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The new Guarani reductions: aftermaths of collective titling in Northern Paraguay

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ABSTRACT

This paper documents aftermaths of Indigenous collective land titling in Northern Paraguay, drawing on participant observation, interviews, and archives involving Indigenous Guarani, private landholders, NGO partners, and campesinos. While collective title attempts to safeguard Indigenous land, I argue that land available for Paĩ Tavyterã Guarani livelihoods was reduced, with sometimes violent sociopolitical impacts and challenges to land control. I contend that the unfinished, hegemonic process of land titling is contested through Guarani communities' sociopolitical creativity, where the Paĩ creatively adapt their ways of life on land reduced. This contributes to debates on territorialization, land titling and rights, and political economy.

KEYWORDS

Collective land title; territorialization; indigeneity; livelihoods; Paraguay; South America

Paraguay as paradise

Paraguay became 'paradise' through war and colonization. The seventeenth century Jesuit missions, called reductions (*reducciones*), gathered Indigenous Guarani together, affixing them in place. In the reductions, the Guarani found protection from Spanish forced labor and Portuguese slave raiding. According to the Jesuits who ran them, the missions came close to an earthly paradise through ritual, song, and work. Yet when the Jesuits were expelled, many Guarani returned to the forest, leaving the so-called paradise behind (Melià 1986). Then, in the late nineteenth century, Paraguay lost the brutal Triple Alliance War, leaving a female to male ratio of 6:1 and the nickname 'Mohammed's Paradise' (Potthast-Jutkeit 2011) for the decimated population remaining. More recently, the refrain of paradise is religious and economic – Mennonites seek religious freedom and viable farmland; Brazilians find cheap land, soft credit and little-to-no export taxes. What remains hidden among these utopic neo-colonial and capitalist projects is an understanding of how Indigenous land sustains these imaginaries of paradise, and how the Guarani inscribe and reinscribe paradise on their landscape.

Paradise for the Guarani is a search for *yvy marane* \tilde{y}^1 – a land without evil. Guarani religious leaders led great migrations traversing the forest on quests for this fabled land

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¹I include many terms in Guarani following the anthropological tradition of introducing 'non-Western' concepts into the 'Western' canon, such as potlatch, minga, or kula. Reading and incorporating these terms is a small decolonial shift in Western epistemology which I believe is worth the potential 'clunkiness' in reading.

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(Nimuendajú and Riester 1978; Clastres 2013). Walking (*roguata*) for the Guarani has a transcendent dimension as movement-based practice that can achieve paradise by living the right, ethical way (*teko*) in the right place. Called *tekoha*,² there were multiple 'right places' for extended kin networks to carry out shifting horticulture in the Atlantic Forest across the River Plate watershed. Guarani peregrinations and serial settlements are not just displacements toward a theological imaginary of paradise, but rather are a physical practice of ritual, relationships and cultivation that require movement and territory. Thus forested land with appropriate water sources are transformed into lived Guarani places of *tekoha*.

Now, however, Guarani territory is whittled down and carved up into cattle ranches, soy farms, and campesino colonies, with Guarani communities bereft of the majority of their former lands. Despite a prolonged effort to save land through collective land title, the forest is mostly gone. In light of this land bereavement and loss of forest, this paper focuses on what happens after collective land titling success, on what Krøijer, Kolling, and Sen (2020) call 'exploring the after.' Specifically, I examine the aftermaths of Paĩ Tavyterã Guarani collective land title (CLT) in order to highlight the promises and pitfalls of land titling in relation to Indigenous livelihoods.

Paï Tavyterã collective land title: community, control, and creativity

The Paĩ Tavyterã Guarani of northern Paraguay are a compelling case study due to their apparent titling success relative to the other Guarani groups.³ Located in Northern Paraguay along the Brazilian land border, the Paĩ *retã* (territory) extends some 40,000 km² (Lehner 1995). Some 90% of Paĩ Tavyterã Guarani communities are at various judicial stages of legalizing collective land title (Canova 2002). This success comes after 40 years of protracted court proceedings by communities, the Proyecto Paĩ Tavyterã⁴ and small NGOs pushing for title despite oft-irregular legal proceedings.

Collective land title in Paraguay seeks to safeguard Indigenous ways of life, guaranteeing land control by removing it from capitalist markets. Legally, Indigenous CLTs are constitutionally un-rentable and inalienable (PLC 1992). Paraguay's Indigenous Land Law 904/ 81 places land title in the name of the Guarani community, and Guarani political leaders represent the communities through legal personality. Nonetheless, Guarani communities are facing new forms of loss and violence *despite* legal title. Thus I analyze the aftermath of land titling 'success' in relation with the reality of Guarani everyday life, documented through ethnographic fieldwork.

I do not claim that land titling is the sole catalyst of the aftermaths identified in this paper; rather, my main argument is that the aftermaths of collective title is a useful frame to understand how property regimes are mobilized in two key ways. First, I argue that collective titling within Paraguay's property regime ensures that Indigenous ways of life are reduced to marginalized spaces, or the 'new reductions' as I call them.

²A tekoha is the physical and spiritual place where the correct and good way of Guarani life can be carried out, and where direct kin groups live together connected by footpaths. From teko (reko/heko): way of life/customs, and the suffix –ha denoting place.

³The Guarani in Eastern Paraguay are composed of Paï Tavyterã, Mbya, Avá, and Aché, each with different titling histories. The Paï Tavyterã Guarani are likely descendants of the Itatin Guarani, composed of those who went back to the forest and those who resisted reduction (Sušnik 1965). Indigenous groups in the Chaco region face different challenges.

⁴The Proyecto Paï Tavyterã was a collaboration between applied anthropologists from the University of Bern, Switzerland and indigenists (Grünberg 1988).

Second, I contend that focusing on the *aftermaths* affords a specifically historical analytical lens to evaluate the tensions between collective title and the persistence of dispossession and marginalization.

A caveat applies to this analysis. This paper is not a critique of the struggle to secure Indigenous land. Vital work between the Guarani, applied anthropologists, and Paraguayan indigenists secures as much land as possible within adverse conditions of political and economic opposition, racism, disease, malnutrition, and violence. Nevertheless, it is important to examine how the fight for land continues to impact Paī⁵ lives and livelihoods in ambivalent and sometimes unexpected ways.

This line of analysis expands Correia's (2019) investigation of the social, political, and economic impacts of *sojización* in Paraguay. While soy is a major factor in dispossession in other parts of Paraguay, direct logging and cattle ranching mostly drive deforestation in the north, as soy is a secondary factor (OXFAM 2016a, 22). The little remaining forest cover also serves as camouflage for a booming marijuana industry (Cardozo et al. 2016), often laundered through cattle.

Land titling in Paraguay is so irregular that legal titles are often duplicated or triplicated through legal surveying, and multiple owners have legal claim to the same land (Turner 1993, Hetherington 2011). Legal title does not guarantee land control and use. Therefore I apply the concept of 'land control' to interrogate the impacts of the new Guarani reductions, where I focus on how the Paï navigate the interstices of legal and physical control of land (Peluso and Lund 2011). This is particularly important in light of scholarship that does not examine land control on the ground while assessing 'strong support' for collective land ownership laws (Alden Wily 2018) in countries like Paraguay.

Beyond the paper-thin 'success' of land title, I analyze the creativity of Paï lived experience within the legally titled communities. Applying Roseberry's (1996) analysis of hegemony, I contend that the unfinished hegemonic process of establishing the Paraguayan property regime is contested through the sociopolitical creativity in Guarani communities, where the Paï adapt their ways of life on land reduced and draw on personal relationships. That is to say, aftermaths of new reductions are nevertheless potential sites of Indigenous creativity. Overall, I bolster analysis of the relationship between hegemonic collective land titling and changes in Indigenous livelihoods.

The paper is organized in the following manner. It opens with methods and data sources and the main theoretical arguments. I then provide an historical account of land tenure and the Paraguayan property law, arguing that property regimes are contested and incomplete through this land history. In order to assess the aftermaths of Paĩ Tavyterã collective land title (CLT), I analyze the outcomes and impacts of titling according to the Guarani themselves before and after the new property regime. The last section documents how the Paĩ Tavyterã creatively apply claims to private property, while continuing to eschew private property within their community bounds.

Methods and data sources

Beginning in 2013, I conducted ethnographic fieldwork in the Concepción and Amambay regions over four years, including 18 continuous months during 2016–2017 in 15 Guarani

⁵Paï Tavyterã use Paï for short to refer to themselves.

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communities, 10 of which held collective land title and 5 communities still in the titling process. Communities where I conducted participant observation were in all phases of land legalization: (1) constituting legal personality (collective ownership in community name); (2) gaining recognition for political leaders (legal community representatives) through the Paraguayan National Indigenous Institute (INDI); (3) government surveying; (4) official and extra-official payments; (5) obtaining title through the National Institute for Rural Development and Land (INDERT); and (6) initiating expansion requests. An enormous amount of paperwork is required and often misplaced by government agencies.

I had iterative meetings with community leaders where they provided access to their titling paperwork and carried out participant observation in their communities. We conducted land transects of their communities and met neighbors under friendly and not-so-friendly conditions. I attended community-level meetings (*aty*) on internal affairs and Paï leaders' meetings with government authorities, NGOs, landowners, campesinos, and elites, including Congressional representatives. I also consulted NGO records, as well as official government records.⁶ I then analyzed my fieldnotes for emergent themes.⁷ The sections outlining the aftermaths of collective land title are organized following the emergent themes from analysis (Figure 1).

Hegemony, land titling, and property regimes

Seen from above through satellite imagery, Paraguay's land inequality can be read on the material landscape through land use change. Northern Paraguay's landscape is dominated by vast, denuded rectangles of pastureland that have replaced much of the subtropical Atlantic forest. Campesino colonies are mapped out at regular intervals off Highway 5, with small patches of forest remaining, usually for firewood. Aerial views of Paï Tavyterã communities show larger patches of remaining forest and small, cleared spaces around houses connected by narrow paths.

The satellite view of the landscape from above is, in actuality, a freeze-frame of the tensions between property regimes and land control. Land is organized and controlled through the process of 'territorialization' (Vandergeest and Peluso 1995): '[1] the creation and mapping of land boundaries, [2] the allocation of land rights to so-called private actors, and [3] the designation of specific resource (including land) uses by both state and "private" actors according to territorial criteria' (418). A birds-eye perspective of the landscape appears to reflect a national territory that has been divvied up, organized and ordered by the Paraguayan state's legal property regime (Scott 1998). However, following Roseberry (1996), I seek to show that key aspects of the process of land titling are, in fact, disordered, unfinished, and contested.

Land title is the dominant, hegemonic framework that defines how land is divided up and owned in Paraguay's property regime. Beginning in the nineteenth century, the Paraguayan state decreed that all land without land title and private owner was 'fiscal land,' and therefore owned by the state. By defining land ownership through land title, the state refused to read the Atlantic forest as occupied and cultivated through Guarani *tekoha*.

⁶Land titles are housed at the National Institute for Rural Development and Land (INDERT), the Paraguayan Indigenous Institute (INDI), and regional archives, all of which are incomplete archival records.

⁷Key to my data reliability is achieving what in grounded theory has been called 'saturation' (Strauss, and Corbin 1998), where ethnographic data is collected iteratively and coded, and further research reveals no new variations.



Figure 1. MAP of Paraguay and Guarani communities. Source: Zanardini and Biedermann (2006, 273).

Thus Indigenous lands were rendered terra nullius – 'that is, space emptied of social and cultural meaning, and fetishized into a commodity amenable to utilitarian calculation and rationalization' (Makki 2014, 94). Reframing Indigenous land as empty or underused facilitated its subsequent settlement, privatization, and exploitation. Pai Tavyterä agroforestry, their mode of production, thus misread, had no legal footing in a property regime that defined two paths to ownership: (1) purchase of title and (2) colonizing based on land use rights and improvements with a labyrinthine bureaucracy⁸ to title. While NGOs, indigenists and Indigenous people had an active role in fighting for Indigenous land, the hegemonic category of collective land title, administered by the state, was not in dispute. However, drawing on Roseberry, the process of land titling is not a shared ideology of consent where property is defined by the state and actors adhere. Following Gramsci, Roseberry (1996) defines hegemony, rather, as a material and meaningful framework characterized by domination that shapes living in, talking about, and acting upon social orders and possibilities over time and space (360–361). The titling process is upheld by the power and ability of the state to impose material and political frameworks through property regimes. This common legal and discursive framework renders the diversity of Guarani relationships to land as collective land title and property.

However, the hegemonic property regime is not static. As Roseberry argues, the laws of the central state are applied in particular regions, each of which is characterized by distinct patterns of inequality and domination, which in turn are the uniquely configured social outcomes of historical processes that include prior relations and tensions of center/locality. As I highlight later, these often play out in intimate, everyday capitalist social relations. Therefore the end product of regional territorialization is not a fixed property regime, but rather an ongoing production of space and legal statutes through discourse and practice that attempts to impose and uphold inequality. In order to focus on the aftermath of collective land titling, we must go on the ground to document the lived outcomes of the hegemonic project of collective land titling, which may both uphold and contest it.

⁸See Hetherington (2011) for a detailed ethnography of how incomplete archives have been used to gain campesino title. State officials have also been processed for locking files in their desks, impeding next steps.

As I argue in this article, the Guarani in Northern Paraguay experience violence, deforestation, eviction, leadership and livelihood changes, corruption, land loss, and intracommunity conflict in the aftermath of collective land title. Their relationship to their land, livelihoods, and each other is changing as they find ways to navigate the contradictory impacts of collective land titling.

Political economy of land tenure in Northern Paraguay

The following political economy of Paraguay's land tenure takes historical stock of the process of territorialization, and in doing so, shows how the fight for Indigenous land became urgent in the context of land inequality and land use change. Land ownership is highly stratified in Northern Paraguay, and most arable land is in the hands of a few Paraguayans and foreigners. Based on the Gini land coefficient on a scale from 0 to 1, where 1 is complete inequality, Paraguay has a Gini land coefficient of 0.93 (OXFAM 2016b). The current land distribution can be summarized as the most unequal of Latin America. Despite abysmal land distribution, nearly half of Paraguayans (44%) live in rural areas (World Bank 2013). In Northern Paraguay, the rural population includes smallholder farmers (*campesinos*), Mennonite farmers, ranchers and industrial farmers of various nationalities (mainly Paraguayans and Brazilians), and Indigenous people including Avá, Mbya, and Paï Tavyterã Guarani. Many Guarani continue to practice shifting agroforestry (Reed 1997) with staples of manioc, beans, corn, sweet potatoes, squashes, and peanuts grown in subtropical forest gardens.

I divide the history of territorialization in Northern Paraguay in three stages: war, dictatorship, and colonization. In the nineteenth century, Paraguay lost a third of total territory to Brazil and Argentina in the Triple Alliance War (1864-1870) and much was sold off to individuals to cover war debt.⁹ With a tiny agrarian population decimated by war, Paraguay's demand for land grew slowly (Pastore 1972; Whigham and Potthast 1999). Alfredo Stroessner's Colorado Party military dictatorship from 1954 to 1989 distributed land as political favors and military rewards through corrupt land deals (Riquelme 2013), called *tierra malhabida* or 'ill-gotten land' (Hetherington 2011).

Facing growing campesino protests over rural land grabs, Stroessner decreed the Agrarian Statutes in 1963 (Telesca 2004). The laws opened Guarani territory to colonization by campesinos. The campesino Settlement of the Northern Axis in the 1970s was also the beginning of mechanized agriculture as large landowners intensified production. Yet the beneficiaries of the law were mainly Brazilian transnationals (*Brasiguayos*) with extensive farming experience and access to Brazilian capital (Albuquerque 2005). This was facilitated by the regime's pro agro-export policies and infrastructure linking to Brazil (Vásquez-León 2010).

Until campesino colonization in the 1970s, Guarani enclaves of extended kin groups, united by family leadership, lived spread across the landscape, with rivers and hills marking natural transitions between *tekoha* (AIP, Misión de Amistad 1977). With colonization, forest extractivism gave way to cattle ranching and intensive farming in occupied Paï Tavyterã lands. The acceleration of land use change, implemented through the new

⁹Land was sold to foreign companies such as CAFE, *Industria Paraguaya*; see Folch (2010) and foreign nationals such as Carlos Casado and Clarence Earl Johnson.

property regime, solidified the loss of most of the Atlantic forest (Huang et al. 2007). Some Paï turned to wage work in the face of dwindling forests; one leader recalled backbreaking seasonal work harvesting yerba mate. In this context, alarmed indigenists and anthropologists warned of cultural genocide (Melià, Grünberg, and Grünberg 2008).

The new Paï Tavyterã reductions

Under international pressure, Stroessner codified an Indigenous collective land law in 1981. Law 904/81 established CLT with a minimum of 20 hectares per family,¹⁰ which is often set as the maximum in practice. Nominally, political leaders (*mburuvicha*) represent the 'legal personality' of the community. The Paraguayan Indigenous Institute (INDI) is charged with recognizing political leaders from internal community elections, and the legal community is vested with collective title. These processes are irregular and subject to patronage relationships, as well as illegal bribes and sales.¹¹ To fulfill the law, nuclear families must gather together to constitute a legal community, reducing the space where they may live and carry out their livelihoods.

With the intent to stave off wholesale dispossession in the face of land privatization, the implementation of CLT, in practice, reduced Paï territory to communities. The Paï Tavyterã successfully gained title as reduced, exceptional spaces. During campesino colonization, Indigenous settlements were named 'National Indigenous Colonies,' and for legal purposes, Paï Tavyterã were redefined as 'colonists' *within their own territory* seeking to title 'communities' (AIP, Misión de Amistad 1977, 5–7). Indigenous CLT Law 904/1981 continues to concentrate distinct kin groups together on even-smaller amounts of land left-over from campesino colonization and elite land grabs.

Thus collective land title is the hegemonic framework for codifying Guarani relationships to land as a legally defined 'community' and property – neither territory nor *tekoha*. The Guarani have been reduced anew, echoing the seventeenth-century Jesuit Guarani reductions. The implementation of CLT opened a new set of capitalist social relations and land control conflicts as the Guarani became community landowners and shared property lines with neighboring campesinos and Paraguayan and Brazilian cattle ranchers. In the following sections, I explore how the new reductions have impacted the shape and make-up of communities, mobility, leadership and livelihoods, and created new relationships between neighbors in the aftermath of CLT. This has changed the way the Paĩ live in their fragmented territory in the aftermath of titling as they creatively negotiate the shifting property regime.

Aftermaths of collective titling in the new reductions

Spatial differentiation, fixity, and new neighbors

In this section, I analyze the different impacts of CLT as it reduced and affixed formerly mobile communities in what used to be an extended territory, fragmenting them into new reductions. In the reduced space of the land title, the way Paī live together and

¹⁰This amount is for Indigenous communities east of the Paraguay River.

¹¹For example, one former president of the Paraguayan Indigenous Institute (INDI) was sentenced to 10 years prison for selling Indigenous land.

move across the landscape is changing. While the fight for collective land title was a unifying force, the different leaders and their kin groups then had to figure out how to live together in the newly shaped communities, with new boundaries that formalized their reduced claims.

The new reductions created a new spatial order: the territorialization of a property regime organized through land titles. This also formalized the legal framework of titling, validating campesino and elite land claims and creating a shifting constellation of neighbors as land became privatized and enclosed. With the new reductions, the former layout of *tekoha* is compressed into the legal definition of Indigenous collectively titled community. CLT affixed communities in place, anchoring previously mobile kin lineages to smaller areas of land. Some communities were able to claim more or less land as the state negotiated land acquisition from their neighbors. Instead of organizing clusters of extended kin with spiritual connections to the landscape, reflecting *tekoha*, CLT often placed non-related Guarani together to form legal communities.

Through the local implementation of the property regime, hegemony creates 'spatial differentiation' (Roseberry 1996) as CLT fragmented territory into reduced, titled communities. The space of the new reductions does not reflect the extensive area of land claimed by the *Paï retã*, or territory. While Law 904/81 promises 20 hectares (*ha*) of land *per family*, many titled communities far exceed the family-to-land ratio. In one case, 20 families live under constant threat of eviction on 10*ha*, fenced and locked into the middle of a campesino colony. A number of communities have legal title for land with no water source or no remaining forest, leading to out-migration. Despite the spatial differentiation, however, all Paĩ Tavyterã land claims in the communities in this study resulted in a fragmented territory.

As noted, reduction often brought together different kin lineages on land that spiritually and politically pertained to a single extended lineage, as they had to meet the minimum number of families. As a former NGO member explained, they had to convince families to move together, warning that they might lose all land claims if they did not meet minimum titling laws. He tersely remembered this heartbreaking induced migration: 'They left beautiful gardens. The women cried when they moved. It was terrible.' Most collectively titled communities contain at least 2–3 different kin groups; some even concentrate Mbya Guarani and Paĩ Tavyterã Guarani on the same collectively titled land.

Communities have also changed shape *within* the confines of the reductions. In one case I followed closely, a community recovered from missionary settlements mirrors campesino colonies, with neighbors bunched close along a single road. Mixing proximity with alcohol or a loose cow eating a neighbor's garden can escalate without related kin to intervene and diffuse conflict. One leader told me that local authorities are increasingly involved in their conflicts, authorities who first entered through the legal process of titling. These Paraguayan authorities can be used strategically by the Paĩ, for example, such as mobilizing the police against intracommunity rivals through possibly fabricated accusations. This is a devastating tactic as the accused often sit for years in jail before ever seeing a judge.

In the past, *tekoha* were linked by a network of narrow footpaths (*tape po'i*), which stitched together the Paï territory. Walking was part of the visit itself, with stops for gathering seasonal fruits or medicinal plants, hunting, religious ceremony, and to visit kin. The Paï could still transverse large estates prior to intensification of ranching and campesino

colonization in the 1970s; now, however, ranches employ private armed guards to patrol their borders. Instead of footpaths, the highway paved with USAID money is the main thoroughfare between communities. Old paths outside titled communities are no longer safe, and the practice of migratory walking is reduced.

Yet Guarani migration itself continues post-titling. I often came across people several hours away at different community ceremonies and met Kaiowa Guarani, as the Paï Tavy-terã are known in Brazil, who were visiting relatives. One NGO worker recalled being recognized by a Paï man in a Guarani community in São Paulo. Nevertheless, how the Paï move about their territory has changed post-titling, as private property enforces boundaries through violence and exclusion, and motorcycle accidents skyrocket as people ride off to work.

With the new reductions, collective land titling formalized a new spatial order that condensed Paï Tavyterä land claims into titled communities, affixing boundaries to Paï Tavyterä territory. Further, CLT brings together unrelated kin lineages, with their respective leaders, together in newly formed legally titled communities. Mobility has changed as is no longer as safe to navigate the old footpaths. Finally, the new property regime opened Paï Tavyterã lands to be titled by campesinos, Brasiguayos and Paraguayan Brazilian ranchers, shifting land into private hands and creating new neighbors. In sum, CLT affixed communities in reduced spaces, and Paĩ Tavyterã territory was privatized and titled, creating a new, differentiated spatial order. I document the impacts of the new reductions on the ground in the following sections.

Forest loss, land use and livelihood change

Though title seeks to ensure land, it cannot secure Indigenous livelihoods that rely on expanses of forests, as it does not impede deforestation on other private properties. This is a key aftermath of the 'success' of CLT: all land <u>not</u> titled to Indigenous people became available for colonization and industries with outsized appetites for cleared land, such as cattle ranching and GM soy. The overall ecological change is enormous: the forest mostly remains as small islands (Huang et al. 2007).

Many communities were deforested during the logging bonanza opened by colonization (Grünberg 1988), and forests have been slow to grow back, choked by invasive grasses from nearby ranches. Soil exhaustion, reduced land, long droughts, and dwindling forest cover make shifting horticulture difficult to sustain. The loss of the forest requires a change in their way of life, and many Guarani have turned to wage work. Oral histories I documented from Paï men indicate they periodically worked as laborers, called *mensú*, on yerba mate plantations prior to titling and the loss of the forest. Unlike campesino *mensú* (kept far from home and virtually enslaved), one Paï man recounted he would only work until he gained the tools and goods he wanted and then return home to his *tekoha*.

Now, long periods of wage work for men mark a livelihood shift on the new reductions. Some men in communities close to roadways ride their motorcycle to work every day. Others leave for months, at times with their entire family, sometimes finding their ID withheld by their patrón until they work off spiraling 'debts' accrued from food and *caña*¹² consumption. Paï sometimes receive only food for their labor while they work, and

they must rely on the foreman who recruited them to work on remote ranches to drive them back to their community. Thus wage work means adapting to the new circumstances that rely on employers rather than the land.

The division of labor to clear fields and hunt falls to men, who now prioritize wage work. Therefore the gardens women and families tend are often smaller. Attractive packaged foods like noodles and rice are increasingly incorporated into an impoverished diet,¹³ and most 'new reductions' have a Paï family store selling foodstuffs and basic goods like soap and matches. With access to wild game (*bicho ka'aguy*) reduced, women explained that they diversify food sources with small livestock and poultry, and families are eager to raise cattle.

New couples face the choice of staying in a community or moving in hopes of accessing arable land or wage work somewhere else. While I was staying in one community, a young couple arrived to talk with the political leader, asking his permission to move back to the community. They can only establish a household where they have kin and leadership permission. They had left to live in the young man's community but explained that they were not happily settled there.¹⁴ Therefore Paï must rely on political leaders for their blessing to live in titled reductions.

If a family leaves, they may dismantle or burn their house to symbolize their break with the *tekoha*, and a new family moves onto the land with permission from community leaders. There is no compensation or payment as they do not perceive land as changing hands. While land itself is not owned, what one creates through labor is. That is, instead of private property, what changes hands are a kind of usufruct rights. While Paraguayan campesinos express 'land belongs to those who work it,'¹⁵ within Paĩ communities, one's work bestows the right to harvest, distribute, and enjoy the outcome of that labor as usufruct rights. In other words, the fruits of labor belong to those who care for the land, but they do not own the land itself. The fruits of labor, such as production and game, are still subject to Paĩ expectations of reciprocity and distribution (*jopoi*), and therefore are not privatized and subject to some degree of redistribution.

The right to care for land is conferred by community leaders, and Guarani agricultural practices ensured that the forest would regrow by rotating gardens. In the aftermath of titling, community leadership and kin ties still map out usufruct rights where families cultivate, which change as gardens mature and stop producing. These spaces, however, are increasingly inadequate as CLT leads to reductions and families continue to grow. In newer communities, they are expected to settle and grow their own food with meager state support, regardless of the agricultural calendar, quality of soil, and access to water. Many families lost seed reserves after multiple displacements and started with almost nothing, especially in the cases where they were expelled by landowners.

Despite apparent titling success, many Paï openly expressed sorrow for the loss of 'our Paï way of life and our forest.'¹⁶ Newer communities are expected to become immediately

¹³I observed that communities with poor road connectivity must rely less on purchased goods and tend to have a wider variety of cultivated foods. This is also likely because they were established in the 1990s, have more land, and were able to build up seed stores.

¹⁴The concept of finding happiness and belonging for oneself in a place is expressed in Guarani through the terms 'vy'a' or translated roughly as *hallarse* in Paraguayan Spanish. This couple simply said '*ndorovy'ai*' (we weren't happy/we didn't find belonging) to explain why they had left the other community.

¹⁵'La tierra es de quien la trabaja' was born of the Mexican Revolution and figures prominently in many campesino movements across Latin America.

¹⁶'*Ñande Paĩ reko ha ñande ka'aguy'* in Guarani.

self-providing, and what is created is not a reserve army of poor laborers but rather a disposable people, or 'nobodies' (Green 2009, 370). This violence is manifest in many ways – one is that Paï suicides are highest among older children, teenagers, and young adults and much higher than non-Indigenous Paraguayans (Wicker 1997). Suicide (*taruju*) is taboo to discuss as it is contagious, and I was stunned when the Paï healer told me her nephew had died by suicide in a titled community where most families still practice agroforestry and ceremonies together. I learned of the community's most recent suicide while writing this article.

In sum, with these extreme changes in land cover, forest-based livelihoods are not secured. Therefore Paï turn to wage work in the face of land cover change as campesinos and Paraguayan and Brazilian cattle ranchers reconfigure the local landscape through the shifting private property regime.

Leadership conflict and change

Collective land title is a requirement for a community to participate in many development projects. Title in hand, communities received aid funneled through World Bank, USAID, NGOs, and other international agencies. Following Li (1996), because of their collectively held title, development projects often gloss CLT communities as a cooperative, ecofocused, commons-guarding group, unaware of the multiple lineages and power dynamics that the hegemonic property regime elides on paper. These title-contingent projects and their impacts on leadership are outlined the examples below.

Over the course of two rainy days during the winter in 2016, a Paï *mburuvicha*, political leader, placed the fragmented stories of violence I had heard in her community into a complete narrative. First, Antonia explained, most of the leaders involved in the conflict were dead. The community, *Yvy Porã*,¹⁷ was left without political leadership for years as no one was willing to risk their lives to bridge community divisions. The conflict predicated upon distribution of outside resources not local to Paï communities such as cash, timber, tools, cash crops, and cattle. These projects involve goods and practices outside the purview of relational, obligatory redistributions of *jopoi*, the practice of exchange. The struggle for political leadership included the control of these items, and community members expressed their anger at accelerating inequalities.

During a community development project, the Ministry of Agriculture and Livestock (MAG) failed to follow distribution protocols as agreed upon between the Paï and a local NGO, where each family selected a cow. Instead, they gave some 80 head of cattle to one leader, who promptly sold them for personal profit. Conflict exploded into a chain of reprisal murders that ricocheted between the different kin groups clustered on the too-small community land. The community was left without leadership until a group of four young adults, representing the different kin groups, offered to step up as political leaders. Within the group were two women.

As the leader explained, the past 10 years have seen women assuming the role of political leaders (*mburuvicha*.) Antonia grew up in the community that sought refuge on a mission. She received a scholarship to learn Spanish at an evangelical school. Her father and uncle were political leaders in the community in their 20s and key members

¹⁷Pseudonym.

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in the fight for CLT. They took the lessons they learned about interacting with outsiders and won their land back from the mission. When I visited her in Yvy Porã, her father was the spiritual leader (*tekoamburuvicha*). As in many communities, the generation of male political leaders who fought for CLT are now older, spiritual leaders.

Paï political organization consists of spiritual and political leaders who are supported by the community because they embody and enact leadership qualities. In brief, spiritual leaders should study Paï *reko katu/marandu*¹⁸ to such an extent to be (theoretically) incapable of aggression, and political leaders should be able to express community consensus in political meetings (*aty*) that they gleaned prior to the meeting (Grünberg 1988; Melià, Grünberg, and Grünberg 2008). Some women are recognized as great healers, including a woman in a community with patients who came as far away as Brazil and Ciudad del Este (in southern Paraguay) while I stayed with her. Women do not carry out the role of spiritual leader in a community, which is traditionally a male role.

I asked about the relationship between spiritual and political leaders in development projects. Antonia said that if they want to carry out a project, then the spiritual leader prays about it and gives advice based on his prayer. Then, he will support the project through praying. In her opinion, the Paĩ communities that have only political leaders without spiritual leaders always fail when they attempt development projects. They are without guidance about the way to go.

Yet there are tensions between spiritual and political leaders as political leaders increasingly liaise with government institutions, NGOs, and outsiders. Political leaders are community legal representatives through Indigenous land law 904/81. In various spiritual ceremonies I attended, spiritual leaders took the opportunity to remind the community of the importance of their rituals, of following the Paĩ way and path of life (*reko*), as opposed to the Paraguai *reko*, or the Paraguayan way of life. During these rituals, spiritual leaders express frustration with young people who do not listen to their advice. Roughly 75% of Indigenous people in Paraguay are 30 years old and younger, meaning they did not experience the fight for land nor the dictatorship (DGEEC 2005, 27). They do not remember when the sub-tropical forest extended unbroken for hundreds of kilometers, something leaders voiced in their concerns about livelihoods at many meetings. How this information is remembered and implemented is a key element of Paĩ social reproduction.

As young people are increasingly literate, they may better navigate a Paraguayan bureaucracy that, at best, ignores Indigenous people. Within the legal right to title collective land is the obligation to make land claims legible to Paraguayan property law. As Coulthard (2014) observes, the liberal settler state sets the rules of recognition. These rules of recognition impact the sociopolitical makeup of Guarani communities, as political leaders become legal representatives of their community and, like the leader who sold the cattle, intermediaries with NGOs and the state. A key aftermath of titling is the shift in political leaders' roles from internal representatives to external representatives – whereas before they expressed positions and community consensus in community meetings, now they interact with NGOs and the state as community representatives.

Women have always been involved in community political decisions – the women themselves told me that even if they do not always speak at the meetings, their voices

¹⁸See Schmundt (1997) for an in depth article on the nuances of the differences between political and spiritual roles of leadership. *Paī reko katu/marandu* is the path toward perfecting Paī values, practices and knowledge.

are represented by prior conversations they have at home. As I observed, if a husband does not express their agreed-upon viewpoint, the wife speaks out in meeting to correct it. However, women did not take on the role of political leaders until recently. Women political leaders I interviewed identified three reasons for this public gendered political change: (1) Men are often away on wage work as their livelihood strategies change, (2) Women are seen as less likely to escalate conflicts over land claims and resources into direct violence, and (3) Women were increasingly literate. This appears to be a superficial gender shift, that of women publicly taking on political leadership. But this represents a fundamental change in everyday politicking and everyday life – women usually discussed their opinions through their kin networks and relied on their husband to represent them, whereas now some women political leaders broker deals with members of Congress for their community.

Within communities, changes in gender norms are not always well received. In one instance, a woman decided that her husband, the political leader, had not meted out sufficient punishment when the community discovered young men growing marijuana. He required them to work in his garden as restitution; she added corporal punishment. Angry, the young men abandoned their work and returned home. When the political leader went to talk with the family, they shot and killed him. According to community members who explained the sides of the conflict to me, the family had found it particularly humiliating to be punished by a woman. In contrast, I was staying with Antonia of Yvy Porã when she dealt with a woman accused of witchcraft. She banished her from the community, and many found her decision to be too soft. They wanted the accused witch to be beaten, which Antonia refused to do. In both cases the women were criticized.

Finally, what appears to be a simple shift in political gender roles may also impact spiritual leadership and religious practices as well. I mentioned to the spiritual leader of Yvy Porã that I saw many spiritual leaders are older men who, when younger, were political leaders. He agreed that it usually happened like that. I asked him if Antonia, the political leader, could become a spiritual leader. He pushed his hat back on his head and said he did not know. His response may have been his way to avoid my question, but Antonia shared with me that she did not know who he was training with his knowledge.

As the material conditions for livelihoods continue to change with CLT, the Paï Tavyterä rely more on NGO and state-sponsored projects that ignore internal divisions. Recalling Coulthard (2014), modern settler states rewrite processes of dispossession and discrimination as rules of recognition and rights. Political leaders, some of whom are now women, increasingly step into the role of representing the community to the state in order to fight for land through the Paraguayan legal property regime, changing roles and community dynamics.

Title, renting, and land control

According to constitutional law, Indigenous CLT is inalienable, non-fungible, and cannot be rented, bought, or sold (PLC 1992). This should ensure that land is only used for Indigenous livelihoods. However, rural communities are offered enticing 'extra-legal' deals to rent out their land, often led by Brasiguayo farmers who have differential access to capital. On a national scale, *de facto* dispossession is rampant as at least one third of Indigenous lands are illegally rented (Bogado, Portillo, and Villagra 2016). Indigenous land dispossession occurs on two fronts: dispossession is driven by elite and foreign capital on a larger front, and campesino land occupation dispossesses Indigenous people on a smaller front.¹⁹ Both, as I argue below, are facilitated by the Paraguayan state.

Two examples below follow attempts to dispossess communities. As Peluso and Lund (2011) argue, 'there is no one grand land grab, but a series of changing contexts, emergent processes and forces, and contestations that are producing new conditions and facilitating shifts in both *de jure* and *de facto* land control' (669). In these changing contexts and everyday interactions, capitalist social relations are inscribed or contested. Drawing on Roseberry, the local articulation of hegemony in land titling means that not only the material occupation (*de facto*) of land is contested, but also the institutional understanding of legal land ownership (*de jure*) is a negotiated process. The following examples show that logics of state-facilitated dispossession, despite title, work on an interpersonal and community scale through power and capital. Therefore when a Paĩ Tavyterã community holds legal title, they still may be dispossessed of their land through the articulation of intimate social relationships of capital.

In the first case, one political leader recalled her Brasiguayo neighbor arriving with pockets overstuffed with US dollars and a contract to rent community land as pasture, which is unconstitutional. She thanked him for his offer and declined, worried about their up-to-then neutral relationship. Representatives from neighboring estates may offer cash, tools, and food in a lavish display for each family in the community. All cases I documented were brokered through neighbors and known contacts; in no case did a stranger arrive to exhort renting. If the community accepts the gifts, the community legal representative signs a 'contract' to receive cash payments or goods for 3–5 years. The 'gifts' are then sub-tracted as an advance, and the community is immediately indebted. The renter clears forest and gardens to plant invasive grasses. Payments often peter out quickly, and the community loses *de facto* control as they lose their farm (even roof thatching!) to hungry cows. Citing other titled communities that rented and were left essentially landless, the leader continues to nervously refuse neighborly overtures. These intimate capitalist social relations show how CLT, while titling communities, opened Paï territory to new neighbors and land use change.

In another case, a leader misled his community into moving by promising land with better water access. Instead they were dumped kilometers away on the side of the highway. The leader had 'sold' their land to their campesino neighbor through a fraudulent contract, leaving them as legal community without communal land.

In 2016, an NGO partner and I returned as they prepared to re-enter their land. The campesino neighbor was incensed at the perceived invasion (Figure 2). He yelled for his son who came running, shotgun ready and paperwork in hand.²⁰ As we ducked in the truck cabin, one of the women asked me if I thought they would ever return. 'Our school is there, our cemetery,' she said, showing me pictures on her cellphone. After a heated exchange, the man acknowledged it was impossible to purchase Indigenous land. Yet despite the deal's illegality, he insisted on compensation if they wanted it back, which the community is unable to provide. Despite their *de jure* title, they have not risked a return.

In 2017, we visited a nearby campesina landowner willing to receive state indemnification for her land within the bounds of the community's *tekoha*. The state would pay three

¹⁹I highlight capital at these two scales as it circumscribes rural peoples' opportunities by ensuring that some accrue lands, capital, access, and the continuing ability to carry out their livelihoods, while others are neglected and evicted. This follows Harvey's (2009) analysis of accumulation by dispossession.

²⁰A permutation of 'The Title and the Rifle' (Grajales 2011).



Figure 2. Community re-entry.

times less than what she could receive in cash from a Brasiguayo buyer on the market, but she wanted to sell her land to the state for the Paĩ, lamenting the racist treatment the Paĩ received from other Paraguayans. While the state arbitrates between the categories of citizen and surplus, everyday citizens also participate in what Foucault calls processes of 'let die' or 'make live' regarding Indigenous people (Li 2010, 66–67). To be clear, this campesina's approach was charity or empathy, not biopolitics. Her local actions nevertheless show a feature of Paraguayan land laws: it is an individual property-owner's decision, and not a coherent social policy implemented by the state, evidencing the fragmentation and individualization of land tenure policies.

Thus for the same Paï community that one campesino helped dispossess, the other offered her land far below market value. As in the first example, Brasiguayo owners drive dispossession by offering sums far beyond Paraguayan market prices, further privatizing decisions about Paï futures. These intimate, everyday relationships are inscribed in processes of capital, as capitalist relations reshape and influence social ties in meaningful ways. Yet the Paï also use CLT to ensure internal autonomy in creative ways, as explained in the following section.

Creativity in keywords: private property

In 1975, Santiago Mendoza, spiritual leader (*tekoamburuvicha*) of the community Tavamboae observed: 'Ñande Païnguéra niko ndajajúi jajogua haguã yvy ... mamo jaju haguégui, ñane ambápe jey jahava'erã' (PPT 1975). Roughly, 'We Paï truly didn't come here to buy land. (We live) in order to return to our home, where we came from.' The spiritual dimensions of his message are clear – the Paï transit through forest lands as part of their journey, and owning property does not motivate their trajectories. The healer I lived with told me of a Paï chant describing land as a woman's body, explaining that owning land is akin to enslaving a person. In other instances of community meetings, owning land was compared to owning air – an uncanny privatization of an inalienable material.

I found no evidence of private land *within* Paï Tavyterã communities. The fruits of labor are consumed, shared or distributed along Paï norms and obligations, but the land is not owned – it is cared for. In Yvy Porã, the spiritual leader recounted displaced Guarani families receiving individual family plots while living under missionary rules. To illustrate, he drew the road in the dirt and marked off regular allotments. Then he explained the first thing the Paï did post-titling was to strip away barbed wire between lots. 'No divisions on our *tekoha*,' he said as he wiped the dirt smooth with his boot, 'Our way (*Paï haicha*). No one owns the lots.' Nevertheless, during fieldwork I heard multiple instances of Paï Tavyterã leaders calling their communities private property.

The apparent shift to calling communities *propiedá privada*²¹ could be glossed as deculturation (Glauser 2010), where the imposition of external property regimes have replaced Paï conceptions of land. Instead, I argue that Paï use of private property is a 'keyword' (Williams 1976) in contestation, where certain definitions are sites of meaning and political struggle. Returning to Roseberry, the concepts of land and livelihoods are in fact shifting under the hegemonic institutional-legal terms and are necessarily negotiated. Different understandings of terms such as private property are a way to contest the hegemony of the property regime. I found that the Paï use the term *propiedá privada* to solidify both *de jure* and *de facto* land control. In the following short example, I show that the Paï used the keyword to exclude missionaries from the community, thus ensuring Paï ways of life within reductions.

Specifically, the Paï evicted evangelical missionaries from their CLT and burned the church they were building to the ground. The evangelicals sued the community's legal personality, arguing infringement of religious freedom. The Paï legal representative argued they had followed their consuetudinary decision-making process (*aty*) to evict the interlopers, who were not without community converts. The argument predicated upon the community's right to decide who could enter and settle within their private property. A disoriented judge with little experience in customary rights heard the arguments, ruling in favor of the community.

Later, the Paï community invited the judge and others, myself included, to a naming ceremony to celebrate the verdict where all visitors had to give a speech.²² In his speech at the event, the judge reasoned that if an evangelical group built a church on a cattle ranch, the rancher had every right to burn the structure and evict the trespassers on his private property. The right to exclude therefore justified the community decision to burn the church. In this occasion, private property regimes were used to uphold Paï internal governance decisions, showing a local articulation of how hegemony is negotiated and can be contested through keywords.

²¹This is a Guaranization of the Spanish for private property.

²²I thanked them for their invitation and said I hoped the young men enjoyed my present of bananas and fish. The ceremony ends in a lip-piercing and the young men eat soft foods for a month afterwards.

Concluding remarks on the aftermath: lost paradise?

CLT promises to secure land and livelihoods through title, yet the results of collective land title impacted the Paĩ Tavyterã in unexpected ways, both internally and externally. While an attempt to guarantee land tenure and control for the Guarani, collective land titling was part of the implementation of Paraguay's private property regime. This echoes De Schutter's (2011) argument that titling schemes do not unilaterally secure tenure, requiring a closer look at the aftermaths of land titling and land control on the ground. In this case, the hegemonic property regime reduced Guarani land relationships and practices to private property, facilitating new capitalist social relations with neighboring campesinos, Brasiguayos, and Paraguayan ranchers and land use change. By focusing on the aftermaths, this article highlights land titling as a complex process and not just an outcome or result (Hall, Hirsch, and Li 2011). Collective title success can obscure the everyday violence of settler colonialism and dispossession as land claims are nevertheless reduced. And despite titles, Brazilian and Paraguayan extractive agro-industry (logging, ranching, soy, marijuana plantations) spur deforestation and dispossession through extra-legal contracts with polarizing inter-community results.

At stake in collective land title is the Paï Tavyterã's possibility to reproduce their *teko*, their way of life as they define it. My fieldwork with campesinos and conversations with Brasiguayo landholders and elite Paraguayans point to a hegemonic and racialized erasure of the Guarani's right to difference. A campesino organizer, educated in agroforestry and whose parents collaborated on literacy projects with the Paï in the 1980s, asked me thoughtfully why I was wasting time studying *indios*. He explained they were Stone Age relics and needed to be modernized. The campesino's recategorization of Paï resistance to colonialism and incursions of capital as passive backwardness ignores the creativity of their *teko*, or way of life.

As Clastres (1988) observes, suppressing cultural difference is a key aspect of ethnocide, that is, 'the project of reducing the other to the same' (54). The paradox of collective title is that it attempts to recognize Indigenous rights to land and difference, yet reduces Guarani land practices to property, inscribes boundaries, and affixes people to reduced space. This facilitates dispossession and holds the Guarani responsible for livelihoods fractured by reductions. Yet when titling is irregular, multiple, and always incomplete, so too are the hegemonic relationships of reduction. As shown, the Paĩ Tavyterã find ways to contest both *de jure* and *de facto* dispossession.

If we take 'aftermath' as a keyword, in agricultural terms it is also the new grass that grows after razing, as when the Paï burn invasive grasses after ending an irregular rental contract. Some communities have occupied neighboring lands and expanded their holdings. Others win court stays on eviction, allowing them to remain on their land as they negotiate title. Others take a stand against evangelical Christians and illegal renters, expelling them despite internal conflicts. Internal conflicts show that communities do have some autonomy to make decisions about their land use, whether to rent, how to distribute resources, and how to live within territory reduced. In the search for a land without evil (*yvy marane'ỹ*), the practice is the destination. The creativity of these reductions is reduced and circumscribed by processes of dispossession, accumulation of capital, racialized hierarchies, and threatened by corrupt institutional practices. Nevertheless, the horizon of land control is shifting constantly as they walk (*roguatã*),

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and the Paĩ, despite reduction, land loss, and violence, inscribe their paradise through their livelihoods lived in care with the land, their *tekoha*.

Acknowledgements

This paper began at the panel 'Land-titling Triumphs and the Aftermath: Paradoxical Geographies of Power and Violence;' I thank my co-conveners Monica Hernández and Shanya Cordis, as well as Tania Li for her insightful discussion and comments at the 2017 American Association of Geographers conference. Irina Wenk, Esther Leemann, Jennifer Bartmess, and Micah Fisher also moved our conversations on post-titling forward. *Aguyje* to my Paĩ and Paraguayan interlocutors. Finally, the two anonymous reviewers and JPS editors provided excellent guidance and feedback.

Disclosure statement

No potential conflict of interest was reported by the author(s).

Funding

Grants from the University of Arizona, Inter-American Foundation, US Department of Education [P022A159946], National Science Foundation [1558558], and P.E.O. Foundation provided funding for different phases of this project.

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