he for a leadership workshop and I during graduate school. Among other things, we reflected on the current struggles *Xákmok Kásek* faces, as well as the past five years, including my first visit to the community. Though a member of the *Xákmok Kásek* community, Milciades lives and teaches school in *Paraiso*, an *aldea* of the *Angaité* Indigenous community *La Patria*, about 70 kilometers from where we sat. He comes to *Xákmok Kásek* when school vacations allow. When I first arrived in March 2015, Milciades had already returned to *Paraiso* for work and wanted to hear my thoughts on those early months in the tarp encampment.

RECONSTITUTING RELATIONS

Things often work out as you least expect. In preparation for the research that informs this book, I traveled to Paraguay in 2013 and 2014 to build relations with members of *Yakye Axa*, *Sawhoyamaxa*, and *Xákmok Kásek*. I thought that I would most likely focus on the former two and devote less time working with the latter, based on proximity and other logistical issues. During my early fieldwork I met with representatives of *Yakye Axa* and *Sawhoyamaxa*, in addition to visiting both communities and gaining their feedback on the research design. Because of transportation limitations, I was not able to meet with members of *Xákmok Kásek* until I went with a lawyer from *Tierraviva*, *Ireneo*, to the site of the reoccupation in late March 2015. Shortly after arriving, I was drawn into a process that would redefine my research: the reoccupation of *Retiro Primero*.

After driving six hours from *Asunción* and making our way down the final 12 kilometers of dirt road, we arrived at the reoccupation just as the sun reached its apex in the late summer sky. Banners demanding compliance with the *IACHR* adorned the wire fence at the entrance to the *Retiro Primero* land. With permission from a man standing guard at the gate, *Ireneo* pulled in and parked in a small patch of shade under an algarrobo tree. A large semicircle of shelters enclosed the entrance to limit passage. Yet unlike the *campesino* encampments erected on the exposed landscapes of southeastern Paraguay's soybean fields, devoid of trees, most members of *Xákmok Kásek* had cleared underbrush below a low canopy of mixed trees to construct some thirty to forty shelters made of black plastic tarps largely hidden from sight. As *Ireneo* and I exited the truck, a group of men approached to greet us. In his characteristically generous way, *Ireneo* smiled and shook hands with everyone, introducing me in the process. Not more than fifteen minutes had passed, and folks were talking about one aspect of what *Ireneo* told them

about me: “He is a geographer, knows how to map, and has a GPS unit.” Maximiliano, one of three community members who traveled to Peru in 2009 to testify before the IACHR, had recently completed a community mapping workshop in Argentina and suggested that we immediately begin mapping the sites where each community member intended to build their house. I was reticent, thinking it necessary to discuss the process and methodology before embarking on counter-mapping. Such concerns were secondary, however, to the excited group that had formed and the imperative to “map or be mapped.”¹² No sooner had we piled our bags and gear on the dirt than twelve men jumped in the back of the truck, with five more in the cab, and we were again driving, this time into the reoccupied lands.

Retiro Primero is located on a tract of land that at the time of the reoccupation was still operated by Eaton Cía and ARPA S.A. As we drove down a small dirt road inside the ranch, it was clear that few cattle were being run on the land: pastures were overgrown, not a cow was in sight, and forest stands had started to take over what was once previously cleared. Bouncing down the road, we heard two thumps on the cab’s roof, indicating that it was time to stop. Everyone unloaded, and we walked to the first site, where a three-meter-square patch of land had been recently cleared and tilled. Stuck on a tree branch planted at the edge of the site, a green plastic soda bottle further staked a claim. Elijio looked at me and said, “Ape. Che mbaerã. Ogajapota ape [Here. This will be mine. I will build a house here].” With that, I turned on the GPS, took out my notebook, and recorded the site where Elijio intended to build his home. For the next four hours we walked or drove from site to site, using the GPS unit and notepad to record the location and names of nearly every family who currently lived under the plastic tarps at the entrance to the ranch. Each site was marked either by a small patch of land cultivated with sweet potato slips, a tree blaze, or an item like the soda bottle to claim ownership. Having only staged the initial reoccupation three weeks earlier, the people of Xákmok Kásek were clearly well into the process of rebuilding relations to the land and one another through such territorializing practices.

As we walked from site to site, some older members of our group recalled histories of where certain crops grew better than others, where they had once hunted certain animals, or where the land was more susceptible to flooding than other places. Yet this knowledge of the land was based less on recollection of occupation before the arrival of ranching than on experience working the land for ranchers. People were familiar with this land because they had spent countless hours building fences, herding cattle, or cultivating peanuts for Eaton and Cía, not because they personally recalled a time before dispossession of the land *per se*. Yet stories recounted and passed down from their parents and grandparents imbued the land with important meaning that animated a multifold process of unlearning Retiro Primero by reconstituting Xákmok Kásek through new encounters with place. More than marking the land to articulate a precolonial vision of territory, everyone who joined the mapping that day articulated visions for a new future shaped

by an awareness of the past.¹³ The process was part taking back and part reencounter. Before our collective action that day, families had staked out sites for their future homes while learning the land on their own. The mapping exercise was thus simultaneously one to begin legitimating each family's respective claims and an opportunity for those involved in the mapping to see, assess, and learn about other sites on the land. While noting GPS coordinates, I also took note of casual comments and observations members of the group made on our walkabout:

"The earth here will be good for gardening. We will plant sweet potatoes and grapefruit."

"This is *algarrobo blanco*. I remember when women used to gather its seeds and make flour. This will be a good tree to live by."

"That tajamar has sweet water. It is big enough to last the long droughts."

"Over there is *palo santo*. The ground is high here. I want to build my house here."

From that first mapping trip throughout the many months of the reoccupation, it was clear that the ability to reconnect with this land was a vital pedagogy for Sanapaná and Enxet renewal after generations of removal.¹⁴ Through new connections to the land, Enxet and Sanapaná started creating a future of their own choosing rather than comport with a history not of their making. "We do this for our children and their children. We do not do this for ourselves. I am old. But this land is a place where they can live in peace. That is why we fight, so that they might have a future." Serafin López used to tell me this regularly when I stayed with his family. Here I want to bridge Serafin's comments with Whyte's observation that Indigenous environmental justice must be understood as the capability for collective continuance and Leanne Betasamosake Simpson's powerful assertion that Indigenous knowledges are grounded relationalities that come "through the land."¹⁵ Returning to the land simultaneously asserted Xákmok Kásek self-determination and the community's efforts to ensure a space for collective well-being shaped but not determined by historical connections.

Reconnecting with foodways played an important role in rewriting the geographies of Retiro Primero during the initial months of the reoccupation. Through daily hunting and fishing trips, members of Xákmok Kásek began telling new stories of the land and making new histories that accumulate over time, covering the sedimentary traces of settler occupation but never entirely erasing their effects. Reestablishing relations by learning from the land and the new stories that result are everyday geo-graphing practices that enact a spatial politics of self-determination. Rather than static geographies, settler colonial appropriation of land is but a momentary geo-graphing that is, as Saldaña-Portillo suggests, part of "ongoing palimpsests of spatial negotiation amongst colonial, national, and indigenous populations."¹⁶ Such acts of geo-graphing occurred not through the creation of new maps but through the formation of new social cartographies drafted through

everyday life. Early in the morning, people would leave the tent encampment at the entrance to the Retiro Primero land on foot with a rifle or fishing gear to walk onto the land. Regardless of whether someone returned with something to eat, they always came back with a story of what they saw or learned.

“The pigs like it over there by the edge of the forest where the ground is low. I saw their trails.”

“There are mountain lion prints by the northern boundary. I bet deer are there too!”

“Over at Alicia, the tamar is great! We saw a lot of caimans and capybaras.”

“At 25 [de febrero] I never saw tapirs. I know they are up past the retiro in the forest after the little paddock because I saw their fur stuck on a cactus.”

“That land over by the big *samu’u* tree will be a good place for the community center. I remember when we used to plant peanuts there for Eaton. The land is good and does not flood as much. It is overgrown now, but we can clean it up.”

During my time in the community, I joined several hunting and fishing trips. For all involved, the trips were about more than food. They were a form of pedagogical praxis enacted through embodied relations that slowly reterritorialized Retiro Primero as Enxet and Sanapaná space. With changing weather, the land, animals, and plants revealed how each reacted to drought or flood, crucial information that informed evolving decisions about where people would finally build their homes, if not at the locations we recorded during our first mapping exercise. Through these practices, community members collectively created a new vision for the future of Xákmok Kásek beyond one of mere reoccupation.

GEO-GRAPHING THE TEMPORALITIES OF RESISTANCE

Xákmok Kásek community members planned the geography of the reoccupation strategically, along several lines. Located at the main entrance to the Retiro Primero land, community members took control of the primary access point. They also occupied one of the few spaces on the property visible to passersby, an important site to hang signs demanding the state reconstitute the occupied land or receive any media interested in the conflict. However, there was also a palpable fear that state authorities or ranch staff would arrive to forcibly remove community members. The families closest to the entrance served as monitors who could warn others if a threat arrived, providing precious time to escape into the forest if need be. Being close to the road also offered access to traveling vendors who would pass through a couple times a week, offering scant access to commodity goods, from grapefruits and cookies to cigarettes and batteries. By the time I arrived, three weeks after the reoccupation, a small soccer field, two volleyball courts, a makeshift school, and a communal meeting space had been set up. From the entrance, shelters constructed from plastic tarps or tin roofing brought from 25 de febrero branched into stands



FIGURE 14. This school was one of the first structures built after the reoccupation of Retiro Primero. Photo by author, March 2015.

of algarrobo trees that offered shade and some protection from the elements. The temporary establishment was intimate. Shelters were constructed close to one another. Privacy was fleeting, as most shelters did not have four walls but were open to the air on each end like a quickly constructed tent.

Although community members anticipated a dramatic and quick response from state officials and ranch staff, the early months of the reoccupation were surprisingly calm. The ranch owners protested but did not appear. State officials took note and encouraged the community to leave but never forced them to do so or threatened them with police. When I first arrived, there was an energy in conversations about finally reaching closure in the case, about gaining title to the land. As Maximiliano told me one day, “Look around. Everyone you see took down their homes and came here because they were tired of waiting. We didn’t know what would happen, if the police would come. But we came anyway. . . . It is important for our children to be here because now they are part of the *lucha*. You are also part of the *lucha* now because you are here.”¹⁷ That a decades-long *lucha* promised to be close to resolution imbued each day with the radical possibility that Xákmok Kásek would finally prevail. That energy fueled countless trips to different parts of the land where people would return at day’s end tired but with more knowledge. Such knowledge was shared during daily conversations over *tereré* or while sitting watching a soccer game but also in regularly held community-wide meetings. Meetings often took the form of hours-long discussions that transited several

topics in a focused yet open forum where men, women, and, to a lesser degree, youths would debate current events, future actions, and lessons learned on the land.

Initially, the meetings were charged with positive energy. People speculated that the landowners would sell soon because they were highly indebted due to purportedly low production on their ranch for several years. Rumors circulated in the tent encampment and on the streets of Asunción that the debt was held by one of then-president Horacio Cartes's banks, thus making it even more likely that the state would finally make the purchase.¹⁸ Given this alignment of events, many community members felt that Paraguay would finally comply with the IACHR judgment not out of a commitment to Indigenous rights but because it would directly benefit the acting president. However, moods changed as weeks turned to months with little progress and the short days of the cold, damp winter set in.

I vividly recall one week in June that began with a heavy rain followed by days of unrelenting mist. The weather closed the dirt access road, turned the camp to mud, dripped into people's ramshackle shelters, and dampened the mood. Bronchial and sinus infections spread quickly through *tereré* sessions that sought to quench thirst and quell growing hunger. With the road closed, no mobile food vendors passed, and the scheduled delivery of SEN rations did not arrive. This was, perhaps, the darkest week of the reoccupation. An unfamiliar silence set in across the camp. Three days passed when almost no one spoke. With nowhere to go because of the relentless mist and slick mud that coated everything, nearly everyone stayed in their shelters. Sitting with Clemente's family on plastic buckets or a piece of wood near a smoldering fire, hours passed in silence. Looking across the camp from our shelter to the others, the situation was the same. The excitement of the early months had given way to fatigue, hunger, and a general depression that hung low, as if suspended in the mist. On the third day, I watched Luciano make his way from his shelter toward the side of the road just outside the gate where men would often go to urinate. He appeared to move in slow motion, barely lifting his feet from the ground to skate-shuffle across the muddy expanse. With a cigarette dangling from his lips and head cocked slightly to the right, Luciano's eyes fixed on a point far in the distance, his face expressionless. I watched from our tent as he moved across a span of 30 meters in a matter of minutes, never touching his cigarette with his hands but slowly inhaling and exhaling smoke that disappeared into the mist.

Those days of rain, mist, and mud underscored the shifting temporalities of resistance and violence that permeate Enxet and Sanapaná struggles. The act of reoccupying Retiro Primero was literally decades in the making, following a series of legal and bureaucratic measures where everything is slow, as one of the eldest members of the community Felix Dermott once told me: "The patrones, the people from the state all go fast. They have trucks and can go here and there. But the Indigenous don't. We walk. We have to wait, but they can go whenever they want. You know. You have money, a truck. You can go. We are poor and everything is

slow. When they want land, they can buy it. We have tried for a very long time. It is slow.”¹⁹

Time is central to the biopolitics of neglect, as I suggested in chapter 3. It is used as a tool to erode Indigenous lifeways, to slowly drain people of the will to continue their struggles and eventually acquiesce. Yet Enxet and Sanapaná resistance has endured for generations. In stating this, I do not purport to glorify resistance. The repeated denial of due process, of rights, of land is a source of great pain and indignation for my interlocutors. Yet as Indigenous scholars writing of current-day Canada and the United States insist, we must confront relentless efforts to eradicate Indigenous lifeways by centering endurance and futurity.²⁰ Without such a focus academic knowledge production can quickly replicate the epistemic erasures inherent in settler logics of elimination. While delaying Indigenous access to justice is a tool of oppression that emanates from state authority, the inverse is also important to denote. Enxet and Sanapaná refusal to relinquish their demands disrupts the temporalities of settler colonialism, which seeks to continually speed processes of dispossession and capital accumulation. Slow resistance has thus become a sort of “weapon of the weak.”²¹ Enxet and Sanapaná persist despite the grinding slow violence manifested as efforts to erase them, materially and spatially, from the land.

Viewing neglect as a biopolitical calculus pushes the notion of slow violence further by showing that time, particularly bureaucratic processes that delay effective change, is a core element that settler states in Latin America use to govern lives not deemed worthy of protection. The poisoning of Indigenous peoples by the oil industry in Ecuador’s Amazon and long-standing efforts to thwart legal demands by Indigenous peoples and their allies that the responsible companies rectify such harms are an emblematic example of how slow violence intersects with legal bureaucratic procedures.²² On the outskirts of Buenos Aires, Argentina, the periurban poor working class contend with systemic lead poisoning, yet are left without access to necessary medical services despite well-known exposure to such environmental harms.²³ Land dispossession is another form of slow violence. Refusing to reconcile legally enshrined land claims for communities like Xákmok Kásek ensures the prolongation of dispossession and its attendant harms: the erosion of Indigenous cultural practices, the gradual wearing of the will of those who resist, the loss of life by those who succumb to preventable diseases induced by exposure but exacerbated by lack of access to basic medical services, adequate housing, or nutrition.

Neglect is not the product of happenstance behavior; it is an active process of negation that, in this case, intends to diminish the life chances of Enxet and Sanapaná peoples to ensure compliance with the settler political economy. Luciano’s passage through the entrance to Retiro Primero and the slow grind of the Xákmok Kásek lucha—from the moment community members launched their efforts to

take land back in the 1980s to the fraught restitution-as-development politics—reveal that slow violence is inherently tied to the temporal politics of justice. If justice delayed is justice denied, the arc of Enxet and Sanapaná efforts to reclaim their lands has shown that relying on settler legal orders is tantamount to the very denial of rights on which those claims rest.

REJECTING THE INDIO PERMITIDO

Throughout their generation-long efforts to reoccupy their lands, Xákmok Kásek community members have largely comported themselves within the mandates of Paraguayan law and policy. However, as Coulthard argues, “without conflict and struggle, the terms of recognition tend to remain in the possession of those in power to bestow on their ‘inferiors’ in ways they deem appropriate.”²⁴ Enxet and Sanapaná peoples of Xákmok Kásek have gained recognition from the state and the Inter-American System in their efforts to reoccupy a portion of their ancestral territory, but the power to define the terms of land control, a key facet of recognition in Paraguay, remained with the state. State recognition of the Xákmok Kásek community in 1986 clearly did little to quell the dispossession of the Sanapaná and Enxet peoples or ensure their full rights of citizenship. The experiences I discussed in chapter 2 illustrate this point, as does the fact that the Xákmok Kásek community engaged the Paraguayan state for more than twenty years by following the law to maintain their claims. Although involvement in the Marandú Project, the use of Law 904, and the case before the IACHR each attempted to disrupt the status quo of patrón-Indigenous relations, state support of settler rancher interests remained unaltered. Trusting that justice would be served through the guarantee of rights established a new status quo, one where the settler state repeatedly denied ensuring the very Indigenous rights it had codified in law. This pattern is not unique to Paraguay. Thus disrupting the patrón requires radical action. For the people of Xákmok Kásek, years of state neglect served as a pedagogy, with the lesson that recognition only comes with one guarantee: rights will never be given but must be taken.

The reoccupation of Retiro Primero defined new terms of recognition based on a rejection of the dictates of the law and charted a new direction in Xákmok Kásek’s political strategy. Akin to the Sawhoyamaxa reoccupation, members of Xákmok Kásek sought to challenge the limits of private property rights to see if state officials would enforce the rights of the ranchers or of the community members. It turned out that state officials did little to enforce private property rights or remove community members from the Retiro Primero land. After reoccupying the land, community members learned that financial hardship had fallen on Eaton and Cía and that some partners in the company were in favor of selling the land to the state so it could be returned to Xákmok Kásek. Simultaneous with

the reoccupation, the majority partners of ARPA, the company that subsumed Eaton, began to actively lobby the state to purchase the land. Moreover, nearly all pertinent political actors within the Paraguayan government were publicly in favor of resolving the claim: the president of INDI, the vice president of the republic, and the minister of finance, who stated that the necessary funds were available to purchase the land. Despite the confluence of favorable conditions, the state inexplicably failed to take any action on the case until several years later.

During those early months of the reoccupation, I joined community members in negotiations with state officials. We met with the president of INDI, the minister of foreign relations, the minister of finance, and then the vice president, Juan Afara. Each of these actors plays a central role in the implementation of IACHR judgments, from federal budget management and the governance of Indigenous affairs to leadership of the state's special Commission for the Compliance of International Judgments (Comisión Interinstitucional para el Cumplimiento de las Sentencias Internacionales [CICSI]). Although each actor denied direct responsibility for decision making and indicated that we would meet with another state institution and official in this institutional constellation, each state representative shared the same narrative: Horacio Cartes, acting president of the country, would make the final decision about when and if payment for the land would be made. The direct involvement of the president in making such a decision is not required by law; but the words of INDI's former president from the opening vignette of this book resonate: "el patrón manda" (the patrón is in charge). While Law 904/81 and the Agrarian Statute determine the adjudication of Indigenous land restitution, suggesting that the president would make this decision underscores the authoritarian legacies of the state-as-patrón that continue to shape the function of Paraguay's democratic institutions.²⁵

With every return to the camp that followed excursions to Asunción for conversations with state officials, community members called a council meeting to discuss and debate. After several such meetings, a new consensus began to crystallize. Nothing would change without more radical action. Although community members had reoccupied the land, there was little public impact beyond the handful of ranchers, Indigenous peoples, or traveling vendors who passed by the entrance to Retiro Primero. Rather than rile the landowners, the reoccupation underscored their need and desire to sell the land to finance the company's debts, ultimately shifting all decision-making power to the state and, in this case, President Cartes. Under a grove of algarrobo trees near the center of the tarp encampment, women and men of the community sat, shared tereré, and debated about the possibility of staging a multiday road closure. Fear of violent state repression was a central concern, as was the prospect that someone would burn their encampment to the ground if they left to protest. The prospect of gaining title to the lands they had reoccupied and long fought to access proved more

compelling than the alternatives. As one woman argued, “We have come this far. We cannot turn back.”²⁶

TEMPORAL POLITICS OF TERRITORY

Building from earlier waves of settler colonization that introduced ranching to the Bajo Chaco, Mennonite settlers established extensive ranching and dairy operations farther north in the central Chaco. Indeed, the Mennonite towns Filadelfia, Loma Plata, and Neuland comprise a constellation of colonies that are logistical and economic hubs for ranching in Paraguay’s Chaco, with the region’s only major slaughterhouses and dairies. Together the three colonies comprise an agroindustrial enclave and are the only major cities and towns for hundreds of kilometers in every direction.²⁷ Led by a minority population of German-speaking immigrants who fled violence in Russia, the colonies wield significant political influence within Paraguay.²⁸ Colony formation in the 1920s through 1940s helped expand the Paraguayan state’s presence during the Chaco War against Bolivia. Since that time, Mennonite agroindustrial settlements have not only been essential to Paraguayan state expansion in the region, but they have provided the technical and logistical hub for the ranching industry to develop. If not for Mennonite lobbying of the US government and their labor and technical expertise, the Trans-Chaco Highway constructed between 1954 and 1967 might not have existed.²⁹

At the time of my research, the Trans-Chaco Highway was the only paved road that bisected the Paraguayan Chaco and connected Mennonite colonies with national and international markets. The highway is the central conduit for the flow of people and goods to and from the colonies and ranches that lie beyond, while it is also a material manifestation of settler territoriality. The Trans-Chaco is legally encoded as a site where all Paraguayans are constitutionally guaranteed the right to unimpeded travel and discursively coded as racial infrastructure, because non-Indigenous settlers are those who most readily and reliably use the road. Returning to Felix Dermott’s words, “The patrones, the people from the state all go fast. They have trucks and can go here and there. But the Indigenous don’t. We walk. We have to wait, but they can go whenever they want.” As Appel, Anand, and Gupta contend, infrastructures must be understood as “spatiotemporal projects” that not only connect actors in space but also rework, or promise to rework, the temporality of connection and processes that unfold in and through them.³⁰ The Trans-Chaco provides a site to examine the territorialities of settler colonialism as not only spatial but also temporal: speed as a cornerstone of economic productivity and capital gains.

David Harvey’s classic formulation of time-space compression has provided a productive analytic to evaluate geographic processes, particularly uneven

development.³¹ When considered in the context of settler capitalism, the notion of time-space compression opens new lines of inquiry about territory and territoriality. So often territory is viewed through a spatial frame of reference; a territory is expressed spatially in land, for example. Yet the settler legal frameworks that support Indigenous land restitution foreground a crucial characteristic of territory that demands it be conceived of beyond merely spatial expression, as one with a vital temporal component.³² On the one hand, this can be viewed as state efforts to govern “the prior” and ossify indigeneity as a non/premodern relation rooted to a specific place.³³

However, another way of reading the temporality of territory is to return to how settler capitalism operates in specific sites vis-à-vis the ability to control speed, and in that regard, time. For example, Mennonite dairies require road conditions that allow them to transport their perishable milk-based products hundreds of kilometers through the Chaco—a site of extreme heat in the summer—to Paraguay’s primary markets in the southeast. The perishability of the product necessitates speed, as does the issue of transportation expenses, which increase with delays. And as Mario recounted to me, “The cattle get stressed on the long trip [to slaughterhouses near Asunción]. They try to move them as fast as possible. The trucks are full. Cows can’t lay down. Sometimes they die on the trip if it takes too long.”³⁴ The importance of transportation speed for the Mennonite dairy and cattle industry reveals the central role the Trans-Chaco plays in maintaining settler territoriality in Chaco. It is a state-controlled space intended to facilitate speed and connectivity crucial to the functioning of settler capitalism. The territory of settler capitalism is more than spatial; it hinges on the control of time as related to the speed required for key economic activities.³⁵ Aware of these factors and the vulnerabilities they pose to ranchers in the northern and central Chaco, the Xákmok Kásek community decided to close the Trans-Chaco to disrupt settler temporalities and assert new territorialities in that time and space.

The timing of such political acts is crucial if they are to have the desired effect. The road closure could have been staged at any point, but community members coordinated their action to take place in the days immediately before Pope Francis’s scheduled visit to Paraguay in July 2015. Radio Pa’i Puku reported the pope’s visit would be good business for the Mennonite dairies and slaughterhouses. Asunción would need increased shipments of perishable dairy and beef products to satisfy the estimated two million tourists traveling to Paraguay for the papal visit. Closing the Trans-Chaco just before the pope’s visit would spur one of two possible outcomes. As I drove a car full of people from Xákmok Kásek to Rio Verde, where the road closure was planned to take place, someone explained, “The ranchers will be mad because their products won’t make it to market. They will call their representatives in Congress. They will call their friends the senators and tell them to negotiate with us. The state will listen to the patrones because they are the ones who control the state.”³⁶ The other possibility was that the state would

violently repress the action and subsequently draw the attention of international media already present to cover the pope's historic visit.

Paraguay is one of the most Catholic countries in Latin America, and several activist priests and other adherents of liberation theology like Pa'i Oliva Miguel and Chase-Sardi have played an important role in advancing Indigenous rights.³⁷ In 1988, Pope John Paul II made the only other papal visit to Paraguay, holding mass for Indigenous peoples in the northern Chaco town of Mariscal Estigarribia, and he is often credited with helping remove Stroessner from power.³⁸ Perhaps harkening to that previous papal visit, several people from Xákmok Kásek speculated that the international media covering the pope would catch wind of the community's actions in the Chaco and bring it to his attention. In the weeks preceding the planned road closure, many of my interlocutors jokingly referred to the pope as the "spiritual patrón of the Paraguayans" and suggested that he would not remain quiet if the state violently suppressed their mobilization.³⁹ The road closure was thus designed to test the limits of state restraint or direct violence.

"WE BREAK THE LAW TO MAKE YOU RESPECT
OUR RIGHTS"

The road closure took place on July 6–9, 2015, with the idea to increase the amount of time traffic would be blocked each day. "We will close it four hours day one, eight hours day two, twelve hours day three, then indefinitely until the state concedes," Serafin reported in an interview with a local radio station before the protest.⁴⁰ Each day presented new challenges and strategies to provoke Paraguayan state officials to acquiesce to the community's demands and comply with the IACHR judgment. Aside from palpable apprehension about potential state responses, the first day was calm. Local police were dispatched to ensure that the event was peaceful. Around 125 community members and local allies occupied a small bridge, blocking the road with human barriers and banners that read, "We demand the immediate compliance with the 2010 IACHR judgment." Though it is unconstitutional to close a national highway in Paraguay, the local police did little to stop the protest other than scold the Xákmok Kásek leaders. The lackluster response, gray skies, and constant mist dampened the moods of many participants who had anticipated a dramatic impact. After three hours, Xákmok Kásek lifted the blockade to allow the cattle trucks, buses, and cars to continue on their way.

Most people involved in the road closure slept next to the highway in an old, abandoned building while a few of us slept in tents. Despite the underwhelming outcome of the first day, upon waking, we saw that the road closure had indeed piqued the attention of state officials. Heavily armed and armored riot police had arrived overnight, deployed along the roadside to ensure that the protest did not continue for a second day. More importantly, a handful of state officials arrived to negotiate a resolution to the protest with community members. The former

governor of the Presidente Hayes Department first attempted to convince the community to return to Retiro Primero, though his credibility was compromised by the fact that he had been publicly charged with embezzling state funds for school lunches. Later, the camouflage-clad district chief who accompanied the riot police sought to convince community members they should return home and wait for the appropriate state agencies to resolve the legal process. The threat of violence was latent in his discourse, as he repeatedly stated that the riot police would “not allow” the road to be closed again. As the morning wore on and news about the road closure spread on the radio, more allies from nearby Indigenous communities showed up to observe the situation. A crowd of nearly two hundred people massed on the margin of the highway holding banners and flags, while Gerardo, a Xákmok Kásek representative, stood near the edge of the road debating with the district chief over a loudspeaker so the crowd could hear. At one point Gerardo explained, “They say that Pope Francis is going to bring peace and tranquility to Paraguay. . . . Without land there is no peace, no tranquility. . . . We are only here fighting for what is ours, what the national constitution, the law, and the Court [IACHR] says is ours, our ancestral lands. You are breaking the law by not respecting our rights, so we have to break the law to make you respect our rights.”⁴¹

Gerardo’s statement indexes two important processes. First, by calculating that nearly all factors necessary for land restitution were aligned—the landholders wanted to sell, the IACHR judgment called for restitution of Retiro Primero, and several state agencies were purportedly ready to initiate the transfer of ownership—community members surmised that the pope’s visit was part of a conjuncture, an open moment, where the state might finally resolve the land claim. Second, Gerardo exposed a central contradiction inherent in the politics of recognition. The district chief argued that they would not allow the road closure to proceed because the constitution guarantees free passage on national highways to all citizens of Paraguay. Gerardo retorted by arguing that the constitution guarantees Indigenous peoples rights to their ancestral lands, that state officials effectively break Paraguayan laws by refusing to enforce Indigenous land rights, and that the IACHR judgment reinforces the fact that the state has violated the human rights of community members. He continued, “Unfortunately we must inconvenience the travelers who use this road, but we have been fighting for land for thirty years and the state has done nothing.” Gerardo captured the racialized tensions between the rights of some citizens over those of others, both of which the state recognizes but only some of which the state values. Because of such inequalities, Xákmok Kásek community members decided to selectively break specific laws to create situations to which the Paraguayan state must respond.

Having reached a stalemate, Gerardo called out, “Close the road!” and a mass of bodies surged forward, catching the riot police off guard. A tense but brief clash ensued as police lined up to block the protesters from gaining access to the bridge they had used the day before. In blocking the bridge, the police formed a line



FIGURE 15. Day two of the road closure immediately following the skirmish with riot police on the highway whence the police inadvertently helped block the road. Photo by author, July 2015.

face-to-face with the protesters and inadvertently closed the road. The scene was chaotic and the sound intense as the previously calm protest momentarily erupted. Xákmok Kásek leaders began delivering statements about Indigenous rights and the IACHR judgment over portable loudspeakers that crackled and popped under the strain of the volume. The Paraguayan national anthem blasted from a speaker set up in the space between the protesters and police. An elder woman who had been thrown to the ground during the melee screamed that she would die on the road that day if it meant her children could live on their ancestral lands. Shamans from nearby communities began playing rattles and singing, as men joined arms to form a circle surrounding a drummer whose beat and song started a *choqueo* in the middle of the highway that lasted for the duration of the protest.⁴² Over the next six hours, Sanapaná and Enxet peoples from communities across the area negotiated with state officials, visited with one another, made and ate a communal lunch on the worn tarmac, and used the *choqueo* to form new relations. For kilometers to the north and south, semis carrying cattle, beef, and dairy products stopped, along with all other traffic.

Road closures are common protest strategies in Latin America. However, Xákmok Kásek's action draws particular attention to how Enxet and Sanapaná peoples leverage time as a key facet of territoriality. Whereas many scholars suggest that settler states govern Indigenous rights in ways that reify Indigenous temporalities as anachronous to modernity, protests such as these reveal how many

Indigenous movements disrupt settler time as a sovereign act. Instead of being oppressed by settler time, that is, waiting for the state to act, Enxet and Sanapaná endurance uses the temporality of resistance as a tool to disrupt settler life. In this way, by stopping traffic and commerce to create a space whereby new relations can be made and old ones fortified, Enxet and Sanapaná take time from settlers and thereby reterritorialize the site even if only momentarily. The road closure made time and space not just for a call to defend rights, but for the *choqueo* to draw together peoples across the Bajo Chaco to rekindle lost connections and form new relationships through resistance.

The *choqueo* is a dance vital to Indigenous peoples in the Maskoy language family, who use the practice to build new kin relations but also to leverage the power of shamans who play the drum at the center of the circle and sing. The *choqueo* served as a *de facto* anchor for the road closure, lying at the physical center of the mass of bodies that occupied the tarmac in front of police and a growing line of *semis*. With each round of the *choqueo*, new people would step into the circle, laughing and dancing with arms wrapped around waistlines to form embodied and emplaced relations while settlers waited and watched. Enxet and Sanapaná territoriality in these acts of disruption and defiance focus attention on inequities in time that mark differences between settlers and Indigenous peoples insofar as many settlers have access to a different form of time—speed—whereas Enxet and Sanapaná are forced to wait generations for land restitution, hours for scheduled meetings, and at the whim of *patrones* who so often decide who gets what and when.

Early in the morning on day three, Xákmok Kásek leadership met with police officers. The leaders agreed to comply with the law and only close one lane of the highway as they marched 2 kilometers to the Enxet community of Jerusalén, where they would continue the negotiations with state officials.⁴³ Shortly after coming to that agreement, everyone marched south with police escorts, who ensured that traffic flowed around the mass of bodies moving down the highway. Upon rounding the bend in the road before Jerusalén, the escorts rushed ahead, startled by the new strategy community members used to close the road. “We knew that the police would be mad that we closed the road yesterday and we didn’t want anyone to get hurt. We coordinated with Jerusalén to have them close the road before we arrived so the police wouldn’t see,” Clemente later explained to me.⁴⁴ The plan worked well. Hundreds of Sanapaná and Enxet occupied the road, subverting police efforts to thwart the mobilization. As a result, the top military official for the Presidente Hayes Department arrived to negotiate directly with Xákmok Kásek, while families visited and another large *choqueo* took place in the middle of the highway, stopping traffic for the rest of the day. The road closure was lifted when the Paraguayan finance minister and INDI president publicly agreed on the popular radio station Pa’i Puku that they would arrive at 9:00 a.m. the next day to negotiate with community leaders and initiate the purchase of the Xákmok Kásek land.

The sound of a helicopter approaching pierced the quiet morning air in Jerusalén just before 9:00 a.m. on the fourth day, bringing with it the promised officials, who publicly negotiated with the Xákmok Kásek leadership and committed to a date that the land-purchase process would begin. After the events, many people from Xákmok Kásek were hopeful that disrupting the cattle ranching patrones and invoking the spiritual patrón of Paraguay—Pope Francis—had resulted in finally breaking the pattern of state neglect. After the protests, we returned to the encampment at the entrance of Retiro Primero and a familiar pattern set in—waiting, with promises of land restitution “soon.” The deadline for the land purchase set at the end of the road closure came and went; with it, Xákmok Kásek community members abandoned the tarps they had occupied for the previous six months and moved deep into the land, where each family began to build permanent homes.

TIME, TERRITORIALITY, PATTERNS

Environmental justice must account for the ability of place-based collectives to ensure their well-being in the present and future on their own terms. The ability of Indigenous collectives to maintain self-determination, social resilience, and well-being is necessary for transformative environmental justice.⁴⁵ Ecological integrity, understood as the ability of humans and nonhumans to maintain their collective relations and change with time, is central to Whyte’s framing of Indigenous environmental justice. In the case of Enxet and Sanapaná peoples, retaking control of ancestral territories is crucial to collective continuance as both decolonial praxis and the ability to live free of environmental harms. Yet land restitution alone does not, in my view, guarantee decolonization or environmental justice because the aftermaths of land titling are uncertain and property as the vehicle for reparations is inherently constrained by colonial logics of exclusion, quantification, and control. For example, the Cofán peoples of Ecuador contend with environmental pollution because of petroleum extraction on lands near their territories.⁴⁶ The Dakota Access Pipeline construction and the policing of that project in the United States threatened the water and territories of Lakota peoples.⁴⁷ Accumulation of hazardous chemicals in mining effluent deprives Indigenous peoples of the Bolivian Altiplano of access to clean waters and lands.⁴⁸ Indeed, in southeastern Paraguay the hard-fought restitution of Aché lands opened a new chapter of social-ecological struggles for community members, who now must defend their territories from invasion and deforestation driven by illegal logging and marijuana plantations.⁴⁹ These enduring challenges shed light on the need to link grounded struggles across sites of co-resistance.⁵⁰ Further, in thinking with my Enxet and Sanapaná interlocutors, it is clear that land restitution is but one important step in the process whereby communities can begin to reconstitute place-based collectives.

Shortly after the 2015 road closure, community members pooled their resources to rent a tractor and trailer to haul their belongings from the Retiro Primero entrance to the sites where they built permanent homes. Although Clemente's shelter had been closest to the entrance, his home is now one of the farthest away, some 6 kilometers down a narrow dirt road. It was still dark when I heard the creak of the door to Clemente's house opening as it strained against old wire hinges and scraped on the dirt floor. Clemente had just stepped outside to start a fire. Having slept fully clothed to stay warm in the winter night, I rolled out of my bed, slipped on shoes, and headed outside. At 4:30 in the morning, the air was still, and stars shone brilliantly in the sky as if they were shards of ice casting a frigid blanket on us. We sat in blue plastic chairs, watching flames erupt from the emerald-colored palo santo wood Clemente used to start the fire. The wood's highly flammable resin bubbled and burned bright with a sweet scent. As we drank *tereré* by the fire, Clemente's home was unusually quiet. Clemente's parents, two of his sons, and his sister had also built their homes nearby. Since the move, the area had always been full of life, with sounds of kids running about and lots of daily action. Yet on this visit, things were different. In the year I had been away, his three sons had left to work on different cattle ranches far-flung across the Chaco. His parents were visiting relatives in another community. Nelsie was with their newborn son in Filadelfia, the nearest hospital some 150 kilometers to the north.

With so many of his people gone, Clemente and I had ample time to catch up. We are in regular communication by WhatsApp, but this was the first time we had a long stretch to talk in person about the advances in their case. "They finally paid for the land. That part is good. They haven't given us the title yet or begun negotiations to purchase the rest of the land for us. We are happy with the 7,701 hectares. People live more peacefully now. . . . We are not happy that they think they can forget about the other 3,000 hectares. We want the title." INDI and pertinent state officials had cited a familiar string of reasons to explain that the title was "in process" but not yet ready. In effect, INDI had purchased the land in the name of Xákmok Kásek, yet retained legal guardianship because it had not completed the requisite survey to issue the property title. With his calloused bare feet resting on a small orange brick near the fire, Clemente slowly shook his head from side to side. "It is always like this. The state does nothing. Meanwhile the Indigenous have to wait. But we have seen that when we protest and do things like the road closure, that is when the state takes notice and things happen. . . . We always have to do these kinds of things. No one likes it. Sitting in the road, going to Asunción for meetings. It is hard work. It is dangerous. They clearly don't care about the Indigenous because they always make us wait."⁵¹

Without doubt, the Xákmok Kásek community has disrupted many long-standing norms of patrón-Indigenous relations in the Chaco. Through place-based embodied acts, community members have learned from the land while simultaneously reterritorializing settler spaces as reemergent Indigenous geographies.

Indeed, the long arc of engaging and refusing the politics of recognition have reworked the racial geographies of spatial dispossession in ways that underscore the uneven terrain of decolonial praxis. Such acts draw together divergent actors and processes into constellations that help chart the direction of my Enxet and Sanapaná interlocutors' actions to realize more just futures. As Daigle and Ramírez state, "Constellations are in formation all around us, re-envisioning and re-embodying a politics of place by interweaving spatial practices of resistance, refusal and liberation."⁵² The reoccupation of Retiro Primero not only marked the beginning of "five years of life," but set in motion the creation of new constellations of Sanapaná and Enxet families in "the place of many small parrots"—Xákmok Kásek. Yet despite such an incredible achievement, Clemente's words and the state's failure to issue title or finalize the restitution of all lands to the community underscore the durable temporalities of settler captialism. Returning land facilitates the possibility for decolonial futures, and more environmentally just futures can become a lived experience, not only an aspirational vision that motivates resistance. Yet land alone cannot guarantee this outcome.