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FPIC and UN-REDD in Paraguay

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”FPIC and UN-REDD in Paraguay”

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Abstract

The thesis is about the process of implementation of the international program against deforestation called UN-REDD in Paraguay and specifically about the Free Prior and Informed Consent (FPIC). This research builds on a six months multi-sited fieldwork in Asunción with shorter and longer stays in indigenous communities, specially in the oriental region in the Tekoha Guazu, among the Mbya-Guaraní of the communities of Ka'aguy' Pa'u' and Arroyo Moroti and in the Chaco as well.

I wish to focus about the gap between the image of FPIC and those contexts in which it is supposed to be applied in practice, the gap between these two perceptions as well as the ways through which it is (re)produced. I suggest that the image of FPIC can be connected with the fetishism of law that can reduce complex social facts into legal label, thus giving the image of a legal fiction of consultations among generic stakeholders going on in a depoliticized atmosphere where all actors are supposedly equal as for the power-relationships .

But in order for the FPIC process to be actually “free”, the interested parties have to be properly informed and represented and it has to be made sure that consultations occur in a context free from economic and political coercion. Through empirical findings from the Tekoha Guazu and from the general situation in Paraguay, I argue that there are issues concerning the circulation of information, visibility and representation as well as there are contexts marked by violence, chaos and lack of sovereignty which indicate uneven power-relationships. The lack of political, economic and food sovereignty is itself a precondition for those contexts free from coercion that form the base for the FPIC process.

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List of acronyms

UN-REDD – United Nations - Reduced Emissions from Deforestation and forest Degradation

UNDP – United Nations Development Program

PES – Pay for Environmental Services

INDI – National Institute for Indian Affairs

INFONA - National Forestry Institute

FAPI - Federation for Indigenous Peoples' Self Determination

FPIC – Free Prior and Informed Consent

FPP - Forest Peoples Programme

SEAM - The Secretariat of Environment in Paraguay

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Introduction

This thesis is about the implementation of a mechanism against deforestation called UN-REDD and specifically about the implementation of the Free Prior and informed Consent (FPIC).

Sieder quotes Geertz that referred to the process of 'skeletonization of fact', i.e. the way in which law reduces complex social processes to a particular set of ontological categories and representations. According to Geertz, law is a 'distinctive manner of imagining the real' and thus determines which events and interpretations are taken up as legal facts (Sieder 2013: 74). Also, Comaroff & Comaroff write of how this process of judicialization is also an act of objectification (2006: 35). I would suggest FPIC could be somehow be reduced to a mere label, or “reified” or rather “objectified”. I mean that through the application of this term, as Geertz and Rodriguez-Garavito would seem to suggest, there is a tendency to make a fetishism out of the application of a legal principle. As ethnographer, while looking for FPIC as through the ethnographic technique of “following the object” constructing the space of investigation (Marcus 1995: 91-92), I could as well

run into the risk of reifying FPIC, by reducing and labelling with a legal tag what instead constitute complex social processes. In this sense, I argue that what this process of judicialization conceals is more than what it shows.

This term fetishism connotes an unnecessary and distracting obsession, and involves conferring special characteristics on objects or concepts, characteristics which take on an aura of being inherent, while instead they exist because of prevailing social and economic arrangements. The fetishism of law in liberal-capitalist regimes is alleged to be manifest in at least three ways: the necessity of law, its autonomy, and the desirability of the Rule of Law (Bellotti 1992: 152). It is a process whereby the law is objectified, ascribed a force of its own able to configure the world of relations in law's own image; and this over-determination of law also finds expression in a culture of legality, affecting everyday life in an obsession with order, rights and legality (Comaroff & Comaroff quoted in Benda-Beckmann 2009: 17). It also indicates how law has become the ultimate locus of sovereignty and political action (Comaroff & Comaroff 2006: 22-35).

I would suggest that one example of this could be how due to this fetishization of law, FPIC would seem to tend to be reduced into a synonym for social justice, as if it alone would constitute the guarantee of the recognition of indigenous rights that would erase uneven power-relationships. In this sense, anthropologists can help 'dispel the fog' by showing how some environmentalist discourses can be ill-founded and inconsistent and provide a better understanding for environmentalist discourses (Milton 2006: 354). For what concerns UN-REDD, this transnational program for conservation was often criticized for its gap between its policy and its practice and for the communication gap between people working on REDD in the capital cities and those living in those areas designated for these programs; through fieldwork in local communities anthropologists can question some of the reports to the state by documenting what is really happening at the local level (Howell 2012).

Similarly, in the next chapters I wish to illustrate one such gap about UN-REDD in Paraguay, specially about FPIC: not only in respect to a different access to information and flow of information – the above mentioned communication gap, but also a specific watershed between the image of FPIC on paper and those contexts in which it is supposed to be applied in practice. The gap between these two perceptions, as well as the ways through which it is (re)produced, is the very focus of my thesis.

Methodology

In this multi-sited fieldwork I have employed unstructured interviews to different institutions and ngos in the capital Asuncion. I have also used participant observation and I have attended different meetings as well as workshop related to UN-REDD, FPIC and indigenous peoples generally in Paraguay. I have been staying at the office of the local ngo Alter Vida as internee in order to get data and decide a place where to further conduct my fieldwork. I have also stayed in the Mbya-Guarani indigenous communities of Ka'aguy' Pa'u' and Arroyo Moroti both on my own as well as together with the staff of Alter Vida during single visit and for longer time in connection with their project of mapping of the Tekoha Guazu. I have also employed sources from the Internet, newspaper and local libraries.

Chapter 1 UN-REDD, FPIC and access to information

Introduction

Rodriguez-Garavito studied the application of FPIC in Colombia and he states that consultations regarding FPIC often give different kinds of outcomes and some of these may be affecting negatively the local population interested by these consultation. Rodriguez-Garavito terms the so-called “*domination effect*” of FPIC according to which often a consultation “*reproduces and legitimates structural power differences between the parties*” (Rodriguez-Garavito 2010: 36), I argue that FPIC may be considered as a “contested territory” since, depending on the power relationships, different social actors may be considered as official and representative recipients of consent as well as solely have access to the information flow that makes the consent “*informed*”. So, I will try to look for the power-relationships within the context of FPIC's implementation. Providing a comprehensive and unitary overview of FPIC in Paraguay is a daunting task, as the overall situation is heterogenous, uneven and fragmented; where some ngos and institutions enjoy more access to information in a wide sense, while others struggle to do so nor are involved in consultations on consent.

These sort of breaks in the information structure would seem to unfold not only between institutions, but also between different offices or groups within the very same institution, which also are competing with each other for what I would define the contested territory of participation. I.e. not all indigenous organizations receive equally information about the development of REDD and also within the same insitution, like for example the state, information about FPIC is unequally shared, as I will try to show.

The uneven pattern in the flow of information mirrors the fact that uneven power-relationships continue to exist in spite of the seemingly equalizing terms of FPIC. I.e. how according to the law the parties in principle are supposed to be on the same playing field, while the reality would show the opposite.

What makes the panorama even more complex is the fact Paraguay shows some noteworthy cases of participatory democracy – that I will mention later - but it seems there is little or no information structure to help making them promoted and well-known. Note I am using here the term “information” in a wide sense about how the information circulates between all the actors which should supposedly be involved, including as well information pertaining details and consent on projects like UN-REDD.

UN-REDD

Paraguay is a country that borders with Argentina, Bolivia and Brazil, with a population of 6.054.796 inhabitants. The river Rio Paraguay divides the country in two separate regions. 98% of the country's population lives in the eastern region. While in the western region (or Chaco) lives just the 2% of the population. The different eco-systems to be found are Bosque Atlantico and Cerrado in the eastern region, and in the western region Chaco Humedo, Chaco Seco and Pantanal. Except for the Chaco Humedo, all these regions are considered to be relevant at regional and international level for their biodiversity and the many endemic fauna and flora species they host (NJP 2010: 7-8). The Bosque Atlantico, or Atlantic Forest is very threatened but it is often overshadowed by the attention on the Amazon Forest. This is due to a reductionist view of South's environmental problems, while instead the highest level of deforestation can be found in the Paraguayan sub-tropical forest with a rate of 4.7% compared to 0.4% in the Amazon forest (Gudynas 1993: 171)

UN-REDD is an objective rather than a clearly delimited set of actions or activities. United Nations Framework Convention on Climate Change (UNFCCC) documents refer to REDD as a broad set of approaches and actions that will supposedly reduce emissions from deforestation and forest degradation.

In discussions, REDD primarily means:

- developing mechanisms in order to pay developing countries for reducing emissions from deforestation and forest degradation
- readiness activities preparing countries to join the REDD mechanism.

(Angelsen and Wertz-Kaunounnikoff 2008: 11-13)

REDD+ strategies go beyond deforestation and forest degradation including the role of conservation, sustainable forest management and enhancement of forest carbon stocks in reducing emissions.

Paraguay is included in the UN-REDD Phase I, (i.e. developing a REDD+ strategy supported by grants), and the Forest Carbon Partnership Facility REDD pilot-initiatives (Griffiths and Martone 2009: 46).

It is the first UN-REDD Programme partner-country to have their National Programme signed by the Federation for the Self-determination of the Indigenous Peoples (FAPI), a Paraguayan indigenous umbrella-organization. The program was also signed by the UN-REDD Programme

agencies (FAO, UNDP, UNEP) and the national Government of Paraguay; whose previous minister Castro had stated that, "*Paraguay is a pioneer in the UN-REDD Programme, and the country will continue to ensure that this initiative can serve to achieve sustainable development goals of local communities.*"¹

Small producers and especially indigenous communities are those who are indeed most affected by those variations in the ecological cycles due to climate change (Glauser 2009: 103)

Nonetheless, the evaluation of Norway's International Climate and Forest Initiative (NICFI) reports how Norway's expectations in terms of safeguards for indigenous and local rights, and for biodiversity, appear to lack clarity. Supporting evidence of this is the lack of a clearly articulated interpretation of how local and indigenous rights (such as Free, Prior and Informed Consent) and biodiversity protection should be safeguarded in different types of REDD+ transactions, as well as NICFI's healthy internal discussions on how the adequacy of safeguards should be assessed. The report recognizes there may be a need for policy to 'feel its way forward' and limit description of some items to broad terms for negotiating purposes. It should also learn from experience. However, the report states, from an evaluation perspective it is difficult to judge success if there is lack of clarity on what is being aimed for (NORAD 2011). I will deepen this aspect concerning this lack of clarity within UN-REDD later in connection with FAPI's stance on UN-REDD.

According to my information until now, in Paraguay REDD is but an idea circulating only among the REDD Team (FAPI, SEAM, INFONA), the Rainforest Foundation and its partners. It is otherwise virtually unknown. Some may experience REDD as area of conflict. It could be that some money could be used for some pilot-projects, but this is yet to be done.

A distinction has to be made between UN-REDD and REDD on the "mercado voluntario" (which might be translated as "private market). The second refers to the possibility to implement a REDD project without being connected to the Paraguayan state and the UN as it happens with UN-REDD. According to my informants, it looks that in Paraguay while UN-REDD has not been implemented yet in concrete with any activity, there are already some privately sponsored REDD projects. It seems that there is a lack of regulation on the part of the state on how to regulate these, although I was said by informants working with UN-REDD that ultimately, on the very long-term the goal would be to try to coordinate both UN-REDD and REDD (as well as PES) together.

For example, later I will mention briefly a privately sponsored REDD project run by a Paraguayan

1 UN-REDD Newsletter August 2011 #21

ngo called Guyra Paraguay. However, for the scope of this research I am going to focus mostly on UN-REDD.

PES

The payment for environmental services are a mechanism which is basically very similar to UN-REDD mechanisms, as it is based on the idea to conserve a natural area and pay those that own the certificates for the services that nature offers in terms of water, food, air etc. According to Cifor, PES are a type of economic instrument with the goal to provide incentives to land users to continue supplying an environmental ecological service in order to benefit society more broadly (CIFOR 2011). They have five defining features. First it is a voluntary and negotiated transaction. Second it must be well defined as Environmental Service – for example carbone-storage or forest conservation to provide clean water – or a form of land-use likely to secure that service. Third, there should be at least one buyer to which make the transfer of resources. Fourth, there should be at least one provider of Environmental Services directly or through an intermediary. Fifth, there is the element of the conditionality, according to which the payment is provided upon the continuous provision of the services, should the Services cease the payment will stop as well (Ibid.) Paraguay has a law about PES², however for the scope of this research I do not intend to deepen the topic of PES.

FPIC

FPIC refers to the principle that communities have the right to give or withhold their consent to proposed projects affecting the lands they customarily own, occupy or otherwise use. For years advanced by Forest Peoples Programme (FPP), FPIC is the product of the ILO Convention 169, the national constitutions that took the “multicultural turn” in the 1990s, the transnational soft law norms, the decision of human rights courts and bodies as well as the U.N. Declaration on the Rights of Indigenous Peoples (UNDRIP) (Rodriguez-Garavito 2010: 43). It implies informed, non-coercive negotiations between investors, companies or governments and indigenous peoples prior to the development and establishment of enterprises on their customary lands; i.e. those who wish to use the customary lands belonging to indigenous communities must enter into negotiations with them. It is the communities who have the right to decide whether they will agree to the project or not once

2 See here for the transcription of the law by PAHO: http://www.disaster-info.net/PED-Sudamerica/leyes/leyes/suramerica/paraguay/medamb/Ley_3001-06.pdf

they have a full and accurate understanding of the implications of the project on them and their customary land. As most commonly interpreted, the right to FPIC is meant to allow for indigenous peoples to reach consensus and make decisions according to their customary systems of decision-making³.

However, this definition is not exhaustive as, for FPIC to be considered “free”, and therefore fit the condition to be implemented, a “*special attention must be paid to the political, economic, and social context of a consultation process in order to ensure that it is truly free from coercion*” (Ward 2011: 83). Further Rodriguez-Garavito states how “*There is an abysmal difference between the contexts in which FPIC is regulated and the contexts in which it actually occur*” (2010: 29). There are the aspects on which I would like to focus. Therefore, following my empirical findings, in order to provide some more context for FPIC's implementation in the next chapters I will take also a broader look at other relevant topics, i.e. to the different ways in which the economic and political context affect people's possibility to enjoy a participatory democracy. Also, I will outline the relationship between FPIC, indigenous agency and nature/culture divide. I argue that in order for a right to FPIC to be established and being acknowledged, one has first to acknowledge indigenous peoples' rights, and even prior to this, indigenous people's existence.

UN-REDD and FAPI

How does the FPIC's process of receiving information work? Who is responsible for receiving information and provide others with information about FPIC? As I tried to explain previously, FAPI is part of the UN-REDD technical team. Moreover, it participates to many different fora as the Indigenous Fund for the Development of the People of Latinamerica and the Carribeans and the Permanent Forum for the Rights of the Indigenous Peoples of the OEA (Gaska 2010: 183).

Within the UN-REDD context, Paraguay is said to be the first country having a national programme signed by an indigenous organization as FAPI⁴. The previous Paraguayan Foreign Affairs minister said he is “*Profoundly satisfied with the role of indigenous peoples in the development of (Paraguay's) programme*”⁵. Thus, FAPI is seen by the state as the official responsible organ for implementing FPIC and including indigenous peoples.

3 <http://www.forestpeoples.org/guiding-principles/free-prior-and-informed-consent-fpic>

4 http://www.un-redd.org/Newsletter21/Four_Countries_Start_NP_Implementation/tabid/54804/Default.aspx

5 Ibid.

I have mentioned previously that the report from NORAD evidenced a general lack of clarity concerning UN-REDD. When I interviewed FAPI or attended some of their public speeches at UN-REDD meetings and workshops, they kept repeating that for the moment FAPI does not hold any formal position for or against UN-REDD, also because it is waiting to know more about it. Such “*wait and see*” stance (Howell forthcoming: 9) resonates with Angelsen that concerning FPIC within the UN-REDD states that: “*The incipient nature of REDD+ poses a further major challenge, since FPIC asks people to consent to something that is still evolving*” (Angelsen 2012: 313). This fact that it would seem problematic to talk and give consent to something that is still on its evolving phase is again echoed by Howell and McNeill who write the following about UN-REDD generally:

“The principle of REDD+ is that you will be paid not to cut down trees. We do not know how much you will be paid, when you will be paid, or even whether you will in fact be paid money directly, or if the local community will be rewarded in other forms, such as the provision of a school, a clinic, a new road or whatever. Do you agree to accept this scheme?” (2012)

It is understandable I guess then that this “wait and see” stance is so widespread generally when dealing with UN-REDD.

It has to be noted that FAPI has also produced a protocol for the FPIC's process which I will not delve with for the limited scope of this research. This protocol is supposed to function as an unbinding recommendation in the appendix of the UN-REDD national programme.

The issue of representation

At the outset of my fieldwork, I began to conduct interviews with different NGOs and institutions. Starting to talk with indigenous organizations, I asked about the relationship with FAPI, I was told they hold no affiliation with them. This surprised me as it went against my initial impression according to which FAPI would be representing unitarily all indigenous peoples groups of Paraguay. I also found later that FAPI itself makes clear that it represents only his associates, not the voice of all indigenous people in Paraguay (Regnskogsfondet 2011). The fact that there are indigenous peoples outside FAPI means that not all indigenous peoples are being represented within the UN-REDD programme and I argue that this seems to question the actual degree of informed consent of this participatory process of FPIC within the UN-REDD programme.

Suddenly, the contours of what seemed to be a fragmented situation started to appear. Chala, a colleague from Alter Vida, already explained me how things in Paraguay cannot be reduced to a single cause, but there is always a plurality of factors involved. Also Skjerping was referred the word “*Quilombo*” (mess) by her informants, to portray the situation in Paraguay (Skjerping 2011); a word that I heard many times myself during my fieldwork.

Contested access to information

If the access to representation to relevant policy-making institutions as the UN-REDD team is uneven, it would follow that the circulation of information on FPIC and on what actually UN-REDD is about must be uneven as well.

In Paraguay different ngos are often put in competition with each other. Skjerping illustrates how many relationships between ngos in Paraguay are characterized by competition, trust or mistrust and skepticism (2011).

This was confirmed to me while interviewing an employee at the communication office of INDI, the national directive institution for indigenous affairs. It turned out that besides her job at INDI, she also belongs herself to an indigenous Aché community and to an indigenous organization I had not heard of previously. When I asked her about FAPI, she stated they are doing an important work, while at the same time she lamented the fact they act as if they were talking on behalf of all indigenous peoples. Also, she said that while her indigenous organization is quite small and has not much visibility, FAPI is very visible, is recognized at both national and international level and has power, money and funding and a website providing visibility. I suggest that here this issue about public visibility and access to Internet plays an important role. Infact, a document submitted for IFAD, an UN-agency, states:

“Information regarding particular organizations and associations belonging to CAPI⁶ (...) can be found on the CAPI web site. It is important to note that many of Paraguay’s indigenous organizations do not have their own websites, making it difficult to gather specific information on the organization’s activities.” (IFAD 2012: 13)

Thus, it almost implies having websites as “obvious” precondition for visibility, in this sense for UN's bureaucrats the “map” of internet is a faithful rendition of the “territory” of indigenous organizations, whatever fails to appear on internet seems not to exist, while I argued this is not the case, thus the map is not the territory. It seems like there are many small independent indigenous

6 The old name for “FAPI”

organizations in Paraguay. I was told by the organization Pastoral Indígena that there have been some attempts, at different times through the years to unify the indigenous movement under one organization, but the panorama of indigenous organizations in spite of this still remains quite fragmented.

I would suggest that this point about the access to and use of Internet will be relevant in the next chapters, as I will try to show the correlation between control of media, information, representation and participatory democracy; and how this correlation was to be epitomized in the protest in Calle Alberdi in front of the seat of the public television, in the aftermath of the coup d'etat that hit Paraguay in 2012.

While I was in Asunción I tried to attend the Eighth UN-REDD Programme Policy Board meeting in Asunción at the Hotel Granados Park. I tried to get in the first day explaining who I was. The English-speaking receptionist denied me access, saying that my name was not in the list, but she told me to wait for her senior to assist me. When I spoke with her senior, i.e. the organizer, she said that unfortunately she could not let me in because the meeting was open only for those invited and besides the venue was full. When I insisted and underlined how UN-REDD describes itself as a “transparent process” open to civil society, she became irritated and said that indeed it is the case, but I should have applied long before for participation and that there was nothing I could do. In the meanwhile, I observed that Don Orvina, with members of his family and community also came in the entrance to attend the conference. Don Orvina is a key actor as he is in at least three official roles. First, he was our official host as well as the *lider politico* (“political leader”) of the community of Ka'aguy Pa'u' in which I conducted my fieldwork. Second, he is in the one of the two main Mbya-Guaraní organizations, representing most of the Mbya-Guaraní communities of Tekoha Guazu on the part of the Caazapa region, this association is called Teko Yma Yehea Pavë. Last but not least, he is a leading representative of the indigenous umbrella organization FAPI (Federation of the associations of indigenous peoples), a powerful organization, as it participates both in national and international fora like the UN-REDD team. This makes Don Orvina one of the few individuals of an indigenous people which has heard of UN-REDD.

Back to the conference, Don Orvina recognized me and we waved each other. He then tried to tell in Spanish to the receptionist that he wanted to be attended, but the receptionist complained in English that she could not get a word of what he was trying to tell her in Spanish, since she could not speak Spanish. This surprised me as I was not used to hear any English in Paraguay and the sudden use of English in that context would make that meeting seem suddenly like a foreign country. I argue that

this vignette would seem to exemplify two alien worlds meeting each other. This image of REDD almost as a “ufo” descending in Asuncion reminds me of Brosius that quoting Escobar - in reference to the discursive contours of sustainable development in relation with the role of the World Bank's Global Environment Facility in Colombia - writes: “*An immense institutional/managerial apparatus is presently descending on 'the environment,' much as it did on development*” (2008: 365). Infact, the protection of environmental systems is leading to the involvement of diverse stakeholder engagement with people normally excluded from strategic decision-making processes (Puntenney 2009: 312).

In Chapter Five, I argue that this seemingly qualitatively “alien-like” relationship in the cultural distance between differently significant REDD stakeholders is a two-ways process, in which for REDD policy-makers indigenous ontologies and set of representations linked to nature are just as much alien to their world, as english-speaking policy-makers and receptionists are to Mbya-Guaranis.

Internal divisions

“One should... not assume that because a particular person 'represents' a specific group or institution, that he or she necessarily acts in the interests or on behalf of his/her fellows. The link between representatives and constituencies (with their differentiated memberships) must be empirically established, not taken for granted” (Long 2001: 70).

Following Long's statement, I would suggest that in this situation the circulation of information is uneven not only between organizations, but also between different groups within the same organization and institution.

A well known technique in the ethnographic method is “*following the thing*” (Marcus 1995: 91-92): in this apt illustration from my fieldnotes, I wish to show how the “flow” of a handbook on FPIC - from the building of UNDP to an office of SEAM after having passed through Alter Vida's office - can say something about how the circulation of information is uneven even among the same institution, i.e. the state. In other words, while one part of the same institution may run a project into one direction, the other might do as well otherwise with little or no knowledge about the other part, as the quotation from Long would suggest about the possible gap between all the different representatives and their constituencies:

“One day I was at the seat of SEAM, heading towards the office of the person responsible for the UN-REDD program. The guard asked me for my ID at the entrance and I asked him to please show me the way, as I could not recall where it was. After walking some time, he pointed at the door of an office. I could not but notice on the other side of the street an ad on a window about a mobilization for a strike to protest against the actual minister of the environment and possibly change the management. Afterwards, I went inside the office, I presented myself and waited to be called. Later, while conducting the interview about updates on UN-REDD in Paraguay, suddenly an employee passed outside by the window at the ground floor behind the desk of the person I was talking with. Remaining standing outside by the window, she held some papers and asked for them to get signed to the UN-REDD representative. The point I am trying to make here is that instead of approaching the representative by the door as normally would have been done, the whole occurred passing by the window which had not supposedly the purpose of receiving people. I guess that was a faster way to get things done rather than waiting for my interview to be over, as I have seen been doing elsewhere.

After, I mentioned a handbook about FPIC called “Basic orientations for public officers working with indigenous peoples” (My translation)⁷, and I reached for my backpack to take it out. As the UN-REDD representative saw it, he suddenly looked surprised: “Mhmm... Who wrote this? Is it “us” or an ngo?” He asked. I answered that actually I was not sure myself and that I was given it at the end of an interview at the United Nations' Development Program (UNDP) office with Veronique Gerard. So, we looked together at the first pages to see who actually published and he said: “Oh, yes then it's us!”.

Then, he asked me if he could just borrow it a second and I saw he started to note down the title of this handbook. On the one side, I was glad I could sort of help by providing him with this information. After all, also when I showed it to Monica, a colleague at Alter Vida, she had no knowledge of it, got interested and made copies of it for future use. But while at Alter Vida I guess it was considered to be common practice to exchange information, I could not but be far more surprised that the very same state official at SEAM, the one responsible for UN-REDD and its implementation through

⁷ See: http://www.undp.org/content/dam/undp/library/Democratic%20Governance/Spanish/Orientaciones-Basicas-para-el-trabajo-del-Funcionario-Publico-con-Pueblos-Indigenas_Paraguay.pdf

FPIC, did not himself know about this FPIC handbook and got to know about it through me.”

“Us”, i.e. the state, turns out to be internally heterogenous too: as Skjerping reports too (2011), SEAM still suffers of internal divisions as the ad about the strike I saw would seem to show as well. Also, while interviewing another employee at SEAM, I tried to ask something about UN-REDD and its representative at SEAM I mentioned previously. This other employee suddenly turned angry and said *“I do not know anything about this topic and I do not WANT to know anything about it! Just go and ask him”*. For fear of him reacting again so, I never took the risk to ask him again about UN-REDD and I slid over to another topic, the then upcoming Rio+ 20.

Some other informants also described the office of this UN-REDD representative at SEAM as quite apart and sealed-off from the rest of SEAM.

I was said by the president of INFONA Damiana Mann, that they think at times it would seem like SEAM is receiving most of the attention about UN-REDD and its paternity as project, while they state UN-REDD is and should be the result of the concerted work of all the UN-REDD Team members, among which figures INFONA too. She told me that maybe this is due to the fact that SEAM is a relatively new institution in this context.

As for divisions within FAPI, at the time of my fieldwork I was told that some indigenous organizations withdrew their affiliation from FAPI. I was interviewing Carlitos Picanerai. He belongs to the the Ayoreo indigenous people and works for both the Ayoreo organization UNAP and Alter Vida. Just until relatively recently, he was a member and spokesman of FAPI, but later his association UNAP left FAPI, as he said he felt they were not receiving properly information by FAPI.

Talking with informants from ngos, I was referred that albeit FAPI is doing a serious and competent efforts for implementing FPIC, it would seem like it is only the top of FAPI that is receiving information, while the associated in the base would seem to be cut out from the flow of information, and this applies to information concerning UN-REDD as well.

This seems to resonate with the fact that while ngos are becoming progressively more professionalized they are losing touch with those they should represent (Lewis and Kanji quoted in Howell in press: 10).

The role of INDI

This fragmented situation is further amplified by the chronically weak institutional role of INDI. Paraguay enjoys a favourable legal framework for the recognition of indigenous peoples' rights, having transposed ILO Convention 169 into its domestic legislation in 1993. Paraguay also voted in favour of the UNDRIP in 2007⁸. INDI is the state authority implementing policy towards indigenous peoples but it is known for having gone through repeated scandals, corruption, a top-down vision of indigenous peoples and chronic lack of funds (CODEHUPY quoted in NORAD 2011).

However, it seemed something was finally starting to change in the spring during my fieldwork and the previous year, when the government proclaimed its Social Development Policy for 2010-2020, including programmes such as one called "Territory, participation and development: indigenous peoples secure their territory" that proposes to give access to land to indigenous communities. Also in 2011, the government established the General-Directorate for Indigenous Health (DGSI) within the ministry of public health and social well-being (MSBPS) which was inaugurated with a congress counting on high participation by indigenous leaders and members (IWGIA 2011: 196-197). Later, the 21st of March of the next year, there was a meeting between INDI's previous president Ayala and a working-group of seventeen representatives elected by the indigenous communities. It was agreed to a road map of participation actively involving in the design and implementation of policies, strategies and actions to ensure fundamental rights of indigenous peoples. Four pillars were discussed and made into a work-schedule regarding: policy of restitution of land rights, enlargement of 2012 budget, demands concerning the issues related with the Itaipu and Yacyreta dams, as well as the planning of other actions taking place during the year 2012⁹. Many of my informants referred to these events with optimism.

However, many of these promising initiatives came to an end in the aftermath of the coup d'etat: when I was there in Calle Alberdi, an informant from the ngo SUNU referred of how this coup d'etat had come to abruptly interrupt what was seen by many as a process of participation that started specially in the six months prior to the coup d'etat. The same president of INDI at that time stated that a change of management within INDI would harm the participation process that was

⁸ <http://www.iwgia.org/regions/latin-america/paraguay/888-update-2011-paraguay>

⁹ http://indigenoupeoplesissues.com/index.php?option=com_content&view=article&id=14565:paraguay-the-paraguayan-indigenous-institute-and-indigenous-peoples-initiate-a-new-form-of-dialogue-with-the-active-participation-of-indigenous-leaders&catid=23:south-america-indigenous-peoples&Itemid=56

going on at that time in Paraguay¹⁰. Also, indigenous groups from the eastern and western regions were protesting the change of direction of INDI as they stated that would undermine the continuity of the participation process already started by Ayala, the previous director of INDI¹¹.

Who gives consent to what?

As I tried to show, the UN-REDD programme's "narrative" about FPIC would seem to be in contrast with the "narrative" provided by the Paraguayan law concerning FPIC and INDI's role. Initially, I was surprised to see that in the UN-REDD technical team INDI would not appear. *How could a process be participative towards indigenous peoples when the first and foremost authority concerned with indigenous affairs was completely absent?* I was told that this was because INDI was too weak and had no role or interest in taking part into UN-REDD negotiations.

Later, interviewing different ngos, I was told that according to the state resolution n. 2039/10:

- *All process of consultation must be realized by INDI (art. 1°)*
- *INDI will decide in each case the pattern to be followed in each consultation, as these will depend on the topics of the consultation and the culture as well as organization of the affected community (art. 2°)*
- *INDI, the regent insitution of the indigenous politics and authority of application of the Convention 169 will not consider valid any consultation without its analysis and evaluation (art. 3°)*¹²

(See the full transcription of the law here at page 37:

http://www.undp.org/content/dam/undp/library/Democratic%20Governance/Spanish/Orientaciones-Basicas-para-el-trabajo-del-Funcionario-Publico-con-Pueblos-Indigenas_Paraguay.pdf)

Last but not least, the consent must be sought not to organizations but to indigenous communities directly.

This issue with the application of the law of the *previo consentimiento* (FPIC), in other words, sheds light on a problem I will try to further develop in the next pages. That is to say the gap between

¹⁰ <http://www.ultimahora.com/notas/540517-Ayala-dice-que-otro-cambio-de-titular-no-le-conviene-al-Indi>

¹¹ <http://www.abc.com.py/edicion-impresa/locales/rechazan-el-golpe-al-indi-425608.html>

¹² http://www.indi.gov.py/noticia.php?noticiasOrder=Sorter_fecha¬iciasDir=ASC¬i_id=29

My translation

what it is stated in the above-mentioned law in Paraguay and what it actually happens in the contexts of participation that I will try to describe. Infact, while the above-mentioned law prescribes the intervention of INDI in each and every case of participation – wherever the process of FPIC is involved – in practice this is not always the case. As a matter of fact, INDI as institution is still missing the UN-REDD process in Paraguay.

The participation of INDI

I suggest that parallel to this uneven circulation of information, i.e. how people receive information in Paraguay, as there is also an uneven reach of law which already posits different social actors in different positions concerning how to benefit from the application of law, thus ultimately deciding who sits lowest in the actual power-relationships.

Latin American states are often marked by an uneven reach of law due to policy problems such “weak states” or “insufficient rules of law” (Sieder 2013: 76). I would suggest that this applies to Paraguay, as this country has often been considered to have a high degree of corruption and in this sense this state is still weak in its reach. Also, I would suggest that this is suggested by the lack of presence in practice of INDI as institution, since it is not able to enforce its laws, such as FPIC, at least not enough as it should by law.

The situation of the rule of law in Latin America is often referred to by O'Donnell as a heat map – it is blue where the rule of law functioned and is applied to all citizens, implying effective state presence and monopoly over use of force; green where the state is present but less effective, coexisting with informal, often illegal practices used to exercise governance; and brown where the state is hardly present, the rule of law does not apply and social and political life is dominated by alternative non-state, often highly violent, mechanisms. In most of Latin American states the green and the brown areas are more than the blue ones (O'Donnell quoted in Sieder 2013: 76).

I would suggest that INDI's work in Paraguay is set within a similar context marked by at times brownish or blueish areas: the above-mentioned obligation to involve INDI at any time a project with indigenous peoples would take place, can be exemplified by my informants at Alter Vida, and their allied ngo Yvy Pora'. They lamented often of how they were at great pains to deal with INDI and to have to put pression on it in order to come and act as authority of application of FPIC for their *plan de manejo* (plan of management) projects. Paradoxically, on the one side, INDI's presence is unavaoidable as their projects by law could not progress without the participation of INDI, which is the state authority supposed to validate each and every participation process. On the other hand,

as Skjerping reports (2011: 120), the expression *no cumplen* (they don't enforce the law, accomplish their mandate) was a complain heard repeatedly when dealing with institutions in Paraguay. INDI in this sense was no exception, when in some cases Alter Vida required the presence of INDI for its development projects in the Chaco Region, INDI replied that they lacked the necessary resources to get there, as a jeep, even when Alter Vida could provide itself the transportation means. It seems to be a paradoxical situation in which, according to the law, INDI's involvement cannot be avoided, but its actual intervention has to be constantly insisted upon for lack of resources or will.

It would seem as if there are two distinct FPIC paths: the one initiated by UN-REDD through FAPI and the other by INDI. The two do not necessarily seem to intersect, but as I tried to show, by law no consent can be considered valid without previous approval by INDI. It would seem like the UN-REDD process goes on virtually unaware of this, but the agreement for UN-REDD has already been signed without the involvement of INDI.

Also, apparently in Paraguay there seems to be a thick and paradoxical intertwining between the private and the public reflecting uneven power-relationships in spite of the (seemingly) equalizing power of law: on the one side, at the institutional level state institutions, like INDI, must be put under pressure on by NGOs like Alter Vida in order for them to comply with their own law-given mandate and obligations to ensure the application of FPIC. On the other hand, I was referred by informants of how other private actors, like private companies, big land-owners, illegal loggers and conservationist agencies like UN-REDD in practice can often easily co-opt state-institutions for their own interests and disregard INDI's authority on FPIC matters; and therefore the FPIC towards local communities as well. Paradoxically, while some have to chase and force INDI to “fulfil” its own law-given obligations, others act as if INDI does not exist. I find this resonates with Rodriguez-Garavito stating that: *“The battle over applying and interpreting procedural norms has become an extension of a political struggle – the struggle for territory, self-determination and resources”* (2010: 36).

A prior consent?

Albeit my main focus is about how and to which degree the consent is “informed” as well as “free”, the issue of the timely dimension – in other words how “*prior*” the consent is and what makes it such - is as well involved. Opinions differ as to why INDI still lies outside the UN-REDD process.

Veronique Gerard of the UNDP told me that at the time of signing up the UN-REDD agreement INDI was too much weak at the institutional level, thus the choice fell on FAPI as suitable partner. According to an informant at Alter Vida, some strategical mistakes were done that prevented UN-REDD from being truly participative.

Besides excluding INDI, as mentioned, another strategical error was not to open the UN-REDD process to the National Council of the Environment (CONAM), a participative political organ created by law already encompassing all organizations of civic society and executive-power ministers. Up to today, CONAM lies outside the UN-REDD process and it almost does not receive information about UN-REDD. Because of this, according to Alter Vida, sectors such as the environmental sector, the entrepreneurial sector and the farmers are still cut out of the process. The last mistake was the fact of not including the sixteen *gobernaciones* (“counties”) by the Paraguayan government.

When discussing this with representatives of the UN-REDD team, they told me there are other instances of participation and in one of those INDI might participate at a later time. Others told me that it is by now too late, as the Joint National Programme of UN-REDD has already been signed without INDI's inclusion.

I argue that in this sense, because of the urgency for starting-up the UN-REDD programme, the purely timely dimension of the adjective “*prior*” in FPIC's process has not been respected. This resonates with a discussion at a workshop on UN-REDD and FPIC in Geneva:

“A significant discussion... Circled around the recognition that while there is an urgency to preserve and conserve forests under threat, such urgency could not justify shortcuts on FPIC and the overall human rights based approach to the guidelines.” (FPP E-Newsletter February 2012)

As I will mention in Chapter Four, something similar seems to have occurred with a private REDD project in the Tekoha Guazu, where a ngo largely did not take into consideration the process of FPIC supposedly in order to avoid delays on policy-making schedules.

Unpromoted participatory experiences

In addition to this fragmented situation, I find it surprising there exist many positive experiences concerning participation not being drawn into a unified discourse of success, but appearing as isolated stories not promoted nor made known to the general public. I.e. the already quoted FPIC

handbook, whose existence the UN-REDD representative ignored and which the Mbya-Guaranis representative Catalino Sosa commented positively on (Sicom 201213).

I found out about another example of indigenous participation during an interview with the General Directory for Indigenous Education (MEC), the competent office for indigenous education. There, I found out about a law on education of 2008 which was made by and for indigenous peoples. The law seemed to be a success when it comes on participation as it actively involved indigenous communities in its creation.

Also, the Interdisciplinary Centre of Social Right and Political Economy of the Universidad Catolica in Asunción (CIDSEP/UC) created a Network of Good Practice and Participative Management which highlighted twenty different projects positively impacting on the areas of health, water, household and education. Schwartzmann comments that these experiences remain isolated and disconnected and not promoted and it is a knowledge that can get lost if it is not being promoted and shared¹⁴.

Conclusion

The panorama of FPIC with regards to the situation of indigenous peoples in Paraguay is heterogenous, uneven and fragmented. The recipient of FPIC, i.e. indigenous peoples, should have full access to information, in order for this process to be fully participatory.

On the one side, while the Paraguayan state committed itself to the ILO 169 Convention in support of FPIC, the institution responsible for its application has a history of chronic weakness and corruption, although some commented positively on its recent attempts to include indigenous people in the FPIC's process, later interrupted in the aftermath of the coup d'etat.

Within the context of the UN-REDD programme, there are serious issues concerning representation and the circulation of information. It is not clear who is representing whom, and many indigenous communities receive little or no information at all. This may be the case for many indigenous communities that have never heard of UN-REDD. Also, there is not a unique umbrella organization representing all indigenous peoples of Paraguay, rather many small indigenous organizations with some organizations representing more communities than others and enjoying more visibility and legitimacy.

There is a confusing picture as for who is the legitimate or actual recipient for the consent and the

13 <http://compartiendoinformaciones-sicom.blogspot.no/2012/05/entrevista-referente-indigena-mbya.html>

14 <http://www.uca.edu.py/article-1271873675>

one applying it: the indigenous organization FAPI is the one responsible for FPIC's application within the REDD team. The law states instead it is INDI the official authority of application, and FAPI seems to represent but a few indigenous communities. Last but not least, FPIC should be asked to communities not to organizations. FPIC could be thus considered as a contested territory fragmented among different institutions. The question seems to be about who should be entitled to represent who.

However, on the other hand there are different positive examples of participatory democracy in Paraguay, but again when it comes on how widespread the knowledge of these experiences is, it turns out they are little known. I would suggest this has also to do with how little people are informed on participation, as if the information structure would not help promoting these experiences.

While according to FPIC's process all parts should receive equally and properly information in order for consultations to be free, I showed that there exist barriers and interruptions concerning the information flow and degrees of representation, thus only some receive information about projects like UN-REDD; thus questioning FPIC's participatory character. Infact, there are indigenous organizations disposing of less visibility and indigenous communities that do not receive any information about UN-REDD. Also, there is a fragmented situation where INDI, the institution otherwise in charge of verifying FPIC for each and every project in Paraguay by law, still lies outside the UN-REDD process, a program that claims to apply FPIC.

In the next chapter, I will further deepen how this gap between FPIC as theory and FPIC in practice mirrors uneven power relationships, by dealing with how the political and economic context as well as discourses on nature/culture divide may undermine the base for a truly "*free*" consent.

Chapter 2 FPIC and sovereignty

Introduction

In this chapter, the focus of my argument deals with the fact that FPIC in Paraguay does not seem to be “free”, because of the power-relationships related to the economic and political context of Paraguay.

Following Rodriguez-Garavito stating how “*There is an abysmal difference between the contexts in which FPIC is regulated and the contexts in which it actually occur*” (2010: 29), as well as Ward that writes that: “*...special attention must be paid to the political, economic, and social context of a consultation process in order to ensure that it is truly free from coercion*” (2011: 83), I wish to deepen the context in which FPIC consultations occur in practice. Indigenous peoples and peasants are victims of a process that Glauser (2009) calls for *extranjerization* in which big land-owners take over most land and natural resources resulting in many ways in a loss of sovereignty for indigenous peoples and small farmers.

I intend to draw from a similar case in Colombia by Rodriguez-Garavito (2010), I intend to show that there exists a contrast between FPIC’s image of order – as if consultations would imply a vision of the public sphere as a rather depoliticized arena for collaboration among generic stakeholders - and the chaotic situation, marked by violence and lack of sovereignty where these consultations actually take place in Paraguay.

During my fieldwork in the Mbya-Guarani' village of Ka'aguy' Pa'u', one indigenous leader was calling out for help to get an intervention by the military and the state police because they were becoming powerless against the invasions by illegal loggers within the perimeter of their territory. The people from the community reported that there are repeated invasions by these illegal loggers that cut trees in order to obtain wood to sell elsewhere. These loggers are often armed and this is why the community is becoming helpless against these invasions in their traditional territory. I argue that, in this way, this lack of sovereignty undermines the very base for a “freePIC”.

An image of order amidst chaos

One day, I sat on a jeep and Bernardo from Yvy Pora' – an ngo “allied” with Alter Vida, in the sense the it cooperates together with Alter Vida for the development of different projects. Our jeep was driving northwards on a long straight road through the landscape of Chaco. The recent heavy rains

had had its toll on the muddy street whose sides nearest to the vegetation by were still covered with water.

Previously, before a meeting at Alter Vida's office, I was asked by Bernardo to join the ngo Yvy



Porà out to an excursion to see how their projects were going, around through different indigenous communities. I accepted as this presented itself as an occasion to contact personally indigenous leaders and possibly choose a place where to conduct my fieldwork.

As the car occasionally jumped on bumps along the irregular muddy road, I began chatting with Bernardo. I asked about his take on the issue of FPIC. Although his ngo applies FPIC for its own project of payment for environmental services (PES) in the Nivacle' community of Mistolar in the Chaco, he said it is not something he takes seriously and many of the talks around FPIC have no ground in reality. *“Look at those logging companies, and those extensive monocultures”*. He said. *“Do you think they give a damn about «previo consentimiento» (previous consent) and consultations? They just do whatever they want for money in virtue of the power they enjoy, while we, as ngos, must follow lots of legal intricacies and burocracies and are being questioned at each and every small step!”*

I argue that the resentment related to the contrasts regarding the talks about FPIC and the lived

reality experienced by Bernardo as engaged ngo-worker can be found also in a case made by Rodriguez-Garavito (2010) conducted a fieldwork in Colombia, in the Embera-Katio' reservation, and studied the application of FPIC for the Urra-Dam project. This dam, constructed in the 1990s against the indigenous people's will, prevents them from fishing and hunting. Their territory is covered by mines left by the Revolutionary Army Forces of Colombia (FARC), whose guerrillas terrorize the Emberas, while the Emberas fight with the Colombian Army and compete with right-wing paramilitary groups over narcotrafficking business. Given this situation, the Embera Katio' have been victims of ethnocide, and some of their leaders have been assassinated while opposing the Urra-Dam project, which was instead supported by the paramilitary.

Rodriguez-Garavito underlines how this background marked by violence and chaos clashed with the situation he observed. While he sat there among the Embera-Katios, he was watching lots of PowerPoint slides, mentioning many norms and juridicial decisions – the ILO 169, the UNDRIP, the Colombian court's decisions against the government before initiating economic projects within their territories etc. These slides were running on the power of the only electric generator available in the reservation, and the Embera-Katio' leader reading them had resisted many death-threats from the paramilitaries and the guerrillas, in order to defend his people.

I would suggest that this stark contrast illustrates a gap between the image of a law and the contexts in which law is being applied, in this case the application of FPIC in the Embera-Katio indigenous community in Colombia. What FPIC would be supposed to stand for in paper seems to be contradicted by what Rodriguez-Garavito had observed in practice in that indigenous community. Infact, Rodriguez-Garavito describes this contrast - between a conversation dominated by legal formalities and procedural intricacies, and the rough reality of the substantive conflicts – as the “*displacement effect*” - that exists while this conversation takes place. He writes:

“These legal artifacts – the succession of procedural deadlines, the architecture of laws and decisions, the affirmation of equality between parties to a case – are precisely what generate the illusion of order, and in turn, make us forget for a moment that we are in the heart of the chaos. Thereafter, we get stuck in a long discussion about prior consultation's technicalities, as if death squads were not patrolling just a few kilometers away, as if the territory were not littered with landmines, as if all of the families in attendance did not have some member who had been assassinated or forcibly displaced, as if we had not crossed paths along the river with speedboats that were driven by fully armed soldiers, who play cat and mouse with the settlers that transport coca downriver.” (ibid.: 4)

In the introduction, I explained the term fetishism of law, but note that Comaroff and Comaroff link it to, although not exclusively, the so-called postcolonies; where we assist to “*the distillation of postcolonial citizens into legal subjects, and postcolonial politics into lawfare*”, i.e. the resort to legal instruments, to the violence inherent in the law, to commit acts of political coercion, even erasure (2006: 30- 33). I argue that this way in which law should be supposed to be the locus of political decision contributes to posit indigenous peoples on the lower side of the power-relationships.

Here it would require too much space to exhaust the land-tenure issue in Paraguay, I would like nonetheless to comment on an accident involving land-titles just to exemplify how the law through land-titles becomes a means of coercion, i.e. how it posits indigenous peoples on the lower side of the power-relationship. One could tell the anecdote of how a *sojero* (a soy-crop latifundist) can buy up an eviction's order against an indigenous community for the standard price of thousand guaranies. In this way he would obtain the order from the judge, the Prosecutor's intervention with as many as fourhundred policemen included in the package. This after having obtained a land-title's duplicate. This shows but one incident occurred in Villa Ygatimi in the Canindeyu region out of many others reported by medias in Paraguay¹⁵.

Also, I attended the presentation of the documentary “*El impenetrable*” by Incalcaterra at a Cinema in the city centre of Asunción, many informants from different institutions, friends and colleagues of Alter Vida were present among the invited guests. This documentary is about a filmmaker that undertakes a long legal fight to get access to a land property in the Chaco originally inherited by his grandfather. In a telling scene, Incalcaterra sat in an office consulting with a representative of INDERT – the regional land reform insitution – in order to know why he could not have access to his own plot of land. It turns out that titles corresponding or overlapping with his land property were given at the same time also to other people, in other words the same plot of land had different owners with a supposedly legitimate ownership title for it, as it often happens in Paraguay. Incalcaterra asked what was the reason behind this situation in which multiple land titles are produced for the same land-plot. To this isse, the representative of INDERT reacted initially by smiling and laughing a bit, he then told Incalterra a paradoxical anecdote: “*Well, you see, actually if one was to sum all square kilometers of all the land-titles in the archives of INDERT one would obtain a map of a Paraguay with a surface totalling up to 500.000 or 600.000 square kilometers*¹⁶. *The problem is that the actual surface of Paraguay does not exceed 406 750 square kilometers!*”.

15 <http://www.pedrojuandigital.com/5593-v-nacionales2-u-brasile-o-ordena-desalojo-a-ind-genas-en-villa-ygatimi-.html>

16 I am not completely sure about how exact these numbers are, since I cannot recall exactly.

This, he explained, is because multiple land-titles for the same plots were produced (Incalcaterra 2012). In the legal field, this would seem to resonate with the anthropological truism of how *the map is not territory*, when looking at how the map composed by these land-titles misrepresents the territory it should stand for as signifier. In relation to her fieldwork among the Ayoreos in Cuyabía in Chaco, Frotvedt refers to Hetherington and Lund on how the possession of documents might constitute a symbol of who owns the rights, and poverty is what prevents most people from acquiring them so that the state controls both the citizens as well as those who are not recognized in the legal system, through poverty (2012: 106); thus making documents like 'circumstantial sediments of power negotiated elsewhere' (Hetherington 2011: 177). With reference to the above mentioned fetishism of law, I would suggest that these documents - this map of land-titles representing a sort of “oversized” Paraguay - embody the way law exercises coercion while misrepresenting actual power-relationships, as well as different claims to one of the same contested territory, an issue I will deepen later concerning the question of sovereignty.

So, at the end of the day, the bureaucrat in the capital Asunción, or in an office of an international conservation or development agency abroad, will take this land-titles map for good – the law in paper considered as the direct representation of a right exercised in practice – while the indigenous community will experience these documents as the injustice of being forced out of his ancestral territory by four hundred policemen according to a land-title they could not afford to buy off. Similarly, as argued concerning the risks of turning complex social realities into the single label of FPIC, FPIC's implementation might be interpreted by a development worker as a “1:1 map”, a direct representation or a synonyme for social justice and equalization of power-relationships, while the lived experiences of those indigenous communities living within those territories that the map of FPIC claims to represent might well suggest otherwise. The gap between these two perceptions, as well as the ways through which is (re)produced, is the very focus of my thesis.

The call for help in Ka'aguy' Pa'u'

During her fieldwork in Paraguay on a trip to the Oriental Region, Skjerping (2011: 64-65) already witnessed a case of illegal logging¹⁷: a newly cut path in the forest hinted at the fact that there were illegal loggers nearby, a hint suggesting to the SEAM employees she was with that they had to reach as soon as possible the nearest police station, given the danger of the situation and to

17 I am aware of the fact that the notion “illegal logging” can be controversial (Azuela 2006), nonetheless I wish to employ the way my informants used it.

denounce the crime. I was also told how the *guardiabosques*, those SEAM employees patrolling forest areas, are too few and low paid. Their job is also very dangerous. Recently, following the assassination of the Ache' guardiabosque Bruno Chevugi, the association who represents them asked SEAM for justice and to call for a national emergency for the guardiabosques working in the protected forest areas¹⁸.

I sensed a similar situation of risk and danger, while on visit with the Alter Vida crew to the Mbya-Guarani community Ka'aguy Pa'u', where I also conducted part of my fieldwork.

The goal of the meeting was to review and discuss the updates about a development project to map the Tekoha Guazu in order to protect its biodiversity and the traditional Mbya-Guarani territory. The discussion went on mostly in Guaranì language¹⁹. There were leaders from different Mbya-Guarani communities from different areas of the Tekoha Guazu, and each took their turn to express their opinions. As I have often observed during many gatherings, people might change the topic out of the blue and introduce other topics.

I could hardly follow their debates due to language barriers, but at some point I understood that one political leader turned serious about one issue concerning the invasion of their territory.



(The day of the meeting under the roof of the school in Ka'aguy' Pa'u')

Also leaders from other communities within the Tekoha Guazu joined the discussion and reported

18 <http://www.abc.com.py/nacionales/guardaparques-solicitan-declarar-emergencia-en-areas-protegidas-538558.html>

19 It is the Guaranì language called «Guaranì Yopara'», one of the most spoken in Paraguay, though not Mbya-Guaranis' own language, i. e. Mbya-Guarani language, which may be similar but not necessarily comprehensible to Guaranì-Yopara' speakers.

about repeated invasions by illegal loggers. One leader said now they feel they can no longer defend themselves, as these loggers come with ten to twenty, if not more, armed guards and it was mentioned the name of a local politician, allegedly supporting them, affiliated with the Colorado Party. The leader said that they need the intervention of someone from the outside, because the local police has proved to be corrupt and not to intervene at all. During my previous stay in Ka'aguy' Pa'u', the local political leader Don Orvina, had already told me of how he had many times denounced both cases of deforestation and thefts of equipment to the local police, but in vain²⁰. Also, in one newspaper he denounced Caazapa's District attorney for his lack of will to prosecute illegal loggers, as one attorney's relatives is said to work in a local logging company, which is the main responsible for cutting logs out of indigenous communities like Tuna'i y Carumbey²¹.

Missing the forest for the wooden planks and the carbon pools

Thorough environmentalism's history there has been a central paradox that defines the complex cultural construct of nature as 'contested terrain': on the one hand, people in Western cultures use the word "nature" to describe a universal reality implying something that must be common to all people, on the other hand, they pour into this word all their most personal and culturally specific values, from the essence of what they are to why people should act in certain ways etc. (Cronon 1996: 51-52). This disagreement - about what nature is and whose nature it is - is said to be inevitable, ironically, 'natural' (ibid.).

While previously I suggest that land-titles documents could represent the instrument of lawfare as well as contested claims to one and the same territory, I suggest here that trees can represent a contested vision of nature as well as "the commons" as objects of contention.

I would like to focus shortly on trees and on how they may carry different meanings to people's social relationships through a specific moment of their "social life" (Rival 1998). As trees represent here a short methodological incursion into "following the locus of conflict", and "following the thing" (Marcus 1995: 91-95), in this case those commodities – wood planks - resulting from the cut of trees. Trees, in other words, are "*good to think with*" not only for how they fit as objects of symbolizations, but also because, as Turner suggests, symbols have a transformative potential given by the ritual process they belong to, a process whereby a substitution occurs, i.e. one things becomes another in the same way as wine "becomes" the blood of Christ (Bloch 1998: 39).

20 See also: <http://conaderna.gov.py/interna.php?id=101&sec=prensa>

21 <http://www.abc.com.py/edicion-impresa/interior/denuncian-deforestacion-399910.html>

After all, trees, or rather their preservation through incentives against deforestation, is the *raison d'être* for UN-REDD, for which trees, or rather a “forest” is defined as:

“...A minimum area of land of 0.05–1.0 hectare with tree crown cover (or equivalent stocking level) of more than 10–30 per cent with trees with the potential to reach a minimum height of 2–5 metres at maturity in situ [...] may consist either of closed forest formations where trees of various storeys and undergrowth cover a high proportion of the ground or open forest. Young natural stands and all plantations which have yet to reach a crown density of 10–30 per cent or tree height of 2–5 metres are included under forest, as are areas normally forming part of the forest area which are temporarily unstocked as a result of human intervention such as harvesting or natural causes, but which are expected to revert to forest.” (Reddmonitor.org Annex to decision 16/CMP.1 Land use, land-use change and forestry.).

Otherwhere, it appears a definition of “A forest[as] composed of pools of carbon” (GOFLCD Sourcebook 2009: 43). As I will try to show in Chapter Five, this REDD narrative, by missing the forest for the trees - or rather by “missing the forest for the carbon pools it stores” - has tangible consequences for the commons these forests represent and those people whose livelihoods, cultures and spiritualities depend on. This because it risks to reduce complex socio-political and economic problems, like deforestation, exclusively to a focus on measuring carbon stored in trees²².

As I tried to show previously, this suggested fetishism of law implies a reification of law that reduces complex social processes to a particular set of ontological categories and representations. Similarly, Scott reviews forestry's history for wood fiber production and he argues that the state's utilitarian view of the forest dismembers an exceptionally complex and poorly understood set of relations and processes in order to isolate a single element of instrumental value, the commodity (1998: 11-52).

Infact, what is still missing in UN-REDD narratives is for example indigenous ontologies on human-nature interconnectedness (Howell in press): just to mention shortly but one example in Paraguay, for Mbya-Guarani people trees are constitutive as an integral part of their culture, are considered holy and have a mythical origin (Mordo 2000: 119-141; Bartolomé 2009: 260-273).

Concerning deforestation in Paraguay, sometimes, indigenous groups stop trucks full of logs that

22 See for example a statement by Friends of the Earth <http://www.foe.org/projects/oceans-and-forests/forests-and-climate>

were illegally cut²³. During my stay in the community of Ka'aguy' Pa'u', I noted often with curiosity that the wooden bench I was sitting on was made with a levigated rectangular wooden board (the bench on the left in the photo). That day, one employee of Alter Vida who spoke Guaranì, finally explained to me an anecdote concerning “*the social life*” (Appadurai 1986) of those benches. They came actually from a plank confiscated by some indigenous individuals when they found illegal loggers on their territory. In fact, illegal loggers often cut the logs directly into several planks during the day leaving piles of them hidden in the forest. Later at nighttime, when safer, they come to pick them up and carry them further away to be sold. This is also documented on newspapers²⁴. They said that that board alone on the market would be worth a conspicuous amount of money, specially within that context which is marked by poverty and unemployment.



In this photo, that I had taken during my stay in the community, I accidentally included in the picture the bench made of such planks while my object was the handicrafts. Anyway, those wooden handicrafts representing animals also come from trees, and represent a fauna that for the Mbya-Guaranis is being always harder to spot, and thus make a living of, I was told. One of the animals in

23 <http://gacii.org.py/?p=54>

24 <http://www.abc.com.py/edicion-impres/interior/depredan-sin-pausa-en-san-rafael-440124.html>

the middle, the “tatu” (a tapir), was shared among the project's participants, but I was told that this sort of game had become more of an exception in their diet, while they mostly eat cow's meat from the nearby farmers, rice and fideo (pasta).

I understand and interpret this history of the contested ownership of these logs or planks as a powerful symbolic image of how different visions of nature and the value of its “commons” compete with each other in this territory. According to the different interests of those claiming their property, I would suggest that the objects of these thefts and consequent confiscations can be at once considered as trees, or wood planks to be sold for quick economic returns, or wooden benches or perhaps as oxygen storage capacity according to UN-REDD. I will try to deepen this issue on how deforestation is part of a larger issue regarding contested territories in Paraguay when it comes on the issue of sovereignty.

UN-REDD

Back to the discussion at the meeting, the director of Alter Vida, with visible concern, asked more about this issue of the invasions by illegal loggers. It was suggested to the indigenous leader to appeal to SEAM or another state institution to ask for military intervention, or the intervention of the national police. The director added that it was among the formal powers of SEAM to order a military intervention.

Interestingly, this is one of those few times when I heard the word “UN-REDD” being mentioned in a meeting in an indigenous community. However, I was surprised to hear that, as UN-REDD was not in any way related to that meeting or situation. Since conversations were in Guaranì, I could get only few words, so I asked later to one employee of Alter Vida: “*Why was UN-REDD mentioned? What could UN-REDD possibly have to do with a formal request of a military intervention?*”. Then, as they explained me, I found out that UN-REDD at that moment was instead used strategically to force state authorities to act: the director said the minister of environment at SEAM signed a legally binding agreement with UN-REDD, which committed SEAM by contract to safeguard the environment. Thus, since the government signed that contract on UN-REDD, it was one instrument, as a binding legal means, to put pressure on the state in order for it to act according to the law, a law that the state itself was expression of as well as signatory of.

As I tried to show in Chapter One regarding INDI, ngos find themselves often in the paradoxical

position of having to insist and put pressure in order to get the state to comply with its own law; as the state, often for lack of resources or will, “*no cumple*”, does not follow and comply with its own mandate.

Whose sovereignty?

In the First Chapter, I suggested that there is an uneven circulation and reach of information regarding the UN-REDD program and the process around FPIC and this can reflect as well uneven power-relationships. At the same time, I argued that in Paraguay there is an uneven reach of law that is related to the unevenness and fragmentation of sovereignty. Comaroff & Comaroff write that the will of sovereignty of communities lies in the act of judicialization with which they try to regulate their lives in legalistic terms, and this is also how they come to be defined “communities” as such, due to the suggested “reification” of social facts that the language of law implies (2006: 34-45). At the same time, ultimately state sovereignty is increasingly fragmented and the locus of legal and political responsibility – where the fight stops – is far from clear (Sieder 2013: 90).

In the Mbya-guaraní village where I conducted my fieldwork as well as in others, I found that indigenous communities dispose of sentinels groups, composed by youngsters around sixteen years old, to patrol the forest perimeter in their territory to signal cases of invasions by illegal loggers. When I asked why they employed youngsters, they said they are faster and more alert. Also, I was told that, in extreme cases, the road that cuts through the community and that is employed by many non-indigenous individuals, can sometimes be closed by the will of indigenous leaders. When some crime occurs, they apply their customary law or even in case of homicide, I was told that the Paraguayan police has to ask permission to the indigenous leader in order to intervene²⁵; although they said they stopped to apply death penalty in the sixties in compliance with Paraguayan law. In another occasion, when the Interior Ministry suggested to establish a specific police dealing with indigenous issues, one indigenous Ache' leader objected how that would go against their customary law and right to decide for themselves. She stated that no police is allowed to enter their communities without authorization; and that it would be a ridiculous initiative as there is already a police working with environment issues, but they do not do anything at all²⁶.

25 Also Duckworth noted a similar case, where a permission was needed by police, as an assertion of indigenous autonomy (2011: 134)

26 <http://achedjawu.org/2012/10/11/la-policia-no-puede-entrar-en-las-comunidades-originarias-del-paraguay-nos-ampara-la-constitucion/>

The fact that the police locally is supposed to ask permission would resemble some sort of FPIC practice, and following Weber - according to which in short the monopoly of the legitimate use of force in the enforcement of its order is what makes a *state* (Weber quoted in Das & Pole 2004: 7) – this would prove to be a form for indigenous sovereignty.

As I tried to show in Chapter Two, in Paraguay the reach of law is uneven in reference to O'Donnell's heat map. However, while this reflects a long-term historical Latin American phenomenon, drawing from Sieder (2013), I intend here to read this in relation with the wider issue concerning today's neoliberal states in Latin America.

Neoliberalism can be defined as a series of contemporary projects of capital accumulation in the beginning of 1970's, which sought to reconstitute social relations of production, including the organization of labour, space, state institutions, military power, governance, membership and sovereignty (Harvey and Jessop quoted in Glick Schiller 2013: 47). Neoliberalism has facilitated the creation of wealth, by destroying and replacing previous relations of production, consumption and distribution, and the generation of new forms of desire (Glick Schiller, *ibid.*)

In Latin America, neoliberal states, characterized by new forms of legal pluralism which are quantitatively different from those of the past, involve the multiple and overlapping sovereignties linked to economic globalization – state and social, sub-national and supranational (Comaroff & Comaroff quoted in Sieder 2013: 76). For example, I suggest that transnational environmental programs like UN-REDD with the which the Paraguayan state signed an agreement are neoliberal, insofar as they result into a “greening of sovereignty” (Liftin 1999) linked to economic globalization as well as to the commodification of nature.

Neoliberal states are characterized as well by increasingly complex and fragmented patterns of legality and illegality involving both states and non-state actors (Comaroff & Comaroff quoted in Sieder, *ibid.*). Sieder explains that neoliberal states do not necessarily seek to exercise coercion though the classical Weberian formula of monopoly of force – as mentioned previously regarding the heat map and Ka'aguy' Pa'u' – rather through a deep re-articulation of relations between state, market and citizens ultimately leading to the devolution or ceding of sovereignty to a range of different actors. Neoliberal reforms of the state have increasingly fragmented law and shifted the terrain on which it is (re)produced and contested. These include the decentralization of certain state functions and the emphasis on the 'partecipation' of civil society actors, aimed at ensuring that they assume responsibility for the production and distribution of social goods. Sieder refers that these processes have led to a blurring in practice between state sovereignty and what Rodgers termed

'social sovereignty' (2013: 76), indicating non-state bodies of relations effectively structuring practices and agency in a given area of life. Rodgers argues that the Nicaraguan phenomenon of youth gangsterism called *pandillerismo* exemplifies this, as it constitutes an autonomous form of organizing localized collective social life (2003: 24).

Sieder writes further that this blurring between sovereignty and social sovereignty applies progressively more on the legal field, as responsibility for low-level conflict resolution is devolved to non-state actors through the promotion of non-judicial alternative dispute resolution or to indigenous peoples who have, at least in theory, been given the right to jurisdictional autonomy via constitutional reforms or the ratification of certain human rights instruments by Latin American states (2013: 76).

I tried to show how in Paraguay multiple land-titles can represent different claims for one and the same contested land-plot, I argue that these land-titles documents represent what ultimately may be defined as different claims for sovereignty coming from different actors, in contexts in which not only nature and its resources but specially the territory, “la tierra” (the land) is by definition a contested territory, literally, legally and discursively; thus leading to the question of whose sovereignty attains to the Paraguayan territory.

“*Soberania*” (sovereignty) is a term I first encountered thanks to the Paraguayan anthropologist Marcos Glauser, thus making it, at least in a sense, both an etic as well as emic term. He employs the term *soberania* in stark contrast with the expression “*extranjerizacion del territorio paraguayo*”, (“*estrangement/dispossession/de-territorialization of the Paraguayan territory*”) (2009, see also Galeano 2010). Also, another Paraguayan, the sociologist Tomas Palau, employs this term concerning the fact that his own country accuses a significative loss of territorial, cultural and food sovereignty (2004: 72). Also, as I will try show in Chapter Four, this issue of sovereignty will be again voiced out in the aftermath of the coup d’état, during street protests as well as in the news and on public and official statements.

Although a cornerstone of international rhetoric, sovereignty is an elastic concept with application to both international and internal state affairs (Manus 2005: 559). I understand and use it in my thesis not as some formal and legally binding definition, rather as a loose term easily overlapping with other concepts like autonomy, self-determination etc. While more often than not landless peasant invade indigenous territories with or without the hidden support of big land-owners, at other times I was surprised by news about peasants and indigenous groups marching together to protest

against the injustices provoked by those land-owners.

While initially the issue of indigenous sovereignty might seem at odds with national Paraguayan sovereignty, both in practice deal with the access and distribution of the “commons” - lands, resources, food, water etc. - and in this sense indigenous movements and peasants share something, although coming from completely different cultural premisses.

I find that this analysis resonates with other anthropological literature on Paraguay as well, specifically between sovereignty and the extended definition of the so-called “*Dignity Frame*” provided by Duckworth:

“...Extending this, dignity involves recognition of some sort by society. It involves a sense of autonomy and some measure of control over one's future and to provide for oneself. While some may view legal or civic autonomy as a Western concept, not of priority to indigenous communities, I would respond that this is a too narrow definition of the concept of autonomy. A community's autonomy needs to be defined in terms of the individual, nor must it be defined via formalized democratic institutions as a Western analyst might typically conceptualize. I view dignity as a basic human need. It is therefore fundamental to human thriving, and will readily be a catalyst for conflict if attacked, challenged or denied. The history of indigenous communities in Paraguay [...] demonstrated precisely this denial” (2011: 94).

In Chapter Five, I will try to link further the Dignity Frame with Rodriguez-Garavito's emancipatory effect. Both Rodriguez-Garavito and Glauser refer to the same analysis of contemporary capitalism made by Harvey, according to which the renewed economic importance of export-oriented, extractive industries, driven by China's demand for raw materials, has generated transnational competition for natural resources and, therefore, has renewed the interest in the exploration of frontier resources (Rodriguez-Garavito 2010: 5; Glauser 2009: 16-19).

The Paraguayan contested sovereignty

I can see with Glauser (ibid.) how this might apply as well to the renewed demand for fields for the soy-cultivation in Paraguay, as the demand for soy is increasing in China, with all the consequences concerning deforestation in Paraguay. Rodriguez-Garavito writes that these socio-environmental conflicts occur in the so-called frontier areas, i.e. those same marginal areas inhabited by indigenous peoples who see their ancestral territories dispossessed. In fact, he underlines how this brand of capitalism is marked by accumulation through dispossession. Although Rodriguez-Garavito focussed on mining industry, his contribute can well be applied into any other activity

leading to deforestation. He employs the term “minefields” to define such territories and the dynamics of social interaction produced within them, including FPIC processes. They are social fields in Bourdieu’s sense, characterized by the features of enclave, extractive economies, including grossly unequal power relations between companies and communities and a limited state presence. They are highly risky, as within this terrain, social relations are fraught with violence and they are associated with hybrid economies – situated at the crossroads of legality, illegality, and informality – flourishing in nations of the Global South in the age of globalization (ibid.). Although Rodriguez-Garavito referred mainly to extractive industries, I find nonetheless that his notion of “minefield” not only fits Paraguay's socio-economic situation, but it also seems similar and complementary to Tsing’s notion of “friction”: the awkward, unequal, unstable, and creative qualities of interconnection across difference (c2005: 4). Through friction, the mobility of universal ideals is made possible but at the same time friction allows the unequal distribution of such universalities (Ibid. 9).

I suggest that the Tekoha Guazu is one of these marginal frontier areas or minefields marked by violence and unequal power-relationships - or a brownish area according O'Donnell's heat map - as the above-mentioned episode in Ka'aguy' Pa'u' demonstrates.

Infact, at the macro-level, Glauser links Harvey's analysis of contemporary capitalism with the current process of dispossession and loss of sovereignty affecting Paraguay (2009: 16-19): he refers to the fact that most land in Paraguay lies in the hands of elites, with a past history of many unsuccessful land-reforms and a present of many landless peasants. Paraguay is considered to be the country in South America most dependent on soy-production²⁷, it produces GM-soy thanks to Monsanto and other agro-business multinationals as well as meat for export. It is calculated that up to 20% of the Paraguayan territory belongs to foreign entrepreneurs owning vast mono-extensive fields mostly for soy-production or cattle breeding, thus questioning the actual degree of sovereignty enjoyed by the country (Glauser 2009).

The Mbya-Guaranìs also see their sovereignty threatened as the forests of their traditional territory, the Tekoha Guazu²⁸, are shrinking due to illegal logging and expansion of fields for extensive GM-soy cultivation and cattle breeding. This area hosts one of the biggest and most representative part of the Atlantic Forest, a forest second only to the Amazon for its degree of biodiversity and highly

27 <http://www.lanacion.com.py/articulo/90724-paraguay-es-el-pais-sudamericano-que-mas-depende-de-la-soja-segun-cepal-.html>

28 It is also called “*Parque San Rafael*”, though the name is somehow misleading because it is not a natural park, but an “area with a designated future use as natural park”, in practice this definition gives little or no guarantee of protection.

threatened.

Local communities, both peasants and indigenous, gradually lose their land-plots without which they cannot provide for themselves, start to depend progressively on paid labour and see themselves obliged to move to overcrowded peripheries of urban centres, with all the negative consequences of well known poverty cycles in the Global South (Glauser 2009).

The biodiversity constituted by unique local variants of traditional seeds that indigenous groups are jealous of is being threatened by contamination from nearby fields of extensive GM-soy monoculture. Don Orvina, leader of Ka'aguy' Pa'u', is also the leader of the Association of Indigenous Producers Tekoyma Jehea Pave. He stated the need for safeguarding native variants of seeds in their village, considering them part of their "*derecho consuetudinario*" (customary law) as indigenous peoples (UPI Espanol 2012)²⁹. Seedsavers like these can enact an everyday resistance that challenges agricultural commercialization, monoculture and genetic erosion, and reflects a tension between the centripetal suction towards uniformity and the centrifugal pull toward diversity with regards to many of the world's important crops (Nazarea 2005: 36; 52-53). Infact, Scott argues that monocultures constitute a basic simplification imposed by the ease of management and economic return featuring commodities as common denominator and through state politics of legibility and standardization of measurements. This in a process whereby forests are carved off of anything unrelated to, or interfering with, the maximizing commodity production (1998: 11-52), i.e. the biodiversity surrounding the single commodity-plant. For Scott, monocultures are more fragile and vulnerable to parasites and stress than polycultures (ibid). Tsing delves further into this negative correlation between (bio)diversity and the intensity of capital investments and state control, reporting how fungi like the potato blight came to be considered "problems" only since state-endorsed potato-monocultures were introduced; thus mushrooms and parasites are always at risk of disrupting these standardized mass scale-projects' narratives (2012). Also, seeds privatization, and therefore the commodification of nature through transgenics, is seen as a form for loss of food sovereignty³⁰.

In this sense, I would suggest that the overlapping of the words *resi-lience*³¹ and *resi-stance* meets at the intersection between preservation of biodiversity and adaptation to economic changes challenging food sovereignty.

Most soy and meat are sold outside Paraguay and much of the soy is for feeding animals abroad

29 <http://espanol.upi.com/Noticias-destacadas/2012/05/31/Comunidad-ind%C3%ADgena-de-Paraguay-protege-semillas-nativas/UPI-43771338464741/>

30 See: <http://www.ultimahora.com/notas/553869-Transgenicos-y-soberania>

31 One system's capacity to adsorb disturbance and reorganize while undergoing change so as to still retain essentially the same function, structure, identity and feedbacks (Walker et al. 2004)

(Glauser 2009), and foreign entrepreneurs pay virtually no taxes to Paraguay; in this way while exporting resources, no richness is left in the country³² and less agriculture is employed to produce food for national consumption³³, thus threatening food sovereignty, for example. Taxes are an important factor influencing not only national legal systems but also state sovereignties: due to free trade-agreements private companies can sue national governments in international arbitrations, if their expected profits are negatively affected by changes in regulatory policies, as for example increases in taxes (Sieder 2013: 75).

The control over water resources, their access as well as distribution is also of paramount importance in this context: while I attended a workshop about UN-models, also dealing with UN-REDD, the journalist Walberto Caballero commented on how Paraguay, with its Guaranì Aquifer and other aquifers, hosts one of South America's richest water resources and this makes it attractive for thousand of multinational companies which are already in line to secure contract for the privatization of these water resources. The Council of Leaders of the Mbya-guarani Nation at the World's Peoples Summit on Climate Change in Bolivia published a statement where they lamented not only the contamination of the waters of the aquifers but also the looming threat of privatization with the following consequences for their sovereignty³⁴.

Many indigenous communities are often confronted with the dilemma between continuing to live in poverty or rent out their communal land-plots to entrepreneurs for soy-cultivation, resulting in huge and quick economic returns in the short term, but huge losses in the long term as after years of soy-crops those plots become barren. Sometimes, single communities find themselves literally surrounded by extensive soy-monocultures, with airplanes spraying dangerous pesticides over their heads as further pression to abandon their lands (Glauser 2009).

I suggest that this sort of economic context that I tried to describe already posits these indigenous communities in the Tekoha Guazu way down on the power-relationships, and as FPIC should be an effect of sovereignty, it would seem to follow that there cannot be any FPIC as long as these conditions affect the communities, posing them under coercion.

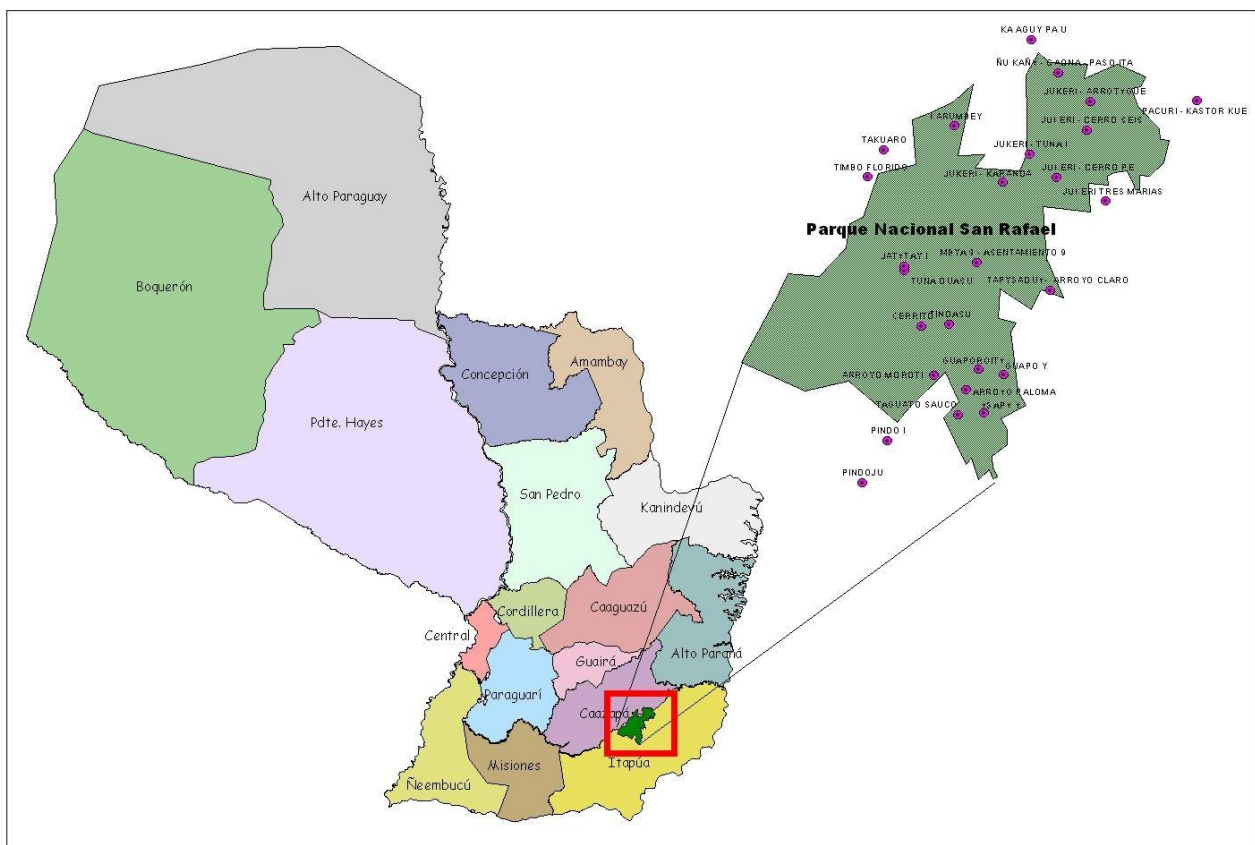
Mbya-Guarani's Tekoha Guazu and the mapping project

32 <http://ea.com.py/bartomeu-melia-el-cultivo-de-la-soja-es-uno-de-los-rubros-mas-improductivos-para-el-bien-del-pais/>

33 See: <http://ea.com.py/la-injusticia-fiscal-atrapa-a-paraguay-en-la-pobreza/>

34 <http://lenguaguarani.blogspot.no/2010/05/cambio-climatico-los-mbya-guarani-en-la.html>

The goal of the project of Alter Vida is the conservation of the Tekoha Guazu. This because the area is the traditional territory of the Mbya-guaraní people and its protection is the guarantee for the continuation of their life and livelihoods. Also, the Parque San Rafael is important for its function, as being richly biodiverse and threatened ecological it offers lots of environmental services, therefore Alter Vida would like the to show to the government specifically, SEAM, that these reasons justify the purchase by the state of this area. One instrument to do this is also by proving through the mapping of the area that the Mbya-guaran's know their territory and natural resources like species and ecological dynamics, that they have a form of manejo (management) of the use of their territory as part of their culture and that since this is the last forest area of considerable size where Mbya-guaran's live their survival depends on its safeguard.



Conclusion

I tried to show that FPIC's application in Paraguay can not be considered as free insofar as the economic and political context would seem to be exercising some coercion on the freedom of the local population to give or withdraw consent. I would suggest that what is at stake here would seem

to be the issue of sovereignty, meant as the free exercise of control over one's life and resources. I suggest this is a precondition for FPIC's implementation, and in this sense FPIC would work as an effect of sovereignty.

The economic and political context of the Tekoha Guazu seems to be marked by a structural violence that even obliged indigenous leaders to call for intervention of the army, as they see themselves surrounded by well-armed illegal loggers backed up by local police and politicians, and the big land-owners.

I have quoted from a similar case in Colombia (Rodriguez-Garavito 2010), I argued that FPIC's application here, contributes to provide people with an image of order, a depoliticized space for collaboration among generic stakeholders (*ibid.*), while it masks a situation marked by violence and poverty in which people face continuous confrontations with illegal loggers, often heavily armed, and the shrinking of the natural resources indigenous livelihoods depend upon.

Chapter 3 FPIC and nature/culture divide

Introduction

Initially, I stated that in order to study the implementation of UN-REDD in Paraguay, the main focus of my research will be the challenges of FPIC's application, as precondition for UN-REDD. In Chapter One, I questioned the “free” nature of FPIC because I tried to show that the consent is not really “informed”. While in Chapter Two I tried to show how FPIC is not free because of the economic and political context, i.e. the lack of sovereignty that makes that FPIC is not entirely without coercion.

But what is indigenous sovereignty further based on? And what is the relationship between FPIC, indigenous agency and nature/culture divide? I argue that in order for a FPIC to exist and an indigenous sovereignty to be acknowledged, one has first to acknowledge indigenous peoples' rights, and even prior to this, indigenous people's existence. I further argue that discourses of nature/culture divide and the acknowledgement of indigenous agency form a base for either misrecognition or recognition of indigenous sovereignty, and this applies both for the ancestral indigenous lands in the interior as well as for urban centres.

Missing the people for the forest

As I tried to show, there are different visions regarding what nature should be about and how its management should be regulated. Concerning this, environmental anthropology has focussed on, as well as questioned, the nature-culture dichotomy, which might be defined as 'a conceptual separation between categories of nature like wilderness and parks, and those of culture, like farms and cities' (Dove and Carpenter 2008: 2-3). It would seem that one underlying assumption following from this dichotomy is that “culture” necessarily degrades “nature”, since the presence of people constitute a threat to nature. As this narrative of nature-culture dichotomy underlies much conservation and sustainable development policy, it has had damaging political consequences for people inhabiting the real world (ibid.). Infact, the lack of recognition of the indigenous presence, due to this idea of a nature devoid of human presence implied in the nature-culture dichotomy, has lead many conservationist agencies to throw out in many cases indigenous peoples from their own territories (Colchester 2004; Schelhas 2001). Glauser quotes Dowie that refers to these victims of expulsion due to conservation programs as “refugees of conservation”, and states that according to

UN they amount to five-ten millions worldwide (2009: 107).

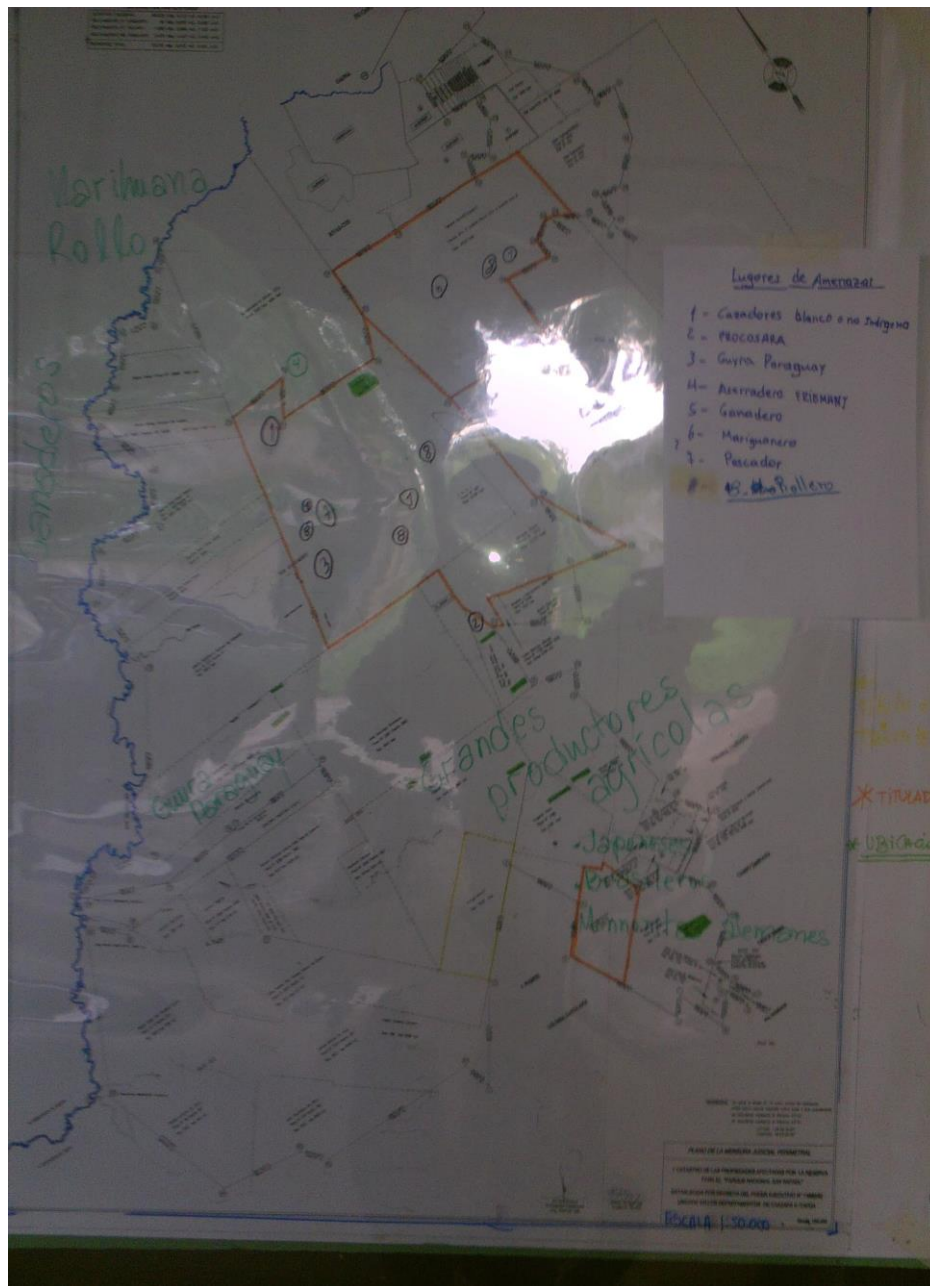
It would seem that a similar human-nature divide has been present, at least initially, in REDD narratives, which provide different imaginaries and narratives of nature and society according to the different social actors involved, i.e in short: for policy-makers, national governments and bureaucrats nature is seen as 'wilderness, for ngos nature is 'populated' and it is also thanks to their struggle that FPIC was later acknowledged, while for local populations and indigenous peoples there is a mutual interconnectedness of humans and 'nature' (Howell in press).

Infact, Howell quotes the example of an Indonesian ngo according to which the “worst scenario” for a REDD project would be like “[if]a spotlight will be turned on...the communities, they will be judged to be a threat to the conservation of carbon stocks, and, lacking formal rights or organizations to represent them...excluded from their lands and livelihoods” (in press: 10).

Listening to some Mbya-Guaranìs, I heard that there is a private sponsored REDD project, the Paraguay Forest Conservation Project, by the Paraguayan ngo Guyra Paraguay in the La Amisted area in the Tekoha Guazu. In this area some Mbya-Guaranìs families are currently living in voluntary isolation. Guyra Paraguay prohibits local Mbya-Guaranìs from hunting, as it declared the whole area as natural area, and the ngo employees even came to the point of confiscating their food, thus submitting to the above mentioned nature/culture divide and failing to acknowledge indigenous sovereignty, as well as their own wish not to be contacted since they are considered to be in voluntary isolation. In this way, it would seem like they violate the laws of UNDRIP that prevent companies, ngo etc. from implementing activities in areas like this where indigenous peoples are in voluntary isolation. In spite of this, the project received a validation assessment by Rainforest Alliance³⁵.

In the photo that appears in the following page there is one of the many preliminary maps elaborated during Alter Vida's mapping project together with the Mbya-Guaranìs. The map shows all the lugares of the amenazas (places containing threats) within the Tekoha Guazu, listing the following threats: 1. Cazadores blancos o non-indigenas (“white” hunters or non-indigenous). 2. Procoosara (an ngo) 3. Guyra Paraguay 4. Aserradero (sawmill) Friedmans 5. Ganadero (rancher) 6. Marijuanero (person growing a field of marijuana 7. Pescador (fisher) 8. Rollero (illegal logger).

35 http://www.rainforest-alliance.org/sites/default/files/climate_project/Guyra-Paraguay-CCB-valid-10.pdf



This privately sponsored REDD project that I was referring to was criticized by many ngos as well as Friends of the Earth Paraguay underlining how the process of FPIC was largely ignored, as considered supposedly too much time-costly and would thus delay the decision-making schedule for the implementation of REDD (Foei 2010: 17-18). Thus, as shown in Chapter Two, it was employed the excuse of urgency for environmental preservation at the expenses of the indigenous population, which implies a nature-culture divide where nature, the Atlantic Forest, is given priority at the

expenses of a specific culture - Mbya-Guarani's own- whose presence is deemed to be detrimental to the former.

Glauser links such conservationist agencies to the sovereignty issue and flow of transnational capitals: he states that Guyra Paraguay amongs his donors figures Conservation International, which in turn counts among his donours companies like Monsanto, Cargill, British Petroleum, Bunge Limited, Rio Tinto, to name but a few (2009: 107-108). Paradoxically, many of these are the same companies that through soy-agrobusiness are causing deforestation or that through oil and gas prospects might endanger the environment. Glauser states further that Guyra Paraguay owns a total of 24.000 hectares in Paraguay, and 6.757 in the Tekoha Guazu and that Guyra Paraguay supports soy-producers with its membership to the Round Table of the Responsible Soy. Also, Guyra Paraguay supports the use of GM-seeds as they state that by improving soy-production they would allegedly slow down the pression of the advancing of soy-cultivations (ibid. 107-113). To this, Glauser adds the case of the Fundación Moisés Bertoni that dispossed the Ache-Guayaki and Avà-Guarani of their traditional territories by establishing the Natural Reserve of the Bosque Mbaracayù, whose among the signatories for its creation appears also the Paraguayan representative for UN (ibid. 110-111). This in spite of the fact that the Avà-Guarani community even offered itself to cooperate with the Fundación Moisés Bertoni for the protection of the forest providing that their own right to land and sovereignty will be formally respected (Ramírez 2004: 452).

Another case involves the Alécrin Mbya-Guarani community, passed the border in Misiones, Argentina, where the Mbya-Guarani signed a note to Rainforest Alliance denouncing how the company Alto Paraná practices “reforestation” with pines after having illegally deforested their native forests³⁶.

Nature/culture divide and citizenship

Still as late as 1875, the naturalist Balanza had to ask for permission to the *mburuvicha* (i.e. Mbya-Guarani political leader) called Arapoti Ju, of the Teko'hà de Mba'é Verà, in order to get access to his territory to conduct botanic studies in forests of Caaguazù, Caazapà, and Alto Paraná (Astre 1947, quoted by Chase-Sardi 1992: 44). Although at that time FPIC did not exist such as we know it today, the indigenous presence in those territories was de facto acknowledged and had to be dealt with. Dealing with an indigenous political leader was a precondition to access those territories.

36 Superficie: http://revistasuperficie.com.ar/index.php?option=com_content&view=article&id=720%3Acomunidad-mbya-guarani-de-alecrin-denuncio-impactos-de-alto-parana-sa&catid=26%3Aano-a-la-certificacion-a-apsa

Conversely, as for the mis-recognition of indigenous sovereignty, I would suggest that because of specific discourses related to the nature/culture divide, to conceive a natural area as a natural park devoid of human elements, is not only to fail to acknowledge the “*other*”, the indigenous presence, but also failing to acknowledge indigenous sovereignty/self-determination and indigenous peoples as, at least formally, an “Other” having equal legal rights, as well as social and legal actors with agency in relation to “more significant others” and right to FPIC.

As I tried to show previously, what makes nature to be a contested territory is the acknowledgement that there may exist different social actors with different claims of control and sovereignty over it, possibly with contrasting ideas about nature and culture, denying this would seem to be like acknowledging only discourses about a view of nature as necessarily devoid of society/culture.

Here I wish to link this mis-recognition of indigenous sovereignty by touching on the relationship between citizenship and rights. Brandtstadter, Wade and Woodward refer to what they call the myth of the 'encumbered self' as evoking a unitary political subject whose rights were derived not just from the state or other law-making institutions, but extrapolated from self-owned 'freedoms', i.e. from human self-actualization as a self-governing, economizing, and self-sustained individual (2011: 2).

But while in the context of classic liberalism this 'uncumbered self' as natural human or 'normal citizen' was thought to be 'culture blind', Brandtstadter, Wade and Woodward argue that culture(s) was always part of these liberal regimes through somewhat negative connotations. Infact, opposed to this idea of the so-called “normal rational citizen” mastering control over himself in society, there were for example those excluded from the right to vote, i.e. gender, as women were too often deemed as irrational and passion-driven, and ethnicity by excluding of the coloured and the indigenous (ibid.). Similarly, Escobar refers to how the “coloniality of nature” located certain natures (colonial and third world natures, women's bodies, dark bodies) outside of the male Eurocentric world (2008: 121).

For example in Peru, the distinction between citizen and native was integral to the discursive construction of the Amazon as an empty space to be incorporated as well as 'civilized' through the settlement of non-indigenous Peruvians and the exploitation of that region's resources for the benefit of the national economy (Grillo and Sharon 2012). Similarly, Blazsr reports how the Paraguayan government promoted European immigration and colonization of Chaco through foreign companies and entrepreneurs in order to achieve “progress” for the country and how

Europeans imagined those “indians” inhabiting Chaco as nature-like entities that thanks to Europeans would later be uplifted toward civilization (2010: 51- 56).

In Chapter Two I mentioned the frontier areas, Stunnenberg mentions the frontiers as pivotal for the colonization and the socio-cultural, economic and specially territorial incorporation of the Gran Chaco, and distinguishes between frontiers of exclusion and frontiers of inclusion depending on whether the indigenous populations participate in the region's social, cultural and economic development or whether they are excluded from it and persecuted (1993: 26-33).

A similar situation of denial of the indigenous sovereignty occurs as well in other cases in Ecuador among the Kichwas and the Sarayakus, and in Colombia among the already mentioned Embera-Katio', where a legal conception of monocultural citizenship would seem to deny and make invisible the “*otherness*” of indigenous peoples, as well as the acknowledgement of the right of indigenous peoples to a FPIC (Antuash Tsenkush 2009).

Duckworth reports of how a past of invisibility, concealment, marginalization and dehumanization created the bases for shaping later claims for the already mentioned “*Frame of Dignity*”. She quotes Kidd on how, until 1970, even the act of killing an indigenous person was not considered a crime; and how prior to this, atrocities including torture and maiming of indigenous people resulted in indigenous communities being obliged to live concealed in the forest (Kidd quoted in Duckworth 2011: 112)³⁷. Later, following the ousting of Strossner's dictatorship, indigenous leaders tried to get out of their concealment and assert indigenous communities and their identities both as at once distinct and Paraguayan (Ibid.: 99).

This misrecognition/recognition of indigenous peoples as legitimate interlocutors is a relevant point for the so-called emancipatory effect of FPIC (Rodriguez-Garavito 2010), in which different social actors should be supposed, instead, to get to know and be socialised into each other through the common and (supposedly) equalizing language of law offered by FPIC. Here there is no “absent other” far out in the forest, concealed, made invisible and mute, but there is supposed to be an on-going dialogue with the indigenous counterpart in the context of consultations.

Missing the indigenous presence

While I tried to show how the nature-culture dichotomy is implied in environmental discourses, there has also been a gradual shift towards the inclusion of the human element in nature discourses.

37 See also Arens (1976) on the persecutions of indigenous peoples in Paraguay

This can be exemplified by a brief overview of WWF's history: this organization initially focused only on endangered species, while later – pressed by criticisms for its narrow approach - changed its name into World Wide Fund for Nature, then in the 1990s changed its mission into “Stopping the degradation of the planet’s natural environment and to build a future in which humans live in harmony with nature” (Howell in press: 16). Harmony with nature is also referred to by Frotvedt when referring to images of Ayoreos in Cuyabía seen as “forest people” (2012).

I remember that my colleague at Alter Vida, Chala, once while we were sitting in Alter Vida's office, told me that we were actually sitting in the *biodiversidad* (biodiversity) section, and it had only been since few years they started having also “*en enfoque socio-ambiental*” (a socio-environmental focus). In fact, Chala himself exhorted me to interview the WWF, since the same applies for them as well.

Also, I remember that while in Ka'aguy' Pa'u', at the conclusion of the two-weeks long work together, another colleague, Victor Pe', excused himself to the representatives of the different Mbya-Guaraníes on behalf of Alter Vida, because Alter Vida – he underlined – is not an *organización indigenista*³⁸, rather an environmental organization with a socio-environmental focus, and as such, he said, they are still trying to learn about how to deal properly with issues also related with indigenous peoples.

I tried to show how the idea of citizenship would seem to have already implied in itself a nature-culture dichotomy. Extending on this, I wish to underline how the concept of citizenship seems as well to be tightly related to the word “city”: in fact, another effect supposedly implied in the nature-culture dichotomy is that it makes it seem as common sense that the so-called “real nature” is not to be found in the city (Dove and Carpenter 2008: 2-3), and I argue that since, as I tried to show, indigenous peoples become 'naturalized', for example as “the forest people” – thus fixating them into the nature side of the nature-society dichotomy – it follows that 'real indigenous peoples are not be found in the city' either, but within a nature or wilderness situated “out there”, at distance from society's and urbanites' point of view, far in the Chaco or in the forests of the Tekoha Guazu.

As I tried to show, the process of dispossession described by Glauser (2009) leads to a poverty-cycle, where people gradually see themselves obliged or pressed to leave the countryside for the urban centres. This concerns peasants as well as indigenous communities.

38 In Paraguay *indigenista* is the label given to non-indigenous individuals, organizations or institutions (governmental or not) concerned with indigenous peoples' issues (Blaser 2010: 248)

I would suggest that also here discourses on nature culture/divide affect indigenous peoples as they affect their recognition or mis-recognition by different significant others.

Miguel Palacin Quipse of the Coordinadora Andina de Organizaciones Indígenas (CAOI) once defined indigenous peoples as “*climate refugees*” due to the loss of water and biodiversity in reference to the Andes³⁹. In Paraguay, indigenous peoples find themselves in a similar situation.

Mbya-Guaranis are traditionally used to mobility, but in this case structural conditions force them to move to the cities. My informant Caballero of the Service of Help to the Indigenous (SAI) told that me that in the city they harbour into a completely new environment in which often they have to struggle with lack of work, of a family network, poverty, violence, criminality, child prostitution, sexually transmitted diseases, drug abuse etc. In this sense, the city epitomizes the very last outcomes, the last phase, of the process of dispossession I described.

Mbya-Guaranis began moving only since few years from the departments of Caaguazú, Guairá, Caazapá, Concepción, Canindeyú, Alto Paraná and San Pedro to the cities of Asunción, Central, Caaguazú ciudad, Coronel Oviedo and Ciudad del Este⁴⁰.

But if indigenous peoples are commonly associated with marginal areas as the Tekoha Guazu, what happens to the indigenous identity once they move to the city? Do they stop being “indigenous”? Through interviews with SUNU, an indigenist ngo running projects with indigenous communities in urban settings, I found out that many indigenous communities keep struggling to uphold their identity even in the city, in spite of having to endure and adapt to many hardships⁴¹. In one case, near the city of Encarnacion, I was told that they even re-constructed a “*Opy*”: while I stayed in Ka'aguy Pa'u, I was told that the “*Opy*” is “as a native church”, and it is the only place where they explicitly forbade me to access, as it is off-limit to foreigners. In other words, the “*Opy*” is central to Mbya-guarani' identity (see also Díaz-Ambrona Moreno 2011).

However, while racism against indigenous populations seems to be widespread in Paraguay (Duckworth 2011), in the urban centres this assumes a defined character. I was told by an employee of the ngo SUNU that out of the projects they were running it resulted that indigenous communities living in urban centres end up being discriminated three times, and somehow differently than elsewhere. In the first place, he said that urban indigenous communities are discriminated by people in general on the streets, secondly by Paraguayan institutions according to which once they leave their ancestral lands they stop existing and last but not least by traditional indigenous communities

39 <http://www.un-ngls.org/spip.php?article3893>

40 <Http://www.ultimahora.com/notas/609668-El-via-crucis-Mbya-Guarani>

41 See also: <http://www.ultimahora.com/notas/601828-Indigenas-que-viven-en-Ciudad-del-Este-mantienen-realidades-opuestas>

still living in their customary lands that consider them as no longer “indigenous”.

In this sense, indigenous people walking in the urban centres are even more invisible and not acknowledged by any other formal grouping. Even when I myself was in Asuncion, setting ready to prepare to set out to go to an indigenous community, “out there” far away in the Chaco or in the forests of the Tekoha Guazu, I forgot just how often I came across indigenous peoples selling handicrafts at many a corner and street in the centre of Asuncion, or in protest occupying permanently the central Plaza Uruguay or arranging streets blockades, camping with tents and pots in front of INDI's offices.

Eventually, I might have come across and seen randomly more indigenous peoples in total in the centre of Asuncion, rather than in Ka'aguy Pa'u' or in the Chaco Region, paradoxically.

While eventually the land-plots they leave behind often turn into the homogenous landscape described previously of soy-monocultures and ranches that extend over the horizon.

Conclusion

In this chapter, I suggested that discourses about the nature-culture dichotomy could form a base for either recognition or mis-recognition of indigenous sovereignty. I tried to suggest that the way nature is talked about can influence the visibility of indigenous people and therefore the application of FPIC.

I examined three aspects of this dichotomy. First, the nature-culture implied the assumption that the human presence necessarily degrades nature, and thus nature conservation discourses led to the expulsion of many indigenous peoples - therein their “mis-recognition” - and I tried to show how this applies to a ngos' REDD-project in the Tekoha Guazu, thus missing the indigenous people for the forest conservation. Second, it would seem that “naturalizing” the vision of indigenous peoples as leaning towards nature within the nature-culture dichotomy was embedded in the idea of citizenship and the so-called encumbered self as self-reliant vs. the nature-like-entity Indian lacking self-ruling capacity. With examples from Peru and Paraguay, I tried to show how this vision legitimized discourses about the construction of the forest space (nature), as an empty space to civilize and colonize, in order to achieve progress and national economic development; thus missing the indigenous sovereign citizen for the empty nature to exploit. Third, I would suggest that fixating indigenous people to nature as “the forest people” in marginal forest areas with or without the recognition of their rights, risks the backlash of making invisible and (re)producing the mis-

recognition of those indigenous communities that moved forcibly to urban settings because of a poverty-cycle as shown in the case of Paraguay.

I would suggest these ways to see nature, influence the visibility of indigenous peoples and this affects also the sovereignty they enjoy and therefore ultimately also the process of FPIC.

Chapter 4 The coup d'etat

Introduction

Here I intend to show how issues relevant to the FPIC process within UN-REDD such as sovereignty, the dispossession of Paraguayan resources for the benefit of foreign companies as well as the access to information and to visibility were epitomized during the protests which occurred in Calle Alberdi in the aftermath of the parliamentary coup d'etat in Paraguay.

In that road, I met incidentally many of my previous informants, and the wall in and around Calle Alberdi came to be a meaningful contested space for people to voice out their protest regarding the lack of sovereignty of taxes on those profits coming from soy and meat production.

In the course of this thesis I framed some of my arguments visually through the use of references to maps and objects like trees or land-titles documents. Here, I intend to employ some street art graffiti and writings from the street protests following president's Lugo destitution, in addition to interviews from my informants.

The coup and Calle Alberdi

In Chapter One, I mentioned how the Paraguayan state is marked by institutional weakness and internal divisions. Comaroff and Comaroff refer to a metaphorical link between architecture and law describing the dividing line between the rule of law and lawlessness. They quote both Arendt on how, in classical Greece, laws were like the wall around the polis as well as Hobbes, for which laws are the walls of government and nations. Postcolonies, they write, appear to be composed of zones of civility joined by fragile corridors of safety in environments otherwise presumed to be literally out of control. These zones constitute the “walled” spaces of sovereign legality in the patchwork geography mapping out the dialectic of law and order in the postcolony. This patchwork, at once ordered and unruly, is always at risk of implosion (2006: 35). I would suggest that this implosion is what might have happened when the Congress of Paraguay with the votes of the Liberal and Colorado parties directed an impeachment against Lugo the 21st of June, a fact that many refers to as a *juicio politico* (political judgement) in order to put in effect a parliamentary coup d'état. The background for the impeachment were a shooting between farmers and policemen in Curuguaty that occurred some weeks before the coup. Lugo argued that he lacked due process, since he had had but two days to defend. While Lugo accepted the impeachment, he together and

other Latin American states condemned it as a coup d'état.

Here my intention is not to account for Paraguay's political context concerning the coup d'état, rather to connect this event within the context of the issues of access to information and visibility, participation and sovereignty that I mentioned in the previous chapters.

Saturday 23rd of June while home, I suddenly heard sounds coming from the outside, which I soon realized to be coming from a crowd screaming out some slogans, although I could not understand what they were saying. I went down the building and headed towards the direction the voices came from. I had not to walk longer than 400 meters to Calle Alberdi, between General Diaz & Haedo, only to find out that a crowd of people gathered in front of the seat of the “*TV Publica*”, the national public television of Paraguay.

Initially, I was not very surprised to see this, as this occurred only one day after the state overthrown of president Lugo, so I was expecting more mobilization and turmoil to happen in the coming days. When I was there I met many people that I had met previously that were protesting in the square in front of the parliament, when the state overthrown occurred.

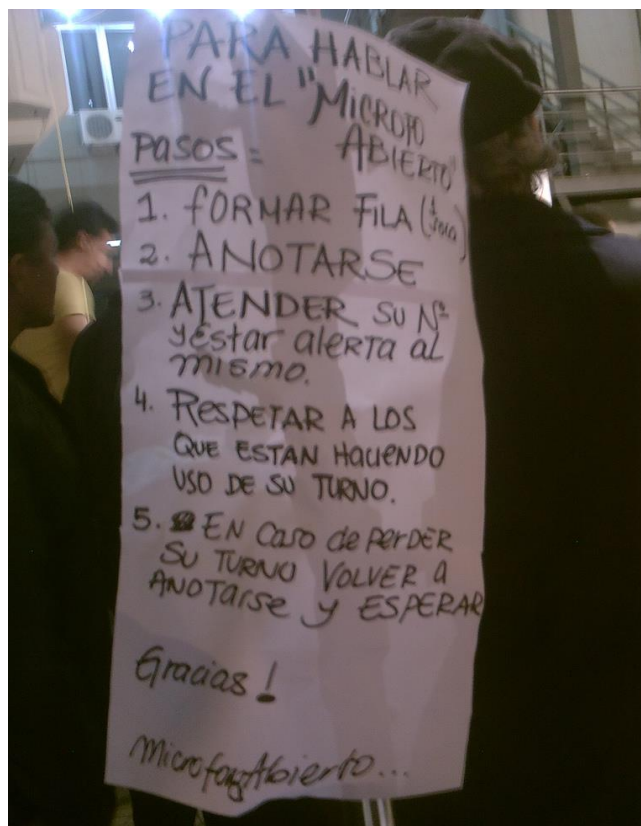
Claiming visibility and access to information

I was explained that people gathered there as soon as they heard news that officials of the new government responsible for the coup d'etat “invaded” the public television with the intention of closing down the programs, specially the program “*Microfono Abierto*” (open microphone). Until then, I did not know about this program, and this was the same program broadcasting live from the protests in front of the parliament the previous days. Therefore the attempt of closing it, was perceived as an attempt of censorship by people in Calle Alberdi, whose goal was to fight against censorship and protest once again against the coup d'etat, so they settled there in front of the seat of the channel in Calle Alberdi. Given the pressure and the attention by the international community, the new government had no choice but to give up and let the program broadcast on air. People reported that while most other private medias “naturalized” the coup d'etat and this shun for democracy, this channel remained the only space where citizens could express their contempt. The protest in Calle Alberdi became a week-long street occupation (23-30.6.2013). People slept there with tents, materasses and covers, opening the road for cars to pass during daytime and closing it again at night. Also, they put up a stage where different artists performed. One of those days also the previous president of Paraguay Lugo showed up and gave a speech in front of the Public Television building.



(the camera of microfono abierto used that night)

This program was called abierto (open), because it gave the possibility for everyone to stand in front of the microphone and say anything they wanted. The Tv Publica and this program was said to be a proud achievement of the last government, they used to place that microphone in different places and let people talk.



(In order to speak at the "Microfono Abierto". Steps: 1. Form a queue (one only) 2. Note down

your name 3. Wait for your number and stay alert for it 4. Respect those who are making use of their turn 5. In case you lose your turn, go back to note your name down and wait. Thanks! MicrofonoAbierto).

There in those days, I met randomly many people I had previously talked with through interviews, people from ngos, from ministries of the government, from the church, friends and colleagues from the ngo where I was doing my internship etc.

While chatting with people, I could not but see how the street itself was being appropriated and transformed both physically and metaphorically as medium for people to express themselves.



(squares = expression; fences = repression; NOT prohibited putting signs)

People used the walls, the pavement, signs, and flags for political slogans creatively, and they often targeted private newspapers and media, as they were said to provide wrong and partial information

and use it as political tools.

These slogans written on walls is like if they epitomized topics that were further echoed later, and I have seen some of them going through changes over time. I have come across someone who began writing the following sentence on the wall and it was completed shortly after, just as many other graffiti and writings mushrooming on those walls overnight.



(The commercial medias provide dis-information and they steal our right to communication)

Infact, I took this picture one of those days, and I was surprised when later in September 2012, I found the same pictures by chance on the internet, and in paper as well, being employed by a review:



(“The commercial medias give wrong information and steal our right to communication... But they

will not succeed in making cease the debate of the citizens” (Acción 2012)

I suggest that in this way the picture underwent different changes that witnessed the political unrest, as if it worked somehow like an informant that was later put in dialogue with, and informed, the editors of that review. In fact, in that review's editorial, they target the communication media through which business is made, writing that the state is co-opted and the public opinion anesthetized and they report on how the coup came to undermine the [contested] space of *participación ciudadana* (citizens' participation) which people came to defend by taking Calle Alberdi in support of the public television (ibid.).

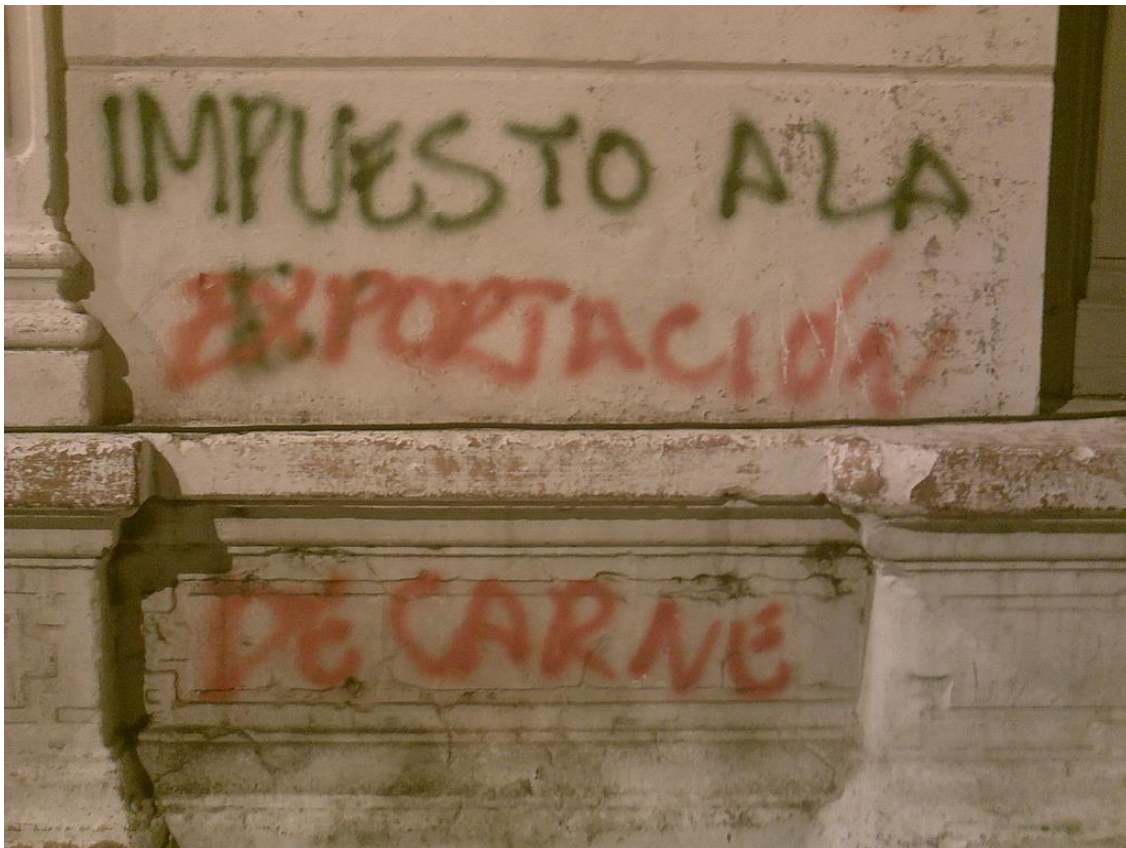
In Chapter Three I tried to show how visibility is somehow being impeded by lack to access to information, for those ngos who do not dispose of websites and lack access to national and international fora, here I have tried to show how medias constitute also a challenge to visibility as well as to the flow and access to information.

I suggest that yet another way in which visibility and access to information was undermined had more of a practical character. When I asked someone in Calle Alberdi, why there was comprehensively so few people protesting and where the people from the interior of the country were, I was told that a lot more people from the other parts of the country had planned to converge to Asuncion to join the protest. However, the problem, I was explained, was not only that buses were expensive but also that bus companies were usually owned or that were giving their support to groups near to the Colorado Party. So that once people would go to the buses for the given day of the protest, the bus drivers would likely reject to drive the protesters all the way to Asuncion, not to question the political orientation of those who control their pay-check. Since people in the interior could not reach Asuncion, I was told that they had made several in-situ road blockades and protests. In this sense, I argue that the impossibility of people to be physically carried to Asuncion in order to voice out their claims reflects a factor undermining the visibility of their claims.

Claiming taxes on capital transfers

Among the things people wrote all over the streets, besides slogans about the coup d'etat, I was surprised to see many topics related to my own research. While I thought that issues like the one of sovereignty were discussed only at the academic level, I found out instead that they were well into people's awareness and they put them side-by-side with the current political events of those days. In fact, one example is the topic of the low taxation on the main economic activities in Paraguay and

how this may affect the country's sovereignty and its population – as mentioned in Chapter Two - and I was surprised to see written on the walls that people protesting on the streets as well claimed harder taxation on the agrobusiness connected with meat and soy production.



(tax on meat export)

As described in Chapter Two, most of the income generated by this business does not stay in Paraguay but goes abroad. Up to 20% of the Paraguayan territory is in the hands of foreign entrepreneurs. For them investing in Paraguay give the special advantage given by the facts that taxes are extremely low or almost non-existent. This allows for big gain for those who decide to invest in Paraguay, convertly the state and the local population see little or no gain from this business. In other neighbouring contries, such as Argentina and Brasil, taxes are much higher. This means that investors are doing in other words what they could not do elsewhere, while the state is to weak to intervene.

This relates to UN-REDD and FPIC as it is connected with the issue of sovereignty, as I have tried to show previously in Chapter Two. In previous chapters I tried to show how different ngos compete with each other in order to obtain more visibility as well as access to national and international fora and how nature and territory arecontested spaces.



(tax on soy-production)

Here I intend to show how also walls become contested spaces for visibility of political expression. In fact, another issue that I was surprised to see mentioned throughout the walls of Calle Alberdi is the one about sovereignty, an issue that I have seen debated in books and articles about Paraguay and that I was thinking to use for my research. In the following picture the author of the graffiti is referring in particular to the energetic sovereignty: Paraguay has the second biggest dam in the world and could have been a country independent from the point of view of energetic resources, if it had not been for the fact that because of an agreement signed under Strossner, Brasil is buying cheaply most of the energy produced by this dam.



(energy sovereignty – Taselli is taking Acepar – ABC is lying)

This graffiti specially refers to the case regarding Caselli, the director of the national energy company of Paraguay Acepar, since he was under trial for corruption for having made the company fail in such a way as to eventually benefit companies from Argentina.

“ABC” is the name of a national Paraguayan newspaper who is accused by the protesters not to give neutral information and to be against the government that was the object of the coup d'etat.

I argue that what makes that wall a contested space, is the fact that ironically on the red ink of the graffiti it has been put a stick of a political add for the next elections, the stick is about a candidate, Oscar Esquivel, from “los liberales”, one of the same parties responsible for the coup d'etat. So, on one and the same space of the wall it can appear a political graffiti protesting the lack of sovereignty, as well as a political ad from one of the parties that made the coup d'état, a coup d'état that can be ultimately reconnected to those economic forces undermining political sovereignty, a shown in Chapter Two.

Whose sovereignty?

I tried to show how the protesters in Calle Alberdi made reference to the issue of the lack of taxation of the agrobusiness and the lack of national sovereignty.

However, as shown in relation with the wall as a contested space where different political claims are voiced, discourses about sovereignty became also a site of contested political claims.

In fact, shortly after the coup d'état various international organization as well as Latin American states distanced themselves from the new government either by not recognizing it or by isolating Paraguay politically.

Concerning this, the anthropologist Glauser observed how different groups talked about sovereignty and self-determination in order to provide legitimacy to the new government that took power through a parliamentarian coup d'état, and that basically represents the interests of the of agrobusiness export-sector connected to the big multinationals, which have themselves undermined Paraguayan sovereignty for years (2012)⁴². Glauser goes on describing the issue of sovereignty (ibid.), as I tried to show in Chapter Two. In this way, discourses on Paraguayan sovereignty were monopolized so that paradoxically those new political forces backed-up by a system that undermined Paraguayan sovereignty would now readily employ discourses on sovereignty appealing on nationalistic feelings to label internal or external protests as “threats to Paraguayan sovereignty”. For example, the new government when difending Paraguayan sovereignty in order to

42 <http://www.sinmiedoapensar.net/news/%C2%BFque-soberania-defendemos-/>

legitimate the coup d'état, appealed often to the War of the Triple Alliance, which in the Paraguayan imaginary evokes feelings of unity and patriotism in spite of external hostility.



(farmers and indigenous peoples against the coup d'etat)

Infact, there were also representatives from indigenous organizations that came to Calle Alberdi to protest and show their voice, included Rachel Peralta, president of the christian indigenous organization Conapi (also called Pastoral Indigena). I met also representatives from the ngo SUNU. Amongst other things, they told me about how in the last six months, concerning FPIC, the government had made huge steps to include indigenous peoples actively in the decision-making. He described this as an active process in which in the last months it had been done what has not been done in years, and he said that all this will come to an end with this coup d'etat. His words were echoed also by FAPI, whose repressmentatives I met as well randomly in Calle Alberdi. They released a statement on the current political situation where, besides claiming respect for indigenous peoples, amongst the other things, they also expressed concern for the serious democratic crisis in Paraguay that they experienced as an abrupt and traumatic process⁴³. While, the organization of indigenous and peasant women Conamuri went further and published an article where they

43 <http://www.forestpeoples.org/topics/legal-human-rights/news/2012/07/fapi-statement-current-political-and-social-situation-paragua>

denounced the coup d'état and how on the one side the promotion of sovereignty appears in the medias as well in the official discourse as a symbol for the new government, while on the side what Conamuri calls the authentic sovereignty – food, territorial and energetic sovereignty – is being handed over to the market and sacrificed to multinationals like Monsanto and Rio Tinto Alcan (Conamuri 2013: 15).

The Argentinian anthropologist Melia studied for a long time indigenous peoples in Paraguay and he said that he was himself in front of the Parliament the 22nd of June when the coup occurred and the police tear-gassed people. He stated that among those responsible for the coup there is Monsanto with the goal to secure a backward model of development for the country and to benefit soy-producers (Melia quoted in La Capital 2012)⁴⁴.

The political turmoil affected also my interviews schedule as the week after the coup d'état, when finally I managed to get an interview with a representative from INDI - as I tried many times to contact the INDI's president, but I was always said he was too busy – I was told I was not allowed to get the interview, at least that day, because of the political turmoil. Also, other people that I had to interview in those days said they would prefer to meet another time because of the current political situation.

Conclusion

Here I provided an account of how the street protests in Calle Alberdi epitomized many of the issues I mentioned previously - specially in Chapter One and Two - regarding the lack of sovereignty and the access to information and visibility. Although, if before I mentioned them in a micro-context or in a general economic sense – i.e. when I explained how the economic context exercised some coercion that undermined how free FPIC really is – in this chapter I referred to how these issues strike back also to the macro-level and I touched more on general political side of participation in Paraguay in the aftermath of the the parliamentary coup d'état in which in the space of two days the previous president Lugo was judged unable to govern for the way he managed the case of the shooting in Curuguaty.

In fact, many of the people that previously informed my research were to be found in Calle Alberdi. This road found itself in the position of representing the stage of a protest because it hosts the seat of the national public television, introduced by the last government. The coup's government attempted to change the programs of the public television and to shut the program *microfono*

44 http://www.lacapital.com.ar/ed_senales/2012/7/edicion_181/contenidos/noticia_5151.html

abierto, a channel and space for citizenship's participation that after this attempt I argue it became a contested space together with Calle Alberdi. Because in connection with this attempt people gathered to protest in front of the public television and occupied uninterruptedly that contested space of participation for a week, by using those same cameras of microfono abierto to voice out their political opinions. Among those who came to Calle Alberdi there was also unexpectedly the previous destituted president Lugo. While discourses about sovereignty were invoked by the protesters against the new government, the latter later tried to monopolize discourses on sovereignty to silence internal dissent and delegitimize external political isolation and pressure as threats to the national sovereignty of the country.

Chapter 5: Questioning the development model

Introduction

In the previous chapter I mentioned how discourses about the nature/culture divide and the acknowledgement of indigenous agency form a base for the recognition of indigenous sovereignty. Here I intend to focus on the development model by providing further context for how these discourses inform the recognition of cultural rights, such as FPIC, within the context of neo-liberalism, the modern regime of citizenship and transnational environmental discourses. In other words, I wish to provide more context for what might possibly be the situation for UN-REDD in Paraguay taking into account other cases. Infact, as I mentioned in Chapter One, UN-REDD in Paraguay still remains like something that is only talked about in the UN-REDD team, therefore I can only try to look at the context around and the possible implications of its future implementation.

Previously I argued that FPIC's implementation might be interpreted by a development worker as a “1:1 map”, a direct representation or synonyme for social justice and equalization of power-relationships while the lived experiences of those indigenous communities living within those territories that the map of FPIC claims to represent might well suggest otherwise. Similarly here I argue that the recognition of collective cultural rights can go hand-in-hand with neo-liberal state strategies of control and governance with goals of class restoration, capital accumulation, oligarchic rule and risk-securitization. UN-REDD and FPIC’s implementation are not without authorship, but they are often informed by, and later nested into, specific discourses. I wish to deal with some of these discourses as they can help to shed light about UN-REDD and FPIC. Drawing from cases in Peru, I wish to try to show how these discourses help to shed light on the already mentioned gap of perceptions about the recognition of cultural rights between policy-makers and indigenous peoples.

Transfer of energy

In Chapter Two, I showed one of the political consequences of a privately sponsored REDD-project, showing how the nature-culture dichotomy implied by policy-makers – i.e. the way REDD “misses the forest for the carbon pools it stores”- ultimately often leads to the expulsion of indigenous peoples from their territories.

In REDD narratives, nonetheless, there has been a change towards the recognition of indigenous peoples mostly due to pressure from NGOs, Howell refers to the workshop in London called *Rights and Resources Initiative: Supporting forest tenure, policy and market reforms (RRI)* as turning point in this sense (Howell in press). However, she points out that in spite of such noteworthy acknowledgement, 'there are too few indications of a collapse of the conceptual boundary between nature and culture' and that 'the various REDD stakeholders appear unquestioningly to accept that the natural world exists outside and separate from the human world and that what is at stake is the ways in which different categories of humanity act upon it' (ibid. 16-17).

Services of nature

One of my informants working for the Paraguayan government in relation with both PES and REDD mechanisms, described to me the processes through which carbon-value on the market are accounted for and the way nature generously provides material benefits through water, soil, air etc. She used explicitly the expression “transfer of energy”, when trying to explain how, when it comes to energy, nothing is being created and nothing is being destroyed: she described how the energy coming from the sun under the form of rays of light is being adsorbed into the plants, and passing on through similar passages, it ultimately leads to environmental services provided by nature. Also, another informant, the president of FAO in Paraguay, underlined how REDD according to him is more about providing services from nature rather than commodifying nature. Another informant, José, did not explicitly mention the word transfer of energy, but explained the way he did reforestation in a similar fashion. He is the owner of a land-plot in Ybytyrysu and signed a PES-contract. So, he is keeping parts of that area for reforestation, and he explained how the presence of trees is preventing the water resources from leaving that area, as trees attract the clouds that provoke rains, while the roots of all the different trees grounded in the soil prevent the water from getting dispersed. He built a small house in that area where he hosted me, and one day he showed me how he managed to get water from a local spring from the underground to his house by utilizing the natural proclivity of the terrain to make it flow. He then showed me a glass of water coming from there, he put it up across the sunlight and he told me proudly: “Look, at how it is clean and transparent”; as he works as chemist he could assure of its purity and underlined how this was a result of relationships of passages from the rains to the trees up to the spring and finally to that glass. I argue that this resonates with what the other informant called “transfer of energy”.

Similarly, Howell refers to photosynthesis as central process to the idea of nature invested in REDD narratives:

“Photosynthesis is the process that plants (and trees) perform, taking carbon dioxide, water and sunlight to produce energy for the plant and releasing oxygen as a byproduct. Undoubtedly, photosynthesis reduces the amount of carbon dioxide in the air. Conversely, reducing forests and other vegetation will produce a net increase in atmospheric carbon dioxide and lead to global warming. [...] Plants are a ‘sink’ for CO₂ in the environment; trees are ‘the lungs of the forest’. (ibid. 18).

I would suggest that this description resonates with accounts given by my informants about PES and REDD as transfer of energy, that is to say on how the energy pass through different passages through plants and the environment.

Citizenship and environmentalism

I wish now to connect this point to the relationship between citizenship, recognition of rights with a special focus on FPIC, neoliberalism and environmentalism.

As I tried to show in Chapter Three, citizenship is very relevant for indigenous peoples and it can be connected to the issue of sovereignty and to the mis-recognition of indigenous peoples. Practices connected with the securing and undoing of identities may reflect the presence of state sovereignty insofar as the majority of populations usually encounters the state through documents, i.e. identity cards, court papers etc. (Das and Poole 2004: 15), to which I would add land-titles too in reference to the context I have observed in Paraguay. In fact, citizens who lack identity papers are excluded from national society by being prohibited from participating in many arenas (Lund 2001).

This issue with documents and participation is not only connected with the recognition of identity but also to the recognition of land ownership. Frotvedt, draws further from this showing how, for lack of necessary land-titles, the Ayoreo indigenous community of Cuyabia in the Chaco region are kept out of various happenings and participation in forest projects. The possession of documents is thus important, as for the lack of proper documents the poor and the marginalized people can be from the public good of the state (2012: 106).

Once, I was offered to go on a tour visiting the project “Techo seguro” of the ngo Yvy Pora' with Bernardo of Yvy Pora' and a technician that had to instruct indigenous communities on how to build

new roofs for their houses, roofs that ngo was providing them with. The project, in cooperation with the National Secretariat of Housing and Habitat (SENAVITAT) and the Tte. Manuel Irala Fernandez municipality, in the President Hayes Department, included a visit to the municipality, whose representative joined us for part of the trip.

Initially, I was surprised by how much that municipality's representative took care of indigenous communities' own interests, since I used to hear steadily about how indigenous communities had been marginalized and how the Paraguayan state did not really care about them. In fact, as I have mentioned in the previous chapter there has been a long history of marginalization when it comes on indigenous peoples in Paraguay. Although in recent years there has been a growing mobilization of the indigenous peoples.

Skjerping reports the emblematic example of the Guarani Nandeva community of Pykasu that was looking forward for the arrival of fifty guests, among which the minister of SEAM, for the celebration of the termination of an Alter Vida's project. Eventually the result was disappointing, the minister did not come and only three people showed up in an empty parking slot, thus perpetrating a long-standing structural lack of trust in the relationship those Guarani Nandeva have with the state (2011: 125-127). Yet, in the case I observed, I was explained by the municipality's representative that in that municipality indigenous peoples count, especially politically, because it is one of those areas where they constitute, if not the majority, at least relevant segments of the local demographics. In fact, according to national census, the whole President Hayes Department totals one of the regions' highest indigenous population - 20.000 individuals - and in this region out of every ten individuals only seven of them possess an identity card (Atlas Censal del Paraguay 2004: 199). I also observed how often indigenous peoples were exhorted to register themselves to the census through birth certificates and IDs in order to receive benefits from the state, i.e. pensions or special tax-exemptions for indigenous communities. This says something about the relationship between indigenous peoples and the state, about the issue of being recognized through documents and how these documents embody a recognition on behalf of the state.

In fact, I tried to show in Chapter Two how it would seem that implicit monocultural visions of citizenship have been instrumental for the exclusion of postcolonial subjects like indigenous peoples – thus how indigenous “*culture(s)*” were excluded from participation in “*society*” and how this has possibly had consequences for their mis-recognition, lack of sovereignty and how this could indicate degrees of coercion due to the economic and political context that undermines how “free”

the application of FPIC on them could be.

But when 'culture(s)' is incorporated back into 'society', through the recognition of the indigenous peoples as social actors and national citizens, does this necessarily mean an effective recognition of indigenous participation and agency in practice? I would suggest this is not the case, and the already mentioned case of Peru, under Velazco's military revolutionary government, may suggest a possible passage from being considered *natives* (belonging to a culture/expression of particular difference) to being considered *citizens* (membership into society/state as bearers of rights/expression of universal equality): in fact, the shift to the incorporation of Amazonian inhabitants within a regime of Peruvian citizenship underlined also a fundamental mis-recognition that effaced/displaced indigenous subjectivities and ontologies of territory, because of the fact that the government's corporatist idea of citizenship attempted recognition of Peru's heterogeneous socio-cultural landscape, while failing to abandon a homogenous conception of land and territory (Grillo and Sharon 2012: 125). In spite of the fact that a law like the Law of Native Communities did recognize Amazonian communities as collective legal subjects based on communal ties, still - by institutionalizing territory as property, articulated to human subjects through bonds of alienable ownership - indigenous ontologies of environment were subverted and submitted to the rules of a market cosmology (ibid.).

As I tried to show concerning the notion of the 'encumbered self', citizenship, rights and neoliberalism seem to be tightly intertwined (Brandtstadter, Wade, Woodward 2012). Brandtstadter, Wade, Woodward argue as well that official reifications of 'culture', part of the package of the recognition of citizenship, and even the recognition of *cultural* rights, may obey state strategies of governance and control often linked to neo-liberal agendas (ibid. 6). In fact, they argue that in a neo-liberal context the reification of culture considered as collectively shared values does not necessarily clash 'either with an interest in producing self-governing (i.e. disciplined and thus 'free') citizens, nor with the aim of governments to control and regulate populations, nor with goals of class restoration, capital accumulation and oligarchic rule' (ibid. 3, see also Hale 2011).

REDD and the environmental citizen

I would like now to link what I have written about transfers of energy, services of nature in Paraguay with another case in relation to the discursive construction of a so-called "environmental citizen" for a REDD project in Peru, where the issue of environmentalism, citizenship and

neoliberalism are relevant. Concerning this REDD project in Peru, Baldwin and Meltzer refer to Foucault in relation to the idea of the so-called rational-economic citizen that operates as 'an entrepreneur of himself', as concept implied in long-standing colonial projects of improvement and reform and reconfigured according to a neo-liberal/market logic (2012: 35). Explaining REDD-projects to local forests communities is a challenging task in which different ontologies and epistemologies confront one another and in which concepts like photosynthesis and market need as well to be explained (Howell in press: 19). In this regard, Baldwin and Meltzer suggest that the above mentioned new mode of citizenship is pivotal for the geopolitical security, as it is constituted through new responsibilities related to the management of forest carbon as a way to allay uncertain risks of climate change and ensure the circulation of capital, and with it national economic development – including oil and gas development within the region (2012: 32). They argue that this is embedded in a neoliberal logic that aligns the responsible, moral citizen with an economic-rational individual, or homo economicus, with the capacity to manage individualized risk (ibid.). Baldwin and Meltzer argue further that all the monitoring of carbon, and the oversight of preserved tracts of forests required of the environmental citizen under REDD, is critical to the larger network of surveillance required to secure carbon and commodify it. Vigilance through surveillance and local monitoring by environmental citizens is a constant requisite to reduce the risks of leakage. In this sense, environmental citizens help to make visible a forest composed of pools of carbon. Because of this, Baldwin and Meltzer sum up the environmental and the entrepreneurial citizen into what they termed as the “enviropreneurial citizen”. As while before indigenous peoples and that region they inhabit were seen as barriers to national security and development, through REDD they come to be reconfigured as environmental citizens, responsible for managing new risks against the threat of climate change through forest conservation and the circulation of carbon (ibid.)

This could relate to FPIC's implementation in Paraguay as it is yet another example from another country in the South American region concerning the connection between UN-REDD, FPIC and neo-liberalism. Thus, the above mentioned case from Peru relates to FPIC in Paraguay as it questions the nature of the recognition of indigenous sovereignty implied in the acknowledgement of indigenous peoples by official UN-REDD narratives. In fact, the fact that REDD policy-makers were pressed into acknowledging that there is a significant relationship between forests and the people who live and work in them, does not constitute an ontological shift in terms of the perceived categories nature and society as indigenous ontologies and values, which continue to be as alien as before to policy-makers (Howell in press). That is to say that the perceived categories of nature and

society by policy-makers still play a relevant role in shaping their policies.

Transfer of capitals

However, Howell argues that in other REDD narratives 'the social' and 'the natural' lose their autonomy at certain moments and in certain places, although only temporarily, for them to re-establish themselves in other contexts (ibid. 20).

I would suggest that one of these other REDD narratives is the one described by Baldwin and Meltzer concerning REDD in Peru: they also mention the process of photosynthesis, similarly to my informants' description as 'transfer of energy'. But Baldwin and Meltzer frame it as dependent upon the carbon cycle, like a life-giving process, whose perpetuation nonetheless is dependent on the success of REDD. In this sense, they argue that through REDD-policy, at least in principle, there is a deliberate attempt to synchronize circuits of carbon with circuits of capital in name of planetary survivability of life; as they link this to a bio-political discourse of securing life from climate change (2012: 27). However, there are obvious contradictions in the fact that while REDD in Peru's Amazon aims to preserve carbon to mitigate the risks of climate change, at the same time there is an impetus in the development of oil and gas in the Amazon backed-up by official discourses that attempt to neutralize this by stating it is due to local people instead than to private industry (ibid. 34). This resonates with Comaroff and Comaroff stating that 'in the fragmented sovereignties and legalities of contemporary states, legal recognition of rights for distinct cultural groups like indigenous peoples has gone hand-in-hand with new forms of capital accumulation, violence and exclusion (2006: 91).

As I have tried to show in Chapter Three, a similar paradox where the dog bites his tail occurs with the Paraguayan conservationist ngo Guyra Paraguay that while trying to preserve forests, as antidote against deforestation which is an effect of the ecological crisis, Guyra Paraguay ultimately features among its donors those same capitalist companies like Monsanto or British Petroleum that are fuelling that ecological crisis directly on spot.

In this regard, I argue this could resonate with Colchester, who writes that one lesson to be learned on conservancy is that:

"...Decisions about conserving nature are by definition political - they are about the exercise of power in the making of decisions about the use of scarce natural resources with alternative ends. For whose benefit are

resources to be used or conserved ? Who has authority to make such decisions ? Who has the power to contest them ? In whom should authority over natural resources be best vested to ensure that they are prudently managed for the good of future generations? ” (Colchester 1994: 58)

The relationship between neo-liberalism and conservation of the environment is complex and cannot be exhausted here. I wish nonetheless to ground the cases I mentioned with the situations I observed in Paraguay to provide context for the space amidst which REDD will progress in future. I have referred to how this new environmentalistic citizenship would seem to attract transnational capitals (Baldwin and Meltzer 2012: 36) as through REDD-policy there would seem to be an attempt to synchronize circuits of carbon and capital in the name of planetary survivability and life, i.e. enviropreneurial (Baldwin and Meltzer 27). In a context in which people claim more taxes on meat and soy production (see Chapter Four) to catch at least part of those transnational capitals flowing to and from Paraguay they otherwise get virtually no share of, those transnational capitals provided by REDD+ are welcome. For example, when I interviewed Damiana Mann, president of INFONA, she said that whether REDD carbon-market will start or not, it is more important to strengthen INFONA as institution thanks to REDD+ funds, as they need these funds for the forest inventory, the environmental and forest information system, the monitoring system, updating maps of forest governance, human resources, etc.

But the current model of development based on soy-agrobusiness poses a challenge not only for Alter Vida's mapping project, but also for UN-REDD itself⁴⁵: informants at SEAM and FAO referred to me that the carbon-market is still uncompetitive and therefore still supposedly unreliable for a future implementation of UN-REDD in Paraguay. I.e. if farmers had to choose between income derived from REDD-payments or from renting their land-plots to a big agro-business land-owners, the latter would still represent a higher gain of millions of guaranies. Also, according to one of my informants, from the Eight UN-REDD Policy-board meeting that I mentioned in Chapter Three, international REDD-donors seemed less enthusiastic than before in their will of financing REDD. The relationship of UN-REDD with the soy-agrobusiness remains still slightly unclear, as while informants from SEAM and INFONA described the issue regarding the extensive soy-monocultures as problematic in a number of ways and something that has to be dealt with eventually, FAO's president in Paraguay suggested that albeit in different forms, extensive soy-monocultures do not

⁴⁵ One of the few references I could find to private industry within the UN-REDD process in Paraguay appears in the report *Private Sector Strategy for the UN-REDD programme – LAC Regional Outlook* (Burgos 2011)

constitute a problem⁴⁶.

FPIC

As I tried to show in the previous chapters, the construction of a specific subjectivity – the encumbered self and the rational-economic self-governing 'enviropreneurial' citizen – as well as the reification of culture and the commodification of nature would seem to be instrumental for the neoliberal agenda of REDD.

Similarly, regarding FPIC, Rodriguez-Garavito draws from Comaroff & Comaroff's term *ethnicity.inc* – the process of cultural commodification of identity through the projection of the entrepreneurial subject onto the plane of collective existence – in order to coin the term *ethnicity.gov*; by which, he indicates the projection of the neoliberal legal subject into the plane of collective rights, thus concerning a collective legal subject whose two fundamental (neo)liberal rights are recognized: freedom of contract and due process. Within the processes of *ethnicity.gov*, in line with the liberal fiction embedded in institutions of freedom of contract and due process⁴⁷, it is therefore assumed from the outset that the ethnic collective legal subjects (i.e. indigenous peoples) is on a level playing field with the other subjects participating in consultations and negotiations (2010: 13-16). But as I have tried to show in the previous chapters, in the local contexts I studied in Paraguay ethnic collective legal subjects do not seem to be on the same level playing field with other subjects, rather they situate themselves at the lower end of actual power-relationships.

Communication among “incommensurables”

As I have tried to show, the transfer of energy and carbon would seem to run side-by-side with the transfers and circuits of capital. These are two categories that within a classic nature-society dichotomy would otherwise repulse each other as opposite magnets, and in this sense, I argue that they are incommensurable to each other. While the very purpose of REDD is to measure carbon *qua* economic value, and in this sense I argue that UN-REDD allows for 'communication' between

46 According to Rulli, FAO is also involved, as Gloria Penayo, ex first-lady and FAO's extraordinary ambassador, promoted the distribution of GM-soy thanks to the Office of the First Lady of the Nation and the Paraguay Network for Human Development (REPADEH) and with the support of the ministry for agriculture and cattle (MAG) (2009: 35)

47 I cannot but notice how, ironically, “due process” is instead what in practice has been claimed of not having been respected in Lugo's impeachment, an impeachment that was claimed to be pivotal for the coup d'etat and in which one might say that law was purportedly used to serve power-relationships; thus contradicting the supposed equality before law of the above mentioned liberal fiction.

incommensurables.

In a similar fashion but in regards to FPIC, Rodriguez-Garavito argues that the law's appearance of neutrality allows for communication among incommensurables through its equalizing function, because its rules deal precisely with universal measures as time, money and space, which in the practice of procedural norms translate into deadlines, timelines, expenses and location for consultation meetings. Infact, the parallelism between ethnicity.inc and ethnicity.gov is given by the fact that while the principal medium for exchange in the former is money, in the latter it is procedural law (31). I would suggest Rodriguez-Garavito's quotation from Comaroff and Comaroff' could exemplify this equalization of incommensurables through law:

“In situations of ruptured hyphen-nation, situations in which the world is constructed out of apparently irreducible difference, the language of law affords an ostensibly neutral medium for people of difference - different cultural worlds, different social endowments, different material circumstances, differently constructed identities - to make claims on each other and the polity, to enter into contractual relations, to transact unlike values, and to deal with their conflicts. In so doing, it forges the impression of consonance amidst contrast, of the existence of universal standards that, like money, facilitate the negotiation of incommensurables across otherwise intransitive boundaries” (ibid. 31)

This resonates with the vignette shown in Chapter Three about the UN-REDD Policy Board meeting in Asuncion, where foreign english-speaking REDD policy-makers sat vis-a-vis Mbya-Guaranìs that could only little Spanish, ngo-activists as well as others participants, in a context that as Rodriguez-Garavito writes would seem to be “a public sphere as a depoliticized space between generalized stakeholders” in which power-relationships mostly remain untouched (Ibid.: 16) Also, I noticed that the member of FAPI I talked most with, Mirtha Pereira, is herself a non-indigenous lawyer, and she travels often abroad, participating in and leading workshops where indigenous peoples are instructed on current legal frameworks that they could appeal to for their protection. I suggest this could somehow resonate with what suggested concerning the fetishization of law and to how, according to Rodriguez-Garavito, the juridification of indigenous claims and demands through FPIC has converted at least part of the movement's political energy into legal discussions that favour procedure and has transferred part of the responsibility for initiating and controlling these claims to external legal advisors (Ibid.: 39). Also, it resonates with how the language of law would seem to allow indigenous claims to participate in the wider arenas of globalization, i.e. it allows for communication among incommensurables, and I link this to Howell stating that REDD constitutes a new opportunity to participate in global debates and new sources of

income for local and international ngos (in press: 10).

On this point, I showed in the quotation above how Comaroff & Comaroff mention “*the forging of the impression of consonance amidst contrasts*” and “*the negotiation of incommensurables*” concerning law and neoliberalism, and before, how REDD allows for communication among the incommensurables of carbon and capitals circuits.

In sum, FPIC's implementation within UN-REDD in Paraguay moves amidst a neoliberal multicultural context which would seem to be predicated upon a nature-culture divide. I argued that such nature-culture divide can be ultimately relevant for FPIC, as this nature-culture divide has an influence on the mis-recognition of indigenous peoples. Also, I tried to show that show in the previous chapter that this is related with misrecognition or recognition of indigenous sovereignty and an economic and political context that supports or not a freePIC.

The emancipatory effect of FPIC

Rodriguez-Garavito specifies that FPIC has also an emancipatory effect that through the legal field enable indigenous people to be heard or at least to hasten impacting development projects (2010). Similarly, Brandtstadter, Wade and Woodward refer to many modern conquests in terms of civil rights as the concerted fights of the so-called “impossible subjects”, for examples suffragettes claiming women votes (2012).

In today's globalized South, different actors everywhere are entering the same playing field, yet they do not participate in equal ways (Eriksen 2007). Generally one could observe this in the recent history of indigenous movements in Latin America, in which they passed from being “*passive objects*” of domination to “*active subjects*” of social and political importance (Garcia-falces 2004); and how indigenous advocacy has in many ways reshaped and expanded citizenship itself (Yashar quoted in Duckworth 2011: 99). As universalistic causes get locally reconfigured and reshaped (Tsing c2005: 246), indigenous peoples are enacting alternative ways of globalization (Blaser et al. 2010: 25), and indigenous “*life projects*” - a term Blaser employs to define indigenous agency - can counteract “*development projects*” based on universalistic master narratives, which often fail to address emerging structures of governance and distribution (Blaser 2004; Garcia-Falces 2004).

Conclusion

My informants referred to REDD and environmental services as energy transfer within the natural

process of photosynthesis. I linked this to the relationship between citizenship and environmentalism. I tried to suggest that the theme of citizenship may be relevant in this context. In fact, the recognition of collective cultural rights can go hand-in-hand with neo-liberal state strategies of control and governance with goals of class restoration, capital accumulation, and oligarchic rule.

Although traditionally the particular expression of culture(s), i.e. indigenous peoples, were excluded by state's citizenship regimes granting universal equality/rights (i.e. society), when culture(s) were incorporated back into society, it seemed to be culture(s) devoid of their own indigenous ontologies and values. The incorporation of cultural rights - such as FPIC – would suggest that law through its fetishization and its equalizing language reflects a common ground out there that allows for communication between companies, policy-makers and indigenous people qua depoliticized generic stakeholders, regardless of de facto uneven power-relationships. For REDD, the inclusion of nature would seem to suggest the synchronization of circuits of carbon and energy transfer with transfers of capital, i.e. photosynthesis qua commodity, thus seems to be a reified nature, devoid of the above mentioned ontologies, that confirms the nature-culture divide.

Chapter 6: Concluding remarks

I have tried to deepen the issue of FPIC's implementation within the background of UN-REDD, specifically because FPIC's process is set as a precondition for the implementation of UN-REDD. I tried to show that the conditions in order to ensure that consent and consultations are truly free and without coercion - thus fully participatory - are firstly, the fact that FPIC has to be “informed”, and, secondly, the fact that special attention must be paid to the political, economic and social context of a consultation process.

Concerning the first issue about information, I tried to show that the FPIC's recipient, i.e. indigenous peoples, should have full access to information, in order for this process to be fully participatory. On the one hand, while the Paraguayan state committed itself to the ILO 169 Convention in support of FPIC, the institution responsible for its application has a history of chronic weakness and corruption, although some commented positively on its recent attempts to include indigenous people in the FPIC's process, later interrupted in the aftermath of the coup d'etat in Paraguay.

Also, within the UN-REDD programme, there exist issues concerning representation and information flow, as there is a confusing picture as for who is the legitimate/actual recipient for the consent and the one applying it: the indigenous organization FAPI is the one responsible for FPIC's implementation within the REDD team, while the law states it is INDI the official authority of implementation, and FAPI represents but a few indigenous communities. Last but not least, FPIC should be asked to communities not to organizations. FPIC is thus a contested territory fragmented among different institutions. The question is who should be entitled to represent who.

However, on the other hand there are different positive examples of participatory democracy in Paraguay, but again the information flow is so uneven they do not seem to be neither widely known nor promoted. While according to FPIC's process all parts should receive equally and properly information in order for consultations to be free, I tried to show that there exist barriers and interruptions concerning the circulation of the information and degrees of representation, thus only some receive information about projects like UN-REDD; thus questioning FPIC's participatory character. In fact, there are indigenous organizations disposing of less visibility and indigenous communities that do not receive any information about UN-REDD. Also, there is a fragmented situation where INDI, the institution otherwise responsible of verifying FPIC for each and every project in Paraguay by law, still lies outside the UN-REDD process, a program claiming to apply

FPIC.

These issues of visibility and access to information as well as circulation of information came to be epitomized as well at the macro-level in relation with the protests in Calle Alberdi, touching more on the more general political side of participation in Paraguay in the aftermath of the parliamentary coup d'état. Here the previous president Lugo was judged unable to govern for the way he managed the case of the shooting in Curuguaty some weeks before. This road found itself in the position of representing the stage of a protest because it hosts the seat of the national public television. The coup's government attempted to change the programs of the public television and to shut the program *microfono abierto*, a channel and space for citizenship's participation that after this attempt I argue it became a contested space together with Calle Alberdi. This because in connection with this attempt people gathered to protest in front of the public television and occupied uninterruptedly that contested space of participation for a week by using those same cameras of *microfono abierto* to voice out their political opinions. Among those who came to Calle Alberdi there was also unexpectedly the previous destituted president Lugo

Regarding the second issue about the political, economic, and social context I argued that these are related to the issue of sovereignty – meant as the free exercise of control over one's life and resources – thus making sovereignty a precondition for FPIC's implementation. I argued that FPIC's application in Paraguay, contributes to provide people with an image of order, within a vision of the public sphere as a depoliticized space for collaboration among generic stakeholders (Rodriguez-Garavito 2010: 16), while it masks a situation marked by violence and poverty in which people face continuous confrontations with illegal loggers, often heavily armed, and the shrinking of the natural resources indigenous livelihoods depend upon. In fact, the economic and political context of the Tekoha Guazu is marked by a structural violence even forcing indigenous leaders to call for intervention of the army, as they see themselves surrounded by well-armed illegal loggers backed up by local police and politicians, and the big land-owners.

As for the issue of information, this issue of sovereignty relates as well at the macro-level with the above-mentioned protests in Calle Alberdi as many indigenous and non-indigenous protesters lamented the lack of sovereignty in Paraguay due to those economic forces of agribusiness in Paraguay. Also, while discourses about sovereignty were invoked by the protesters against the new government – allegedly supported by the agribusiness, itself threatening Paraguayan sovereignty –

this new government later tried to monopolize discourses on sovereignty to silence internal dissent and delegitimize external political isolation and pressure as threats to the national sovereignty of the country.

I tried to show how Paraguay suffers loss of territorial, cultural and food sovereignty due to the agribusiness, itself as well a driver of deforestation.

Both when it comes on the issue of information and sovereignty, law and power-relationships are pivotal in this sense insofar as the fetishisms of law, the reduction of complex social process into legal representations, masks actual power-relationships by relegating the locus of political responsibility in law only.

At the same time, I argued that in order for a FPIC to exist and an indigenous sovereignty to be acknowledged, one has first to acknowledge indigenous peoples' rights, and even prior to this, indigenous people's existence. I further argue that discourses of nature/culture divide and the acknowledgement of indigenous agency form a base for either mis-recognition or recognition of indigenous sovereignty, and this applies both for the ancestral indigenous lands in the interior as well as for urban centres.

The above-mentioned mis-recognition of indigenous sovereignty can be connected with the relationship between citizenship and rights. "Naturalizing" the vision of indigenous peoples as necessarily leaning towards nature on the nature-culture dichotomy was embedded in the idea of citizenship and the so-called encumbered self as self-reliant vs. the nature-like-entity Indian lacking self-ruling capacity. In this sense discourses about the nature-culture divide might have been instrumental for the incorporation of indigenous territories. I tried to draw from case in Peru and Paraguay and I attempted to show how this vision legitimized discourses about the construction of the forest-space (nature) as an empty space to civilize and colonize, in order to achieve progress and national economic development; thus in way this could have contributed to miss the indigenous sovereign citizen for the empty nature to exploit.

Also, for environmentalist discourses, the nature-culture dichotomy has often implied the assumption that human presence necessarily degrades nature, and thus nature conservation discourses have often led to the expulsion of many indigenous peoples from their traditional territories to secure nature conservation from their presence - therein their "mis-recognition" - and I attempted to show how this could apply as well to the case regarding a REDD project by a

conservationist Paraguayan ngo in the Tekoha Guazu, thus in a sense, it would be again a case of missing the indigenous people for the forest conservation.

However, at later stages with the coming of environmental programmes like UN-REDD, in spite of the inclusion of FPIC, the recognition of collective cultural rights went hand-in-hand with neo-liberal state strategies of control and governance with goals of class restoration, capital accumulation and oligarchic rule.

My informants referred to REDD and environmental services as energy transfer within the natural process of photosynthesis. I linked this to the relationship between citizenship and environmentalism (society and nature). As I argued, the recognition of collective cultural rights can go hand-in-hand with neo-liberal state strategies of control and governance with goals of class restoration, capital accumulation and oligarchic rule.

Although traditionally the particular expression of culture(s), i.e. indigenous peoples, were excluded by state's citizenship regimes granting universal equality/rights (i.e. society), when culture(s) were incorporated back into society, it was culture(s) devoid of their own indigenous ontologies and values. Thus, the incorporation of cultural rights - such as FPIC - means that law through its fetishization and its equalizing language reflects a common ground out there that allows for communication between companies, policy-makers and indigenous people qua depoliticized generic stakeholders, regardless of de facto uneven power-relationships. For REDD, the inclusion of nature means the synchronization of circuits of carbon and energy transfer with transfers of capital, i.e. photosynthesis qua commodity, thus it is but a reified nature, devoid of the above mentioned ontologies, that resonates with the classic nature-culture divide.

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