Decolonizing Histories, Extractivism, and Maya Resistance in Guatemala

THE FOURTH INVASION

GIOVANNI BATZ

Foreword by B'o'q'ol Q'esal Tenam K'usal (Alcaldía Indígena de Cotzal)

Luminos is the Open Access monograph publishing program
from UC Press. Luminos provides a framework for preserving and
reinvigorating monograph publishing for the future and increases
the reach and visibility of important scholarly work. Titles published
in the UC Press Luminos model are published with the same high
standards for selection, peer review, production, and marketing as
those in our traditional program. www.luminosoa.org

The Fourth Invasion

The Fourth Invasion

Decolonizing Histories, Extractivism, and Maya Resistance in Guatemala

Giovanni Batz

Foreword by B'o'q'ol Q'esal Tenam K'usal (Alcaldía Indígena de Cotzal)

UNIVERSITY OF CALIFORNIA PRESS

University of California Press
Oakland, California

© 2024 by Giovanni Batz

Parts of the article "Ixil Maya Resistance against Megaprojects in Cotzal, Guatemala" were used in the book. Copyright © 2020 Johns Hopkins University Press. This article first appeared in Theory & Event, Volume 23, Number 4, October 2020. Published with permission by Johns Hopkins University Press.

This work is licensed under a Creative Commons (CC BY-NC-ND) license. To view a copy of the license, visit http://creativecommons.org/licenses.

Suggested citation: Batz, G. *The Fourth Invasion: Decolonizing Histories, Extractivism, and Maya Resistance in Guatemala*. Oakland: University of California Press, 2024. DOI: https://doi.org/10.1525/luminos.206

Library of Congress Cataloging-in-Publication Data

Names: Batz, Giovanni, author.
Title: The fourth invasion : decolonizing histories, extractivism, and Maya resistance in Guatemala / Giovanni Batz; foreword by B'o'q'ol Q'esal Tenam K'usal (Alcaldía Indígena de Cotzal).
Description: Oakland, California : University of California Press, [2024] | Includes bibliographical references and index.
Identifiers: LCCN 2024017607 | ISBN 9780520401730 (paperback) | ISBN 9780520401747 (ebook)
Subjects: LCSH: Social movements—Guatemala—San Juan Cotzal—21st century. | Ixil Indians—Guatemala—San Juan Cotzal—21st century. | Hydroelectric power plants—Guatemala—21st century.
Classification: LCC HM881.B38 2024 | DDC 303.48/409728172—dc23/eng/20240513

LC record available at https://lccn.loc.gov/2024017607

Manufactured in the United States of America

33 32 31 30 29 28 27 26 25 24
10 9 8 7 6 5 4 3 2 1

CONTENTS

List of Illustrations *vii*
Foreword by B'o'q'ol Q'esal Tenam K'usal / Alcaldía Indígena of Cotzal *ix*
Acknowledgments *xvii*

Introduction *1*

PART I: HISTORIC INVASIONS

1. First Invasion: Genocide, Colonial Institutions, and Resistance *25*
2. Second Invasion: Land Grabs, Plantation Economy, and Forced Labor *41*
3. Third Invasion: State-Sponsored Violence and Armed Struggle *75*

PART II: THE FOURTH INVASION

4. Postwar Life and Megaprojects in the Ixil Region *111*
5. Resistance against Enel *131*
6. Dialogue and Deception *155*

Conclusion: Imagining a Future *191*

Notes *197*
Bibliography *203*
Index *219*

ILLUSTRATIONS

FIGURES

1. Structure of the Alcaldía Indígena of Cotzal / B'o'q'ol Q'esal Tenam K'usal *xiv*
2. Moments before the armed forces retreat from San Felipe Chenlá, Cotzal, March 18, 2011 *2*
3. Banner and drawing of the invasions and history of the Ixil Region by Chemol Txumb'al, 2015 *4*
4. Author with members of the Alcaldía Indígena of Cotzal, 2022 *16*
5. Presentation of research in Cotzal during Maya ceremony, January 2023 *17*
6. Ejido map of Cotzal, July 1884 *50*
7. Map of the Finca San Francisco in 1975 *56*
8. Concepción Santay Gómez with a photo of his father, Gregorio Santay Ajanel *89*
9. Nicolás Toma Toma and Baltazar de la Cruz Rodríguez in 2023 *90*
10. María Sajic Sajic with a photo of her father, Domingo Sajic Gómez, 2022 *91*
11. Muddy water attributed to Palo Viejo hydroelectric plant, Copón River, Uspantán, November 2013 *142*
12. *Talanquera* in San Felipe Chenlá, Cotzal, 2011 *144*
13. Terms for the dialogue process between Enel and the communities of Cotzal, May 2011 *157*

14. Cotzal River after passing through one of Enel's diversion dams, May 2022 *194*
15. View from Vichemal, Cotzal, 2023 *196*

TABLES

1. Microregions in Cotzal *7*
2. *Desmembraciones* numbers 2 to 26 of the ejido of Cotzal between 2011 and 2023 *51*
3. Total number of hydroelectric projects in the Ixil Region *129*
4. Timeline of construction of Palo Viejo *133*
5. Timeline of 2011 blockade in Cotzal *133*
6. Nine dialogue meetings in 2011 *159*
7. Estimate of income and profits of Palo Viejo in USD for 2012–21 *181*

FOREWORD

B'o'q'ol Q'esal Tenam K'usal / Alcaldía Indígena of Cotzal

On January 15, 2008, the B'o'q'ol Q'esal Tenam K'usal (Alcaldía Indígena / Indigenous Authorities of Cotzal) was reestablished by the councils of elders of several Ixil Maya communities in the municipality of Cotzal, Quiché, Guatemala. Our ancestral authority and midwife Txutx Ni'l (Inés Chamay Poma) was one of the people who helped to revive the ancestral authority system with a group of ancestral midwives.

The various activities of the Indigenous Authorities of Cotzal / B'o'q'ol Q'esal Tenam K'usal contribute to the construction of a more harmonious nation based on mutual respect and equal rights between Indigenous Peoples and mestizos. We work to build a democratic state based on social justice and respect for Mother Earth. The Indigenous Authorities of Cotzal seek to protect, promote, and strengthen unity and harmony among the communities of the Ixil Region of Guatemala by strengthening the values of our shared Maya culture and respect for traditional ancestral authorities who guide our communities. At the same time they involve communities in processes to improve our social, economic, political, cultural, and spiritual well-being in accordance with our shared worldview, all of which gives rise to a community that in Ixil is called "Etetz u qetz, qetz vetetz" (Ours is yours, yours is ours).

Regarding our structure, B'o'q'ol Q'esal Tenam K'usal / the Alcaldía Indígena is made up of twenty people appointed by consensus in assemblies of Councils of Principals of all the communities of the municipality of San Juan Cotzal (figure 1). There are four *alcaldes* (mayors), four second alcaldes, eight *consejos de principales* (Councils of Principals), and four secretaries. Each first alcalde has a

Translated from Spanish by the author.

second alcalde, two councils, and a secretary. The positions are held for one year by the Maya calendar.

From the reconstruction of our ancestral authority system, we attend to residents who come before the B'o'q'ol Q'esal Tenam K'usal to request resolution of conflicts which we collectively provide according to the ancestral principles and values of the Ixil Maya culture.

In 2008, shortly after the ancestral authority (B'o'q'ol Q'esal Tenam K'usal) was reconstituted, social instability caused by the arrival of the Italian company Enel Green Power in the territory of San Juan Cotzal, Quiché, began happening again. In collusion with the municipal mayor of that time, José Pérez Chen, the company announced the construction of the Palo Viejo hydroelectric plant on the *finca* (plantation) San Francisco, owned by Mr. Pedro Celestino Brol. This caused discontent among the inhabitants of the municipality, generating an uprising of the communities and the holding of municipal assemblies of community authorities. The communities then wrote to the municipal mayor demanding that a good-faith community consultation be carried out before the start of construction of said hydroelectric plant.

The silence in response, and community divisions caused by Enel Green Power regarding the construction of the Palo Viejo hydroelectric plant, led the communities to hold peaceful demonstrations starting in May of that same year 2008. The first peaceful demonstrations took place at El Entronque, Pulay Cotzal, a crossroads where one road leads to Cotzal and the other to the municipality of San Gaspar Chajul, Quiché. Then one of the largest took place on September 1, 2008, a massive gathering of community authorities and neighbors in the central park of the municipality of San Juan Cotzal. On that date, the municipal mayor did not appear before the communities and only left his secretary, Isaías Villatoro, a resident of the community of Santa Avelina, to face the crowd.

At this rally, the municipal secretary made public the contents of the minutes signed by the previous Municipal Council, led by former mayor Baltazar Toma Sambrano, which granted permission for the construction of the Palo Viejo hydroelectric project without the consent of the population and the community authorities of the municipality. At the end of 2008 and during 2009, the municipal authorities and Enel Green Power dedicated themselves to persecuting and criminalizing those who led the community movements, while making false promises to the communities to carry out infrastructure and electrical energy projects.

In 2010, we, the B'o'q'ol Q'esal Tenam K'usal, together with the community authorities of the municipality, began a new resistance against Enel. The demand was now that the company fulfill its promises to the communities. By that point, it was clear that every promise to the communities since 2008 was false. This motivated a new movement that began on January 2, 2011, with attempts to conduct a dialogue with Enel during that month, but because of the bad faith of the Enel company, the attempts at dialogue failed.

The communities of the municipality of San Juan Cotzal, and we the B'o'q'ol Q'esal Tenam K'usal, Alcaldía Indígena of Cotzal, decided to declare ourselves in permanent peaceful resistance through a gathering on the main road in San Felipe Chenlá, Cotzal, that leads to the Finca San Francisco. This peaceful demonstration once again led to the persecution of members of the B'o'q'ol Q'esal Tenam K'usal. Nine of its members were denounced for crimes not committed; each one has been accused of at least eight crimes, including death threats, sedition, instigation to commit a crime, and coercion.

One of the shocking events was on March 18, 2011, when the tranquility of the community of San Felipe Chenlá, Cotzal, was disrupted. Enel Green Power influenced the minister of the interior Carlos Menocal and the minister of defense Abraham Valenzuela to order a *desalojo* (eviction) to break up of the demonstration, as well as the destruction of a *talanquera* (pole used to block the road) that the communities had placed there. More than seven hundred members of the National Civil Police (PNC) and the army surrounded and intimidated the community, searching for the members of the Indigenous authorities who had been reported and whose arrest had been ordered.

This operation reminded us of the internal armed conflict that had just ended in 1996, for on that day some people had nervous breakdowns and a woman fainted just from seeing army members and helicopters flying over the community.

Enel Green Power, in complicity with the Finca San Francisco, made several attempts to defeat the B'o'q'ol Q'esal Tenam K'usal Indigenous authorities by trying to capture them, forcing them into a dialogue, and dispersing the demonstrations in the community of San Felipe Chenlá. At last on May 2, 2011, under the coercion of threats and arrest warrants, the communities agreed to a *mesa de diálogo forzado* (forced dialogue) that ended in December of that year without any positive results for the municipality of San Juan Cotzal, Quiché.

In the midst of that dialogue with Enel Green Power, we met Dr. Giovanni Batz, in one of the meeting rooms of the parish of the Catholic church in the municipality. A university professor who accompanied Batz informed the Indigenous authorities, the B'o'q'ol Q'esal Tenam K'usal, that Batz was coming to carry out a study in the region for a stipulated time and that he was a student at the University of Texas at Austin, in the United States.

Batz settled in the community of Santa Avelina, where he carried out his first research work. Then we invited him to one of our meetings, where we asked that he continue his study in San Juan Cotzal and focus his work on investigating the origins of the fincas that had invaded the territory of the Ixil Maya people of Cotzal. From there the questions arose: How did the Spanish arrive? How did the *finqueros* (plantation owners) arrive? How did they come to invade so much land? At that time, Batz returned to Austin, Texas, where he presented the research proposal that we as authorities and communities had requested of him.

Upon his return, Batz settled in the community of San Felipe Chenlá, where he lived for several years while conducting fieldwork and constantly updated us with the information he obtained, from the progress of his research until its completion. From the moment we met Batz, we established a relationship of *confianza* (trust). This *confianza* was strengthened when he accepted our request as authorities of the Ixil Maya people of Cotzal interested in knowing the origins of the conflicts that have affected our people.

Batz's first book, *La cuarta invasión: Historias y resistencia del Pueblo Ixil, y su lucha contra la hidroeléctrica Palo Viejo en Cotzal, Quiché, Guatemala* (2022b), will help the people of Cotzal know their history. It will help our children and future generations know what the invasion, colonization, slavery, and internal armed conflict that we suffered were like, but above all, how we have managed to resist the atrocities of the different conflicts that we have faced as the Maya Ixil people. Furthermore, it demonstrates the flagrant violations of our rights as Indigenous Peoples, the dispossession of lands, the genocide, the massacres, the destruction of our territory, and now the new invasion of extractive multinationals, such as Enel Green Power and other corporations that have arrived in Ixil territory.

Batz returned in January 2023 to present the book on three consecutive days. The first day he did so at a Maya ceremony held in the sacred place Vi'k'aab'eb'al at the suggestion of the spiritual guides of Cotzal, Quiché, since the book carried the memories and words of our ancestors and our grandmothers and grandfathers. The second day of the book presentation took place in the town center of Cotzal, Quiché, where the ancestral authorities were present. The presentation was also attended by the *principales*, community authorities of each of the communities, professionals, and teachers and educational administrators at the primary, basic, and diversified levels, who committed to incorporating the book into their local curriculum plan. Authorities from the Ixil University and the Alcaldías Indígenas of Chajul and Nebaj were also present. Batz provided seven hundred free copies of the book, five hundred of which went to the communities of Cotzal. On the third day we traveled to Guatemala City, where together with Batz we presented the book at the office of the National Coordinator of Widows of Guatemala (CONAVIGUA). There we held a national press conference where the research results were presented; copies of the book were provided to the audience free of charge. By returning in this way, Batz actively kept his word that he would always return and that one day he would return with a book.

For more than a decade, Batz's actions and research process, from research questions to disseminating work in multiple ways, demonstrated his commitment to not reproducing academic extractivism. We encourage other researchers to follow his example.

In the same way, this book *The Fourth Invasion: Decolonizing Histories, Extractivism, and Maya Resistance in Guatemala* demonstrates the struggle of the Ixil people in the face of a new invasion. It shows that one can struggle against social

adversities caused by extractive capitalist interests. That Batz's research is appearing in English is of vital importance. His detailed work offers the international audience a local perspective on what has happened in the Ixil Region and during the struggle against Enel Green Power. Our aspiration is for this book to be published and widely known, because in it is our history, and we know that knowing it will open new paths for us, new strategies to fight against future invasions of our territory.

We value and appreciate the *lucha* (struggle) of Dr. Giovanni Batz to finish this book. We know that it meant hunger, thirst, fatigue, sleeplessness, worry, and risks throughout the compilation of each piece of information it contains. This will go down in local, national, and international history, since we consider it to be the first book completed for the Maya Ixil people of San Juan Cotzal; there may be many more, but those compiling part of the history of Cotzal have been very few.

Finally, we, the B'o'q'ol Q'esal Tenam K'usal / Alcaldía Indígena of the municipality of Cotzal, Quiché, Guatemala, invite everyone to immerse themselves in and learn about our history and our path of struggle that this book documents: "THE FOURTH INVASION."

WELCOME!

October 2023
San Juan Cotzal, Quiché, Guatemala

STRUCTURE OF

ALCALDÍA INDÍGENA DE COTZAL

B'O'Q'OL Q'ESAL TENAM K'USAL

FIGURE 1. Structure of the Alcaldía Indígena of Cotzal / B'o'q'ol Q'esal Tenam K'usal. Courtesy of B'o'q'ol Q'esal Tenam K'usal / Alcaldía Indígena de Cotzal.

No.	*Ib'ii* (Name in Ixil)	Name in Spanish	*Cargo* (Position)
1	TEL MET	Teresa Toma Sambrano	Primera alcaldesa Año Ee
2	TIXH VIYO'M	Baltazar de la Cruz Rodríguez	Segundo alcalde Ee
3	XHAN PA'L	Juan Gómez Toma	Primer consejo Ee
4	TIXH KURUS	Baltazar Cruz Aguilar	Segundo consejo Ee
5	KAP ULU'X	Gabriel Rodríguez Ostuma	Secretario Ee

No.	*Ib'ii* (Name in Ixil)	Name in Spanish	*Cargo* (Position)
1	CHON	Concepción Santay Gómez	Primer alcalde Año No'j
2	KAP PO'M	Gabriel Torres Chamay	Segundo alcalde No'j
3	MAXH KAVI'N	Tomás Toma Cruz	Primer consejo No'j
4	XHUAN	Juan Castro Lux	Segundo consejo No'j
5	KU' K'U	Domingo Gómez Sambrano	Secretario No'j

No.	*Ib'ii* (Name in Ixil)	Name in Spanish	*Cargo* (Position)
1	TE'K SAM	Diego Sambrano Rodriguez	Primer alcalde Año Iq'
2	TUN KURUS	Antonio Cruz Gómez	Segundo alcalde Iq'
3	YAXH SAM	Matías Sambrano Chamay	Primer consejo Iq'
4	AN KURUS	Ana Cruz Mendoza	Segundo consejo Iq'
5	MAT CHAM	Magda Teresa Sambrano Chamay	Secretaria Iq'

No.	*Ib'ii* (Name in Ixil)	Name in Spanish	*Cargo* (Position)
1	TZIMA	Maximiliano Poma Sambrano	Primer alcalde Año Chee
2	LU' SAM	Pedro F. Sambrano Rodríguez	Segundo alcalde Chee
3	TO'N	Antonio Chel Bernal	Primer consejo Chee
4	LA'S	Francisco López Pérez	Segundo consejo Chee
5	DUMA	Duma Alejandra Ramos García	Secretaria Chee

ACKNOWLEDGMENTS

If I were to thank everyone who has supported me in all my endeavors, it would be another long chapter in this book. In no particular order, below are some of the people, organizations, and institutions that have supported me. I apologize in advance to anyone I may have missed.

First, I want to thank the ancestral authorities, people, and communities of Cotzal for allowing me to work with them. I am eternally grateful to the Ixil Region, not only for the research I have conducted there, but for the life and spiritual lessons I experienced while living there. I thank the people and communities of Chajul, Cotzal, and Nebaj who shared their stories. I thank the B'o'q'ol Q'esal Tenam K'usal / Alcaldía Indígena of Cotzal for giving me the opportunity to accompany them in their movement, their meetings, their trips, and their dreams of a better and liberated future for the new generations. A special thank-you to the residents and community authorities of Comunidad Indígena Tu Poj / San Felipe Chenlá for allowing me to stay and live in the community for my field research. I thank the students, founders, facilitators, and ancestral authorities of the Ixil University for serving as an example to the world, not through discourses, but through their actions and teachings.

My work would not have been possible without the support of the Gómez family, don Miguel, doña Rosa, Samuel, Isabela, Elías, and Ana, who provided me with a place to call home during the majority of my field research. I am grateful to the strong, supportive, and committed people I have met since I first arrived in Cotzal in 2011. These include, in no particular order, B'oq'ol Q'esal Tenam Tx'aul, B'o'q'ol Q'esal Tenam K'usal, and B'oq'ol Q'esal Tenam Naab'a', Concepción Santay Gómez, Baltazar de la Cruz Rodríguez, Teresa Toma Sambrano, Maximiliano

Poma Sambrano, Diego Sambrano Rodriguez, Sebastián Sajic Córdova (RIP), Ana Laynez (RIP), Miguel Rivera Solís (RIP), Esteban Juan (RIP), Benito María (RIP), the de la Cruz Rodríguez family, Mat Ich', Ixchel, Sinakan, the Lux Tiu family, María Sajic Sajic, Nicolás Toma Toma, Juana Córdova, Antonio Cruz Gómez, Matías Sambrano Chamay, Juan Castro Lux, Juana Gómez, Domingo Gómez Sambrano, Pablo Ceto, Miguel de León Ceto, Antonio Pérez Martínez, Israel Francisco Gómez Rodríguez, Gabriel Torres Cavinal, Juan Luis de la Cruz Rodríguez, Pedro Sambrano Rodríguez, María Toma, Santa Roselia de León Calel, Rosa Mendoza Caba, Ma't Kab', Diego Santiago Ceto, Magdalena Terraza Brito, Miguel Ostuma, Andrés Pérez Martínez, Nicolás Cedillo, Sebastián Lux Osorio, Francisco Cruz, Tx'umil, Manuela Raymundo, Miguel Brito, Tobías Roberts, Juan Carlos Peláez Villalobos, Moisés Rosales Barrientos, Marly Vásquez, José Santos Sapón Tax, Pascal Huwart, Petronila Puente Sánchez, Agustín Samuel Raymundo Cedillo, María Pu Ajanel, Juan Ordóñez Cruz, Manuela Canay, Rosa Ramírez Chávez, Gaspar Cobo Corio, Francisco Chávez, Gerónimo Sánchez Cedillo, Feliciana Herrera, Juan Cedillo López, Margarita Laynes Ortega, Domingo Daniel Cedillo Cobo, Elena Brito Herrera, Pedro Raymundo, Manuel Bernal, Juan Carlos Terraza, Martina Terraza Brito, María Terraza Brito, Cristina Solís, Vicente Raymundo, Elías Solis Raymundo, Luz Raymundo, Leonel Morales, Pedro del Barrio, Engracia del Barrio, Miguel Abraham Toma Toma, David Solís, David Garcia, Elaine Elliott, and Steve Elliott. My sincerest apologies to anyone I may have missed.

I want to thank my *compañeras y compañeros de la lucha academica* (colleagues in the academic struggle), in particular, Edwin Román Ramírez, Alejandro Flores, Monika Banach, Adriana Linares, Floridalma Boj Lopez, Emily Spangenberg, Lauren Heidbrink, Ignacio Carvajal Regidor, Juan Carlos Mazariegos, Celeste Sánchez, Elizabeth Velásquez, Georgina Badoni, Jose Centeno-Melendez, and Alejandro Villalpando. I want to express my deepest gratitude to Alicia Estrada, Martha Menchaca, and Luis Urrieta, who provided me with invaluable guidance throughout my years as a student. Many thanks also to Juanita Cabrera Lopez, Liza Grandia, Daina Sanchez, Ralph Armbruster Sandoval, Shannon Speed, Irma Alicia Velásquez Nimatuj, María Aguilar, Virginia Garrard, Liz Oglesby, Diane Nelson (RIP), Leisy Abrego, Pamela Yates, Paco de Onis, Kathy Baker, William Calvo-Quirós, Luis Cárcamo-Huechante, Adrian Johnson, Margo Gutiérrez, Sergio Romero, Paola Canova, Arturo Arias, Christopher Lutz, and others. I especially thank Charles R. Hale for supporting my work as a doctoral adviser, for providing me with invaluable feedback, and for allowing me to pursue research in my own way.

I am very grateful to the B'o'q'ol Q'esal Tenam K'usal, Adriana Linares, Alejandro Flores, and Liza Grandia for reading and commenting on a previous draft and version of this manuscript. I also want to thank those who have reviewed my work: Monika Banach, Celeste Sánchez, Ignacio Carvajal Regidor, Kelsey

Alford-Jones, Brenda Nicolás, Luis Sánchez-López, Lauren Heidbrink, María Firmino-Castillo, and Alicia Estrada. I want to thank Clara Arenas and Helvi Mendizabal at the Association for the Advancement of the Social Sciences in Guatemala for supporting my work. I also thank Enrique Ochoa-Kaup for the opportunity to publish with UC Press, the two anonymous reviewers for providing vital feedback, and Elisabeth Magnus for copyediting the book. All errors are of course mine.

I want to thank the institutions that have supported my work: the Lozano Long Institute for Latin American Studies and the Native American and Indigenous Studies program for providing me with financial support for research during my time at the University of Texas at Austin; the Inter-American Foundation for providing me with a one-year dissertation field research fellowship to carry out part of my fieldwork; the School of Advanced Research (SAR) for providing me with a residential fellowship to begin work on this book in 2018; and the Presidential Postdoctoral Fellowship Program at the University of California, Davis, for a two-year fellowship in the Department of Native American Studies. I want to thank my colleagues in the Department of Anthropology at New Mexico State University in Las Cruces for allowing me to use an office between 2020 and 2022 during the Covid pandemic. A thank-you to my colleagues in the Department of Chicana and Chicano Studies at the University of California Santa Barbara for their support during the final stages of completing this manuscript.

I also want to thank the family members and friends who have supported me. A huge thank-you to the homie Erik "Boxer" Hernandez, who has been a trusting and loving friend. A thank-you also to the González, Borrayo, and Quino families, especially my *tía* Josefina and *tía* Angela. And I want to thank my *tío* Tomas Quino (RIP), who always supported me.

There are no words that can express my gratitude to my mother Miriam and my father Miguel for their support. Thanks to my amazing niece Izzi for her spirit. A special thank-you to my brilliant *compañera* Monika Banach, who has encouraged me throughout the book process. She has supported me in multiple and meaningful ways, and for that I am appreciative.

I want to honor three of my greatest teachers who are the source of my inspiration. The first is my *abuelita* (grandmother), Clara Coyoy Ixcot (1921–2020), a Maya K'iche' woman who through her stories taught me the dignity of our past. My *abuelita* was not able to see this book published; I worked on this manuscript during the last years of her life, and her spirit, energy, and teachings gave me the strength to start writing it. I miss you, *abuelita*. The second is my daughter Ixq'anil, who through her new stories is teaching me the dignity of our future. I am eternally grateful for Ixq'anil, who has been patient with me as I worked on this manuscript during the first six years of her life; her spirit, energy, and teachings gave me the strength to finish writing this book. Last, I want to thank my newest and third

teacher, Ixchel, who was born during the final stages of the book process; her first few weeks on this earth were spent patiently accompanying me as I worked on finalizing copyedits. Ixchel now joins Clara and Ixq'anil in the lineage and legacies of our collective and historic struggle.

Maltyox chiwe Nan Clara, Ixq'anil, Ixchel!

Introduction

On March 18, 2011, between five and seven hundred soldiers and policemen, accompanied by helicopters, invaded the community of San Felipe Chenlá, located in Cotzal, Guatemala, to end an over two-month blockade and peaceful protest against the construction of a hydroelectric plant. The presence of the armed forces was viewed by the communities of Cotzal as an explicit display of the Guatemalan state's support for the company's building of the Palo Viejo hydroelectric plant and as psychological warfare against a people who were defending their rights to live with dignity and respect. The arrival of armed forces occurred thirty years after the Ixil Region suffered the worst violence since Spanish colonization at the hands of the military during the civil war, which was characterized by genocide, massacres, disappearances, forced labor, sexual violence, torture, and displacement.

There was confusion and a general sense of fear. Members of the armed forces marched down a paved dirt road toward San Felipe Chenlá, armed with automatic rifles, batons, tear gas, shields, and helmets. Military members with ski masks entered from all sides of the community, intimidating people and scaring children. A woman fainted upon looking outside her house to see the military surrounding the community; a survivor of the violence and massacres of the 1980s, she suffered a nervous breakdown. The police and military approached the protesters, determined to end the blockade. When it became clear after a two-hour standoff that the armed forces were ready to arrest the leaders of the movement, the community began to peacefully walk forward and thus pushed them back (figure 2). At the forefront were mostly women. One participant later remembered that the women gathered together and decided to confront the police and defend their community.

FIGURE 2. Moments before the armed forces retreat from San Felipe Chenlá, Cotzal, March 18, 2011. Courtesy of B'o'q'ol Q'esal Tenam K'usal / Alcaldía Indígena de Cotzal.

The armed forces began to walk backwards, and their retreat was an impressive and powerful sight, given that in other parts of Guatemala many of these situations had ended in violence and bloodshed. As they left, people were heard yelling and cheering. A young boy was heard screaming "*¡Afuera! ¡Retirense!*" (Get out! Retreat!). An individual filming a video said in Ixil that it was sad knowing that the government sent the military to repress its people instead of protecting them. The aftermath involved another person who fainted and was rushed to the hospital in an ambulance. Young children were seen crying from *el susto* (fright). A man asked why the president had sent the military to scare people: "Does he want the war to start over again? . . . We don't want war, we want peace!"[1] While the protesters were able to stand their ground and defend their community without any incidents of physical violence, the psychological ramifications would take their toll, as many were reminded of the terror of the civil war. Another war survivor highlighted the impact this had on children: "The children screamed from fear. My children told me, '*Mami*, the violence you told me about is coming back!'"

Two months later, Enel Green Power, the Italian-based company building the Palo Viejo hydroelectric plant on the Finca (plantation) San Francisco, began a dialogue with the communities of Cotzal who had been arguing that the mega-project had been approved and being built without consultation or their consent. Yet community leaders called this a "forced dialogue," since they were pressured to accept the terms of dialogue under threat of further military intervention. The

dialogue would end when Enel abandoned talks and secretly created a new deal with a newly elected municipal mayor.

This book examines the movement in Cotzal against the construction of the Palo Viejo hydroelectric plant from 2008 to 2012.[2] Palo Viejo includes four separate concrete diversion dams, concrete canals, a powerhouse, and a reservoir. It is one of the largest hydroelectric plants in Central America and has eighty-seven megawatts of installed capacity, "generating 386.95GW per year, equivalent to energy required by 133,920 homes in Guatemala" (Enel Américas 2022, 157). In 2018, the national census reported that there were about 5,624 homes in Cotzal (Instituto Nacional de Estadística Guatemala 2018). In other words, the hydroelectric facility could power all the homes in Cotzal almost twenty-four times over, but the electricity is sent outside the municipality. Enel makes an estimated profit of over $30 million a year from Palo Viejo, but their annual contribution to the municipal government is $294,871, or less than 1 percent of their earnings (see chapter 6 below; Enel Green Power 2014a, 10). In 2010, Cotzal's Municipal Council of Development reported that only ten communities had access to electricity, and the other "twenty-nine communities use traditional ways to get lighting, such as *ocote*, candles, and kerosene lamps, [some of which can] cause serious problems to people's health. Public lighting covers only 18 percent of the municipality and the majority of it is concentrated in the urban area" (COMUDE del Municipio de San Juan Cotzal 2010, 30). During my fieldwork in Cotzal, I found that approximately 37 percent of the population of Cotzal had access to electricity, further underscoring the disparities between the discourses of development and local realities.

In Cotzal, the arrival of these foreign companies and megaprojects was referred to as the "new invasion" or "fourth invasion," which is distinguished from three previous invasions: first, the Spanish invasion and colonization; second, the creation of the plantation economy in the late nineteenth and early twentieth centuries; and, third, the state-sponsored genocide that occurred during the Guatemalan Civil War (1960–96) (figure 3).[3] The Ixil Region has a history of foreign intervention and extraction, externally imposed forms of development, state-sponsored violence, and resistance (Batz 2020). During a dialogue meeting between Enel and the communities of Cotzal, an Ixil leader recognized these cyclical forms of invasion, drawing parallels between Enel's arrival and the Spanish invasion:

> There is no recognition here of Indigenous Peoples, because you [Enel] come like the god, you act like the god among our communities, because you are the ones who will give gifts. . . . Five hundred years ago you came with a mirror . . . now you want to give away other things. . . . You always want to be above the Indigenous; if you have your say, the Indigenous have to accept what comes from above, that's racism, *hermanos*, I don't know what you can call it, but for me it's racism. That's how I feel it, because

FIGURE 3. Banner and drawing of the invasions and history of the Ixil Region by Chemol Txumb'al, 2015. Photo by author.

> I'm Indigenous and I feel it that way. . . . You continue to view us like you are used to seeing us, as *indios*.[4]

The *alcalde indígena* (ancestral authority) of Cotzal Concepción Santay Gómez compares the arrival of Enel to the arrival of the Brol family, who displaced the Ixil over a century ago to create the Finca San Francisco: "The arrival of the Brol is like the arrival of Enel now: they arrived offering things to our people. Our grandfathers and grandmothers had to leave their lands back then, look for another place, so that Brol could make his finca. [Now Enel is] constructing their [hydroelectric plant], it is the land where grandfathers and grandmothers were dispossessed." While discussing the fifty-year state-issued license given to the company for Palo Viejo to operate, he says: "According to what we have heard, when Enel ends its operations after fifty years, it will remain in the hands of the Brols, so the Brols will make more money for another one hundred years—in other words, our future generations, the children who are not born yet, and the children who were born, their children, their grandchildren, they already have their *patrones* [bosses], that is to say, we will never come out from under the pressure of these landowners, the invaders [unless we resist]." The Ixil's cyclical understanding of space, time, and history allows them to view their past as their future and to receive the lessons needed to prepare for the present. Through the use of the four invasions, I argue

that megaprojects are a continuation of a colonial logic of extraction based on the displacement and destruction of Indigenous Peoples and territories. Thus this book presents a historical account of land struggles and resistance during the four invasions with an emphasis on the arrival of megaprojects to Guatemala that have threatened the lives and self-determination of the Ixil.

COTZAL

Cotzal is in the department of El Quiché and forms part of the Ixil Region along with the municipalities of Chajul and Nebaj. The residents of the three municipalities are mainly Ixil with a significant presence of K'iche' and ladinos (non-Indigenous) and a smaller presence of other Mayas. Each town is distinct in their cultural practices, dress, and the variant of Ixil that they speak. Of the three Ixil groups, Cotzal's variant of Ixil is the most distinct in comparison to Chajul and Nebaj (Romero 2017). According to the 2018 Census, there were 133,329 Ixil in Guatemala, or 2 percent of the Maya population. There were approximately 31,532 people in Cotzal, of whom 23,940 were Ixil and 6,171 K'iche', with a smaller presence of other Maya groups such as the Achí (41), Q'anjob'al (7), Q'eqchi' (23), Mam (21), and Kaqchikel (14). There were also 1,108 ladinos or non-Indigenous people and 8 foreigners (Instituto Nacional de Estadística Guatemala 2018).

Beginning in the late nineteenth century, the K'iche', who were being displaced from their lands, came in large numbers to the Ixil Region seeking refuge and fleeing forced labor (De León Calel 2014). The Ixil refer to other Ixil as *Kumol*, and sometimes call the K'iche' *ula*, which means "visitor." Today, the K'iche' consist of nearly a fifth of the population in Cotzal (Instituto Nacional de Estadística Guatemala 2018). There are also several mixed families of Ixil and K'iche' heritage, Ixil and ladino, and K'iche' and ladino, among others. For instance, Concepción Santay Gómez's mother was Ixil, and his father was a K'iche' who served as a municipal mayor in Cotzal.

Non-Indigenous peoples are commonly known as ladinos or *kaxlan* (in various Maya languages)—an ambiguous identity, since there is no clear definition or characteristic surrounding this ethnic group beyond its being recognized as non-Indigenous (Hale 2006; González-Ponciano 2005). Ladinos are also referred to as *mu's* in Ixil and K'iche', and *mo's* in Mam. Maya and ladino relationships are complicated. Colby and Van den Berghe (1969) report that significant ladino settlement began toward the end of the nineteenth century. Who is determined to be ladino depends on a variety of factors. There are several mixed families where children are Ixil and ladino. In some cases, children are encouraged not to speak or dress as Ixil and are raised as ladinos. Most ladinos live in Nebaj and the town centers of the three Ixil municipalities, as well as communities such as Chichel (Tzi'ch'el) in Cotzal. Ladinos and non-Indigenous peoples use racist terms to insult the Ixil and Indigenous Peoples, such as *indio* (Indian), or "Maria" to refer to any

Indigenous women (independent of their actual names) (Cumes 2012). Ladinization has affected the Ixil much as it has affected other Indigenous Peoples elsewhere in Guatemala; it includes forcing them to stop wearing their Maya dress, speaking their languages in favor of Spanish, and practicing *costumbre* or Maya spirituality, as well as engaging in other ladino cultural practices. These violent efforts of ladinization have manifested throughout the four invasions.

Foreigners visiting and living in the Ixil Region are racialized in various manners. While the term *gringo* historically refers to Euro-Americans from the US, the term has been applied to white Europeans and to Euro-descendants from other countries. US gringos living in Guatemala often refer to themselves, especially in the presence of other gringos, as "expats," possibly in an attempt to distinguish themselves as superior, special, and privileged, or to avoid being categorized as "immigrants," "settlers," "colonizers," "imperialists," or simply gringos. The Ixil of Chajul refer to gringos as *vir*.[5] In some instances, light-skinned Guatemalan ladinos can be racialized as gringos. The term for the United States is *vatzoka*, which means "across the sea" and possibly originally references those coming from Europe and the land of the colonizers. The many foreigners who visit or live in the Ixil Region come for a variety of reasons and include nongovernmental organization (NGO) workers, tourists, academics, international observers, journalists, and missionaries, among others.[6]

The majority of people in Cotzal are agricultural workers, and people earn between 30 to Q35 a day (approximately $3.98 to $4.65), which is less than half of the minimum wage of the country (MINTRAB 2021). Cotzal is known for its temperate climate, where rains allow for lush trees and agriculture to flourish year-round. Much of the population engages in subsistence agriculture, growing their own maize, beans, and a variety of squashes such as chilacayote and güisquil. There are two milpa harvests in June and December. The largest cash crop is coffee, with the Finca San Francisco being the largest producer and exporter in Cotzal.

Of the three towns, Cotzal is the smallest in area (182 km2) and the highest in population density (153.5 inhabitants per km2) (COMUDE del Municipio de San Juan Cotzal 2010, 56). In 2010, those living in poverty were 92.75 percent of the population in Chajul, 83.4 percent in Cotzal, and 85.5 percent in Nebaj, with those in extreme poverty at 40.60 percent, 29.1 percent, and 29.5 percent, respectively (COMUDE del Municipio de Chajul 2010; COMUDE del Municipio de San Juan Cotzal 2010, 46; COMUDE del Municipio de Nebaj 2010, 50). In Chajul 35.53 percent of those above the age of fifteen were illiterate, while this figure was 37.85 percent in Cotzal and 38.11 percent in Nebaj (COMUDE del Municipio de Chajul 2010, 35; COMUDE del Municipio de San Juan Cotzal 2010, 29; COMUDE del Municipio de Nebaj 2010, 29). In Cotzal, 37 percent of the population have access to electricity, but provision is of low quality, with blackouts being a common occurrence. The more prosperous families have houses made of concrete blocks,

TABLE 1 Microregions in Cotzal

Location	Communities	Characteristics
Microregion 1	Cotzal (town center), Pulay, Tixelap, Los Ángeles	40% of the population
Microregion 2	Asich, Ojo de Agua, San Nicolás, Q'anel, La Esperanza	4% of the population
Microregion 3	Santa Avelina, Chichel, Vichivalá, San Felipe Chenlá, La Bendición, Kuul, Jacvintab, Vichemal	Noted for growing coffee; 28% of population
Microregion 4	Belén, Namá, Xolcó, Chinimaquin, Xolbalpe, Cajixay, Tzinimcím	3% of the population
Microregion 5	Chisís, Quisis, Titzach	2% of the population
Microregion 6	San Francisco, Sajubal, El Pinal, Tzibanay	Produce coffee; 10% of population
Microregion 7	Pamaxán, Buenos Aires, Villa Hortensia Antigua, Villa Hortensia I, Villa Hortensia II	Produce coffee; 10% of population
Microregion 8	Xeputul I, Xeputul II, San Marcos Cumlá	3% of the population

SOURCE: For communities, Mazariegos Cuyuch (2010, 8–9). For characteristics, COMUDE del Municipio de San Juan Cotzal (2010).

while those with less resources live in houses made of wood and adobe. Recent migrations to the United States and remittances have enabled some families to renovate or build their houses.

The municipal government officially divides up Cotzal into eight microregions consisting of thirty-nine communities: the town center (further divided into fifty-three *cantones*); twenty-four *aldeas* (villages); four *agro aldeas* (agro villages); nine *caseríos*; and one finca (see table 1; COMUDE del Municipio de San Juan Cotzal 2010, 10). The town center is the most heavily populated; it has more access to government institutions and social services and has the biggest market in Cotzal on Saturdays. The second-largest community is Santa Avelina, which has a weekly market, a festival every January, and a cooperative.

Some communities in Cotzal have existed for thousands of years, such as Cajixay (Kajixay) and Titzach, which have archaeological sites (Linares 2021, 50, 67–68). According to oral histories, Cajixay was one of the first settlements in Cotzal after the Ixil left their birthplace in Ilom, Chajul. Many of these archaeological sites have been looted. According to researcher Adriana Linares (2021), there are "26 ceremonial centers . . . registered in the Ixil Region for the Classic period (300–1000 CE)," eleven of which are found in Cotzal (55–56).[7]

The communities of Cotzal can also be categorized by their recent social political histories, such as being former model villages, *agro aldeas*, communities formed by the Communities of Population in Resistance (CPR) and refugees, communities

surrounding the finca, and predominately K'iche' communities bordering the neighboring municipalities of Uspantán and Cunen. The four model villages formed during the war in Cotzal were San Felipe Chenlá, Vichivalá (Vi´chib'al a'), Santa Avelina, and Ojo de Agua, with the first three being heavily involved and at the forefront of resistance against Enel. *Agro aldeas*, which include La Bendición, Los Ángeles, and Belén, are those that were created in the Ixil Region by the US-based Fundación Agros (Elliott 2021, 130). The term *agro aldea* originates from Fundación Agros, which is led by Alfred Antonio Kaltschmitt Lujan, a Costa Rican right-wing conservative who was aligned with the Guatemalan military government during the war, was a defense witness in the General Efraín Ríos Montt genocide trial, and supported the construction of Palo Viejo (Gutiérrez Valdizán 2013; Kaltschmitt 2011). There are communities that were once part of the Finca San Francisco, or whose residents heavily rely on the finca for employment or to borrow land to plant, such as Xeputul I, Xeputul II, San Marcos Cumlá (K'umla), Sajubal, El Pinal, Tzibanay, Pamaxan, and Buenos Aires. Communities can also be divided up by the different land tenure systems that exist there, such as *ejido* (communal land), *patrimonio agrario colectivo, empresa campesina asociativa*, and *agro aldea*.

With the exception of the town center, some streets in Santa Avelina, and the road to Nebaj and Chajul, asphalt paved roads do not exist in Cotzal. There is public transportation between the town centers of Cotzal and Nebaj, and most recently from Cotzal and Chajul. Communities along the main road that connects Nebaj to the Finca San Francisco have better access to Ixil town centers. Outlying communities such as Chichel, Namá, and Cajixay have dirt roads that allow buses, *micros* (minivans), motorcycles, or *tuk tuks* (auto rickshaws) to access these communities, depending on the road conditions and the season. Communities at farther distances from the town center, such as Villa Hortensia II and Vichemal, have ill-maintained dirt roads and rely on one bus (if functioning and in service) that makes one round trip to town on market days. Other communities such as Xeputul I do not have adequate roads for public transportation, and still others like San Marcos Cumlá are accessible only on foot. While there is a road extending to the Finca San Francisco, once you enter the finca, you are stopped at a checkpoint, where you are received by armed guards who begin to interrogate you as to where you are headed. They can deny your entry and in the past they have charged vehicles for using the road.

Of the three towns in the Ixil Region, Cotzal has been the least studied, as many researchers, NGOs, and state institutions have concentrated their work in Nebaj. This has to do with Nebaj being perceived as more "comfortable" and more "accessible" to outsiders, and today it has many hotels, pharmacies, and other amenities. Previous researchers and travelers from the late nineteenth century up to the present mention how they spent more time in Nebaj and only made short visits to Cotzal to visit either the Finca San Francisco and the Brol family, or to the town

center, where they met with the Catholic priest or the municipal mayor. In other words, for researchers traveling to Cotzal, it was a matter of visiting and accessing spaces of colonial and repressive powers and their agents.[8]

AUTHORITIES IN THE IXIL REGION

The various types of authorities in the Ixil Region include, but are not limited to, state/government, community/traditional, religious/spiritual, and ancestral authorities, some of which overlap with each other. State and government authorities include the municipal government (municipal mayor, municipal councils), and other municipal bodies such as the Community Councils of Development (COCODE) and the Municipal Councils of Urban and Rural Development (COMUDE). They also consist of other state agents linked to security and policing such as the National Civil Police (PNC), the Municipal Police of Transit (PMT), and the military. State/government authorities include judicial entities such as the Public Ministry (MP), which has its office in Nebaj, and the Justice of the Peace, located in the town center of Cotzal. There are also other government officials such as the governor and department deputies.

Community, traditional, and ancestral authorities include community leaders, spiritual guides, *curanderos* (healers), *comadronas* (midwives), bone healers, and elders, among others. Every year, communities in Cotzal hold community assemblies where they select leaders to form part of the COCODEs and other *cargos* through consensus. The selected person then has to accept or deny the *cargo*. The highest position is the *alcalde auxiliar/comunitario* (auxiliary mayor/community mayor). A community leader who has passed through various *cargos* such as secretary, *aguacil* (sheriff), and more importantly *alcalde auxiliar/comunitario*, is then recognized by the community as a *paxato*. Most communities have a council of elders who guide the community.

Religious/spiritual authorities include Catholic priests, catechists, pastors, and *guias espirituales* (spiritual guides). Before the war, Catholicism was widespread, with many participating in *cofradías*, which safeguard Catholic saint figures (Lincoln 1945, 127–42). During the war, Catholics and catechists were persecuted, and evangelical churches proliferated under General Ríos Montt (1982–83). Maya spiritual guides, commonly known among various Maya groups as *ajq'ij*, and in Ixil by various names, are essential to Maya spirituality (Firmino Castillo et al. 2014). In Nebaj they are known as *b'aal vatz ttiixh*, in Cotzal *cumpare*, and in Chajul *mama'*. Maya spiritual guides were heavily persecuted during the Spanish invasion and most recently during the civil armed conflict. According to sociologist Egla Martínez Salazar (2012), the military viewed spiritual guides as "communist sorcerers"; it "publicly tortured and executed" them as a form of "cultural-political punishment, in that they represented more clearly the capacity of Mayas to be producers of autonomous epistemologies, and because these spiritual teachers made possible

the survival of Maya spirituality, a key component of the Maya Cosmovision" (115). The persecution of spiritual guides and their prevention from practicing ceremonies and rituals continues today in Guatemala.[9]

The ancestral authorities, who can also be considered as community/traditional authorities, are known by various names, including *principales*, and the Alcaldía Indígena or B'o'q'ol Q'esal Tenam in Ixil. A principal or ancestral authority who is an elder and who has served his or her people through various *cargos* is also recognized as a *principal de principales*, a very distinguished honor. The Alcaldías Indígenas in Guatemala were created during the colonial era as a form of governance among the Mayas under ladino control. According to Lina Barrios (2001), the Alcaldías Indígenas were a colonial institution used to administer the distribution of labor and tribute. At the same time, they preserved Indigenous culture and practices and maintained a certain degree of autonomy. The Alcaldía Indígena in Cotzal was revived and strengthened in 2008 in response to the growing threat of multinational companies in the area and the need to promote Indigenous rights (B'oq'ol Q'esal Tenam 2014). The ancestral authorities consist of elders, *comadronas*, spiritual guides, and community leaders. *Comadrona* and elder Txutx Ni'l, or doña Inés Chamay Poma, is recognized as one of the leaders who aided in reviving the ancestral authorities in Cotzal. She was a *principal de principales* and passed away in February 2011 (B'oq'ol Q'esal Tenam 2014, 1). The Indigenous Authorities/ Alcaldía Indígena/B'o'q'ol Q'esal Tenam of Cotzal were at the forefront of the movement against the Palo Viejo project. Other Alcaldías Indígenas in the Ixil Region, including those of Nebaj, Chajul, Ilom, and Chel, have resisted megaprojects as well.

During much of my fieldwork, the Alcaldía Indígena of Cotzal was not recognized by the municipality or by state/government authorities. Ixil municipal mayors have questioned the legitimacy of ancestral authorities, arguing that since there are elected Indigenous officials, there is no reason for the existence of the Alcaldía Indígena. Although Article 55 of the Municipal Code (Decree Number 12-2002) reads, "The municipal government must recognize, respect and promote the Alcaldía Indígenas when they exist, including their own forms of administrative operations" (Congreso de la República de Guatemala 2002). Despite this, the Alcaldía Indígena of Cotzal were denied, unrecognized, and rejected by the municipal administrations of Baltazar Toma Sambrano (2000–2008) and José Pérez Chen (2008–11). In 2007, "A group of midwives headed by doña Inés Chamay Poma structured the ancestral authority of the municipality of Cotzal" and met with then municipal mayor Toma Sambrano to "ask for recognition." He responded that it was "impossible that there should be another Indigenous authority in the municipality if everyone knows that San Juan Cotzal is governed by an Indigenous person, at which the Alcaldía Indígena was dissatisfied, [perceiving his response to be] very racist, arrogant, and paternalistic" (B'oq'ol Q'esal Tenam

2014, 5). In 2008, after "the Alcaldía Indígena of Cotzal made themselves known publicly in the municipality through a Maya ceremony on January 8, 2008," they were once again rejected by Pérez Chen (5–6). The municipal mayor Baltazar Cruz Torres also did not recognize the Alcaldía Indígena during his first term (2012–16) and part of his second term (2016–19). In April 2019, through a Municipal Act, Cruz Torres did recognize the Alcaldía Indígena, but this decision was a result of the effort and struggle of the ancestral authorities (Municipalidad de San Juan Cotzal 2019).

In Cotzal, the Alcaldía Indígena is made up of twenty core members, along with supporting advisers, and is headed by a *primer alcalde* (first mayor) who serves every year of the Maya calendar as opposed to the Gregorian calendar. Four members have been selected by the communities to serve as *primer alcaldes*, and another four as *segundo alcaldes* (second mayors). Each member serves in a rotative manner every other four years for life. Each of the *primer alcaldes* represents one of the four year bearers of the Maya solar calendar: No'j, Iq', Chee, Ee. The alcaldes alternate their positions during the Ixil Maya New Year under the solar calendar, which takes place after the *O' Qii* (the five sacred days), or approximately every year in late February in the Gregorian calendar. The Alcaldía Indígena of Cotzal demonstrates the way that spirituality and the Ixil calendar influence governance and decision-making.[10]

The communities of Cotzal have moved toward establishing themselves as *Comunidades Indígenas* (Indigenous Communities) as a means of gaining greater autonomy from the municipality and Guatemalan state. The Alcaldía Indígena has extended recognition to the *Comunidades Indígenas* and their *libros de actas* (registry books that contain meeting notes and community decisions and rulings); the municipal government has not. The importance of the recognition of *libros de actas* is to ensure that decision-making by the communities is respected by the municipal government and the state.

On July 2, 2011, San Felipe Chenlá became the first *aldea* in Cotzal to declare itself as a *Comunidad Indígena*. With the support of the *alcalde auxiliar* and the COCODE, the community placed "all authority over their lives to [the] Q'esal Tenam Tu Poj (Consejo de Principales) of the Comunidad Indígena Tu Poj" (Tu Poj 2011, 2). These efforts are meant to give formal and ultimate authority to community leaders (*Q'esal Tenam* in Ixil) over the state's representatives (*alcalde auxiliar* and the COCODE). In declaring themselves a *Comunidad Indígena*, the people also renamed their community from San Felipe Chenlá to Tu Poj as a form of recovering Ixil place-names. *Tu Poj* means "within the sand" (*tu* = in, *poj* = sand). At the time of this writing (September 2023), there are nineteen *Comunidades Indígenas*: Pulay Cotzal, Asich, San Nicolás, Xob'alpe, Cajixay, La Bendición, Quisis, Villa Hortensia I, San Marcos Cumlá, Vichemal, Los Ángeles, La Esperanza, Belén, Namá, San Felipe Chenlá, San Antonio Titzach, Villa Hortensia II, Buenos

Aires, and Xeputul II. For communities that are majority K'iche', such as Villa Hortensia II, the *Comunidad Indígena* is known in K'iche' as *K'amalb'e*.

METHODOLOGY AND SHAPING OF THE RESEARCH PROJECT

Academia is often considered a pillar of colonialism in monopolizing the production of knowledge (Restrepo 2007). There have been a range of critiques and proposed solutions to confront these problems and challenges so as to best rethink our roles and relationships as educators and researchers with the communities we work with. These proposals include, among others, decolonization of academia and the use of critical Indigenous methodologies (Harrison 1991; L. Smith 1999), pedagogies of the oppressed (Freire 2000), activist anthropology (Hale 2008; Speed 2006), black feminist thought (Collins 1991), and Chicanx personal narratives and storytelling (Aguirre 2005). Linda Tuhiwai Smith's *Decolonizing Methodologies: Research and Indigenous Peoples* (1999) demonstrates the ways research and Western academia are tied to European imperialism and colonialism and thus are negatively viewed by many indigenous communities across the world. "Research" in these cases is not limited to academia and also includes journalistic and amateur works. Anthropologists are among the most visible actors in these critiques because of the ethnographic nature of their research and anthropology's violent history as a discipline, which found its origins in dedicating itself to the study of non-European "Others." Indigenous Peoples, scholars, and activists from all over the world have criticized academics, particularly anthropologists, for their role in working alongside and in collaboration with colonial structures of power, and for appropriating, stealing, looting, extracting, and benefiting from Indigenous cultures, identities, knowledges, and peoples in ways that contribute to their oppression (Deloria 1969; Gibbings 2020; Restrepo 2007; Speed 2019).

While many works have been written about the Ixil and Maya peoples, it is likely that most of them have never read or are unfamiliar with these works. Despite calls to decolonize knowledge and make our research more accessible, the general sense I have from various communities and people in Guatemala, in both academic and nonacademic spaces, is that this does not happen in practice. Books are usually relatively expensive and inaccessible to people outside urban spaces; electronic versions of these works are not translated into the language where research was conducted and assume that people have access to the internet, a computer, and electricity. Academic conferences typically take place in very expensive hotels, in very expensive cities, in very expensive countries that require visas, with expensive membership and conference registration fees, and are mostly attended by professional academics. Overtheorizing concepts and events without providing solutions to problems is at times not useful on a practical and material level for frontline communities and people on the ground (these sentiments were

captured by an Ixil who stated, "You can't eat theory"). This is not an antitheory position but another call to find balance in making our research not just more accessible but more applicable and useful to the communities we are working with. Some Ixil have pointed to how irrelevant some academic research is to the real world, have highlighted its extractivist nature, and have expressed the need for Ixil to conduct their own research and not rely on outsiders such as anthropologists to do this work, who "solo sacan información, y se van" (only take out information and leave).[11] Whether one agrees with these sentiments or not, they are indicative of a very serious problem. The violent history of the Western education system against Indigenous Peoples contributed to the 2011 foundation of the Ixil University (Batz 2018).

At the same time, there are efforts to rectify some of the inequalities between academia and Indigenous communities. Currently, there are several studies and books researched and written by Ixil on the Ixil Region on topics such as spirituality and history (Asociación de la Mujer Maya Ixil 2000; B'oq'ol Q'esal Tenam 2014; Reyna Caba 2001; De León Ceto 2013; Firmino Castillo et al. 2014; Rodríguez López 2005; To'm, Tzima, and Met 2014). The theses produced out of the Ixil University by Ixil and K'iche' since 2013 are also a source of works produced from an Indigenous, community, and local perspective (Batz 2018). There are also bilingual dictionaries and books written by the Ixil from the three towns (Asicona Ramírez, Méndez Rivera, and Xinic Bop 1998; Cedillo Chel and Ramírez 1999; Comunidad Lingüística Ixil 2018a; Poma Sambrano and Castro Osorio 1994, 1995). In Cotzal, Maximiliano Poma Sambrano, who is the *primer alcalde* of the Alcaldía Indígena for the year Chee, coordinated the first Ixil-produced bilingual book (Ixil-Spanish) (Poma Sambrano and Castro Osorio 1994). There are several publications of the Ixil Linguistic Community, Academy of Mayan Languages of Guatemala (ALMG), written and researched by Ixil, including books on Ixil Mayan medicine, literary texts, history, and culture (Comunidad Lingüística Ixil n.d.-a, n.d.-b, 2004, 2008, 2018a, 2018b). There are some examples of anthropologists whose research promotes human rights and Indigenous rights, such as Myrna Mack, Ricardo Falla, and Irma Alicia Velásquez Nimatuj (AVANCSO 1992; Falla 1992; Velásquez Nimatuj 2019). Mack's 1990 assassination by the Guatemalan military was attributed to her human rights-based research on internally displaced Maya communities during the war (Oglesby 1995). In addition, several scholars have recently collaborated with Ixil ancestral authorities, community leaders, and the Ixil University (Banach and Brito Herrera 2021; Batz 2022b; Hernández Alarcón et al. 2008; A. Flores 2017; Linares 2021).

Academia is an extractivist industry. As a researcher examining extractivist industries, I was presented with the challenge of mitigating the potential consequences of my work in the Ixil Region. Hence, for this research I used and was inspired by the methods and ethics of critical Indigenous methodologies and activist anthropology/research. These methods and vision are based on collaboration,

reciprocity, and respect and address the historical inequalities that exist between researchers and marginalized communities. Apart from my initial arrival in 2011, during each step of my research project, from forming my research questions, to disseminating and sharing my work, to applying my research to support social movements in the area, to my dissertation defense, I have consulted various ancestral authorities and groups in Cotzal to best ensure transparency, reciprocity, and respect. This included having periodic meetings with various authorities and community members to provide updates and written works, as well as to receive feedback. I produced community publications on multiple occasions to distribute my work so people would be aware of the research I was conducting. On March 19, 2017, I presented my dissertation to the ancestral authorities, the community authorities of San Felipe Chenlá, and members of the Ixil University. I was also able to invite two ancestral authorities of Cotzal to be present for and to participate in my dissertation defense at the University of Texas at Austin in April 2017 and to form part of the de facto committee.

The framework for this book was influenced by Florencia Mallon's edited volume *Decolonizing Native Histories* (2012), which argues that there is a need to decolonize Indigenous histories and create alternative narratives focusing on local and community-based histories that recognize difference and avoid essentializing these communities. Some scholars have called for the need to avoid portraying and/or romanticizing marginalized peoples as always being victims since it denies their political subjectivity, as well as disregarding the complex relationships involved within these communities. In shaping the research project, community leaders asked that I focus on their history. The use of the local concept of "four invasions" seeks to privilege local Ixil narratives and cyclical interpretations of history and time.

I position myself in my research as the son of working-class Guatemalan immigrants, and I identify as a K'iche' Maya who was born and raised in Los Ángeles, California, in the mid-1980s. Since 2011, I have been able to work with and accompany various groups and organizations in the Ixil Region. I had close contact with the Alcaldía Indígena of Cotzal and supported their efforts in various forms such as accompaniment, documentation of their work at their request (photographs, recordings), and editing of their collective work on the struggle against Enel (B'oq'ol Q'esal Tenam 2014). I accompanied and organized various visits of Ixil leaders to California, Texas, Ohio, Arizona, and New Mexico, in order for them to spread awareness and garner international support for their movement. I was able to travel to Guatemala City with the ancestral authorities from the Ixil Region on various occasions to press releases, conferences, protests, and meetings with government officials. I had close contact with local leaders in various communities throughout the region, especially with leaders in San Felipe Chenlá since that is where I resided during my research. I was present for the inauguration of the Ixil University in 2011, where I served as a tutor, taught courses, and served as a

thesis adviser for students between 2013 and 2015. It was in the Ixil Region that I also learned to ride a motorcycle, which allowed me to travel to communities, as well as experience firsthand the difficulties and dangers of bad roads for vehicles and public safety.

I first came to Cotzal in June 2011 and conducted two months of research on the conflict surrounding Palo Viejo, which included attending two dialogue meetings. I returned in 2012 to present my findings, as well as asking and consulting community leaders and the ancestral authorities for permission to conduct my doctoral research in Cotzal. These meetings involved having community leaders shape my research questions and topics, which I would come to understand as consisting of two parts. The first investigated the history of Cotzal through the four invasions. The second examined the case of Palo Viejo. These two overall themes would guide my research and eventually form the two parts of the book presented here.

The majority of my ethnography and archival research collection occurred between 2013 and 2015, when I conducted twenty-six months of field research. I returned in 2016, 2017, 2019, 2022, and 2023 for shorter visits that ranged between one to three months. In total, I conducted over one hundred individual formal interviews and ten group interviews (with the number of participants ranging from three to twelve people), and had countless informal conversations. Interviewees included community leaders and residents, teachers, students and staff of the Ixil University, municipal mayors, members of the Alcaldía Indígena from Cotzal, Ilom, Chel, and Nebaj, migrants, ex-combatants, and ex-gang members, among others. These conversations gave me a deeper understanding of Ixil and K'iche' culture, history, identity, spirituality, archaeological sites, and the movement against megaprojects.

My first book published in Spanish based on my research was peer-reviewed by the ancestral authorities of Cotzal to ensure transparency and dissemination of my work (figure 4). As a scholar on the job market (2016–21) I was expected to publish my first book in English, preferably with a US-based university press, to have a more competitive application. But while I was in contact with a US university press to publish my work in English, I decided that I had to publish my work first in Spanish and with a Guatemalan press to make it accessible to the communities and people in Cotzal, Guatemala, Latin America, and elsewhere. I was fortunate to work with and publish with the Asociación para el Avance de las Ciencias Sociales en Guatemala (Association for the Advancement of the Social Sciences in Guatemala, AVANCSO), cofounded by Myrna Mack, in both print and digital open access. As mentioned in the Foreword, the book was presented over three days in Guatemala (figure 5).

In this book, uncited quotations can be assumed to come from fieldwork interviews or video recordings. Additionally, not all interviewees are named in full or at all out of respect for privacy and security. In some cases, some interviewees

FIGURE 4. Author (top row, fourth from left) with members of the Alcaldía Indígena de Cotzal, 2022.

asked me to include their full names, for which permission was obtained before the publication of the book. I conducted extensive archival research in the Archivo General de Centro America (AGCA) in Guatemala City and Segundo Registro de la Propiedad (SRP) in Quetzaltenango, as well as accessing other documents at the Archivo Histórico de la Policía Nacional (AHPN). I also reviewed declassified US documents from US agencies such as the Embassy to Guatemala, the State Department, and the Central Intelligence Agency. Last, I had access to video recordings and testimonies from the 2011 blockade and dialogue meetings, open letters, and press releases from both Enel and the communities of Cotzal.

For over a year (starting in 2014), Enel Green Power through their external relations representative denied my various requests for a formal interview regarding Palo Viejo. The two main reasons they gave me for denying me an interview were that employees involved in the conflict in Cotzal no longer worked with the company and later that 2015 was an election year and Enel reserved the right to withhold opinions and perspectives on the matter, which might be "extremely sensitive for the country" (personal communication, April 9, 2015). In my attempts to obtain an interview, Enel's external relations representative requested that I submit another formal, written request in a Word document regarding the topics I wanted to cover via email, which I did. In response, I was denied an in-person interview, but Enel's representative did respond in writing to the five topics that I wanted to inquire about (although this was not as valuable as an interview) and sent me a report that discussed the impact of the 2013 agreement between the municipality and the company.

FIGURE 5. Presentation of research in Cotzal during Maya ceremony, January 2023. Photo by author.

Similarly, the administration of the Finca San Francisco never responded to a written request for an interview in 2014, which I was instructed to draft by the administrator of the finca after I verbally requested an interview with him in the town center of Cotzal.[12] Instead, I was required to leave my written request with armed men at their gate when I arrived, and I never received a response. I had

previously visited the finca with two journalists in 2012, but this was a very intimidating experience in which a helicopter circled our car when we asked to talk to Pedro Brol (the owner of the finca), while four heavily armed men surrounded the vehicle. We were later received by Brol's son, who said an interview would not be possible. I did not pursue an interview with the Finca San Francisco after I submitted my 2014 request out of concerns for my personal safety.

VIOLENCE DURING MY FIELDWORK

I saw don Sebastian Sajic Córdova in Nebaj the day before he was brutally murdered on September 11, 2015. I was heading out to Xela to do archival work and he was selling his handmade nets at the bus stop. He was there for a *mandado* (errand) since he was the representative of the Committee of Victims in his community of San Antonio Titzach, Cotzal. I told him I would visit him soon. Don Sebastián was a sixty-eight-year-old *cumpare* (spiritual guide), a community leader, a survivor of massacres, a preliminary witness for the Lucas Garcia genocide trial, and a well-respected and beloved friend of many. He was a *principal* of the Alcaldía Indígena of Cotzal. His death brought his family, his community, the people of Cotzal, and myself great pain.

Leaders were threatened with violence, some with death threats, during and after I conducted fieldwork. In May 2015, Baltazar de la Cruz Rodríguez, a member of the Alcaldía Indígena of Cotzal, received two death threats and two assassination attempts. On March 19, 2016, another ancestral authority, Concepción Santay Gómez, was attacked with a machete and wounded in an attempt on his life in San Felipe Chenlá. On July 28, 2018, Juana Raymundo, a twenty-five-year-old activist, community leader in Nebaj, and nurse, was brutally murdered. Soon after, on the night of September 21, 2018, Juana Ramírez Santiago, a fifty-five-year-old midwife from Qambalam, Nebaj, was murdered on her way home. Juana was a member of the Red de Mujeres Ixiles (Network of Ixil Women) and had received various death threats for her work related to women and human rights, which she testified about at the Attorney General's Office. This was followed by the death of twenty-one-year-old Jacinto David Mendoza, an Ixil University student and human rights defender from Cotzal, who died on September 6, 2018, after sustaining injuries from being attacked by unknown assailants. Benoit Pierre Amedee María, known as Benito María, a French national who worked with the Ixil and Q'eq'chi for over twenty years, was ambushed and gunned down inside his truck in Pacam, San Antonio Ilotenango, El Quiché, on the morning of August 10, 2020, when he was on his way to visit a community. Those responsible for many of these attacks remain free, symbolizing the high level of impunity that characterizes the Guatemalan political and social situation, particularly regarding violence against community leaders, women, and Indigenous and human rights activists, who have been historically persecuted in the country. Crimes and threats

often go unreported because of mistrust and corruption in the police and judicial system. According to an Ixil leader, when Indigenous Peoples demand and fight for their rights, they are persecuted and labeled as terrorists, savages, and delinquents. There are others not mentioned here who have also experienced persecution and threats in Cotzal. The violence in "postwar" Guatemala continues to escalate to alarming levels.

While conducting fieldwork in Cotzal, I never felt that my life was in danger, but I was always careful of my surroundings, as the threat of a threat always loomed in the back of my mind. In July 2011, one of the *orejas* (informants) of the Finca San Francisco and store owners that catered to Enel's employees came up to me half-drunk, and while firmly shaking my hand one early morning said, "Vos sos el enemigo de la empresa" (You are the enemy of the company). In another instance in June 2015, somebody threatened myself and another person with physical violence while we were talking inside a store and criticized us for "being against Enel" and collaborating with the Alcaldía Indígena and "guerrillas," as well as insulting me directly for doing my research and living in Cotzal. In April 2015, the brake lights on my motorcycle were intentionally cut, and to this day I do not know the motives behind this (whether it was politically motivated or random delinquency). Guatemala remains a dangerous place for Indigenous leaders, environmentalists, human rights activists, and journalists, and in recent years an increasing number have had to flee into exile (Taracena 2023).

EXTRACTIVISM AND THE FOUR INVASIONS

Literature on extractivism in Latin America has increased because of the growing global demands for raw materials and energy. It addresses topics including megaprojects' operation under settler colonial logics and extractivist violence, which has negatively harmed mainly Indigenous and Afro-descendant communities (AVANCSO 2016; Johnston 2010; Nolin and Russell 2021; Sawyer 2004; Svampa 2019); the concept of extractivism and the different types (Gudynas 2018); land enclosures and conflict (Grandia 2012; Ybarra 2017); government policies to address extractivism's ill effects, such as mining bans (Broad and Fischer-Mackey 2017); the role of international law and domestic courts (Imai, Mehranvar, and Sander 2013); and academic extractivism (Batz 2018). Detailed ethnographies demonstrate historical, social and political lineages of social movements and are needed to understand the overlapping power relations between affected communities, foreign entities, and national governments.

Indigenous struggles for plurinationalism, autonomy, and alternative paths of development are critical in addressing the global crisis of capitalism (AVANCSO 2020; Copeland 2019; Escobar 2020; Gudynas 2016; Shiva 2002; Velásquez 2022). Extractivist violence is fueling displacement and political terror, while simultaneously destroying the environment. Researchers from AVANCSO use Q'eqchi' Maya

concepts and histories to argue that the Guatemalan state's support for megaprojects, which generates violence and displacement against Indigenous communities, is "an undeclared extractivist war" ("Jun nimla rahilal li ma junwa xwank resilal" in Q'eqchi' Maya) (AVANCSO 2020, 286).

The use of Ixil Maya theoretical concepts provides a grassroots historical Indigenous perspective on political and social struggles that views extractivism as a continuous and cyclical form of colonialism. The concept of "four invasions" is used in an active way to illustrate the ongoing occupation by colonial powers of ancestral Indigenous territories. In this way, dominant narratives of Indigenous Peoples being "conquered" are refuted, as historical memories of ongoing resistance are evidenced by community-based political lineages and organizing. As each chapter shows, each invasion is characterized by agents of oppression (fincas, the Guatemalan state, the military), and agents of resistance (Indigenous communities). Moreover, the use of *tiichajil* and *txaa* provides the reader with a window to pluriversal imaginaries and ontological understandings of lived Ixil realities. *Tiichajil* is often described as balance, well-being, and good health within the community. *Txaa* are community norms and values of how to live a good life. These two concepts could be understood as standing in contrast to capitalist logics of individualism, excess, and consumerism. Both are explored a bit further in chapter 4, and while they are not mentioned outright in each chapter, these concepts and others have guided Ixil communities for centuries.

OUTLINE OF THE BOOK

The book is divided into two parts, with six chapters and a conclusion. The first part of the book traces cyclical waves of invasions and resistance to demonstrate how current movements are rooted in a continuous history. This part mainly focuses on Cotzal, but I present regional context with examples from Chajul and Nebaj since their histories are interconnected. Chapter 1 focuses on examining the first Spanish/European invasion of the Ixil Region and the subsequent colonial institutions that were established. Despite the end of Spanish colonialism in the nineteenth century, these colonial institutions continued to shape and influence power relationships between the Ixil, the Guatemalan state, and foreigners.

Chapter 2 explores the second invasion, characterized by the plantation-based economy and the ideology of the "Indian Problem," which views Indigenous Peoples as a roadblock to progress, development, and civilization. By the mid-twentieth century, an estimated 45 percent or almost half of the *ejido* (communal land) of Cotzal had been converted into private fincas by ladino and Euro-descendant *finqueros* (plantation landowners) (González S. 2011, 178; Stoll 1993, 35–37). I then shift my focus to plantation owners and Euro-American academics and highlight how foreigners and non-Indigenous Peoples began to settle and extract natural resources and knowledges from the Ixil Region. This includes the Brol family, who

created the Finca San Francisco, where Palo Viejo was constructed. The chapter ends with the Ixil's expropriation of plantations through the 1952 Agrarian Reform and the subsequent 1954 US-backed coup against the democratically elected government of Jacobo Arbenz. The coup further gestated territorial conflict and contributed to the outbreak of the armed conflict.

Chapter 3 provides a summary of the civil war in the Ixil Region. It describes the relationship that *finqueros* had with the military government during the implementation of genocidal scorched-earth policies against the Ixil and Indigenous Peoples. The chapter provides two oral histories that show the complexities and legacies of the war. The first is that of don Nicolás, a former mayoral candidate, who lost the 1968 elections to alleged fraud. He was subsequently persecuted, captured, and tortured by the army. When he was about to be executed, he managed to escape, recovered, and joined the guerrillas. The second story is that of doña María, daughter of a well-known Ixil organizer who was captured by the military and rumored to be tortured and murdered by the Brol family on the Finca San Francisco. She narrates her life as a girl who grew up without a father during the war and had to take refuge in the mountains. Today, doña María, who lost most of her family during the war, is an ancestral authority in Nebaj. These two oral histories provide the reader with a deeper understanding of the consequences of war for contemporary everyday life.

The second part of the book examines the fourth invasion. Chapter 4 surveys postwar Cotzal to provide the cultural, social, and political context for the arrival of megaprojects. This chapter also introduces contemporary Ixil culture, worldviews, and spirituality through the use of the local concepts of *tiichajil* (good life/well-being) and *txaa* (recommendations on how to live a balanced life). I also explore the postwar climate, which includes the rise of gangs, the adoption of neoliberal policies that support extractivist industries, and the role of the international legal principle of Free, Prior, and Informed Consent (FPIC) in conflicts between Indigenous communities, the state, and multinational corporations.

Chapter 5 traces Enel's arrival to Cotzal and its relationship with the municipal government, the Finca San Francisco, and local communities. The chapter focuses on the resistance efforts of the communities of Cotzal since 2008 and the persecution of local leaders, land defenders, and activists, which led them to carry out a road blockade as a means to stop construction of Palo Viejo. Chapter 6 explores the dialogue between the communities of Cotzal and Enel that ended the blockade and attempted to rectify the damages caused by Enel. This is followed by a discussion of Enel's decision to end dialogue and begin a campaign of defaming local leaders after the hydroelectric became operational in 2012. I then analyze Enel's talking points regarding the Palo Viejo conflict and compare them to local realities. Last, the chapter examines a historic 2015 Constitutional Court ruling favoring the communities of Cotzal in a case against the Transnova company (subsidiary of Enel), which built electrical towers. The Court found that the company

had violated the Ixil's right to consultation, making it the first time a court recognized these rights in Guatemala.

A NOTE TO THE READER ON TERMS, TRANSLATIONS, PLACE-NAMES, AND LAND MEASUREMENTS

Throughout the book I use extensive quotations from primary sources and interviews whenever I feel that my interpretation of them would not do justice to the words, knowledges, and the wisdom that they carry. Translations of documents, interviews, speeches, and published Spanish-language sources are my own. I give words in Ixil and Spanish whenever I feel that their English translations would not capture their meaning adequately. After much consideration, I decided to use the government and Spanish names of geographical places in Cotzal to avoid confusion for the reader, since these names appear several times in historical and state documents, books, and Enel's reports, among other places. In some places, Ixil names appear in parentheses. The reader can also refer to the book *B'iichit Unq'a Jejleb'al Na'ytzan Mayab' Ixil, Toponimias Maya Ixil*, from the Ixil Linguistic Community (ALMG), for a thorough list of Ixil names and their etymology from the three towns of Chajul, Cotzal and Nebaj (Comunidad Lingüística Ixil 2004).

I use surface measurements that are used in Guatemala: one *caballería* is equivalent to approximately 110 acres, 64.58 *manzanas*, 45.13 hectares, or 451,256.54 square meters; one *manzana* is approximately 1.7 acres, or 10,000 *varas cuadradas*; and one *cuerda* is approximately 0.3 acres (Aguilar P. 1928, 17–19; Handy 1994, 245).

My expectation is that a wide range of audiences can access this book in discussing issues related to historical displacement, settler colonialism, environmental justice, social movements, and extractivist industries.

PART I

Historic Invasions

1

First Invasion

Genocide, Colonial Institutions, and Resistance

During the eighth dialogue meeting between the communities of Cotzal and Enel on September 2, 2011, it became evident that Enel would not take the demands of the communities of Cotzal seriously and that it would try to end dialogue (as it did soon after). An Ixil leader spoke passionately, recalling the injustices of the past:

> Certainly, we do not speak Spanish well, certainly we do not read, but we know what we want. If you accept that, that we do know, and you do not ignore us, it seems that things can change. Your proposal shows your ignorance about us, the existence of Indigenous Peoples, that is the manifestation of your response. . . . You are going to come to give us candy, as you have always come to give us candy. We told you last time—*five hundred years ago you came with a mirror, now you have arrived with laminas* [tin sheets for house roofs, an offer from the company], now you want to give other things—we told you, we are not asking you for gifts, get that out of your mind, we are not asking for gifts. (emphasis mine)

These comments illustrate the ways that the Ixil and Maya are conscious of colonial structures, despite being wrongfully portrayed and perceived by dominant forces as ignorant and backward. That the Spanish arrived and committed genocide framed by discourses of salvation and civilization is symbolized by the mirror, which today has taken the shape of a *lamina* under the guise of development and corporate social responsibility (CSR) projects.

The same Ixil leader went on to criticize Enel's paternalistic and racist attitudes toward Indigenous Peoples: "You want to be our dad, you want to be our mom, you want to do things the way you want. . . . Deep down it's racism, sorry, that's what it is, it's racism at its core." Here we can observe how the Ixil are aware of the

racial hierarchies that view Indigenous Peoples as inferior and their manifestation in the arrogant and paternalistic attitudes held by foreigners, corporations, the state, ladinos, and others. To understand the conflict between Enel and the communities of Cotzal, and why the arrival of megaprojects constitutes a new invasion, an analysis of Spanish invasion is necessary.

Spanish colonization of the "Americas" led to the imposition of colonial identities and institutions based on white supremacy and patriarchy that favored European men and marginalized and oppressed Indigenous Peoples and women. Scholars have argued that a new model of power was established through the control of labor and the creation of the idea of race and new identities such as *criollo, peninsular, indio, negro,* and *mestizo*, which formed levels of a racial hierarchy (Quijano 2008). Colonial identities of *indio* and *negro* became associated with backwardness, laziness, and ignorance, whereas Europeans and their descendants came to symbolize modernization, civilization, wealth, beauty, and intelligence. The Spanish enforced their ideas of *limpieza de sangre* (purity of blood) in every aspect of colonial life through the *casta* system (AVANCSO 2015). For Europeans, these colonial identities justified the dehumanization of Indigenous Peoples and Afro-descendants and were the basis for genocide, slavery, oppression, and inferiority. In addition, being Spanish or European gained a racial connotation, with Europeans being perceived as "white" and the colonized as "colored" (AVANCSO 2015). The patriarchal system that colonizers imposed, in which Indigenous women were viewed as inferior to men, promoted sexism and gender violence (AVANCSO 2015; Cumes 2012; Julajuj Chamalé 2013; Lugones 2010). These imposed identities shaped the relations of domination between the "colonizers" and "colonized," and they continue to rationalize the repression against women, LGBTQ+, Indigenous, and Afro-descendant Peoples.

During the first invasion, colonizers began to alter Indigenous perceptions of time. They imposed the Gregorian calendar's day, month, and year systems and names, which use a linear understanding of time, in comparison to Mesoamerican calendars, like the Ixil calendar, which are cyclical. They also altered Indigenous concepts of spaces and geographies and began to label territories and create centers of power from which they could control Indigenous Peoples. Indigenous names for territories, peoples, and geographical locations were replaced by European identities and names such as "Western Hemisphere," the "Americas," and "Europe." The power to name was used by the dominant groups to try to erase the histories and identities of Indigenous Peoples (Firmino Castillo et al. 2014, 31–33).[1] Colonized groups were forced into a social and political environment in which European cultures, languages, and identities were idealized, contributing to internalized racism and self-hatred that persist to this day (AVANCSO 2015; Fanon 1967). For instance, those who practice Maya spirituality continue to be persecuted, punished, and executed, and labeled as "savages" and *brujos* (witches).

Despite the formal separation between the criollo elites and the Spanish Crown in 1821, colonial ideologies and institutions within Guatemalan society have actively preserved and promoted these racist hierarchal attitudes that criminalize Indigenous Peoples and have led to physical, cultural, and spiritual genocide against the Ixil (Bastos and Cumes 2007; Firmino Castillo et al. 2014). In discussing the legacies of colonialism, some Maya have stated, "The Spanish never left," referencing the fact that while the majority of people are Indigenous, a small oligarchy consisted of Euro-Guatemalans own the largest businesses and the best lands and control government institutions (Casaús Arzú 2007). For instance, by the 1950s, an estimated 72 percent of arable land was owned by "2 percent of landowners, many of European. . . origin" (McAllister and Nelson 2013, 12).

In this chapter, I focus on the initial, physical Spanish invasion of the Ixil Region. I then examine displacement and the *congregaciones* that were created to control Indigenous Peoples. I then delve into the role that priests and the Catholic Church played in repressing the Ixil, collecting tribute, and creating factions and social divisions that served the overall objectives of European invaders. Last, I examine Ixil land tenure through a 1623 "ancient agreement" established among the Ixil themselves. These perspectives allow for an understanding of how the Ixil experienced and resisted colonization through multiple channels.

SPANISH INVASION AND RESISTANCE

The first invasion of the Ixil Region occurred through the violent arrival of the Spanish and their allies. Pedro de Alvarado was given orders by his commanding officer, Hernan Cortes, to invade the territory of what is today known as Guatemala. This campaign, which began in February 1524, was conducted by "120 cavalry, three hundred infantry, and several hundred Mexican auxiliaries from Cholula and Tlaxcala," among other groups (Lovell [1985] 2005, 58). Alvarado went on to defeat the K'iche' in Xelajuj (known also as Quetzaltenango) and Q'umarkaj (also known as Utatlán), the Kaqchikel, and other opposing groups (Matthew 2012). The Itza were the last to fall to the Spanish in 1697 (Jones 1998). Disease led to thousands of deaths and aided the Spanish in defeating the Maya. While there are no exact figures on population size or the number of deaths caused by warfare and by diseases such as smallpox and pulmonary plague, it is estimated that about one-third or one-half of the Indigenous population died in the highlands during the Spanish invasion (Lovell [1985] 2005, 70–71). Lovell (1990) claims that it took the people of the Cuchumatánes, the highest nonvolcanic mountain range in Central America, where the Ixil Region is located, over four hundred years (1520–1950) to restore their population.

George Lovell's *Conquest and Survival in Colonial Guatemala: A Historical Geography of the Cuchumatán Highlands, 1500–1821* ([1985] 2005) traces the

cultural and social impact that the Spanish invasion and subjugation had on the Cuchumatánes. According to Lovell, the Spanish invasion against the Mam and Ixil in the Cuchumatánes occurred between 1525 and 1530 in three military campaigns that comprised at least seven battles (60). After the Mam and their allies in Zaculeu fell in 1525, the Spanish ignored the Ixil and Uspantec, who were viewed as "too isolated and insignificant" at the time to invade. These sentiments changed when the Uspantec coordinated a defense against the Spanish (64). Lovell states that the first confrontation with the Ixil began in September 1529 under commander Gaspar Arias, who was able to take over Nebaj and Chajul, although no details are provided on this control (64–65). After Arias had to return to the capital for personal reasons, another commander, Pedro de Olmos, took his place; he led an assault on Uspantán but was later forced to flee back to Utatlán.

A second expedition started a year later under the command of Francisco de Castellanos, who led a force of "eight corporals, thirty-two cavalry, forty infantry, and several hundred Indian auxiliaries" (65). The Spanish first confronted the warriors from Nebaj and their allies, who numbered between four and five thousand. After the battle, the fighters from Nebaj retreated to their town. The Spanish and their Indigenous troops were able to enter the town, where they forced Nebaj to surrender and then branded and enslaved the surviving fighters as a form of "punishment for their resistance" (65–66). Lovell states that Chajul, on hearing this news, surrendered soon after. Cotzal joined Uspantán and other allies from Cunén, Sacapulas, and Verapaz to reach a force of approximately ten thousand. Though they fought the invaders, the Spanish eventually defeated them and subsequently branded and enslaved surviving warriors (65–66).

Because of difficult access, location in the mountains, and a lack of silver and gold, the Ixil Region was not settled in a significant manner by the Spanish and other outsiders until the end of the nineteenth century. This is in comparison to Kaqchikel and K'iche' territories, where the Spanish created new centers of control and colonial power in places such as Xela, Tecpán, and Antigua. A lack of trails and roads to the Ixil Region made it difficult to import and export products (Patch 2002, 185). Few economic incentives meant little presence of outsiders during the colonial era.

The Spanish often complained of travelling to Nebaj. In 1768, Archbishop Pedro Cortés y Larraz (1712–87) wrote during his travels: "From the town of Santo Domingo Sacapulas to that of Santa María Nevah [Nebaj] there are eight leagues, heading from south to north. The road is the worst you can imagine. The Nevah Indians came to the town of Sacapulas with sedan chairs for the whole family, saying that they could not go to their town in any other way" (Cortés y Larraz 2001, 313). When they arrived at a ranch, the road was so bad that the archbishop was forced to get off his mule. As he summed up his experience, "It would be a tedious tale to describe every stage of the road, but in short it is all a narrow path with swamps, pans, and palisades where the mules sink up to the girths; the little

that there is of solid road is very slippery ground. . . . The poor Indians are sinking in the mud up to their knees and slipping very frequently, without being able to help each other competently, because of the narrowness of the road" (313). During this visit the archbishop also acknowledged the challenges that priests, who were instrumental in the repression of Indigenous Peoples, experienced in colonizing the area.

DISPLACEMENT AND *CONGREGACIONES*

After the initial physical and military invasion, "spiritual conquest" through Christianization by Catholic priests would begin in the late 1540s through the creation of *congregaciones* (Lovell [1985] 2005, 77). These *congregaciones* were characterized by the forced resettlement of various communities in the highlands to centralized locations that would later form the *municipios* and towns of today such as Chajul, Cotzal, and Nebaj. Each of these towns was renamed and given a patron saint. Thus K'usal became San Juan Cotzal, Txaul became San Gaspar Chajul, and Na'b'aa became Santa Maria Nebaj. Some of these towns were constructed on or near existing settlements. In each, a church, housing for the local priest, and a plaza were built (Colby and Van den Berghe 1969, 69). Often, churches were strategically built on top of Maya sacred sites (Firmino Castillo et al. 2014, 31–32). The purpose of these *congregaciones* was to forcibly Christianize Indigenous communities, as well as to centralize them so that collecting tribute and controlling labor could be more efficient.

By the 1610s, the *congregaciones* in the Ixil Region were listed by Dominican friar Antonio de Remesal as follows: "In the Sierra de Zacapulas, [Chajul], there the towns of [Juil], Boob, [Ilom], Honcab, Chaxa, Aguazap, Huiz, and four others, and each of these had other joint small towns as suffragans. Vacá, Chel, Zalchil, Cuchil, and many more than twelve others joined the town of Aguacatlán, [Nebaj]. The town of [Cotzal] was joined by Namá, Chicui, Temal, Caquilax, and many others" (Remesal 1964, 178–79). Within these *congregaciones* were *parcialidades*, smaller community groups who maintained their own community identity and in some cases paid their tribute directly to the Spanish and had their own land rights (Lovell [1985] 2005, 81–82). Some of the *parcialidades* consisted of communities that were forced to resettle from elsewhere and were given the *parcialidad* name of their prior home. In 1683, Chajul reported four *parcialidades:* San Gaspar, which had sixty-four tributaries; Ilom, with thirty; Uncavav, with nine; and Box, with three (Lovell and Swezey 1990, 30). In Cotzal, there were three *parcialidades*: San Juan, with twenty to twenty-nine[2] tributaries; Chil, with ten; and Cul, with twenty-eight. Nebaj had four *parcialidades*, with Santa Maria providing seventy-six tributaries, Cuchil twenty-six, Osolotan sixteen, and Salquil ten to nineteen (Lovell and Swezey 1990, 30). Some of the names of *congregaciones* and *parcialidades* continue to exist today, such as Zalchil in the town center of Nebaj. The original community

may also exist outside the town center, as in the case of Namá in Cotzal, which was a *parcialidad*. Lovell ([1985] 2005) states that it is not known whether the original sites were resettled by people as the towns increased in population. Some may have moved there to avoid paying tribute or providing labor for the Spanish (244n23).

One of the best examples of these relocations is the community of Ilom, north of the town center of Chajul. It bordered the territory of the Lacandon people, who would raid their community (Banach 2016, 35). The people of Ilom were forced by the Spanish to settle in the center of Chajul and were placed in front of the Catholic church (Garay Herrera 2013, 43). Yet some fled and returned to Ilom. Today, the largest and oldest *cantones* in the town of Chajul are Ilom and Chajul, and people are conscious of the boundary between them: those who live in front of the Catholic church are in *canton* Ilom, and those behind it live in *canton* Chajul.

PRIESTS AND THE CATHOLIC CHURCH

Missionaries' attempts to settle the Ixil Region began in the late sixteenth century and were conducted by priests who did not have a permanent residence there and operated from Sacapulas (Colby 1976, 78).[3] Catholic priests used violent measures to force Indigenous Peoples to attend mass and practice Christianity. According to Colby and Van den Berghe (1969), during this era the Ixil were punished by eight or ten whippings if they did not go to mass (81). In the 1760s the Dominican parish priest Friar Eusebio Guerra appointed an agent to force people, by threat of physical punishment, to attend Sunday mass and force children to attend catechism (Patch 2002, 187).

Catholic priests and church officials created social divisions among the Ixil and called in the armed forces whenever they lost local control. In 1768, Friar Antonio Toledo and Friar Guerra wanted to remove Miguel Matóm[4] as the head of the *cofradía* of Our Lady of the Rosary in Nebaj, and intervened in local elections to gain the influence to make this happen. Two factions emerged, one supported by the friars and the other supported by the people of Nebaj as well as the people of Chajul, who also feared the priests' intervention since they belonged to the same parish (Patch 2002, 188). As a result, two sets of elected officials for the posts of senior and junior "Indian magistrates" went to the village of Chiantla "to have their elections confirmed by the royal high magistrate, or alcalde mayor, of the province of Huehuetenango-Totonicapán" (188). That magistrate, Juan Bacaro, consulted with Friar Guerra and selected the priest-backed faction of senior and junior "Indian magistrates"; afterwards, these new officials tried to remove Miguel Matóm from his post (188).

The losing faction contested this decision and went to the capital to meet with the attorney general. He ruled that new elections had to be held and gave them a letter to that effect to take to Bacaro . Those given the letter decided to open it and take it to a ladino in Nebaj "who could read Spanish and speak Ixil"; along with an Ixil scribe he translated the letter (189). But the letter was translated incorrectly,

for the men "concluded that the dispatch had given them the right to depose the undesirable village magistrates and to put their own people into power" (189). Consequently, an open revolt led by *principales* (ancestral, traditional authorities) began in Nebaj on February 23, 1768 (189, 194–95). Some of these leaders were reported to be in their sixties, and one was estimated to be ninety (195).

The pro-priest magistrates were removed from power and the junior Indian magistrate was arrested. Friar Toledo was later driven out of Nebaj by women who threw rocks at him. In response, Bacaro sent a force of fifty men to end the revolt, as well as sending a letter to Chajul and Cotzal telling them not to join Nebaj (191–92). Bacaro's lieutenant ordered "the Indian magistrates of Chajul and San Juan Cotzal to provide twenty-four mules or horses each so that the militia soldiers could go mounted," an order the Ixil refused to carry out (192). The people involved in the revolt were arrested in Sacapulas when they were en route to Totonicapán, and even more were arrested after colonial forces took back control of Nebaj. In total, there were forty-seven prisoners. The case was later investigated by a judge, who found the leaders of the revolt guilty and ordered them to be whipped and jailed for at least six months.

In 1793, there was another conflict involving a priest who reportedly insulted the Indigenous governor (*indígena gobernador*) of Nebaj (AGCA, A1 24.14, Exp. 39,856, Leg. 4658). A colonial official reported that in February of that year the governor of Nebaj, Andres de Leon, appeared before him with his "whole body contused and full of bruises." The governor testified that "without reason or precedent" the "*indio* mayor" had come to his home, insulted him, and announced that he was going to take him to prison on the orders of the priest Fray Francisco Orellana. With a group of three men and two women, the "*indio* mayor" beat the governor and his wife and took the governor to prison for six hours. After being released, the governor returned home to recover from his injuries, and on the following day he headed out to Huehuetenango to make a formal complaint against his attackers. But his opponents notified the priest, who sent thirteen men to catch up to him and bring him back to Nebaj. "They gave him strong and repeated blows, and, tying him up, took him to the convent of Nebaj, where, without speaking to the priest, they took him to the *cabildo* (town hall). Then the said priest arrived and, together with the mayors, ordered him tied to the pillory. They gave him more than a hundred lashes, saying loudly that he was being punished for gossiping and that his government would last until Easter" (AGCA, A1 24.14, Exp. 39,856, Leg. 4658). After Governor Andres de Leon was released, he went to make his complaint, which led to the arrest of the two alcaldes involved in the beating. Others involved would also admit to their crimes but placed responsibility for their actions on the priest.

The case demonstrates how priests forced Ixil to commit crimes against those who opposed their influence, and the ways in which even Ixil in positions of colonial power, in this case a governor, were subjected to harsh violence by church officials. At the same time, it demonstrates the ways that Ixil used the colonial system

to denounce church officials, although the complaint ended in the arrest of the Ixil perpetrators and not the priest himself. In 1798, five years after the incident, complaints against Orellana continued (AGCA, A1 24.14, Exp. 39,864, Leg. 4658).

In a third case, in 1798, Ixil women protested and expelled a priest and a Spanish medical team after they transferred the cemetery from the Catholic church to another site on the outskirts of town as a form of disease control against typhus (Dunn 1995). In the 1790s, typhus was spreading across the Cuchumatánes, leading the Spanish to try to control it in order to avoid any disruption in tribute collection and to secure their own food and labor supply (596). Spaniard doctor Vicente Sorogastua Carranza was sent to try to stop the spread of typhus, along with his team, which included a barber and a bleeder. They had worked in Jacaltenango, Todos Santos, and San Martin, where they attempted to cure and treat patients with eighteenth-century methods such as "bloodletting, alcohol rubs, and the serving of '*bebidas frescas*' (cool drinks)" (597). In more extreme cases, the medical team called in the militia to control people as they burned "homes and possessions of the sick" (597).

In December 1797, Dominican priest Francisco Abella, who oversaw Chajul, Cotzal, and Nebaj, wrote to the *alcalde mayor* of the department to inform him that at least twenty-two tributaries had died and that many others were sick (597). Dr. Sorogastua Carranza was sent to alleviate typhus in the Ixil Region and began using bloodletting, *bebidas frescas*, and alcohol to treat people. The doctor and Father Abella threatened the people of Nebaj by stating that if they followed the doctor's treatments "it would not be necessary to torch their property" (597). Toward the end of December, Carranza and Abella decided to close the cemetery at the church and establish a new one outside of town; they also required that burials at the new site should be done quickly and without rituals. This conflicted with local burial practices, which included a vigil to accompany the recently deceased and a procession the next morning. Thus when three died, including a child, and were buried without a vigil or procession, a riot broke out. On January 1, 1798, at least seventy-three women entered the patio of the church where Carranza, his team, and the priest were located. The women were accompanied by another five hundred Ixil in the plaza who were "armed with machetes and sticks" (599). The priest and doctor "feared for their lives" and were concerned that the Ixil of Nebaj "might unite with those of Chajul and Cotzal in a regional uprising" (599). One protester would tell the doctor and the priest "that the town and the church were the property of their ancestors" (600). Carranza, his assistants, and the priest would remain trapped inside the church and the priest's room for three days.

During the Ixil women-led uprising against Spanish officials, the Ixil reburied four of the recently deceased, transferring them from the new cemetery to the church. The priest and Spanish medical team were eventually allowed to leave after a group from Chajul came to retrieve the priest to oversee their town festival, which took place between January 4 and 6. The people of Nebaj made it clear to the priest that "there would be no more trouble as long as the dead were allowed" to be buried

in the church (601). This uprising demonstrates the importance of burial practices, Maya spirituality, and the important role that women held as political and spiritual leaders in Nebaj. It also showcases the ways that the Spanish imposed their medical practices on the Ixil and Maya, which included the burning of their homes. The Spanish intervened to combat typhus less to ensure the well-being of the Ixil than to secure their own access to tribute, labor, and food. Spanish survival during the colonial era was predicated on the repression of Indigenous Peoples, and this case also shows the agency and resistance that the Ixil practiced against invaders.

In 1824, the local priest of Nebaj worked on a Spanish-Ixil grammar and vocabulary handbook that is considered to be the oldest known available document written in Ixil (Romero 2017). The author of the handbook is anonymous, and the work contains Ixil basic words and their Spanish translations, along with Ixil translations of the Padre Nuestro, El Credo, the Dios te Salve Maria, La Salve, the Ten Commandments, the seven sacraments, the articles of faith, and confessions. The work also documents the payments received by the priest from Chajul, Cotzal, and Nebaj for performing masses and other religious services. These included monetary payments and payments in food such as eggs, chilies, corn, and beans (Cura Párroco de Nebaj 1824). The Ixil grammar and dictionary was created for the purpose of indoctrination within the Catholic Church.

TRIBUTE

One way that the Spanish exploited the Ixil was through tribute. Because of the colonizers' inability to find what they determined to be precious metals such as gold or silver in the Ixil Region, there were few economic incentives for them to settle there. The tribute system was a violent way to extract labor, services, food, and other goods (Colby and Van den Berghe 1969, 65).[5]

It was also through tribute that the Spanish documented the number of people and families that lived in each town, as well as the various waves of illnesses and epidemics that would affect Indigenous communities. Tribute was paid in salt, beans, chickens, honey, corn, chili, and cotton, as well as coerced laborers known as *indios de servicio* (Lovell [1985] 2005, 97–99). A tributary was "classified as a married Indian male between eighteen and fifty years of age, together with his wife and children," and "widows, widowers, and unmarried adult males and females were defined as half-tributaries" (101). People considered as *reservado*, or exempt from paying tribute, included leaders, their eldest sons, children, the elderly, the sick, and those who worked for the Catholic Church (102). In 1549, there were thirty-five tributaries from Nebaj; they had to pay the *encomendero* Francisco Sánchez Tamborino the amount of two *fanegas* of corn, three dozen chickens, and four *indios de servicio* (98). Moreover, the *encomienda* system provided compensation to Spanish invaders and military officials in the form of control of land and forced labor from people from those lands (Colby and Van den Berghe 1969, 64). By the early eighteenth century, interest in encomiendas decreased, and "most

Cuchumatán *encomiendas* were then declared vacant and reverted to the Crown" (Lovell [1985] 2005, 99).

A *tasación de tributo* (tribute assessment) was a recorded count of the number of tributaries in a given place, from which the amount of collective payment was calculated. Once a tributary died, the collective payment amount would be reduced, and not updating a *tasación de tributo* might lead to overpayment. In 1703, the *pueblo* (town) of San Juan Cotzal and the *parcialidad* of San Marcos requested to update their *tasación de tributo* following the deaths of tributaries (AGCA, A3.16, Libro 2813, Ex. 40780). At the time, the people of Cotzal reported that there were six married tributaries, ten married with Indigenous women from other *parcialidades*, four widows, one single person, and ten married with people from other *parcialidades* who were tributaries. Payment was sixty-four *tostones* in *dinero* (money). As mentioned, the amount of tribute varied depending on the payer's social status. In this instance, married full tributaries were to pay four *tostones*, a widow one *toston*, and those married to people from other *parcialidades* two *tostones*. In Cotzal, tribute was paid twice a year on June 24 and December 25 and was collected by Indigenous alcaldes or *corregidores* (mayors), and failure to do so led to imprisonment or punishment.

Reports on tributes included information regarding the size of a town's population and demographic information on tributaries. For example, in 1756, it was reported that Cotzal contained 148 married and full tributaries; of these, 38 were married to "*indias*" from other pueblos, 4 were *reservados* (exempt from tribute), 30 were married to "*indios*" from other pueblos, 3 were married to mestizos, 8 were widowers, and 6 were widows (AGCA, A3 4259). With a growing population the amount given in tribute increased. In Chajul, a 1752 *padron de los tributaries* (census of tributaries) provides information on tributaries from Chajul and the *parcialidades* of "Ylon" and "Uncap" (AGCA, A3.16, Exp. 17,657, Leg. 945). Among tributaries in 1752 Chajul were Ixil who were married to people who paid tribute elsewhere, such as Nebaj and Sololá (AGCA, A3.16, Exp. 17,657, Leg. 945).

Diseases, death, and unforeseen circumstances at times affected tribute payments. For example, in 1798, there were reports of *peste de la tabardillo* (typhus fever) in Nebaj, which prevented payment (AGCA, A3.16, Exp. 4814, Leg. 242). In 1812, the towns in the Ixil Region were unable to pay tribute because of a plague (AGCA, A3.16, Exp. 43,178, Leg. 2900; AGCA, A3.16, Exp. 43,154, Leg. 2900). In Cotzal, thirty-three tributaries died from disease in January 1812 and only 390 *tostones* was collected (AGCA, A3.16, Exp. 43,178, Leg. 2900). The people of Chajul also reported deaths due to disease (AGCA, A3.16, Exp. 43,171 Leg. 2900; AGCA, A3.16, Exp. 43, 154 Leg. 2900). Despite Cotzal and Chajul's dire situation, Friar Salvador Naraváez, writing from Chajul in 1816, informed the *alcalde mayor* of Totonicapán and Huehuetenango that the *peste* would not exempt Ixil from paying the tribute they owed (AGCA, A3.16, Exp. 43,239 Leg. 2901).

In 1819, a *matricula* (registry) collected data on the three towns for the purposes of determining tribute payment and each resident's social and familial status, noting names of every member of the family. For example, the last three entries of Nebaj's *matricula* are: "Magdalena Jacinto, widow of Miguel Brito, has Ambrosio, who is sixteen years old, and Cecilia; Miguel Brito, nineteen years old, married to Jacinta Bernal without children; Jacinta Bernal, widow of Miguel Brito, has a five-year-old Jacinto, Maria, and Catarina." In 1819, the *total de almas* (total of souls) claimed in each town was 1,826 in Nebaj, 1,017 in Cotzal, and 1,913 in Chajul (AGCA, A3.16, Exp. 34467, Leg. 2332; AGCA A3.16, Exp. 34466, Leg. 2332; AGCA, A3.16, Exp. 34464, Leg. 2332). These documents show the meticulous record keeping that priests, and colonial agents used in their control over Indigenous Peoples. In addition, the *matriculas* demonstrate the surnames and kinship groups that were particular to certain towns. For instance, in Nebaj, the common surnames included Brito, Cobo, Bernal, Rivera, Raymundo, Corio, and Santiago; in Chajul, Asicona, Caba, Ramirez, Laynez, Bob', Anay, and Yjon (also spelled Ijom); and in Cotzal, Toma, Aguilar, Cruz, Sambrano, Cordova, Velasco, Ostuma, Perez, Lopez, Aviles, Ordoñez, Gómez, and Chamay. These surnames continue to be common in and associated with each of these towns. Moreover, they reveal that the K'iche' were still not a significant presence in the region. Most K'iche' today have surnames such as Lux, Us, and Santay, and many trace their elders' and grandparents' arrival to the Ixil Region back to the late nineteenth and early twentieth centuries, particularly from the department of Totonicapán.

As a result of having to pay tribute and deal with abusive colonial officials, some Ixil fled the *congregaciones* and Spanish control. For instance, in 1819, the *comisionado* of Nebaj reported that tributaries had fled to the mountains (AGCA, A1.1 Exp. 56,749, Leg. 6118). Archbishop Cortez y Larraz labeled these Ixil as "fugitives," but many were resisting being forcibly incorporated into colonial systems of governance and rule (Cortés y Larraz 2001, 313–18). Tribute was a repressive practice that extracted wealth and labor from the Ixil. When the criollos gained independence from Spain, the Ixil from Chajul asked the new government in 1821 if they were still required to pay tribute; their question is reflective of what the Ixil's perception of "independence" was and for whom (AGCA, A3.16, Exp. 37,716, Leg. 2569).

LAND TENURE AND THE 1623 ANCIENT AGREEMENT

During the colonial era, the Spanish Crown claimed to be the owner of the land by "right of conquest," while simultaneously recognizing Indigenous Peoples' "natural right" to land by "prior occupation" (McCreery 1994, 49). According to McCreery, Indigenous Peoples by "virtue of possession 'from time immemorial' and regardless of whether or not they had papers . . . had full rights to their community lands"

(49). McCreery states that the sale and titling of land was a source of revenue for the Spanish and that among the reasons that many Indigenous communities did not want to title their land were not wanting to pay taxes and wanting to avoid state intervention in local affairs (50). In the post-Independence period, Liberals passed laws to make communities title their lands. Many Indigenous communities held ejidos, and despite not having land titles, they were able to manage their lands. It is important to note that the titling office and regulation did not come into existence until the 1870s under the dictatorship of Justo Rufino Barrios (1873–85).

Cotzal and Nebaj requested their land titles in 1878, with Cotzal obtaining their ejido title in 1885, Chajul in 1900, and Nebaj in 1903 (Elliott 2021, 119). In Nebaj measuring had begun twenty-five years earlier, in 1878, and was delayed because of conflicts with neighboring towns. Before land titles were issued by the state, Chajul, Cotzal, and Nebaj relied on a 1623 "ancient agreement" among themselves, written in Ixil by the *principales*, to determine territorial limits and resolve disputes; this agreement was recognized by the church and by state officials.

A report from the AGCA documents a request, dating back as early as 1807, from the residents of Chimulaj and Magdalena to have their land measured and titled (AGCA, Sección de Tierras [hereafter ST], Quiché, P. 3, Ex. 1). As a result, the surveyors measuring land boundaries requested that neighboring towns present themselves "with their respective titles" (AGCA, ST, Quiché, P. 3, Ex. 1). On February 25, 1807, the alcaldes of Cotzal presented themselves to the surveyors, who noted:

> On the same day, the mayors of the town of San Juan Cotzal, Juan Lopez and Juan Rodriquez, with their notary Juan [Toon], said that they had not appeared earlier because *they did not have titles, or lands to dispute*. The southern markers [of their lands] are on the top of the Sierra, those of the East are in the middle of the road to Chajul, those of the west in the middle of the road to Nebaj, and those of the North do not have an end, because they are uncultivated mountains, which they do not know, nor do they have a [presence there]. (emphasis mine, AGCA, ST, Quiché, P. 3, Ex. 1)

The alcaldes of Chajul and Nebaj also presented themselves and in the same manner declared that they did not have any land titles to present (AGCA, ST, Quiché, P. 3, Ex. 1).

While I found no mention of state-issued land titles within the AGCA before the ejidos, there are at least three references regarding the above-mentioned *convenio antiguo* (ancient agreement) written in Ixil, and a fourth reference mentioning the recognition of ancestral rights among the Ixil.[6] Details of the ancient agreement such as its date and contents are found only from its transcription in the surveyor's report on the ejido of Cotzal (AGCA, ST, Quiché, P. 3, Ex. 11). The surveyor sent to measure the ejido of Cotzal, Carlos Rosal, documented a conflict surrounding the territorial limits of Pulay, which was being claimed by both Cotzal and Nebaj.

During a meeting between authorities from Cotzal and Nebaj, the former claimed that Pulay rightfully belonged to them and backed their claims through an ancient document dated November 21, 1623, which they presented to Rosal. The surveyor then wrote in his report:

> This document, as old as it is confusing, whose original is written in the language of these Indians, contains a landmark agreement between those of Cotzal and those of Chajul and Nebaj. . . . The landmark named "Pulay," where we met with the municipality and *principales* of Nebaj who presented me with their land title, . . . was measured at the end of 1878 and at the beginning of 1879 by the surveyor Don Felix Vega and revised by the civil engineer Don Alejandro Prieto. . . . [Those from Cotzal said that the titles] were false, that they had never given their consent to Surveyor Vega; that, on the contrary, they had gone to complain several times to the general president at the time and that they had always protested to the surveyor himself against his proceeding while ignoring such protests, and that for this reason they had destroyed the marker. (AGCA, ST, Quiché, P. 3, Ex. 11)

On another date of measuring, Rosal transcribed part of the agreement, which I cite in its entirety in his words because of the document's historical importance:

> This document, as I have already said, dates from 1623. It is written in the language of the Indians, the original of which, badly composed and almost illegible, has been translated into Spanish. No less confusing and bad is said translation, although it is faithful. . . . [It] thus refers to the agreement entered into among the contenders: "Thus says the writing that we principally do now on November twenty-first in this year of 1623 years. Now the title is created and that is done here by us *principales*, it can never break down, and we already said it before God, we the *principales* did it and we did it now. We already put two crosses at the top of the hill on one side of "Pulay" above "Chisís." We have already done it now, *principales*, so that no one has to fight and no one has to ever scold, since it has already been said in court. We are the *principales* and we did it now, we have said it, and we, the owners of the provisional land and all the people of the town, did it. And the *principales*: the owners of the lands never fight because God is in front of everyone. . . . No one has to fight, and whoever starts conflict will be given sixty lashes by order of justice and fined thirty *pesos* because we, the *principales*, have already made this deed. . . . (Signed) I, Mr. Jose [Mexias]. I, don Juan Coronel. I, don Ambrosio Castro from "Nebaj." Mayor Cristobal Luis. Mayor Jose Raimundo. Councilor Matias Pacheco. Councilor Domingo Cedillo. Notary Public Juan Bautista. Mayors of San Juan Cotzal. Don Pedro de Abiles and Juan Belasco. Alderman Francisco [Gómez]. Alderman Rafael Sanchez. Notary Public Gabriel Lopez. (AGCA, ST, Quiché, P. 3, Ex. 11)

To my knowledge, there are no other references and citations of this document and its contents. The document notes the punishment of those who violate the norm based on this agreement by fighting over land. The document would later work in favor of the people of Cotzal against those of Nebaj, who had attempted to take all of Pulay. The *convenio antiguo* was mentioned a second time in a document that

resolved this conflict over the disputed territory of Pulay in 1913 between Cotzal and Nebaj (AGCA, ST, Quiché, P. 27, Ex. 3). Eventually, Pulay would be divided in half between the two towns.

The third reference to this ancient agreement is found in a document from 1860 regarding a conflict between Cotzal and Chajul over the territory of Chichel, where an important river and waterfall flows. Cotzal and Chajul have historically had various territorial disputes. In some of these cases, the priest from Sacapulas or some other outside mediator was brought in to try to resolve and deescalate tensions (although this probably did the opposite). A document written by the municipality of Cotzal in 1860 to President Rafael Carrera and entitled "In Union of All of the Principals and Commons of the Town" states:

> The people of Chajul tried in the year 1838 to dispossess us and disturb us on our property, and on that date, accompanied by our priest don Francisco Puente, we went to the place of Chichel, and with a view to the ancient title that we have recorded in our language, our priest persuaded them to respect our land. . . . The people of Chajul have returned to deprive us of our land, and now it is planted by them, to the detriment of the individuals from Cotzal, who are the legitimate owners. (AGCA, B Leg. 28,582, Ex. 140, Fol. 3)

The ancient agreement between the three towns written in Ixil nearly a century after the Spanish invasion was used by the people of Cotzal to defend their territories against their neighbors in various land disputes.

Finally, in December 1860, the *principales* and municipality of Nebaj sent a written request to Carrera and the *corregidor* of Totonicapán to obtain land titles after a surveyor measuring land in San Pedro Soloma held a meeting with them (AGCA, Leg. 28,582, Ex. 194). They stated that "the alcaldes, governor, and other *principales* of the pueblo of Santa Maria Nebaj" had been requesting for "some time" that their lands be titled (AGCA, Leg. 28,582, Ex. 194). In response to the request by the *principales* of Nebaj to Carrera, the *corregidor* of Totonicapán wrote to the central government that the pueblo of Nebaj had "conceived this idea" of getting its land title years earlier but that he himself had avoided putting this idea "into practice." He said this was because of the costs associated with titling and his concern to avoid conflict over territorial boundaries, which he argued were not a major issue or in serious question given that the Ixil had ancestral recognition of their towns. He stated that the three towns had a large amount of good land, "extend[ing] up to a distance not yet known even by them. It is true that undoubtedly for this very reason none of the towns of Chajul, Cotzal, and Nebaj have titles and that they have lived in agreement with a certain demarcation that, since ancient times, they have recognized, at least in the distances from town to town, . . . for other directions can be extended as far as they want" (AGCA, Leg. 28,582, Ex. 194). The *corregidor* noted a conflict between Chajul and Cotzal over "a few *cuerdas* of land" as a way to suggest that a larger survey of land involving *caballerías*, and not

cuerdas, could spiral into a larger conflict. He further appealed to racist and anti-Indigenous sentiments, claiming that "the inconvenience that measuring the ejidos of Nebaj could bring would be wakening between the towns that greed for lands that generally exists within the native class." The *corregidor* ended his response to the central government after justifying his delay over the previous three or four years in supporting the land-titling process by acknowledging that apart from the reasons he had listed, "it seems very necessary, and it is the law, that each one have a title that corresponds to them." (AGCA, Leg. 28,582, Ex. 194).

Despite their initial request, the pueblo of Nebaj would not be granted a land title until another request was made under the new land law of 1878. The request made in 1860 also shows that despite not having state-issued land titles, the three Ixil pueblos were able to live relatively free of major territorial disputes because of their agreement that had existed since "ancient times," as mentioned by the *corregidor*. While the 1623 ancient agreement aided in resolving or mediating territorial boundaries between the three towns, further research is needed in understanding how land was managed and how disputes regarding land inside the towns were resolved.

As the case of Pulay demonstrates, state-issued land titles led to conflict. Moreover, there was an abundance of fertile land that extended north; according to the *corregidor*, many did not know where it ended. This case confirms that many ejidos were not registered for a variety of reasons: registration was costly; there was concern that measuring territorial boundaries would lead to conflict, as had happened in other cases; and there were already local and regional nongovernmental agreements on territorial limits between the towns, reaffirming townspeople's autonomy from colonial and central governments. One of the concerns that other pueblos had was that once a land title was issued, it would be easier to take away (McCreery 1994). These concerns would become reality during the second invasion, when the arrival of foreigners and ladinos would displace Ixil from Cotzal's ejido and take up large amounts of fertile land in Nebaj and Chajul.

REFLECTIONS ON THE FIRST INVASION

The first invasion was characterized by direct, violent, physical and spiritual colonization, displacement, and forced settlement through the *congregaciones*. During this era a colonial system was put into place, one that relied on violence to control people and their labor (forced resettlement, going to church), the extraction of natural resources and goods via tribute, the destruction of sacred sites, and the imposition of Christianity based on a discourse of salvation. But the first invasion was also marked by open revolt and everyday forms of resistance against Spanish conquistadores, priests, and colonial agents. Women played an important role in this resistance. According to one ancestral authority, "The people recount stories that the Ixil territory was defended especially by women," and cited women who

"used chili to throw in the faces of the Spaniards." During and after the colonial era, the Ixil Region remained free from significant foreign settlement (apart from that of some priests and colonial agents) until the production of coffee in the second invasion, which led to a massive shake-up in the national and local economies.

Priests were crucial colonial agents for the Spanish, as they served as interlocutors for the Crown in collecting tribute, maintaining a census, and engaging in spiritual warfare that was reinforced by physical violence. When they lost control, colonial armed forces were called to reestablish their authority. Moreover, priests were among the first ethnographers to extract Indigenous knowledges for the purposes of reinforcing a racial, intellectual, and spiritual hierarchy in which European culture was viewed as superior.

The 1623 ancient agreement speaks to Ixil resiliency and their ability to secure their territorial autonomy within the colonial system. Despite this, the first invasion resulted in the Ixil being displaced from their ancestral lands by European forces. An Ixil saying that I heard on several occasions sums up the role of the church in this displacement: "When the Spanish came, we had the land and they had the Bible. They told us to close our eyes to pray. When we opened them, they had the land and we had the Bible."[7] Today, the Catholic Church remains one of the largest landowners in the world.

Throughout the four invasions, the Ixil and other Indigenous Peoples have migrated and continue to be constantly displaced by local and global forces. The first invasion has had a lasting impact on the Ixil. But although the Spanish and their heirs managed to create a system of domination, the Ixil continue to fight for self-determination today.

2

Second Invasion

Land Grabs, Plantation Economy, and Forced Labor

One June morning in 2012, I was invited to join community leaders who would be hosting two journalists to visit the river in Santa Avelina, which had begun to flood because of Enel's building of a diversion dam. As we arrived at the edge of the flooded river, the water was visibly cloudy and muddy. Don Jose said the river had begun to get polluted about fifteen days prior and pointed to some crops that were drowned underwater: "Look at all the crops, all the crops are being killed" (by Enel). As we started to go downhill and reached the elevated river next to the diversion dam, the *alcalde indígena* Concepción Santay Gómez explained the impact that the flooding of the river in Santa Avelina had had:

> This path has existed for thousands of years ever since the first grandfathers and grandmothers settled here in the region, and we are genuinely concerned about what is happening because this project [Palo Viejo] will not bring benefits to the Indigenous communities of Cotzal, and the only ones who will benefit are the Enel company, the Finca San Francisco, the Brols, because they will have [millions] in profit. . . . This land was stripped from the hands of our grandfathers and grandmothers in the year 1902 . . . when the Brols came here to the Ixil Region.

As don Concepción talked, he pointed to the people standing next to the diversion dam a short distance from us, who turned out to be security and the owner of the finca, Pedro Brol Cortinas (the grandson of the first Pedro Brol), who was observing the infrastructure. Don Concepción went on to discuss more environmental impacts that the Palo Viejo hydroelectric construction had caused, such as the blowing up of a hill that had unleashed bats with rabies that bit livestock, and the flooding of the river where animals such as armadillos, deer, and tepesquintle

had been found dead. Moreover, don Concepción noted that archaeological and sacred sites had been destroyed during the construction: "The brothers who have arrived [from the finca] say that [the project] has destroyed an archaeological site, a sacred place where our grandfathers and grandmothers conducted their ceremonies and had their relationships with nature, the sky, the earth. But they have destroyed without the central government verifying and investigating this matter; rather, the company and the Brols have taken ownership of the things they have taken from that sacred place." He concluded that while "the company says it brings development, it brings destruction, really destruction to the population of San Juan Cotzal, and not only Cotzal but also the Ixil Region, so we want to tell them that there really have been extreme violations."

After the visit to the river, I accompanied the two journalists to the Finca San Francisco to try to get an interview with Enel officials or Pedro Brol Cortinas. As we drove into the finca, we were stopped at the checkpoint, where four armed men began asking who we were. The journalist driving asked to speak with someone from Enel, and soon after, we were informed that we were not authorized to enter. Then one of the journalists asked to talk to Pedro Brol Cortinas. Some time passed as we sat there in the car with the armed guards still surrounding the car. Soon a helicopter hovered up in front of us, circled clockwise around the vehicle, and went down near where it had taken off. The armed men came to us and said to proceed to a house near the church. As we drove down the road, we were stopped at multiple points by security guards who were confirming our destination. Near the road was a *galera* where workers would sleep, and it seemed as if we had traveled back to the times of Justo Rufino Barrios. We arrived at some housing structures that looked empty. We waited twenty to thirty minutes outside a guarded building and then were brought in to talk to one of Pedro Brol's sons along with the administrator of the finca, who sat at a desk. The son said he had to consult with his father before giving an interview, and after about an hour, we were informed that an interview was not possible.

The trip to Santa Avelina and the Finca San Francisco demonstrates the historical inequalities that exist between the fincas and the communities of Cotzal in at least three ways: the effects of the construction of the diversion dam in muddying and contaminating the river and flooding it to levels that were harmful to animals, land, crops, and residents; second, don Concepción's comments showing how the Ixil remember the second invasion, which saw fincas displace their ancestors from their lands; and third, the militarization of the Finca San Francisco—aggressive interrogation conducted by the armed guards and the use of a helicopter to circle the vehicle, perceived by the two journalists and myself as an intimidation tactic.

The second invasion in the Ixil Region was characterized by the creation of fincas by military men, Europeans, and ladinos that displaced the Ixil from their ancestral lands, creating a vicious cycle of debt servitude and forced labor. With the introduction of coffee and an increased demand for labor to work on fincas

being created across Guatemala, the state and outsiders found a renewed interest in invading the Cuchumatánes to obtain the wealth their Spanish predecessors had so desperately wanted. The state and the *finqueros* (plantation owners) were able to achieve their goals through military force as well as an emphasis on private land titles and legal documents that privileged *finquero* and capitalist interests.

During the second invasion, almost half of the municipality and ejido of Cotzal were converted into fincas by the new invaders (González S. 2011, 178; Stoll 1993, 35–37).[1] These fincas include San Francisco (Brol family, Italian), Pantaleón (Herrera family, of Spanish descent and one of the most powerful families in Guatemala), Pacayal (Hodgsdon family, Euro-American), Esmeralda (ladino family), and Soledad (ladino family), among others. Today, these fincas are associated with memories of harsh working conditions, inequality, forced labor, sexual violence committed by *finqueros*, abuse, displacement, and the fincas' involvement in aiding the military in committing massacres during the war. At the same time, the Ixil resisted this invasion by protesting and organizing, as well as using legal mechanisms to contest their displacement. The struggle for the recovery of stolen land, and for justice in redressing structural and historical inequalities continued throughout the second invasion and was characterized by challenges to land grants made to *finqueros*, the use of the 1952 agrarian reform, electoral politics, and eventually armed struggle when all other channels for reform and justice were blocked and met with repression. Armed struggle aimed at rectifying the injustices that were created by fincas and led to the war, which will be explored in the next chapter.

The second invasion also witnessed the arrival of European and Euro-American academic men, explorers, and others who engaged in unethical and violent practices for the purposes of knowledge extraction. They often relied on colonial powers such as the central government, the military, the Catholic Church, the oligarchy, and the new *finquero* class to give them access to the Ixil Region. Often the Ixil and other Indigenous Peoples were exploited and forced to provide labor without their consent, compensation, or benefits from the researcher. While these academics are often understood as providing research to understand Ixil society and culture, my intention in this chapter is to also demonstrate how they reinforced global racial hierarchies, contributed to Indigenous repression, and extracted knowledge through unethical means.

The second invasion was characterized by the imposition of a capitalist and extractivist model through the plantation economy. It revealed the global interests and agents that began to establish themselves more in the Ixil Region, such as gringo, Italian, and Spanish actors, among others. In this chapter, I first analyze liberal dictatorships and plantation politics. This includes an analysis of the largest plantations in Cotzal, which include San Francisco, Pantaleón, and Pacayal and their owners. In addition, the creation of the municipal ejidos of Cotzal, Chajul, and Nebaj is documented. Life on the plantations and Ixil resistance against them

are also analyzed. The chapter then presents a Euro-American scholar, Jerimiah Curtin, who came to the Ixil Region, to demonstrate the colonial relations that existed during this time. Finally, I present the efforts of the Ixil to expropriate plantations in Cotzal through the agrarian reform of 1952, to show the way in which the Indigenous communities fought for the recovery of their lands.

LIBERAL DICTATORSHIPS AND FINCAS

The imposition of state-sponsored, external development schemes in the Ixil Region to stimulate the (national) economy dates to the nineteenth century, when Liberal dictator Justo Rufino Barrios promoted the creation of fincas and monoculture cultivation in the form of coffee. It was during this second invasion that the Ixil were displaced from their lands by ladinos and Europeans, and land and nature were commodified and privatized via a Western capitalist vision for development. Take, for instance, the case of Chajul during a time when the municipality was seeking ejido land titles in the 1890s. Assessing these requests in 1894, the national government described "the insatiable thirst that devours some towns, particularly Indigenous ones, to claim vast extensions of land, in whose hands they are completely unproductive, thus leaving them deprived of important agricultural projects, the main source of Guatemala's public wealth. *Communal properties are a serious delay to the progress of industrial agriculture* and conflict with good economic principles" (emphasis mine, AGCA, ST, Quiché, P. 16, Ex. 10). In their response, the people in Chajul saw the situation differently: "What greater gift can be given to an Indian than to give him a piece of land so that he can plant his milpa, raise his pigs and chickens, and entrust his entire patrimony to it?" (AGCA, ST, Quiché, P. 16, Ex. 10). The government's position was in accordance with the racist ideology of *el problema del indio* (the Indian Problem), which viewed Indigenous Peoples as a roadblock to national development (C. Smith 1990).

Throughout Latin America, governments adopted racial whitening or *blanqueamiento* policies that would import Europeans as a means to rectify the "Indian problem" and, in their colonial view, as a positive step toward progress. In Guatemala, this meant displacing Indigenous Peoples from their lands and giving them to Europeans and ladinos. Often this took the form of claiming lands as *baldíos* (lands that were deemed empty or without owner), even when they were registered ejidos.

The first significant settlement of ladinos occurred in the late 1800s, with many settling in the town centers of the three Ixil municipalities (Colby and Van den Berghe 1977, 87).[2] According to Benjamin N. Colby and Pierre Van den Berghe (1977), many of these Europeans came from Spain, Italy, and France. They were able to acquire land by getting the Ixil to sign fraudulent contracts, selling them liquor, providing them with loans, and trapping them in debt (87). Many of the early finca owners were military members and *milicias* who were granted land by

the Liberal regimes as a form of payment. For example, the *milicianos* of Momostenango were given land in Las Pilas and Ilom, located in both Nebaj and Chajul, as a reward for their military service (AGCA, ST, Quiché, P. 17, Ex. 10). Gringo or Euro-American *finqueros* also invaded Guatemala and the Ixil Region during that time and benefited from US intervention and growing imperialism.

One of the first Europeans to arrive in the Ixil Region in search of land during the second invasion was Isaias Palacios, a Spaniard who came to Nebaj in the 1890s, served in the Guatemalan army, and became the town secretary and "Nebaj's first labour contractor, forwarding loans in return for commitments to work on coffee plantations" (Lovell 2000, 131). Pointing to his military service, in 1902 he asked dictator Manuel Estrada Cabrera (1898–1920) to give him land in Nebaj after his house was destroyed in an earthquake (AGCA, ST, Quiché, P. 18, Ex. 3). Estrada Cabrera granted Palacios fifteen *caballerías* in Acul within the ejido of Nebaj. In response, the municipal authorities and *principales* of Nebaj wrote to Cabrera and complained since these lands were being used by the Ixil: "We petition the president to take into consideration that we have possessed all of these lands since time immemorial, having them all cultivated; and therefore, we ask you . . . to kindly suspend all operations attempting to displace us from them, particularly those granted at the request of Isaías Palacios, who aims to take away from us fifteen *caballerías*" (AGCA, ST, Quiché, P. 16, Ex. 8). The land grant was suspended. In response, Palacios appealed and wrote directly to Estrada Cabrera to reconsider. The suspension was eventually overturned and the land grant was given to Palacios. He would then return part of the land under certain conditions and keep a piece that would later be sold to the Azzari, an Italian family who today produce *queso Chancol* and have a hotel there (Durocher 2002, 53).

One of the largest fincas in Cotzal was Pantaleón, owned by the Herreras, which functioned as a *finca de colonos* (plantation of colonists). The Herreras forced *colonos* or those who lived on their plantation to work in their coastal fincas as a way to pay "rent" to live and cultivate on the finca. Pantaleón was administered by the Herrera Ibargüen Company, which owned between two to three hundred *caballerías* and almost the entire valley between the Finca San Francisco and the town of Cotzal. The Herrera family created annexes for Pantaleón in various parts of Cotzal, including San Felipe Chenlá, Villa Hortensia Antigua, Villa Hortensia I, and Villa Hortensia II. According to the 1950 Census, San Felipe Chenlá measured approximately 10.7 *caballerías* (691 *manzanas*), and Villa Hortensia and its annexes measured approximately 57.8 *caballerías* (3,707 *manzanas*) (Ministerio de Agricultura 1957). In the 1980s, outside observers would comment that "it [was] not unreasonable to assume that the lands owned by Herrera Ibarguen alone, with investments similar to those made in the San Francisco plantation, could support the entire Ixil [Region] population at a standard of living well above that which now prevails" (WOLA 1988, 69–70).

In the community known today as San Felipe Chenlá, *colono* families in Pantaleón were organized into seven groups, each consisting of between eight and sixteen families. These families lived in different parts of the finca, such as Xepalma, Chenlá, Jucubá, Xotopze, Tupoj, Jacuintau, and Mutzil (S. Flores and Chávez 2005, 132). The *colonos* were forced to work on the Herreras' finca on the coast to pay rent to live on the finca, as well as cultivating corn and beans for the landowners. A community leader born in San Felipe Chenlá remembers the brutal reality of the finca's residents: "Before the finca where we are, everything was Indigenous. *Those who came to invade were the Herreras, Spanish descendants. They occupied these lands, they occupied the people to exploit them and forced them to work*: that is, the *finquero* would come and say, 'This is my land, you are mine too, you are going to be my worker and you are going to serve me'" (emphasis mine). The trips to the coast were made on foot and took several days. Some people died from the harsh labor conditions and the arduous journey.

Another significant finca was San Francisco, founded in the early 1900s by Pietro Brollo Manzano (1877–1942), more commonly known as Pedro Brol, an Italian immigrant who arrived in Cotzal as a labor contractor in the late 1800s.[3] San Francisco took over the richest and most fertile lands that were ideal to produce coffee. Many members of the community retell the story of the arrival of the Brol family, who systematically stole the lands that their elders had worked to clear and cultivate. In one version, the Ixil cleared and cultivated the land where the Finca San Francisco would later be located. It took them years to work the land, and once it was producing crops, the Brols came and bribed the municipal mayor to help him claim the valley of Cotzal and displace the Ixil who had worked the land.

Jackson Steward Lincoln, an anthropologist who came to the Ixil Region in the 1930s, in writing about his conversation with Pedro Brol, whom he referred to as either "P. Brol" or "Pedro B.," stated: "He told me he first visited Nebaj in 1894 and during the same year as habilitador he took the first group of Ixil-speaking Indian labor to the Finca Chocola. He described how he and his companions, when they used to see the zahorines praying in front of the great cross in the Plaza, threw oranges at them and poured water on them" (1945, 64).[4] Lincoln added, "Don P. admitted that some of the early ladinos stole Indian lands and began the aguardiente trade. When he first arrived in Nebaj there were only two *estancos* and not much of drinking" (64). Lincoln's notes reveal the violence and intimidation that Brol directed against Maya spiritualty, as well as tensions between fincas and the Ixil.

Don Miguel, who was born in 1943 and raised in the Finca San Francisco, told me that the Brols bought twenty *cuerdas* from another ladino and from there began "to invade more" into surrounding lands and slowly acquire more land. He added that his grandfather had moved from the town center of Cotzal to San Francisco in order to avoid forced labor laws and that his father had been born in 1927 on the finca. In remembering the stories that he had heard about how the Brols had invaded Cotzal, don Miguel stated: "My grandfather did not notice, not all people

noticed [that he came], but yes, I heard that don Pedro Brol was the one who came first. . . . He arrived alone there, and they say he was poor, but maybe he wasn't poor, he looked poor, to mess around, like the gringos do when they put on their *caites* [sandals]. . . . *He invaded*, he just got in there. . . . Maybe he gave the mayor a little money, for sure he paid a little, but only to the mayor" (emphasis mine). Other elders also mentioned that Pedro Brol seemed to be acting poor in order to receive food, shelter, and land, and that he stole land by bribing the municipal mayor, or getting people drunk, among other deceptive means to gain land titles. It is interesting that don Miguel compared Brol to gringos of today who wear *caites*, a reference to backpackers and tourists, and was skeptical of those who tried to gain favor and come off as humble, sympathetic and friendly with local Indigenous communities without revealing their intentions. What is evident in don Miguel's and other elders' stories regarding Pedro Brol's arrival is that he disingenuously presented himself as poor, accepted shelter from the Ixil, and took advantage of their trust to seize many of their land holdings through trickery.

A third significant finca was Pacayal, owned by the Hodgsdon family.[5] It was an annex to the larger finca of the same name located in San Miguel Pochuta, Chimaltenango, and mainly served as a *finca de colonos*. The Finca Pacayal was created by Daniel Bascome Hodgsdon Driscoll (1862–1954; hereafter Daniel B. Hodgsdon), who represented the growing power of the US in Guatemala and US relationships with military dictatorships, oligarchy, and exploitation of the Ixil. Hodgsdon had his early professional training with the Southern Pacific Railroad Company and then went to Guatemala in 1892. He served as an auditor and assistant manager for the Guatemala Central Railroad until 1895, when he was appointed as the general manager (*Pan-American Magazine* 1908). He also served as director of the Guatemalan Bank and president of the American Club and was reportedly "an all round popular representative American" (*Pan-American Magazine* 1908).

The close relationship between the US and Liberal dictators from Guatemala was primarily based on economic interests. For instance, in 1909, New York congressman William Sulzer stated that Guatemala was "one of the richest and most progressive republics in Latin America" and that he had "had the pleasure of meeting Emanuel Estrada Cabrera" (*New York Times* 1909). The congressman claimed that the dictator was "very much misunderstood . . . and has been grossly misrepresented." Sulzer praised Daniel B. Hodgsdon and others such as General Thomas H. Hubbard, Sir William Van Horne, and William C. Keith for their work in building railroads and developing "the great natural resources of Guatemala" (*New York Times* 1909). During World War I, after resisting US pressure to seize all German property because of the influence that Germans held in the country, Estrada Cabrera agreed to do so after the "U.S. War Trade Board refused to sell replacement parts to the German-owned Empresa Eléctrica de Guatemala," which led to blackouts (O'Brien 1999, 42). As a result, the Guatemalan government seized all German assets in February 1918. In June 1918, Daniel B. Hodgsdon was

offered the position of "Alien Property Custodian for Guatemala" and controlled German-owned assets (Parrini 1969, 134). Hodgsdon had close relations with Estrada Cabrera because of his work with the railroads, and he would eventually become the owner of Pacayal.

The Hodgsdon family purchased land in Cotzal from another *finquero* in 1913, converting the finca into a *finca de colonos* and forcing residents to pay rent in the same way that residents did on Pantaleón. The Hodgsdons are interesting in that they are the only Euro-American and gringo *finqueros* in the Ixil Region, and their presence represents US imperialism in the area. Today, residents of Santa Avelina and Vichivalá, which formed Pacayal, remember the finca owner known as "don Donald," Daniel's son Donald Brian Hodgsdon Invernizzio, who was the legal owner of the Finca Pacayal before it was sold during the war. While living in Cotzal, I heard more stories about the Brols and the Herreras than I did of the Hodgsdons, but the Hodgsdons were just as repressive as the other *finqueros*.

Other significant fincas were Soledad and Esmeralda, which were owned by ladinos. Finca Soledad was located in present-day Chichel (a community founded by people from that finca), and Finca Esmeralda near Chenlá (Comunidad Lingüística Ixil 2004, 183). There are fewer popular narratives regarding these landowners, but they recount systematic displacement of the Ixil by non-Indigenous peoples. Outside of Cotzal, another significant finca in the Ixil Region was La Perla, a plantation also characterized by a bloody history, and the site where Hidro Xacbal and Xacbal Delta would be constructed in the 2000s. La Perla is emblematic of the ways in which outsiders and invaders displaced Ixil and used legal mechanisms to formalize their illegal claims of land ownership.

Ejidos of Cotzal, Nebaj, and Chajul

Before land titles, the Ixil had their own norms and practices of land management. According to Durocher (2002), before the creation of the SRP, the Ixil had "already drafted their own property attestation documents that they call 'certificates' or 'simple documents,'" but the selling and purchasing of land were rare and "almost nonexistent, since there was still enough space to inhabit" (32–33). Attesting to property ownership included drawing a *croquis* (sketch) of the land with the *mojones* (landmarks) and indicating neighbors. An *acta* was created and validated by the municipality in front of two witnesses, often neighbors of the land in question. Land could be transferred or sold without the presence of municipal authorities, but at least two witnesses needed to be present. Deals could be completed verbally since "one's word, backed by the testimony of the neighbors was, for the Ixil, enough" (32–33). Land was also obtained through inheritance. For example, a document from 1813 refers to a man from Chajul who wrote to the *alcalde mayor* of Totonicapán and Huehuetenango about lands given to him through inheritance by his father (AGCA A1.57, Exp. 56,482, Leg. 6116). Finally, the

Ixil had their own systems of conflict resolution regarding land that included the intervention of elders, spiritual guides, and community leaders; these continue to be used in certain cases today.

The creation of ejidos and fincas and the registration of other land titles in the late nineteenth and early twentieth centuries was a very long, messy, and complicated process.[6] The titling of land in Guatemala involved various stages: *denuncia* or request phase; application approval phase; measurement phase; measurement review phase; award phase; and registration phase. Lands located in the departments of Mazatenango, Huehuetenango, Sololá, Totonicapán, Quiché, Retalhuleu, San Marcos, and Quetzaltenango were registered in the Segundo Registro de la Propiedad located in Quetzaltenango. Measuring by surveyors was not always accurate, and sometimes surveyors had difficulty locating particular *mojones*, which might consist of rocks, crosses, trees, or other objects. According to David McCreery (1994),

> After independence there was no formal training available for surveyors until the 1870's. Some surveyors were honest and skilled, but many others were clearly incompetent, corrupt, or simply lazy. Required by law, for example, to measure property boundaries with a chain of a prescribed length, surveyors routinely substituted irregular instruments or simply took visual bearings and estimated distances and areas, claiming that the boundary lines were too "broken" to transverse. . . . Remeasurements sometimes led to bizarre and even deadly results. (59)

In addition, McCreery noted that surveyors sometimes had to work alone, which in some circumstances made them decide to take measurements to please the mapping requestor. This could lead to measurements not being "mathematically perfected" (60). In Cotzal, plantation owners who requested new measurements often received additional extensions of land. For example, when in 1906 Pedro Brol asked that a recently purchased piece of land be measured again, he ended up being given more *caballerías* of land, and similar results occurred with other *finqueros* (AGCA, ST, Quiché, P. 3, Ex. 4; SRP, #3677, Fol. 72, Lib. 21).

The ejido of the pueblo of Cotzal (SRP, #4403, Fol. 164, Lib. 25) was officially registered on January 22, 1885, through a title issued by dictator Justo Rufino Barrios and was granted to the *municipalidad* (municipality) (figure 6). At its founding, the ejido measured 379 *caballerías*, 29 *manzanas*, and 6,558 *varas cuadradas*. On February 26, 1914, the area was increased by 9 *caballerías*, 14 *manzanas*, and 3,693 *varas cuadradas* after the conflict regarding the disputed territory of Pulay mentioned in the previous chapter between neighboring Nebaj was resolved (SRP, #4403, Fol. 164, Lib. 25). The report on the ejidos of Cotzal in AGCA contains documents dating between 1883 and 1885, mainly written by the surveyor measuring the territorial boundaries of the municipality (AGCA, ST, Quiché, P. 3, Ex. 11). These documents show the conflict that existed between

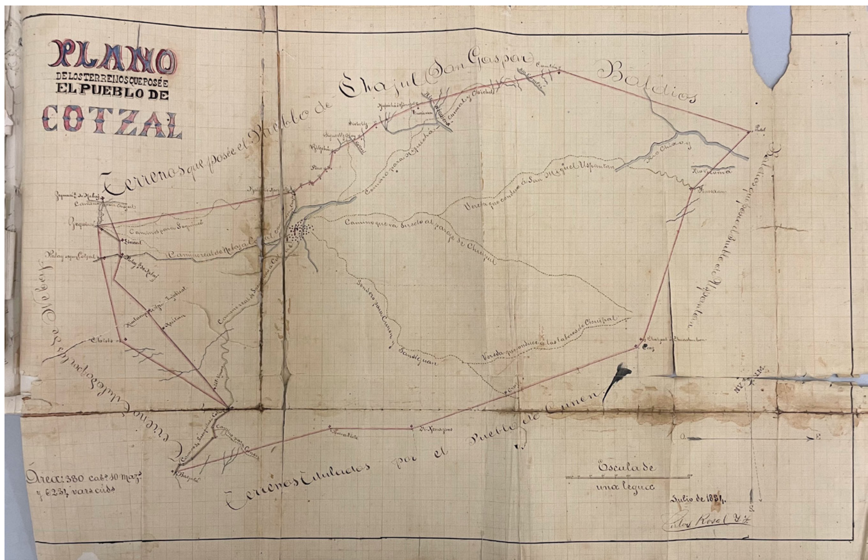


FIGURE 6. Ejido map of Cotzal, July 1884. Source: General Archive of Central America.

Cotzal and their neighbors, and include disputes between Cotzal and Nebaj over Pulay, and between Cotzal and Chajul over Batzul (AGCA, ST, Quiché, P. 3, Ex. 11).

Cotzal's ejido begins to experience a dramatic increase of *desmembraciones* (partitions) in 2011. Its registration record located in the SRP shows that there have been (as of November 2023) twenty-six *desmembraciones* since 1885 (when the ejido title was issued) (SRP, #4403, Fol. 164, Lib. 25). Only one of the *desmembraciones* occurred in the first 125 years of the ejido, between 1885 and 2010, but twenty-five occurred in the twelve years between 2011 and 2023, demonstrating new efforts to further privatize the ejido and communal lands with the consent of the municipality, which approved them. In the case of one of these *desmembraciones*, the owner used the land as collateral to take out a loan from the bank. In these types of cases, if the debt is not paid, the land is lost to the bank, threatening Ixil communal and ancestral lands. The twenty-five *desmembraciones* since 2011 measure approximately 3,549,605.45 square meters in total or approximately 7.86 *caballerías* (354.96 hectares).

The first *desmembración* was "Lote Xetzac," given to the K'iche' community of Chiul in Cunén on October 11, 1946, measuring 2 *caballerías*, 57 *manzanas*, and 9,955 *varas cuadradas* (SRP, #4403, Fol. 164, Lib. 25). Table 2 shows the *desmembraciones* between 2011 and 2023, the *fecha de escritura autorizada* (date of the authorized deed), the size of the property that was *desmembrado* (partitioned), and its location. Properties that were *desmembrado* are officially listed in square meters in the SRP. One hectare is equivalent to 10,000 square meters, and one *caballería* is equivalent to 451,256.54 square meters (Aguilar 1928, 17, 19).

TABLE 2 *Desmembraciones* numbers 2 to 26 of the ejido of Cotzal between 2011 and 2023

Number of *desmembración*	*Fecha de escritura autorizada* (date of authorized deed)	Size in square meters (m^2)	Location
2	May 31, 2011	335,253.74 m^2	Nueva La
3	September 30, 2011	100,220.94 m^2	Canton Coala'
4	October 30, 2012	1,019.96 m^2	Tu Coral
5	November 28, 2012	333,117.16 m^2	Visibanco
6	December 27, 2013	179,895 m^2	Tu Van, Aldea Chisís
7	December 27, 2013	407.50 m^2	Canton Xecurux
8	February 26, 2014	74,046.37 m^2	Bichapchamil
9	Feburary 5, 2015	756.07 m2	Calle Principal del Canton Batzcantiox y Calle de Canton Vitenam
10	July 27, 2016	1,035.86 m^2	Cantón Saji
11	November 22, 2016	338,238.57 m^2	Vimatil de Pulay
12	January 30, 2017	352,026.32 m^2	Chinimaquin
13	February 9, 2017	208,563.45 m^2	Caserio Vivitz
14	May 17, 2018	102,671.28 m^2	Tuban
15	November 30, 2019	872.87 m^2	Xechicha
16	July 8, 2021	41,951.31 m^2	Municipio Cotzal (next to municipal cemetery)
17	July 12, 2021	332.34 m^2	Batz Q'antioxh
18	November 28, 2022	71,111.46 m^2	Bichax Chamil
19	December 24, 2022	46,181.35 m^2	Tuputz Cuy
20	December 12, 2022	71,134.21 m^2	Chisís
21	December 12, 2022	284.67 m^2	Sal'a
22	December 12, 2022	1,211,769.55 m^2	Cajixay
23	December 12, 2022	22,828.50 m^2	Tuson
24	May 10, 2023	90.80 m^2	Vatzcalvario
25	August 28, 2023	230.1681 m^2	Cantón Xeusinay
26	August 7, 2023	55,566 m^2	Xexaj

SOURCE: SRP, #4403, Fol. 164, Lib. 25.

The registration record of the ejido of Cotzal states that a usufruct of 174.68 square meters for twenty-five years was given to Guatemalan Institute on Social Security (IGSS) on February 13, 1967, and was approved by then-municipal mayor Gaspar Pérez Pérez (Ixil name Kax Pi'y). In addition, a *servidumbre* (a right to use another's property) for 227,226.79 square meters was given to the Transportadora de Energía de Centroamérica, Sociedad Anónima (TRECSA) to build eighteen electrical towers on the ejido of Cotzal in Xeputul I, Xeputul II, and Vichemal.

According to the document, "The present *servidumbre* is constituted prior to the delivery of an economic contribution as an agreed voluntary contribution and the compensation established by law in relation to the aforementioned right to *servidumbre* in the amount of Q700,000.00. Deed No. 147 authorized September 26, 2013" (SRP, #4403, Fol. 164, Lib. 25). Many people and community leaders I talked to in Cotzal were unaware of this payment to the municipality, were concerned that it involved ejido lands, and were surprised to learn this when I presented them with these documents from the SRP.

It is unclear how fincas in Cotzal such as the initial private properties that would form Fincas San Francisco, Santa Avelina, and Pantaleón were registered in the SRP, since all of these properties fell within the titled ejido. According to lawyer Juan Carlos Peláez Villalobos, who has accompanied various communities in their struggle for land over three decades, "After the creation of the land registry with the first Civil Code in 1877, a land title for its public recognition and legal protection against third parties had to be duly registered" in the property registry. Furthermore, he told me that if, as in the case of Cotzal, an ejido land title was "granted before other titles, and private titles have been registered after those of the ejido, such registrations are illegal." Peláez Villalobos added, "Then if the communal title was granted or registered before any other title, it is the one that has preeminence over any other title: claim of vacant land, supplementary titling, or registered public deed. . . . The granting or registration of subsequent private fincas superimposed on the base of the municipal ejido would be illegal, the product of abnormal dispossession against communal lands." An Ixil leader from Cotzal, when I asked him why there were no *desmembraciones* to form these fincas, stated: "It's because they occupied it [the ejido], they invaded it a long time ago, they gave legitimacy to their lands, they obviously have their finca [titles]. In complicity with the government they created their registry without needing to have a *desmembración*, but that is another area where the municipal mayors played with previous governments to favor these people." While I provide some details below on the origins of some of these fincas, it is not clear how these lands were registered without a *desmembración* of the ejido, which they all fall into; its absence is characteristic of the irregularities, and most likely illegalities, that occurred in the dubious registration of these fincas. From what I have examined in the SRP and AGCA records, some lands have at least two owners, the people and municipality of Cotzal, who have had the ejido land title since 1885, and the finca owners, who hold a form of private title on the same lands but issued after 1885. In these cases, the ejido land title should supersede all other, private titles.

Corruption and fraudulent land titles were common in Guatemala during this time, especially in displacing Indigenous Peoples from their ancestral territories. One person interviewed by the historian Cindy Forster (2012) stated that the Brol family had been "taking over land by deceitfully or forcibly evicting poor peasants and registering communal land in their name" (129). Corruption and courts'

legalization of "fraudulent" titles played a role in the titling and privatization of the land, particularly when outsiders with "enough money [could] sway the courts in [their] favor" (Stoll 1993, 34). According to Forster, the *finqueros* began to empower themselves in political and military spaces to further consolidate their power to obtain land and forced labor:

> They ruled as lords in their personal jurisdiction. Using the practice of violent eviction endorsed by the judges, they undertook another, more sinister alliance with the modernizing army of the new dictatorship. It was almost a rule that the landed class placed loyal allies in local state positions. In the case of the Brols, people said that "they maintain a gang of thugs headed by the [Movimiento de Liberación Nacional, MLN party] Gaspar Pérez, an imposed mayor." (Forster 2012, 129)

This context demonstrates the manner in which the *finqueros* invaded ejido lands and used the courts and state to privatize these lands, gain a false legality through land titles, and displace the Ixil. It is important to note that even if a person or entity buys or becomes owner of land that was illegitimately/illegally privatized (knowingly or unknowingly), that land is still illegitimate/illegal. During this time, it is likely that municipal mayors served as accomplices to *finqueros* and in some cases supported the illegitimate registration of these fincas. Today, there are movements and efforts by the Ixil to recover their stolen lands, as in the cases of Xonqa, Acul, and Tzalb'al in Nebaj.

After the people of Nebaj sought their ejido title for more than a decade, surveying began with *agrimensor* Felix Vega in 1878. Although Vega measured almost 900 *caballerias*, the measurements "were disputed by the people of Chajul, who presented an armed opposition," and "he was unable to close" or finish measuring (Durocher 2002, 50). Consequently, Nebaj's request for the measuring to be completed was not granted until 1894, when *agrimensor* Francisco Castillo Mendez was brought in (AGCA, ST, Quiché, P. 3 Ex. 6; AGCA, ST, Quiché, P. 16, Ex. 8). In August 1903, the land was registered and measured 1,428 *caballerías*, 21 *manzanas*, and 1,400 *varas cuadradas* (SRP, #3022, Fol. 260, Lib. 16). After the conflict over Pulay with Cotzal was resolved by dividing up the land, Nebaj gained another 9 *caballerías*, 15 *manzanas*, and 9 *varas cuadradas* (AGCA, ST, Quiché, P. 27, Ex. 3). In total, the ejido of Nebaj measures over 1,437 *caballerías*. There has been several *desmembraciones* to the ejido of Nebaj, including an illegal one committed by the Guatemalan state during the war in the 1980s, when they stole Tzalb'al and Acul and turned them into model villages (O. Hernández 2013b). This has led to legal battles where the people of Nebaj have actively sought to have their lands returned as part of the ejido. In 2020, the Constitutional Court ordered the return of the lands of Tzalb'al and Acul (*Prensa Comunitaria* 2020).

The people of Chajul initially sought their land titles on April 26, 1894, and requested 300 *caballerías*. They justified their reasons in a letter dated April 27, 1894, addressed to the *jefe politico*:

> The municipal trustees of the town of Chajul . . . want to secure the part of the land that is essential for its inhabitants to dedicate themselves to agriculture. In order to provide their families with subsistence and to avoid the risk that all the lands will be appropriated by other people, leaving us reduced to only a small extension, I come to request the redemption of 100 *caballerías* squared around the town and one hundred in the villages of Ilom and Chel, for which of course we offer to pay to the engineer who is going to carry out the respective operations. (AGCA, ST, Quiché, P. 16, Ex. 10)

This request for an ejido title came six months after a ladino, Joaquín Fernández, sought a *baldío* known as Shamac, located near Ilom, and could have served as the motivation for the people of Chajul to seek it since they cite the threat of others obtaining titles to most of their land (Elliott 2021, 122). Shamac would later form part of Finca La Perla, where Hidro Xacbal and Hidro Xacbal Delta would be constructed more than a century later. Thus in hindsight the people of Chajul had good reason to seek out their ejido title.

A month after their initial request, the people of Chajul solicited an additional 300 *caballerías* in the town center, for a total request of 600 *caballerías*: 400 in the town center, 100 in Ilom, and 100 in Chel. In the following years, there were delays in measuring, followed by remeasuring of the ejido because of objections to the size of Chajul's request and conflicts with neighboring municipalities who had competing claims to particular areas of land, such as Las Pilas, which was also being claimed by Nebaj (Elliott 2021, 119–21). In 1899, Chajul's ejido was over 1,238 *caballerías* but eventually it was reduced by more than 50 *caballerías*. Thus, in May 1900, the ejido of Chajul would be registered and come to measure 1,186 *caballerías*, 345 *manzanas*, and 4,280 *varas cuadradas* (Durocher 2002, 56).

San Felipe Chenlá / Tu Poj

The community known today as San Felipe Chenlá was founded through the consolidation of various lands that were united through time and by multiple owners. Jacinto Castillo M. was the first person to register San Felipe Chenlá with the state after buying land from various Ixil. He obtained a "supplementary title issued by the First Municipal Court of Cotzal" on July 14, 1910 (SRP, #5587, Fol.188, Lib.31). It is unclear how the Ixil from whom he bought these lands laid claim to them and what documents, if any, they had. According to an *asiento* (an original document used to register and give legality to land titles) at the SRP, Castillo purchased five properties (Jucubá, Xotopsé, Tzuy, Mutzil, and Lovancharaché) and converted them into four fincas, which had not been previously registered (SRP, A. 127, Fol. 136, T. 5). These four properties were officially registered at the SRP on December 10, 1910, twenty-five years after the ejido of Cotzal was registered. They measured a total of 4 *caballerías*, 28 *manzanas*, and 2,829 *varas cuadradas* (AGCA, ST, Quiché, P. 27, Ex. 2). The four fincas were then consolidated into one larger finca (finca #6972) on June 20, 1914 (SRP, #5584, Fol. 182, Lib 31; SRP, #5585, Fol. 184, Lib. 31; SRP, #5586, Fol. 186, Lib. 31; SRP, #5587, Fol. 188, Lib. 31). In addition, Castillo became the owner of a territory called Chenlá, which after measurement

had a size of 2 *caballerías*, 5 *manzanas*, and 9,809 *varas cuadradas* (AGCA, ST, Quiché, P. 27, Ex. 2; SRP, #6971, Fol.129, Lib.38). In 1917, Juan Méndez registered the lands called "Tupoj," measuring 375 *cuerdas*, which also later became part of San Felipe Chenlá (SRP, #9523, Fol.160, Lib.14). These lands do not appear as *desmembraciones*, bringing into question how Jacinto Castillo M. was able to register land that was within the ejido of Cotzal.

The company Herrera y Compañía Limitada purchased Castillo M.'s lands and registered and consolidated them at the SRP in July 1924 under the name San Felipe Chenlá (SRP, #10,584, Fol. 223, Lib. 52). The fincas that consolidated to form this new one consisted of fincas #6971 (Chenlá), #6972 (Jucubá, Xotopsé, Tzuy, Mutzil y Lovancharaché), #9523 (Tu Poj), and #6386 (which formed part of Santa Avelina, as explained below). At the time, the newly consolidated finca measured 10 *caballerías*, 61 *manzanas*, and 5,438 *varas cuadradas* after they were remeasured with the approval of the *revisor general* (SRP, #10,584, Fol. 223, Lib. 52).

On November 30, 1982, the Guatemalan government became the owner of San Felipe Chenlá and in 1983 General Oscar Humberto Mejía Víctores forcibly turned it into a model village during the civil war (SRP, #10,584, Fol. 223, Lib. 52). The land title was then sold to the inhabitants of San Felipe Chenlá as a *patrimonio agrario colectivo* on September 19, 1994, with 151 people inscribed in the registry (SRP, #10,584, Fol. 223, Lib. 52). In July 2011, through the community's Act Number 23–2011, San Felipe Chenlá declared itself a *Comunidad Indígena* and renamed itself Comunidad Indígena Tu Poj (Tu Poj 2011). The name Tu Poj was selected because the homes of residents were located there and the community wanted to recover Ixil place-names.

Finca San Francisco

The Finca San Francisco is located in Cotzal and Uspantán and is made up of mainly two fincas: Finca Empresa Agrícola San Francisco Cotzal, S.A. (figure 7; SRP, #15,588, Fol. 143, Lib. 81), and Finca Agrícola Cafetaleras Palo Viejo, S.A. (SRP, #24, 977, Fol. 215, Lib. 103). The origin of San Francisco, like that of San Felipe Chenlá, involved the consolidation of multiple lands and fincas in the valley of Cotzal. I found at the SRP that the Finca San Francisco is composed of at least thirty-nine properties in Cotzal and Uspantán that in 1960 were consolidated into a larger one measuring 315 *caballerías*, 45 *manzanas*, and 360 *varas cuadradas* (SRP, #15,021, Fol.284, L.69). Twenty-one of these properties were in Cotzal and were registered without being *desmembradas* from Cotzal's ejido, which had been registered previously in 1885. The eighteen properties in Uspantán measure a little over 254 *caballerías*.

Elliott (2021) states,

> Pedro Brol, an Italian labor contractor, purchased land to form Finca San Francisco, the largest in the Ixil area. He purchased 16 caballerías in 1904 and continued to buy land from neighboring farms during the 20s and 30s from others who had purchased vacant land or received grants from the state. . . . Rifling through registry records, the image emerges of a man constantly on the alert for opportunities to

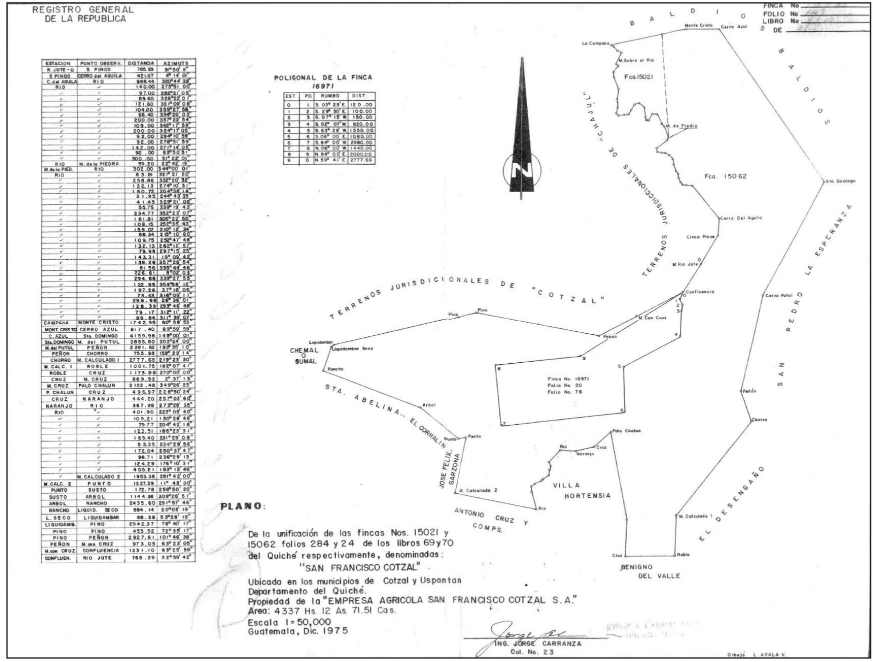


FIGURE 7. Map of the Finca San Francisco in 1975 where fincas registered under the "Empresa Agrícola San Francisco Cotzal, S.A." appear. Source: Second Property Registry.

> buy more. His name reoccurs as a lender or an adjacent owner in all three [Ixil] municipalities. (122)

The property referenced by Elliott that Brol purchased in 1904 was most likely that of Ismael Orellana described below. The Brol family also acquired lands in various parts of Nebaj, where many resided in the town center. Below are just two examples of lands bought by Brol to illustrate the process of land accumulation in Cotzal and the irregularities that existed in properties' registration in the SRP.

Ismael Orellana registered one of the first lands that would later form part of the Finca San Francisco (SRP, #3677, Fol. 72, Lib. 21). There is no record of a *desmembración* for this finca from the ejido. According to records at the AGCA, Orellana wrote to the *jefe político* on March 22, 1904, to lay claim to land in Cotzal that he said was "approximately fifteen *caballerías* that ha[d] not been *denunciado* [denounced/claimed] by any person" and were *baldiás* (vacant) (AGCA, ST, P. 18, Ex. 8). He said that this land was "called San Francisco" and that "its boundaries in the four cardinal directions are with the ejidos of Cotzal itself" (AGCA, ST, P. 18, Ex. 8). Orellana argues in his letter: "Using the powers that the agrarian law grants to every Guatemalan, I come to *denunciar* the fifteen *caballerías* of land described

in order to acquire them as property" (AGCA, ST, P. 18, Ex. 8). As part of his claim, Orellana obtained various witnesses, who included members of the municipality such as first municipal alcalde Pedro Aviles, second municipal alcalde Domingo Toma, and second *regidor* Nicolas Toma, among others (AGCA, ST, P. 18, Ex. 8). Orellana and the municipal authorities went to visit the land that was to be measured; the municipal mayor stated there was no challenge to Orellana's claim, although it is unclear why there wasn't (AGCA, ST, P. 18, Ex. 8). As a result, Orellana registered 14 *caballerías*, 36 *manzanas*, and 1,376 *varas cuadradas* in 1904, and the SRP shows that he received his land title through President Manuel Estrada Cabrera (SRP, #3677, Fol. 72, Lib. 21). The boundaries of this property to the north, south, east, and west were recorded as the "ejidos de Cotzal," which suggests that this land was from the ejido and privatized after being claimed as *baldío* (vacant) (AGCA, ST, Quiché, P.18 Exp. 8; SRP, #3677, Fol. 72, Lib. 21). The location of this property also falls within the boundaries of the ejido map shown in figure 6. Pedro Brol bought the lands owned by Orellana in 1906 for 3,650 pesos and remeasured the lands, with the result that the finca gained another two *caballerías*, leading him to take possession of more ejido lands (SRP, #3677, Fol. 72, Lib. 21). In 1942, Pedro, Enrique, Edmundo, Jorge, Elena, Nicolás, Catarina, and Agusta Brol Galicia became the new owners of the finca through inheritance after their father's death (SRP, #3677, Fol. 72, Lib. 21).

Another section of land that would form part of the Finca San Francisco consisted of 9 *caballerías*, 61 *manzanas*, and 540 *varas cuadradas* and was first owned by Francisco Chavez, who was awarded this property by the Supreme Government (SRP, #4413, Fol. 176, Lib. 25). Estrada Cabrera expedited the land title on February 7, 1907. According to the inscription in the SRP, the lands to the north, south, and east were *baldíos*, and to the west was the property (the one purchased from Orellana) of Pedro Brol (SRP, #4413, Fol. 176, Lib. 25). As noted in Ismael Orellana's registration, this land was bounded by "ejidos de Cotzal," but here the surrounding land is listed as *baldío* (vacant), demonstrating the irregularities that existed in the registration and inscriptions of these properties. It was not legal to declare the ejidos of Cotzal as *baldíos* since these lands were registered in 1885. After a sale to Angela Cárdenas de Garcia and Moisés García, Pedro Brol bought these lands for 1,500 pesos in 1913 (SRP, #4413, Fol. 176, Lib. 25).

Santa Avelina and Vichivalá

Over a century of archival records from the SRP and AGCA detail how the communities known today as Santa Avelina and Vichivalá were once part of multiple land holdings, under different names. What remains is a paper trail of land titles and reports that can make for a confusing situation in knowing who owned what and when. The lands known today as Santa Avelina and Vichivalá were measured, remeasured, consolidated into one finca only to be *desmembrado* again, and then consolidated again, sold to other members in the family and then sold back,

or used as collateral for loans, and passed through the hands of various *finqueros* and their companies.

One of the first records of Santa Avelina appears in a request made by the inheritors of the properties known as Las Galeras and Las Pilas, owned by the Spaniard Manuel Pendás (AGCA, ST, Quiché, P. 3, Ex. 4). Upon his passing, Ramón, Avelina, Evorista, and Carolina Pendás inherited the property, and in March 1911, they asked the *jefe de la sección de tierras* to authorize remeasuring of these lands, which at the time measured 5 *caballerías*, 19 *manzanas*, and 3,516 *varas cuadradas*. Their justification was that the *mojones* and boundaries had disappeared because of "time and other circumstances," causing difficulties with their neighbors (AGCA, ST, Quiché, P. 3, Ex. 4). After the remeasurement, it was found that an additional 3 *caballerías*, 28 *manzanas*, and 2,044 *varas* belonged to them. During this remeasurement the lands known as Las Galeras and Las Pilas were renamed Santa Avelina in the registry.

Two years after the remeasurement, Euro-American Daniel B. Hodgsdon, the representative of C. Mirón y Compañía, bought two fincas, Santa Avelina and another piece called El Comalin, in 1913 from Ramón Alonzo Pendás, who was then the representative of the Sociedad S y R. Alonzo. These two properties measured 32 *caballerías*, one *manzana*, and 147 *varas cuadradas* and were registered as finca #6385. On the same day of the sale, 3 *caballerías*, 51 *manzanas*, and 3,840 *varas cuadradas* were *desmembrado* from Santa Avelina and kept by "S y R. Alonzo" to form a new finca (finca #6386). In 1925, C. Mirón y Compañía was officially dissolved, but all landholdings continued to belong to Daniel B. Hodgsdon. In 1936, a second *desmembración* of finca #6385 would take place, as 8 *caballerías*, 47 *manzanas*, and 5,920 *varas* would form a new finca, #12,869, owned by Daniel's son Willard Tisdel Hodgsdon Invernizzio (SRP, #6385, Fol. 45, Lib. 36).

In 1941, finca #6385 was given to Daniel's wife, Maria Invernizzio y Alvarez de Hodgsdon, who would take control of 40 percent, and his son Donald Brian Hodgsdon Invernizzio, who would take the other 60 percent. In 1973, Donald Brian Hodgsdon Invernizzio partnered with investor Edward Alexander Bartón Scott Skilling to create the Empresa Agricola El Pacayal, Sociedad Anonima (or El Pacayal, S.A. for short) (SRP, #6385, Fol. 45, Lib. 36). Because of the war, the finca was eventually sold to 322 people on September 30, 1982, for the amount of Q320 and was turned into a model village by the military government.

Returning to the first *desmembración* that created finca #6386 of over three caballerías that were kept by "S y R. Alonzo," these would later be sold to Jacinto Castillo for 55 pesos by "S y R. Alonzo" in 1914. That same year, Castillo would take out a loan with the Herreras for 10,000 pesos with a 1.5 percent monthly interest rate to be paid back in six months. Castillo would later lose this finca to the Herreras in 1921 after he was unable to pay back another loan he had taken out in the amount of $80,000.[7]

The second *desmembración* mentioned, which created finca #12,869, consisted of over eight caballerias and was bought by Daniel B. Hodgsdon's son Willard Tisdel Hodgsdon for Q500; it would later be sold back to Daniel for the amount of Q1,988.03 in 1948 (SRP, #12,869, Fol.163, Lib.61). Ownership was then split between Daniel's other son Donald and his wife Maria in 1960, until Donald became the sole owner in 1973 through his new company, La Pacayal, S.A. This finca was also sold during the war to the same 322 people mentioned above.

Chipal, Tuban, and Villa Hortensia

In the southeastern part of the municipality of Cotzal, multiple landowners in the 1910s claimed lands to form fincas that would eventually be purchased by the Herreras. In 1923, the Herrera Company bought the three fincas of Chipal, Tuban, and Villa Hortensia, which they remeasured and consolidated into one finca that was registered under the new name of "Villa Hortensia y Anexos" (AGCA, ST, Quiché, Paq. 28, Exp. 10; SRP, #10,489, Fol. 127, Lib. 52). After the land was remeasured, the Herreras were granted an additional 5 *caballerías*, 61 *manzanas*, and 396 *varas cuadradas*, making Villa Hortensia y Anexos measure 28 *caballerías*, 1 *manzana*, and 6,319 *varas cuadradas* (SRP, #10,489, Fol. 127, Lib. 52).

Other Properties

Small landowners purchased land or obtained it through inheritance. For example, in 1922, in *El Guatemalteco—El Diario Oficial* (1922, 98), there was a notice that Teresa Chamay requested a supplementary title to a territorial lot that she had in her possession through inheritance and that over the previous forty-five years she had "owned, publicly and continuously." The notice also mentioned her neighbors and their territorial boundaries and symbols. These included a boundary of five *cuerdas* with Miguel Chamay to the north, marked by trees; a boundary with Andrés Torres to the east, marked by trees and a rock; a boundary of six *cuerdas* to the south with Antonio Cruz, marked by a tree; and a boundary to the west with Antonio Cruz and Juan Medina Zarcarías. Teresa Chamay estimated the worth of her land to be "$200 national currency." Its claim was recognized by the municipality of Cotzal (98).

Finca La Perla, Chajul

As mentioned above, Finca La Perla has its origin in a land claim by Joaquín Fernández, who sought to claim 30 *caballerías* in the land known as Shamac in 1894, of which 22 *caballerías*, 15 *manzanas*, and 9,455 *varas cuadradas* would be measured by a surveyor. The people of Chajul contested this claim, saying these lands were not *baldíos* as they belonged to their ancestors of Ilom. Proof of this was the surveyor's inability to measure the full 30 *caballerías* since that area included land that was cultivated by the people of Sotzil. That the land was cultivated meant it was not a

baldío. The lands measured were auctioned off and bought by Jesús Rivas (Elliott 2021, 122). In 1900, Shamac was sold for 800 pesos to Lisandro Gordillo Galán, a Mexican national who at the time served as the secretary of the municipal council. He would put up the land as collateral to take out loans; Gordillo himself would give loans to Ixil who put up their own land as collateral. Shamac would later form part of the Finca La Perla, Santa Delfina y Anexos, which included other pieces of land that he was able to acquire from the Ixil, often through seizing their lands when they could not pay him back their loans (Durocher 2002, 58). According to Elliott, "Gordillo acquired two more caballerías from Chajul in 1917 and another caballería from two Ixil in 1921. He made seven more purchases from the soldiers of Momostenango who had received the land as a reward for military service. Gordillo purchased 15 caballerías in 1923, 24 caballerías in 1925, and 2 caballerías in 1927. Twenty of the caballerías purchased in 1925 belonged to former President Estrada Cabrera. The community of Ilom protested that the land Gordillo bought belonged to them. Today's records show they were right" (2021, 123). In the 1930s, Lisandro Gordillo would sell Finca La Perla to Franz Fernando Egger Forster, also known as Francisco. Egger Forster would lose the finca because of bankruptcy, which led the Guatemalan Central Bank to take over the land. The bank would then try to sell the land to the people of Ilom by having them pay off Egger Forster's debt. The *principales* and people of Ilom rejected the bank's offer since they argued, correctly and justifiably, that they could not purchase land that belonged to them (Durocher 2002, 58).

In August 1941, Luis Arenas began paying and buying the Finca La Perla from the bank and "immediately set barbed-wire fences around his property . . . limit[ing] the use of the lands" for people to cultivate, and building an airstrip to export coffee (Elliott 1998, 55). In 1946, "Arenas gave the people of Ilom the use of 4 caballerías," although they did not receive any land titles or ownership to the land (55–56). Luis Arenas would lose the finca to the bank in 1962, but it was eventually bought back by his children in 1971 (Durocher 2002, 58). The finca was renamed in 1977 as La Perla Sociedad Anónima y Anexos (58).

There is evidence that *milicias* from Momostenango were given land that belonged to Ilom and Sotzil. The land was eventually purchased by Lisandro Gordillo, who held a fraudulent land title that belonged to Ilom and Sotzil in the 1920s. A judge would rule on October 24, 1928, that Gordillo should return this land, but it would be overturned by the Supreme Court (Durocher 2002, 60–61; Elliott 2021, 124). The case demonstrates how the state, in registering land, would overlook Indigenous claims and complaints in favor of ladinos and Euro-descendants.

Rebellion, Resistance, and Life in the Fincas

Resistance against the *finquero* invaders was prevalent during the second invasion. During General Jorge Ubico's dictatorship (1931–44), the Ixil were forced to work for 100–150 days a year, usually on the fincas, the same land that had been taken from them. As a result of this abusive and unequal relationship between the Ixil and ladinos and Euro-descendants, on June 21, 1936, many Ixil from Nebaj

revolted against plantation owners and forced them to leave town (Ceto 2011; De León Ceto 2013; A. Flores 2021b).[8] The government responded by sending in the military to Nebaj, which led to the arrest of at least 150 protesters and the public execution of seven *principales*: Pap Xha'p Ak'ul (Sebastían Cedillo), Pap Lu Ch'ib' (Pedro Guzmán), Pap Ve's (Vicente Guzmán), Pap Xhun Ijom (Juan Brito), Pap Xhun (Juan Brito Brito), Pap Te'k'a'ch (Diego Cuchil), and Pap Lu' (Pedro Cedillo) (Universidad Ixil 2021). According to Pablo Ceto (2011), "When communal lands were stolen to be converted into coffee fincas, Maya communities took their lives and futures [to] the sacred mountains. And when it was necessary to rise up against oppression and colonial domination, it was done hundreds of times, in many cases with results such as the execution of the seven Ixil *principales* of Nebaj in 1936, results that were always overcome by the decision to continue trying to bring about a new dawn for future generations" (230). Today, the Ixil commemorate the Day of Ixil Dignity on June 21 as an "homage" to the "*principales* who were shot in 1936" (Herrera 2020; Universidad Ixil 2021).

Debt played a crucial role in forcing the Ixil and other Indigenous peoples into forced labor. Early *contratistas*, ladinos, and outsiders used nefarious means to displace Indigenous peoples from their ancestral territories, which included the use of debt. Often *contratistas* would lend money to the Ixil to get them trapped in debt and force them to pay it off by working at the coast. The introduction of aguardiente, which was stronger than *kuxa*, the traditional and ceremonial alcoholic beverage, led to many ladinos deceiving the Ixil and having them take out loans or selling their lands when they were inebriated. An Ixil elder stated that this was not in accordance with the traditional ways of exchanging lands, in which one cannot consent to taking out loans or transferring lands when one is under the influence. Government officials and the armed forces criminalized *kuxa*: according to Sergio Palencia (2021), the "Guardia de Hacienda's main tasks was to control, persecute and confiscate [*kuxa*], which they called clandestine liquor. Since its beginnings, the goal was to protect local contractors and traders' monopoly of legal liquor, a strategy linked to controlling labor mobilization, the debt system and ritual celebrations" (221). Outsiders arriving to the Ixil Region would often comment on the role that alcohol and debt played in ensuring finca labor. Robert Burkitt, an archaeologist from the US who visited the Ixil Region in 1913, describes the relationship between the Ixil, the newly founded fincas, and the role of alcohol: "The plantation agents were at the height of their activity, scattering money, advance pay for work, and every Indian was able to buy rum. *The rum business and the coffee business work together in this country, automatically*. The plantation advances money to the Indian and the rum seller takes it away from him and the Indian has to go to work again. Work leads to rum, and rum leads to work" (emphasis mine, Burkitt 1930, 59). Burkitt's description demonstrates the changing power dynamics among the Ixil during the second invasion, which included the role of fincas in controlling Indigenous labor through the repressive use of alcohol and debt.

In recalling life on the fincas, don Miguel told me about growing up on the Finca San Francisco and working with his father on the plot they rented from the Brols. He recalls the day Celestino Brol noticed that he had gotten bigger and was ready to work:

> Then the boss realized that I was older and I still was not working, and he told me, "You are going to work on the finca." He told me, "You are a man, you are older, you are going to work.". . . It is always hard, because you go to work around five in the morning or five-thirty at the latest, and you get under the coffee trees, and the leaves are wet, well, you get in there, your whole back is very wet, you finish your tasks, very tired, it is always hard, and little is earned . . . 50 cents per task, and the women and children earn less per group.

Don Miguel continued to describe the harsh conditions that he and others endured on the finca, which were really a form of slow death: "The people get sick, little by little they die, they don't die at the moment, but little by little they die." He could see the precarious nature of their lives on the finca when he recognized that although residents had a house, they lacked land titles, and the property belonged to the finca. Land titles became a repressive tool to alter the relationship between the Ixil and the land, in which the latter became a commodity that could be owned and sold. The Ixil were displaced by capitalist notions of private property and then condemned to harsh working conditions on their ancestral lands.

Don Miguel recalled an incident sometime in the 1960s when workers protested against the Finca Pantaleón and the Herreras, demanding better labor rights: "A group of workers who didn't grow coffee began to come together. They formed a group and fought with the boss, and they complained in Xela that they weren't getting paid. . . . People organized and sued the boss in Xela. In those times there were no human rights. . . . Although they denounced the boss, no one supported them because ever since the government has been there, *it has been the government of the finqueros*" (emphasis mine). Don Miguel portrayed a situation in which workers organized and complained to the central government about the *finqueros'* abuse of workers, only to find that the government worked in favor of the *finqueros*. After asking what happened to those who protested the Herreras, don Miguel responded: "They kicked them out of the finca, that's why they kicked them out, they no longer gave them work. They were left poor, very poor; they could no longer go out, they could no longer travel without money. They [the finca owners] no longer gave them work." Don Miguel revealed how the Ixil, after being displaced by fincas, were again forced to leave their lands by the *finqueros*, with the backing of the government.

It is important to note that don Miguel was not involved with the guerrillas during the war. He was the commander of a civil patrol unit of a model village during the 1980s, though he stated that he had been forced by the military to serve. From talking to him, it was clear that he felt that the government

represented only the interests of the rich and the fincas, as reflected in the above quotes. He told me that there was always resistance, but that it was not openly discussed because of the fear of reprisal, and thus there was a culture of silence surrounding these narratives.

Other stories involving labor disputes were occasionally mentioned, but the details were sometimes unclear. Many stories were lost with the genocide during the war, especially since community leaders, labor organizers, spiritual guides, and others were persecuted, killed, or disappeared. Still, some narratives of resistance remain. For example, between 1968 and 1969, there was an uprising against Carlos Herrera after he tried to introduce coffee on the Finca Pantaleón, mainly since it would displace people from their lands and force them to work more (S. Flores and Chávez 2005, 134). The movement against the Herreras, said to have various leaders, was successful. Community leaders from San Felipe Chenlá told me they remembered it: "The Herreras wanted to get the people out of Chenlá to settle them here [where the community is now]. . . . The Herreras were going to get the people to relocate and were going to plant coffee all over that part [Chenlá], so that's where they rose up. . . .They allied with the others there; the ones who led were [Gregorio and Concepción Santay Gómez], Basilio Itzep, Diego Chel, [and Pedro Ajanel]." According to Sergio A. Flores and Jaime Roquel Chávez (2005, 134), "A similar movement occurred in 1970 on the Finca San Francisco" against the Brols, "but it was unsuccessful, since [the finca] had the support of the mobile military police to suppress the uprising."

Two figures who are remembered by the people of Cotzal are the K'iche' brothers Gregorio Santay Ajanel and Concepción Santay Ajanel, who are mentioned to have led the movement against the Herreras. Both grew up and lived on the Finca Pantaleón after their parents migrated to Cotzal during the early twentieth century, and both were known to be organizers and community leaders. Gregorio was the father and Concepción the uncle of Concepción Santay Gómez, the *alcalde indígena* of Cotzal cited in the beginning of the chapter. Don Concepción, who is K'iche' through his father and Ixil through his mother, mentioned how his paternal family came to the Ixil Region: "My father was born in San Felipe, also on the land of some *finqueros*, because my grandparents . . . came from the [department of] Totonicapán. [The people there were being forced] to open a tunnel in Xela, but my grandparents did not want to work in that, so they went further into the mountains and then came here. . . . They arrived with my grandmother. My father was born in Cotzal. . . . When one is born in a place, it is their land, their children are born there." Reflecting on his father's and several of his uncles' organizing work toward social justice, and framing it within a larger Guatemalan context, don Concepción stated:

> In developing their lives, they looked at the exploitation, the slavery that existed. There was no land, the land was occupied by the *finqueros*, but why? . . . According to

> my uncle, my grandfather said that this president [Arbenz] was going to be good, so they also fought to have the president, but they [Arévolo and then Arbenz] lasted for only ten years, [and then there was] a coup. . . . Then the US came with their power, new ones to invade the land. . . . My father, my uncles fought to rescue the land, so a part was achieved, so that people do not have to pay rent.

According to many in San Felipe Chenlá, it was the actions of Concepción's uncle and father that led to the *colonos* no longer having to pay rent by working at the coast for the Herreras.

Like other Indigenous leaders and organizers, Gregorio and Concepción Santay Ajanel were disappeared during the 1970s. Concepción Santay Gómez was a child when this happened and recalled how they had been criminalized and kidnapped by the military for their activism and for being land defenders:

> So my dad fought for the land, *they* [the military state apparatus] told him they [those who struggled] were communists, they were guerrillas, and *they* had to make him disappear. [My father and uncle] were struggling alongside with other people, important people, who did not want the *finqueros*' exploitation, so they allied together. But when the armed conflict came, when the military garrison was installed in Cotzal, the leaders who led the fight against the exploitation of the people began to disappear. Then several people disappeared—they were captured in their homes by the army, and they never returned. They never came back.

Concepción Santay Ajanel was kidnapped in September 1971, and his family began searching for him in various police stations (AHPN, GT PN, 50, S001, F51310). Gregorio was kidnapped in 1976, and his family also searched for him. Records from the police archives at the AHPN show family members who were concerned and continued asking police officials and offices if they had been detained. According to a report from the Cuerpo de Detectives de la Policia Nacional, one of Gregorio's sons declared that his father had been "kidnapped by armed men" and claimed that other men had been recently disappeared as well, including Juan Ordoñez Aguilar, Domingo Aguilar, Domingo Cavinal Rodriguez, Juan Cavinal Toma, Francisco Sanchez, and Nicolas Poma (AHPN, GT PN, 50, S004, [11.0623.1450]1809). Neither Gregorio's nor Concepción's body has ever been recovered, and their kidnapping and disappearance remain unpunished.

ACADEMICS AS NEW INVADERS

The late nineteenth century witnessed the rise of US imperialism in Latin America, and alongside it, an increase of European and US academic researchers who benefited from and promoted it. This was particularly true for anthropologists, who were in the business of salvage ethnography and whose purpose was to obtain physical artifacts such as archaeological pieces, Indigenous dress, and other "treasures" that they could preserve in museums abroad. In the satiric novel *The*

Adventures of Mr. Puttison among the Maya (2002), Victor Montejo tells the story of a US ethnographer who visits a rural Indigenous community in the early twentieth century and whose research is characterized by deceit to gain entrance in the community, the use of alcohol to obtain knowledge from the Maya, and eventually the theft of artifacts from the community, among other unethical research practices. The protagonist, inspired by Euro-American anthropologist Oliver La Farge, who visited the Cuchumatánes in the 1930s, represents the ways academics knowingly or unknowingly served as agents of colonialism, reinforcing racist attitudes, anti-indigeneity, and a global racial hierarchy that privileged Euro-Western peoples and knowledges. Other outsiders such as explorers, artists, and missionaries have also been arriving to the Ixil Region since the late nineteenth century. Their arrival correlates with the arrival of coffee, state incursion into the highlands, and US imperialism and intervention in Central America.

These Euro-American outsiders provide a different perspective on fincas in Ixil society. Their writings provide us with the closest thing we have to an "insider's" look into the lives of those who benefited from, enjoyed, and formed part of the colonial power structure and its agents such as priests, *finqueros*, ladino officials, and others. At the same time, they reveal the extremely racist, sexist, and violent relationships that existed between foreigners, academics, landowners, priests, and Indigenous Peoples, as well as growing US imperialist power, which was often the basis for their arrival and their capabilities to conduct work in Guatemala. These researchers include Jeremiah Curtin (1835–1906), an ethnologist and folklorist who visited the Ixil Region in 1896; archaeologist Robert Burkitt, who visited in 1913; Addison Burbank, an artist who visited Guatemala in the 1930s; and Alfred Ruhl, a journalist and explorer who traveled to Central America in the 1920s (Burbank 1939; Burkitt 1930; Curtin 1940; Ruhl 1928).[9] Of these various researchers and travelers, I present the case of Curtin, who forced twenty-two Ixil men of Cotzal to travel with him to Mexico as part of his search for the Lacandon.

Jeremiah Curtin was an ethnologist, folklorist, and translator who traveled to different parts of the world and worked for the Bureau of American Ethnology. His travels with his wife, Alma Cardell Curtin, were documented in the posthumously published *Memoirs* (Curtin 1940).[10] In 1895 he went to Mexico, where he met with Mexican president José de la Cruz Porfirio Díaz Mori (512). In that meeting, Curtin told Diaz that "for a dozen years or more [he had had his] eye on the country of the Lancandones" and explained that he wanted to research them, collecting "mythologic and linguistic materials, and deciphering, if possible, the Maya hieroglyphics" (514–15). Diaz agreed to provide Curtin with "letters to all the governors on the western side of the republic from Sonora to the Guatemalan boundary, and a document to all local authorities, which [he] could retain and use as occasion required" (515). Diaz also gave Curtin a letter of introduction to the "Mexican minister in Guatemala and to the president." He also invited Curtin to "correspond with him directly, avoiding the secretary of state." Curtin would remark, "I could

not have asked for a more whole-souled enthusiastic helper. The readiness with which he offered every aid surprised me. . . . Besides Diaz' letter I had an American introduction to [Guatemalan] President Barrios" (516). He planned to reach Lacandon territory by going through Guatemala rather than the southern Mexican state of Chiapas because he thought the Guatemalan route would be easier.

In 1896 Curtin arrived in Guatemala, where he met with President José María Reina Barrios (the nephew of Justo Rufino Barrios), who spoke English fluently (548). Barrios agreed to aid Curtin, offering letters of support and even "a military force" to be sent ahead of him (549). Curtin set off to northern Quiché and eventually visited the Ixil Region, where he believed he could find a way to the Lacandon. When Curtin arrived in Nebaj he presented himself to the "cabildo" and showed his letters from Barrios to the alcalde (566). Curtin settled in the convent and used to house the priest during his infrequent visits (566). According to Curtin, Nebaj had a population of four thousand and was a "metropolis for Chajul, Cotzal, and other smaller villages," but he described the town as "unspeakably dirty" and held a paternalistic, racist, and demeaning attitude toward its inhabitants and Indigenous Peoples, whom he often compared to "children" (567).[11]

After Nebaj, the Curtins traveled to Cunen and Sacapulas, where the rainy season was obstructing Jeremiah's longer objective of traveling to Lacandon territory. He was told that the rains would lessen toward the end of August but would be heavy in September until November (582). On August 30, 1896, the Curtins traveled to Cotzal. Once they arrived there, they were received by the municipal mayor, don Patrocunio. As he had done in Nebaj, in Cotzal and Chajul Curtin began to try to collect stories and find more information on the Lacandon but was unable to find anyone who had contact with them. The alcaldes of Chajul and Cotzal told him that because of the rainy season "it would be impossible to find men to go with [the Curtins] over mountains which they did not know [and] into a strange district which bore a bad name" (585). Jeremiah stated that he could not wait until January, especially since he was unsure if anyone would be willing to travel with him by then (586). He recognized that he could not go "alone" since he "might get astray and starve." In his plans, he had assumed that someone in Cotzal or Chajul would have contact with the Lacandon, but he was disappointed to learn that they did not. He then decided that instead of waiting for the rainy season to end and trying to go north into Lacandon territory, he would go to Mexico and to Comitan, San Cristobal, and Palenque, then travel down the Lacantun River and see if it would be possible to cross "the unknown country" that way (586). The trip to Comitan was estimated to take at least eight days and would not be easy on account of the rains.

Curtin began to try and recruit men to go as *cargadores* with him to Comitan. But the *cargadores* who had taken him to Cotzal refused to go since it "was too far away; the weather was too bad for traveling and camping out; the Indians across the Mexican border were bad Indians" (587). Curtin wrote: "I knew that I could

not get Cotzal men to go with me to the Lacandones, for they were by nature timid. To enter the country on that side *it would be necessary to have a large party of white men*, a few would not do, for food would have to be carried, and the distance over unknown trails might be greater than supposed" (emphasis mine, 587–88). Curtin's racist views are on clear display here: he believed "white men" would fare better in journeying to Comitan—ironically, though he wrote throughout his trip in Guatemala of the difficulties he had on hikes and walks. If it were not for Indigenous Peoples and guides, he would not have lasted long in Guatemala, and he knew this. Curtin relied on the municipal mayor of Cotzal to help him find some *cargadores*:

> The alcalde called the men together, talked to them, told them of their president's letter and instructions. At last, though very reluctantly, they took the money for the journey, and the affair was apparently arranged. The following morning the men walked into my room and placed the money on the boxes; they did not want it, they were not going. I told them to take the money to the alcalde, for I could talk only with him. Soon seven of the leading members of the squad appointed to go with me were in prison. There was great excitement! (588)

According to Curtin, after the alcalde imprisoned the reluctant *cargadores*, "The whole town took an interest in the affair. Wives and sweethearts wailed and protested. When night came, rather than spend it in prison, the men promised to go. They were liberated, then came endless talking and disputing. The women had as much to say, or more, than the men. The alcalde stood by me faithfully. He threatened imprisonment and told the men what would happen if the president's anger met them" (588). After forcing the men from Cotzal to go with him, backed by the pressure and the compliant alcalde, Curtin set off to Comitan on Friday, October 9, 1896. In total, the Curtins had twenty-two men, eight of whom were to carry baggage and food, and the others to carry the food for the *cargadores* or to go as "company, or protection, for the others" (589). The Ixil's food "consisted chiefly of corn meal cakes; the cakes were dry and hard, but heating made them soft. If broken in bits and dissolved in boiling water, they made an agreeable drink" (588).

Curtin thus engaged in what could be labeled a state-sanctioned kidnapping of the Ixil. With the aid of the municipal mayor and the Guatemalan state through the letters he was given, he forced them against their will to travel to Mexico on foot during the rainy season, where many others refused to go because of weather conditions and the dangers of the journey. Though the *cargadores* who refused to travel were eventually forced to go, they tried throughout the trip to return to Cotzal. When the party arrived in Nebaj, two of the *cargadores* were "missing," though both eventually returned to the group after Curtin refused to alter his plans.

Curtin would prove to be abusive toward the *cargadores* and unconcerned for their well-being during the trip. Most days of travel featured rain and mud to contend with, hills and mountains to climb and descend from, and often a lack of shelter provided to the *cargadores*. On some nights, the Curtins would secure a

place to sleep and the *cargadores* would be forced to sleep outside after full days of walking in the rain. Throughout the trip, Curtin distrusted the *cargadores* and would keep an eye on them, stating, "I felt uneasy. I was uncertain of my men" (590). When they arrived in Huehuetenango, the Curtins secured a room, leaving the *cargadores* to camp in the plaza. After meeting a Spaniard to whom Curtin delivered a letter from the president, the two men went together to see the *jefe politico*, where they found that the *cargadores* were making a formal complaint against Curtin. As Curtin reported,

> My *cargadores* were there with a complaint. They would not go to Comitan. The *jefe politico* asked if they had been paid. "Yes." Then they must go. There was no way to avoid going, for they were sent by government. They went off grumbling. . . . Then [the *jefe politico*] gave me an "order of arrest," so if I had trouble with the men I could have them arrested in any small village. Every alcalde along the road was ordered to see that I was not delayed. (591–92)

The *cargadores* then followed Curtin and the Spaniard to the hotel, "begging" the Spaniard to "have them released." Here we see an example of a foreign Euro-American male academic using and being aided by the state to commit violence and extract forced labor from the Ixil against their will. The *cargadores* attempted to denounce the crime being committed against them, but to no avail, and the government instead opted to serve the interests of gringos such as Curtin.

The *jefe politico* of Huehuetenango provided Curtin with a guide who knew the way to Comitan. When they arrived in Chiantla, the *cargadores* camped out on the plaza, and the guide went with one of the *cargadores* to buy shoes. Soon the *cargadores* again refused to go further and stated that the guide had a fever and was sick. Curtin would not let them go home, so the *cargadores* from Cotzal took another course of action:

> When the "fever" racket didn't work, the men changed tactics; they went to the alcalde and complained of being overburdened, they would not go to Comitan. The alcalde telegraphed to Huehuetenango, which was unnecessary, as I had the paper instructing all alcaldes along the road to see that I was not delayed. After waiting several hours, the answer came: "The cargadores must go on." The alcalde summoned the men, read them a lecture, and told them not to repeat such a scene, that they were revolting against the orders of their president and would have serious trouble if they kept it up. That they should have regard for Guatemala, not give it a bad name in other countries. The guide was called and warned. (592–93)

The *cargadores* and the guide were told to listen to Curtin and follow him into Mexico, a country that was outside of the jurisdiction of the alcaldes and *jefe politicos* who warned them. Still, the fear of persecution and reprimand by the Guatemalan state was severe, so the *cargadores* from Cotzal were forced to continue against their will.

The Curtins and the Ixil crossed into Mexico and a few days later arrived in Comitan, where their "procession, twenty *cargadores*, guide, and two travelers attracted much attention" (598). Curtin was received well by Mexican officials after showing them his letter from Diaz. Once done with their commitment to Curtin, the *cargadores* were free to return to Cotzal. Curtin writes: "The journey safely over, the *cargadores* were happy. I made each man a present of money and, after they had fed and rested the mules and bought Mexican hats, they started back. I think that as long as those *cargadores* live, they will have stories to tell about their journey to far off Mexico. We were eleven days on the road from Cotzal to Comitan and were nine days in the saddle" (599). The fate of the *cargadores* from Cotzal is unknown. Jeremiah Curtin would never achieve his objective of studying the Lacandon and would eventually return to the US.

THE 1952 AGRARIAN REFORM

By the 1930s, many fincas and *finqueros* had consolidated their land holdings and presence within the Ixil Region, and Cotzal had lost almost half of its ejido. While the Ixil were resisting Ubico's forced-labor laws, there were also calls and protests in Guatemala City to end the dictatorship. These protests eventually led to the 1944 October Revolution, in which mainly middle-class, urban ladinos demanded Ubico's removal from power (Gleijeses 1991). The October Revolution ushered in the Ten Years of Spring characterized by democratic rule that led to a wide array of educational, social, and political reforms under the administrations of Juan José Arévalo (1945–51) and Jacobo Árbenz Guzmán (1951–54). Among the most significant reforms was the 1952 agrarian reform, known as Decree 900, which sought to redistribute land by expropriating large uncultivated fincas that were in the hands of large landowners and foreign entities like the US-based United Fruit Company (UFCO). According to Jim Handy (1994), by the time Árbenz came to power, "twenty-two owners controlled more land than 249,169 peasant families" (88).

Decree 900 was passed by Congress on June 17, 1952 (86–92).[12] There were certain criteria and rules for expropriation, and only certain types of lands could be affected by the law. Decree 900 stated that no finca that was less than two *caballerías* could be expropriated (91). A finca that was two-thirds cultivated and was between two and six *caballerías* was also not affected by the law (91). Lands that could be expropriated and denounced included national fincas, fincas measuring more than six *caballerías* and not in use or being rented, and "municipal land denounced by *comunidades indígenas* or *comunidades campesinas*" (91). As a result of the agrarian reform and its impact on fincas that included the UFCO, Árbenz was overthrown by Carlos Castillo Armas, who led a counter-revolution with the support and aid of the US Central Intelligence Agency (CIA) in June 1954 (Forster 2001; Gleijeses 1991; Handy 1994; Immerman 1982; Schlesinger 1982). The coup led to the cancellation of expropriation orders and the persecution of

peasants and Indigenous Peoples involved in agrarian movements (Forster 2001; Handy 1994). The Castillo Armas coup ushered in decades of military dictatorship with the support and backing of the US, large landowners, and the oligarchy.

While extensive research has been conducted on the impact of Decree 900 in Guatemala, little work has been done on its effect in the Ixil Region (Forster 2001; Handy 1994). Data from the 1950 Census reveals that there were at least fifty-nine fincas with one or more *caballerías* in the Ixil Region: twenty-three in Cotzal, nine in Chajul, and twenty-seven in Nebaj (Ministerio de Agricultura 1957). Data on land extensions was most complete for Chajul, with all fincas being accounted for, and the least complete for Cotzal, with data being available on land extensions for only six, or 26 percent, of listed fincas. In Chajul, the nine fincas accounted for at least 7,005 *manzanas*, and in Nebaj 70 percent of these fincas accounted for 3,512 *manzanas* (Ministerio de Agricultura 1957).

In Cotzal, the Ixil used the agrarian reform to call for the expropriation of three fincas: San Francisco, Asich, and Chenlá (AGCA, Decreto 900, P. 1, Ex. 1; AGCA, Decreto 900, P. 15, Ex. 3; AGCA, Decreto 900, P. 16, Ex. 11). The largest expropriation effort targeted the Finca San Francisco. Interestingly, Árbenz's minister of agriculture was Nicolás Brol Galicia, the son of Pedro Brol Manzano, who along with his four brothers owned San Francisco. Nicolás Brol was a leader within the National Integrity Party (PIN), which initially hesitated to support agrarian reform, and had "difficulty gaining the support of party members" (Handy 1994, 87). But after Carlos Manuel Pellecer "provided some persuasion of his own by denouncing the labor practices Brol employed on his finca and threatening a strike," PIN began to support agrarian reform (87).

The first *denuncia* (claim or denunciation) for expropriation of the Finca San Francisco was presented by Rosendo Girón Toledo in representation of the *campesinado Cotzal* on February 25, 1953 (AGCA, Decreto 900, P. 1, Ex. 1). A second *denuncia* was carried out by "Juan Rodriguez y compañeros," who claimed that the finca qualified for expropriation since it had an extension of 350 *caballerías* (AGCA, Decreto 900, P. 1, Ex. 1). A third *denuncia* was made by "Miguel García y compañeros" regarding "San Francisco Cotzal y anexos, El Putul, Ticajpubitz"; it claimed that the finca qualified for expropriation because between six hundred and eight hundred *caballerías* were uncultivated (this later turned out to be a miscalculation of the size of the finca) (AGCA, Decreto 900, P. 1, Ex. 1).

A fourth *denuncia* was presented by the workers of San Francisco on February 28, 1953, by "Aureliano Vásquez y compañeros' (AGCA, Decreto 900, P. 1, Ex. 1). It included the signatures and fingerprints of the workers from the finca located in Cotzal as well as their holdings in Uspantán. What is unique about this list is that it includes surnames associated with various other locations and ethnicities. While traditional surnames from Cotzal are listed such as Toma, Sambrano, Gómez, Avilez, and Cordova, you also find Ixil surnames associated with Nebaj, such as Ceto and Brito. Moreover, there are K'iche' names such as Lux and Us,

Q'eqchi' names such as Chen, and others that may be from neighboring Q'anjob'al. There are also ladino names such as Cano and Méndez. In their *denuncia*, the finca workers state: "The owners of [San Francisco] have provided us, as *mozos colonos* [tenant workers] on the finca, with parcels free of charge, which we have been cultivating personally with crops of corn, beans, and other products, to meet the needs of our families. . . . We are poor *campesinos* [farm laborers] with families, and we do not have our own land to cultivate" (AGCA, Decreto 900, P. 1, Ex. 1). The multiple *denuncias* for San Francisco created confusion among agrarian officials, who noted the competing expropriation claims but ultimately decided to allow the fourth *denuncia* made by the finca workers to move forward. The move can be seen as the best of the bad options for the Brols, as these workers lived within their finca.[13]

The finca workers in their *denuncias* identified various properties that formed San Francisco, including Cualá, Sacajabitz, Ticapubitz, Alcalatzé, Ticajpubitz, San Francisco Pinal del Río, San Francisco Cotzal, San José Cotzal, Perú Grande, Perú Pequeño, Buenos Aires, Monte Arturo, Argentina Putul, Putul Chiquito, El Putul, and the plots that the workers already had. They requested to obtain priority for their *denuncia* over any other people who sought expropriation since they had been working on these lands for years (AGCA, Decreto 900, P. 1, Ex. 1). In response, the five Brol brothers reported to the Departmental Agrarian Commission with a list of their agricultural activities of growing coffee and sugar, raising cattle, running a seed nursery, engaging in reforestation, and providing land for their workers so that they could grow their food. In what seems like the Brols' attempt to subvert expropriation efforts, they agreed to give their workers the plots they had worked on, "provided that the petitioners prove, in due form, that they are the workers" of the finca (AGCA, Decreto 900, P. 1, Ex. 1). Girón Toledo objected to the *denuncia* of the workers, wanted to know how much land they would receive, and demanded that the case be taken over by neutral people since the owner included Nicolás Brol (AGCA, Decreto 900, P. 1, Ex. 1). The ocular inspection reported on July 12, 1953, that San Francisco consisted of 114 *caballerías* and 58 *manzanas*, of which only a little over 18 *caballerías* of land were directly cultivated and 16 *caballerías* were uncultivated. Other parts of the plantation were used for pastureland (12 *caballerías*), used as forestry land (47 *caballerías*), or cultivated by third parties (20 *caballerías*) (AGCA, Decreto 900, P. 1, Ex. 1).

In addition, the finca had 510 families and houses located in two *caseríos* and in dispersed locations. The Consejo Nacional Agrario ordered the expropriation of 86 *caballerías* later that year. But the expropriation was interrupted by the 1954 coup and was officially overturned on July 5, 1956 (Elliott 2021, 127). According to Handy (1994, 200), Pedro Brol Galicia was at first "denied the return of four caballerias expropriated," but "after a number of prominent people wrote to government officials explaining that Pedro and his brother [Nicolás] had been estranged and that Pedro 'always has been and still is completely anticommunist' was his

land returned." Nicolás was temporarily forced into exile following the 1954 coup (ADAHPN, GT PN, 50, S001, 959821).[14]

The expropriation efforts of Asich and Chenlá were not as extensive as San Francisco because of the size of the land. The *denuncia* for Asich, whose owner was listed as the "Mortual de Juan Sajic Velasco," was presented by Domingo Saquic Aviles and *compañeros* on April 25, 1953 (AGCA, Decreto 900, P. 15, Ex. 3). Their *denuncia* did not meet the requirements of the agrarian reform since the land being sought was less than two *caballerías* and was deemed *inafectable* for expropriation (AGCA, Decreto 900, P. 15, Ex. 3). The expropriation claim for Chenlá, which formed part of the Finca Pantaleón owned by Carlos Herrera, came from the *colonos*, who submitted their application on April 10, 1953 (AGCA, Decreto 900, P. 16, Ex. 11). Diego Cordova was listed as the *denunciante* along with twenty other *colonos*. In their application, the *colonos* stated that for approximately forty years they had been living and cultivating the lands they were seeking and that the Herreras had given them a plot of land to cultivate. This *denuncia* was later denied by the government after the Herreras' legal representative argued that the finca did not qualify under the agrarian reform since the majority of the land was being cultivated (AGCA, Decreto 900, P. 16, Ex. 11).

Another expropriation order that occurred in the Ixil Region involved the Finca La Perla, Santa Delfina y Anexos, located next to Ilom in Chajul, which measured more than 86 *caballerías*, with only 5 in use for cultivation and 7 for "pasture for cattle" (Elliott 1998, 56). The owner, Luis Arenas, upset with the agrarian reform, went to talk with US Embassy officials and offered "to lead a revolt under his Anti-Communist Unification party" that could help overthrow the government (56–57). The US at that time was already plotting to overthrow Arbenz, and Arenas's offer was not taken, much to his annoyance. By the end of March 1954, 52 *caballerías* were expropriated by "Andrés Pérez y compañeros" and "Girón Toledo, a representative of the Confederación Campesina of Chajul" (57). After the coup, on June 4, 1956, this expropriation was cancelled and the leaders involved distanced themselves from this land movement (58).

In addition, to *denunciando* La Perla, Santa Delfina y Anexos, the people of Chajul claimed the following four fincas: Los Cimientos de Xetzunu Chaj, owned by Herederos de Miguel Gómez y Manuel López; Los Cimientos de Xezupuchy, owned by Mortual de Máximo y Pedro Tzep; San Juaquin y Anexos, owned by Francisco Tello; and Estrella Polar, owned by Daniel Tello (AGCA, Indice No. 21, Decreto 900, Depto. El Quiché). In Nebaj, there were at least four *denuncias* through Decree 900; these included the properties of Las Amelias, owned by Segundo Ardavin Escandón; Las Pilas, owned by Rodolfo Avila G.; Nueva America, owned by Alejandro del Valle Tello; and Xaxan y Anexos, owned by Francisco Pascual (AGCA, Indice No. 21, Decreto 900, Depto. El Quiché).

Information on the events surrounding the agrarian reform and 1954 coup in Cotzal is scarce. Again, time, war and genocide have contributed to the loss of

stories. Still, many people remember land reform as an important moment. One community leader I spoke with reflected on the historical exploitation his people had suffered and the hope that the October Revolution created: “People did hard work on the road to Sacapulas for a month, and when they returned home they already had debt, so they went to work on the finca. It was heavy exploitation, [but] thanks to the revolution of ’44, the people woke up. The revolution of ’44 was like a salvation of the people.” Moreover, though archival sources for counterrevolution in the Ixil Region are scarce, there are traces of persecution against some of the leaders involved in Decree 900 who were forced to flee Guatemala after the coup. For example, a *ficha* in the police archives shows that Girón Toledo, who was involved in expropriation efforts in Cotzal and Chajul, returned from exile in 1956 (ADAHPN, GT PN, 50, S001, 936812). While the October Revolution is remembered for its potential, it is crucial to point out that the Ixil had already been resisting and organizing since the invasion of the *finqueros*, especially since there is a misconception that the people of Cotzal are motivated and organized only by non-Indigenous outsiders.

REFLECTIONS ON THE SECOND INVASION

The arrival of ladinos and Europeans in the Ixil Region in the early twentieth century was characterized by violence, by displacement from lands through legal means of land titles and deception using alcohol, by repression, and by forced labor and subordination under *finqueros*. The arrival of the fincas was another wave of colonization that established a kind of structural land inequality not present before. This inequality would begin to build, and as seen with the 1952 agrarian reform, the Ixil attempted to recover the lands that were taken from them. The private fincas in Cotzal exemplify the way the invaders treated the land as a commodity.

I have narrated how some fincas, such as San Francisco, Pantaleón, and Pacayal, were established in the Ixil Region without being *desmembradas* from the ejido. Landowners and *finqueros* used deception, fraudulent titles, and corruption, within a government that viewed Indigenous Peoples as a problem, to obtain large amounts of land. That many initial landowners in the Ixil Region were military men, such as Isaías Palacios and the *milicianos* of Momostenango, highlights the militarized ways that the central government attempted to intimidate Indigenous communities into ceding their lands. Though the Ixil were displaced and forced to work on their occupied lands, they continued to resist, as is evident from the 1936 uprising and their use of Decree 900. When these struggles were repressed by the government, calls for armed struggle began.

The role of academics, particularly Euro-American men and Euro-descendants, in reinforcing US imperialism, global patriarchal and racial hierarchies, and gringo arrogance was evident in their collaboration with dictators, abusive *finqueros*, and

military and government officials who were their allies and accomplices. Curtin's state-sanctioned kidnapping of the Ixil who were forced to work and travel with him to Mexico was possible only through approval from dictators and other state agents. Foreign academics, researchers, advisers, and travelers continued to arrive in Guatemala for various reasons in the third and fourth invasions.

The next chapter focuses on the war in the Ixil Region, one of the most violent periods in Cotzal since European invasion. Armed rebellion was another stage of resistance against a repressive system built on the displacement and destruction of Indigenous territories, knowledges, spirituality, identity, and dignity. The legacies of these invasions are apparent in the fourth invasion, as will be explored in Part II of the book.

3

Third Invasion

State-Sponsored Violence and Armed Struggle

Don Juan, a man in his early forties, invited me to an exhumation of victims of a massacre in his community of Chisís (Ch'isis). I met don Juan in 2012, and over the years I began to learn more about his life and his family. He was involved in the movement against Palo Viejo and had experienced threats due to his involvement. When he invited me, I was not sure if it was appropriate for me to attend. He said it was fine and informed me that his parents would be among the exhumed and he wanted me to be there.[1]

On February 13, 1982, Chisís suffered one of the largest massacres in Cotzal during the war, when approximately two hundred people were killed by the Guatemalan state (CEH 1999a, 89–96).[2] Don Juan was only eight years old when the military destroyed his community. He had never gotten into the details of this day, nor did I want to ask. All I knew was that at the end of that day there were hundreds dead, including his father. Those who survived the massacre hid and sought refuge in the mountains, and some returned to their razed community to bury the dead in clandestine graves. In many cases, people remember where they buried their relatives, friends, and neighbors, and it is this knowledge that allows forensic anthropologists to locate and exhume the bodies, at sites that are considered crime scenes.

On a cloudy morning in Chisís, the residents met with a team of forensic anthropologists. At least three exhumations would be conducted, one of a common grave containing various people, and two more for don Juan's parents since they had been buried separately. The people of Chisís took the forensic anthropologists to the site where they buried their relatives. After careful digging of soil, we saw a round object that turned out to be the skull of a young child between the

ages of three and five. In total, this clandestine grave contained thirteen bodies: nine children, two women, and two men.[3] Some of the children were too young for the forensic anthropologists to determine sex; all had been burned alive. These children would have been don Juan's age had they not been murdered by the military. The two men found at the crime scene were killed with a gunshot to the head. While the grave that contained murdered children from the 1980s was being dug up by forensic anthropologists, living children looked on, while their mothers wept silently.

Don Juan, his siblings, and his mother had fled into the mountains during the massacre. He would later bury his mother high up in the mountains. To arrive there from Chisís, we drove about twenty minutes on a dirt road and then hiked for two hours up to one of the highest parts of the surrounding mountains. Our party consisted of members of the exhumation team, a police officer, don Juan and his family, two of his sisters, an Ixil leader, and another researcher. We arrived at the site, which was located at the peak of the mountain, surrounded by a ring of trees with birds chirping. Without hesitation, don Juan pointed to the exact location to where he had buried his mother.

After digging, the first signs of don Juan's mother's remains led to a silence from the family and those of us present. The digging continued, and the family waited patiently until their mother was completely unearthed. Once she was, everyone paused as don Juan said some words in her honor. Afterwards, one of the forensic anthropologists began to remove her remains and place them in plastic bags, which were to be taken to their lab in Guatemala City. When the first bone was lifted, the family began to collectively weep. Their shattering cries were the haunting sounds of sorrow, anger, pain, suffering, and mourning that broke the relative silence of the mountains that day. One of the forensic anthropologists who has been doing this for over a decade also teared up. Later he said that even after doing this for so long, you never got used to these moments.

After an exhumation, remains go back to a lab, where they are processed and analyzed to see if their identity can be determined. Once they are identified through various means (DNA, testimonies, etc.), it can take up to a year or more for remains to be returned to the family to be properly buried. In the cases where remains of war victims cannot be identified, they are placed in individual boxes in a storage unit that houses the victims of war from throughout Guatemala.

During my field research, I did not ask many questions directly regarding the war since I did not want to open any wounds or recreate the pain and trauma that I saw and felt that day at the exhumation. Yet while I was working in the Ixil Region, I found it nearly impossible not to discuss the war or conflict in general, especially since it had permeated every aspect of life. Some leaders today use language from the war to describe the Palo Viejo hydroelectric plant. For example, some say the rivers have been "kidnapped" by Enel Green Power. Others view the fourth invasion as a continuation of state-sponsored violence. I have not lived through a war,

but I learned from the Ixil and K'iche' that the reality of war is extremely messy and impossible to capture in words. The Ixil Region has been the location of many research projects regarding the war, as well as serving as the case used against General Efrain Ríos Montt for genocide (Brett 2007; CEH 1999b, 1999c; A. Flores 2017; García, Garcia, and Axelrod 2005; Garrard-Burnett 2010; Hernández Alarcón et al. 2008; Manz 1988; Mazariegos 2020; Oglesby and Nelson 2016; Perera 1993; REMHI 1998; Sesé, Burt, and Colardelle 2013; Simon 1988; Skylight Pictures 2011; Stoll 1993).

Living in San Felipe Chenlá and visiting various communities allowed me to glimpse the complexities of each location and community. I have talked to people who were patrolmen, military, guerrillas, members of the Communities of Population in Resistance (CPRs; those who were internally displaced by the war and who organized themselves in the mountains, where they were subject to further military attacks and persecution), and youth who were born in model villages, in exile, or in CPRs. In some cases, people were in multiple roles during the war. For instance, some people were CPR members and later became patrolmen, while others were victims who were forced to join the military or patrol as young as fourteen. In another instance, I was with two people who did not know each other and during a conversation found out they had been on opposite sides of a battle since one was a soldier in the military and the other a guerrilla fighter. This occurred in other parts of Guatemala too; I once met a K'iche' man who was in the military in the Ixil Region in the 1980s, migrated to the US in the 1990s, and returned to Guatemala and became a community leader who now promotes Indigenous rights.

The third invasion occurred during the war; the invaders consisted of the military and the Guatemalan state, which committed genocide against the Ixil. As we saw in the first and second invasions in the previous chapters, the Ixil resisted in various ways: using the state to denounce *finqueros*, the Catholic Church, and abusive gringos like Jeremiah Curtin, attempting to use laws like Decree 900 to recover their lands, and peacefully organizing to resist *finqueros* and the abuses of forced labor laws, only to be persecuted, kidnapped, and disappeared. When reform using state structures and peaceful resistance led to further state violence, some Ixil decided to organize and fight with the guerrilla movement, which formed a part of a long legacy of uprisings and historical rebellions.

Many stories, testimonies, and investigations reaffirm the agency and autonomy that Ixil women and men had in the guerrilla movement and demonstrate that Indigenous Peoples were not manipulated by outsiders or caught "between two armies" (Ceto 2011; González S. 2011; Flores 2021a; Forster 2012; Reyna Caba 2001). Starting in the 1970s, the Guerrilla Army of the Poor (EGP) operated through the Ho Chi Minh front in the Ixil Region, where it received popular support from the communities of the Ixil Region (González S. 2011, 163). According to Pablo Ceto (2011), a member of the EGP and Guatemalan National Revolutionary Unity (URNG), "The substratum of the Indigenous resistance came to plant and develop

the seeds of the Guatemalan revolutionary project, in a context of growing nonconformity, organization, and struggle of the popular sectors in the decades of the '60s and '70s" (229). This "allowed the confluence of that Indigenous resistance and the revolutionary project" (229). The historian Cindy Forster characterizes the guerrilla movement in the department of Quiché as "the first unequivocally Indigenous and revolutionary guerrilla resistance" (2012, 130).

Anthropologist Alejandro Flores argues against the view that the Ixil were just passive victims during the war; instead, they were "protagonists . . . for whom the armed struggle was only an expression of dispute over the future" that challenged "the power of the *finquero* state" (2021b, 8, 20). Flores analyzes an anonymous document titled "El Señor de San Juan," written in the 1970s or 1980s, to elaborate what he calls the "two rivers theory," to describe the way in which the Ixil and guerrilla movements came together. A portion of the document reads: "The river of our people's struggle has joined the river of the guerrillas' struggle. From the two a single river, a great river, is formed. It is because of this meeting that neither the army of the rich nor the army of the gringos will be able to stop our pueblos" (quoted in Flores 2021b, 10).

In Cotzal, there are those who remember that some Ixil were the ones who invited the guerrillas to the region.[4] Don Concepción affirms this: "The population of Cotzal invited the guerrillas so that they could be their allies, that is, to recover the land" belonging to their "grandfathers and grandmothers," who were displaced from it by the *finqueros*. He adds:

> The emergence of the guerrillas or the armed force was not optional, it was not in vain, let's say, but rather, out of just necessity, because here in Cotzal the *finqueros* had invaded the land, let's say, then it is likely that the campesinos organized to recover the land because their voices were never heard. They claimed their rights, but they were never listened to until the [guerrillas] emerged. . . . So [the people] had no choice, they had to take up arms to recover their lands, and we would say that it was for a just fight, for the land, for the life of all the pueblos, the campesinos who suffered, let's say, at the hands of the *finqueros*. . . . If the mountains spoke, well, they know how many bodies were left there, of our brothers who also fought. . . . There were many deaths, many disappeared, many kidnappings by the state. I think that the *compañeros* who died, died for a just cause, it was for the life of the people and to recover the land that the *finqueros* had invaded.

This perspective reveals the relationship with the guerrilla movement as part of a struggle to recover the lands from which the Ixil had been dispossessed during the second invasion. The fact that many Ixil joined the guerrillas or supported them does not justify the Guatemalan government's claim that all Ixil were guerrillas and "naturally" opposed *finqueros* and the state. The resistance to repressive *finqueros* was a result of the second invasion and historical processes, not a biological determination. More importantly, the fact that many Ixil joined the guerrillas

does not justify state-sponsored genocide against the Ixil population and civilians. And the fact that some Ixil did not join or support the guerrillas, or even aligned themselves with the military (though often they were compelled to), should not undermine Ixil agency and political subjectivity in taking up armed struggle as a path toward liberation.

Given the vast amount of research, testimonies, and human rights reports on the war, in this chapter I first provide a brief overview of the conflict in the Ixil Region. This includes data on violence committed by the state and the role of fincas. I then examine the assassinations of three *finqueros*: Jorge Brol Galicia, Enrique Brol Galicia, and José Luis Arenas. Finally, I present the oral histories and testimonies of two Ixil leaders from Cotzal who had different experiences during the war: don Nicolás Toma Toma (La's Tom) and doña María Sajic Sajic (L'i I'ch), both persecuted and forced to seek refuge in the mountains. Their stories provide deep insight into how some Ixil suffered during the war and how their personal tragedies continue to mark them today.

GENOCIDE AND WAR IN THE IXIL REGION

The Guatemalan Civil War saw the worst violence against the Maya since Spanish colonization. Beginning with General Fernando Romeo Lucas García (1978–82) and continuing with General José Efraín Ríos Montt (1982–83), the Guatemalan state carried out a counterinsurgency campaign meant to displace, massacre, and eliminate Maya communities that the military viewed as safe havens for the guerrillas. The horrifying statistics on lives lost and human rights atrocities committed during this era have been well documented and widely published elsewhere.[5] Human rights reports by the United Nation's Commission for Historical Clarification (CEH) and the Catholic Church's Recuperación de la Memoria Histórica, Guatemala Nunca Más (REMHI) provide in-depth exploration of the root causes of the violence (CEH 1999b, 1999c; REMHI 1998). The proceedings from the 2013 genocide trial against General Ríos Montt also provide testimonies from Maya survivors of the war and expert witnesses, as well as a legal analysis of the crimes committed by the Guatemalan state and military (Tribunal Primero de Sentencia Penal 2013). The search for truth in Guatemala has been and continues to be risky (Weld 2014). For example, days after the REMHI report was published, Bishop Juan José Gerardi Conedera was assassinated by military officials (Goldman 2007). In addition, several witnesses in the genocide trial received threats for their role or have been the victims of accusations that seek to discredit their testimonies (Sesé, Burt, and Colardelle 2013).

There are various estimates of the amount of violence suffered in Guatemala. The CEH reported 669 massacres that left two hundred thousand dead at the national level, of whom 83 percent were Indigenous; they also reported that up to 1.5 million people were displaced (CEH 1999b, 17, 30, 83, 85). The same report

found that the armed forces were responsible for 93 percent of the deaths and that state agents had committed "acts of genocide" against Maya peoples (38). The department of El Quiché, particularly the Ixil Region, where the EGP had much support, was among the heaviest hit during the war (Garrard-Burnett 2010, 87–88). The CEH found that the department of El Quiché suffered 344 massacres (CEH 1999b, 83). Between 70 and 90 percent of the communities of the Ixil Region were razed (40). Furthermore, the CEH reported multiple forms of violence that the Ixil suffered, such as torture, massacres, kidnappings, sexual violence, disappearances, and displacement. With regard to the Ixil, the CEH concluded that the military campaigns between 1980 and 1983 resulted in

> the murder of at least 6,986 people, including women, the elderly, and children, of whom 97.8 percent were Ixil, and victimized 14.5 percent of the Indigenous population, who suffered serious human rights violations such as torture, rape, and forced disappearances. Along with the perpetration of massacres and other acts of serious injury to physical and mental integrity, the army devastated at least 70 percent of the communities in the Ixil area, sometimes accompanying these actions with the occupation or destruction of sacred Maya places. This violence caused the displacement of more than 60 percent of the population, who were subjected to conditions that could lead to death from hunger, cold, and disease. (359)

The CEH reported that at least ninety communities were destroyed at the height of the violence between 1980 and 1983. In Cotzal these included Asich, Namá, Cajixay, Chisís, Quisis, Villa Hortensia, San Felipe Chenlá, Chichel, Xeputul, and San Marcos Cumlá (346).[6]

The military viewed the Maya and the Ixil as natural allies of the guerrillas and saw their repression as justified for that reason. The military's allies such as the US were well aware of the violence occurring in Guatemala and the Ixil Region, as well as the specific targeting of the Ixil. On February 20, 1982, days after the massacre in Chisís (the one that don Juan survived), the Central Intelligence Agency (CIA) reported the following, which is quoted at length because of its historical importance:

> In mid-February 1982, the Guatemalan Army reinforced its existing force in the Central El Quiche Department and launched a sweep operation into the Ixil Triangle. The commanding officers of the units involved have been instructed to destroy all towns and villages which are cooperating with the Guerrilla Army of the Poor (EGP) and eliminate all sources of resistance. . . . Since the operation began several villages have been burned to the ground, and a large number of guerrilla and collaborators have been killed. . . . *When an Army patrol meets resistance and takes fire from a town or village it is assumed that the entire town is hostile and it is subsequently destroyed*. The army has found that most of the villages have been abandoned before the military forces arrive. An empty village is assumed to have been supporting the EGP, and it is destroyed. . . . The army high command is highly pleased with the initial

> results of the sweep operation, and believes that it will be successful in destroying the major EGP support area and will be able to drive the EGP out of the Ixil Triangle. Indians who have historically been hostile to the army are now collaborating to the extent that the army has successfully formed a self-defense force of Ixil Indians in the town of San Juan Cotzal to protect the town against attacks by the EGP, the army has yet to encounter any major guerrilla force in the area. Its successes to date appear to be limited to the destruction of several "EGP-controlled-towns" and the killing of Indians collaborators and sympathizers. . . . The well documented belief by *the army that the entire Ixil Indian Population is pro-EGP* has created a situation in which the army can be expected to give no quarter to combatants and non-combatants alike. (emphasis mine, CIA 1982).

There is ample evidence, such as this cable, that the Ixil Region suffered genocide during the counterinsurgency and that military campaigns viewed the Indigenous population of the Ixil Region as an internal enemy that needed to be eliminated (CEH 1999b; Ejército de Guatemala 1982; REMHI 1998).

The persecution against the Ixil extended to all of Guatemala, and dressing in Ixil clothing or speaking Ixil was considered a death sentence. An Ixil from Nebaj remembers how women were persecuted: "She and her family were able to get to work on the Southern Coast, but other people couldn't because they were killed between Santa Cruz and Sacapulas. They were killed when the soldiers recognized that they were from Nebaj. [Also] in Patulul Suchitepequez they killed people who were identified as Ixil, they were recognized by women's *cortes*. They were accused of being guerrillas. To survive, they had to change their clothing to K'iche' dress" (quoted in CEH 1999b, 332). Another witness claimed that a group of women who were washing their clothes were shot at by the military since they noticed that their *cortes* were red, which meant they were Ixil (332). I heard similar stories of men having to stop wearing their traditional clothes such as white pants or *cotón* to avoid being detained.[7] In other cases, boys captured by the military were forced to dress in military uniforms. Some were kidnapped, adopted, and raised by the same soldiers who had killed their parents and relatives and destroyed their community.

Following the displacement and destruction of these communities, the military government created model villages, development poles, and local militias known as Civil Defense Patrols (PAC), which were meant to control and oppress the Ixil. In Cotzal three model villages were created from the Fincas Pantaleón and Pacayal after being sold by their owners. These villages, San Felipe Chenlá, Vichivalá, and Santa Avelina, were later at the center of resistance against Palo Viejo. Children as young as twelve were forced to join the PACs, and people in these model villages remember living under military surveillance and repression. At the time, these model villages and development poles were supposedly meant to showcase the military's and the state's commitment to contributing toward the development of the region. These efforts included highly publicized inaugurations of model villages by ministers and high-level officials. For example, San Felipe Chenlá was

created by the military as a model village under General Oscar Humberto Mejía Víctores in 1983 and was officially inaugurated in 1986 during a visit by minister of development René de León Schlotter (WOLA 1988, 61–63). Yet despite the publicity and rhetoric, development was far from being achieved. For instance, in Vichivalá, a model village constructed in 1983 at a cost of Q96,635, the only government agency present in the village was the Ministry of Education, which appointed a temporary teacher and assistant to teach ninety-eight monolingual Ixil children. Most families could not afford to buy pencils and paper for their children, and the health post lacked medical supplies and proper staff (WOLA 1988, 61–63).

Sexual violence was also used as a tool of war and genocide (CEH 1999b; Crosby, Lykes, and Caxaj 2016; Oglesby and Nelson 2016; Reyna Caba 2001; Sesé, Burt, and Colardelle 2013; Velásquez Nimatuj 2019). The CEH (1999b) states that women were victims of "all forms of human rights violations" during the armed conflict and "also suffered specific forms of gender-based violence" (13). According to the CEH:

> In the case of Maya women, in addition to armed violence there was gender violence and ethnic discrimination. This section refers in particular to sexual violence against women. Rape was a widespread and systematic practice carried out by state agents within the framework of the counterinsurgency strategy, becoming a true weapon of terror and a serious violation of human rights and international humanitarian law. . . . In general, the cases of individual or selective rape occurred in the context of the detention of the victims and were often followed by their death or disappearance. The cases of massive or indiscriminate and public violations were registered in areas of large Indigenous concentrations, as a common practice after the installation of military garrisons and PACs, prior to massacres or as part of scorched-earth operations. They were also accompanied by the death of pregnant women and the destruction of fetuses. (13)

The Maya witnesses in the trial against Ríos Montt denounced this type of violence and recognized the military government's role in using it as a tool of war. According to a report by the International Federation for Human Rights (FIDH) describing testimonies from the trial:

> Ixil women who were victims of sexual violence by the Army between 1982 and 1983 testified before the court. Their testimonies revealed that these were not isolated incidents, nor were they merely acts committed by troops beyond the control of their commanders. Rather, the testimonies revealed that it was these commanders who ordered, approved, and legitimized these acts. "It was a sergeant who gave the orders to the soldiers." One woman survivor gave evidence that she had heard one soldier say, "Ríos Montt told us to get rid of this Ixil rubbish because they collaborate with the guerrillas." The details of the terrible crimes perpetrated against Ixil women showed that rape was a premeditated, systematic, generalised practice, used as a form of warfare and part of the counter-insurgency policy of José Efraín Ríos Montt's government. (Sesé, Burt, and Colardelle 2013, 13)

Because of this campaign of terror, girls and women lived in fear and in some cases were not allowed to leave the house because there was "a lot of fear that [they could] get caught" by the soldiers (Forster 2012, 140).

Survivors have fought to seek justice for these crimes and have organized, founded, and participated in organizations and collectives such as Flor de Maguey and the Association for Justice and Reconciliation (Lykes, Crosby, and Alvarez Medrano 2021). As mentioned in the previous paragraph, during the trial against Ríos Montt, several witnesses denounced the sexual violence they had suffered from the soldiers and PAC. In 2016, the Sepur Zarco case, the first criminal trial for sexual slavery as a weapon of war, found that Q'eqchi' women were kept on military bases, forced into sexual slavery, and forced to cook and clean for soldiers; the accused soldiers were found guilty of these crimes (Burt and Estrada 2022; Velásquez Nimatuj 2019). On January 24, 2022, in the Achí Women case, five former PACs were "sentenced for being found guilty of enslaving and raping Achí women during the internal armed conflict" (España and Pitán 2022).

While there are those who deny genocide occurred in Guatemala, the evidence presented at the 2013 trial against Ríos Montt did not leave any doubt (Oglesby and Nelson 2016). The ruling was overturned ten days later by the Constitutional Court (CC), not because of the evidence presented at trial, but because of an alleged due process violation.[8] In 2014, Congress approved Resolution Point 03-2014, which denies genocide during the war (*Prensa Libre* 2014; Rojas 2014). For many Ixil and Guatemalans, the 2013 ruling never ceased to be valid and remains intact today, despite the ruling of the CC. In relation to the annulment of the trial against Ríos Montt and Resolution Point 03-2014, don Concepción told me that it was worrying that the Guatemalan state and its allies deny genocide today, since these same powers had caused a lot of damage during the violence. As he held up a copy of the 2013 ruling against Ríos Montt, he stated: "Here is everything that Ríos Montt has done, [it is in] the ruling. . . . We regret the attitude of those who financed the war. . . . They themselves have declared that there was no genocide. It is they who are responsible for the massacres, the razed lands, the disappearance of communities. . . . They continue to violate the rights of Indigenous Peoples, they have authorized mining, hydroelectric plants, exploitation of the assets that we have, without consent of Indigenous Peoples, without the consent of the legitimate owners. . . . In Guatemala, the violence continues." The trial was sent to an initial judicial phase and repeated, and in 2018 the courts again ruled that the Guatemalan government and army had committed genocide during the war. However, Ríos Montt died during the course of this second trial, before the new sentence was handed down.

As noted, the US government supported military dictatorships with weapons, advisers, and political support, and can be considered intellectual authors of genocide in Guatemala and against the Ixil people. President Ronald Reagan famously said that Ríos Montt was being criticized too much and that he was "a man of great personal integrity" who was "totally dedicated to democracy in

Guatemala" (Cannon 1982). The United States Agency for International Development (USAID) "provided several million dollars to the army's rural security" and supported the construction of model villages (Sanford 2003, 170). In addition, several gringos supported military dictatorships, especially missionaries and evangelicals like those of the Iglesia Cristiana Verbo, which supported Ríos Montt (Garrard-Burnett 2010; Forster 2012, 137–45; Sanford 2003, 171). President Bill Clinton (1993–2001) acknowledged and apologized in 1999 for the role played by his country during the civil war.

Apart from the US, other international actors supported Guatemala's military dictatorships. These included Israel, which provided arms, helicopters, boats, military advisers, and police training, working with the secret police in interrogation tactics and urban counterinsurgency (Bahbah and Butler 1986, 162). The Israeli press referred to the 1982 coup that was led by Ríos Montt and that placed him into power as "the Israeli connection." There were as many as three hundred Israeli advisers in Guatemala, and Ríos Montt himself told US reporters that many of Guatemala's soldiers had been trained by Israelis (cited in Bahbah and Butler 1986, 161). The Israelis even aided in building a "munitions plant to manufacture bullets for M-16 and Galil assault rifles" which started operation in Coban, Alta Verapaz, in 1983 (162). During the EGP occupation of Nebaj in 1979, an eyewitness account claimed that one of the gringos in town had turned out to be an Israeli army instructor who was not recognized by the EGP and who left Nebaj after the guerillas departed ("La toma de Nebaj" 1982). The Guatemalan military and right wing spoke of the "Palestinianization" of the Maya (Black 1983, 43). Other countries that provided support such as military advisers, counterinsurgency training, ammunition sales, and police intelligence included Argentina, Chile, South Africa, and Taiwan (Bahbah and Butler 1986, 161; Jamail and Gutierrez 1986, 56; Rostica 2016).

The violence in the Ixil Region was brutal and was committed by the Guatemalan state in conjunction with other governments such as the US and Israel. In addition, some Ixil and other Maya were forced to participate in massacres. Fincas and *finqueros* also played a violent role in persecuting and repressing the Ixil, particularly when the latter demanded that their labor and human rights be respected.

FINCAS DURING THE WAR

The fincas worked with the army and the Guatemalan state to militarize the Ixil Region and contribute to violence against the civilian population. The army created garrisons in La Perla and San Francisco after the assassination of *finquero* Luis Arenas in 1975 (González S. 2011, 190). Also, during the civil war, Finca Pacayal (owned by the Hodgsdon family), and Finca Pantaleón (owned by the Herreras) would be sold since the violence made it difficult for them to operate. The Finca San Francisco continued to operate and has been accused of contributing to the massacres and terror in the Ixil Region. According to REMHI (1998), the army

had a large presence in the region, including a platoon on the Finca San Francisco: "The military—which in 1981 had a brigade deployed with a command post in Nebaj, one company in Chajul, another in Cotzal, and another one in Nebaj, in addition to two platoons at the plantations of La Perla, two at La Tana, one at San Francisco, and another at La Panchita, the most remote places in the area—immediately initiated actions against those populations that showed greater support for the guerrillas, and scorched earth in the communities closest to the safe havens of the guerrillas" (306). The troops stationed at Finca San Francisco have been implicated in the massacre in Chisís. According to the CEH (1999c, 90–91):

> On Saturday, February 13, 1982, around five in the morning, some two hundred soldiers from the Cotzal, Nebaj, and Chiul detachments, and one hundred civil patrolmen from the Finca San Francisco de Cotzal and from the villages of Santa Avelina and Cajixay, surrounded Chisís, forming a fence to prevent [people] from escaping. . . . The soldiers opened fire on the population and began to burn the houses. . . . After the massacre, the survivors of Chisís saw, from their refuge in the mountains, how the soldiers and patrolmen were heading back toward the village. It had already been abandoned. The soldiers burned all the houses. They then continued to Villa Hortensia Antigua, where they spent the night. In the early hours of Sunday, February 14, they set fire to the houses of Villa Hortensia. They then marched to the Finca San Francisco.

Chisís was destroyed, and survivors either fled into the mountains or sought refuge in the town center of Cotzal. An Ixil leader who had lived through the war told me:

> During the internal armed conflict, the army came to stand out there on the [San Francisco] finca, and they kidnapped many people and killed many people. The army did not arrive as security for the population, it arrived as security for the *finquero* Brol, not for the population, but when the people claim their rights, saying that their ration is not enough or they get low pay, they are taken out of their house and the next day they are disappeared, so that was the great violation that took place at that time.

Communities such as Cajixay were also destroyed and abandoned for years, thus contributing to the internal displacement of thousands in the Ixil Region (Manz 1988). Others fled to the mountains to form CPRs or joined the guerrillas. Still others fled to Guatemala City, or to refugee camps in Mexico (Lovell 1990).

Fincas discriminated against the Ixil and perceived them as a threat, particularly when Ixil workers demanded that their rights be respected. According to an Ixil who testified for the CEH report, in 1980, during a worker strike, "Seven thousand indigenous Ixil participated. . . . They worked mainly on the Finca Pantaleón, but when the owners realized that the Ixil were very combative and that they actively participated in campesino struggles, they no longer wanted to hire them. . . . For the *finqueros*, all the Ixil were insurgents" (quoted in CEH 1999b, 328). People

from the CPR of Santa Clara, Chajul, similarly remember the ways that fincas treated them: "In the years 1975, '76 and '77, the Ixil campesinos who went to the Southern Coast began to protest the bad pay, the bad salary, and the bad food that the farmers gave; they began to organize and demand their rights. . . . And then when they [the fincas] saw that the Ixil people were organizing, and in this way manifesting and demanding their rights, the *finqueros* imagined that the Ixil were insurgents and guerrillas, and so they informed the army" (quoted in CEH 1999b, 328). The Ixil did not protest against the fincas because of their "nature," as the military argued; rather, they were responding to harsh working conditions, exploitation, discrimination, abuse, and historical inequalities. Fincas and *finqueros* were actively collaborating with the military to discriminate against, persecute, and repress the Ixil. During the war, three *finqueros* were killed in each town of the Ixil Region, along with finca workers and their allies.

THE DEATHS OF THREE *FINQUEROS*

Plantation owners in the Ixil Region worked in collaboration with the military during the war and became a target for the guerrillas. First the *finquero* Jorge Brol Galicia was killed in Cotzal by unknown assailants in 1969 when he was driving on the main road to San Francisco to hand out pay. Then in 1975, José Luis Arenas, the owner of Finca La Perla, Chajul, known as *el Tigre del Ixcán* (the Tiger of Ixcán) on account of his brutality, was murdered on his finca. Last, in 1979 Enrique Brol Galicia was murdered in Nebaj by the EGP. Of the three assassinations, the murder of Jorge Brol Galicia has been the least examined; the deaths of Enrique Brol Galicia and Luis Arenas have been well documented (Flores 2021a; "La toma de Nebaj" 1982; Palencia 2021; Perera 1993; Stoll 1993, 61, 71–73).

The death of Jorge is unclear. Some have claimed he was killed by a group of local Cotzalenses who knew he would be carrying a lot of money and have attributed his death to robbery (Perera 1993, 71). Others claim it was orchestrated by the Rebel Armed Forces (FAR). Mario Payeras, in *Los días de la selva* (1998, 102), suggests that Domingo Sajic Gómez, an Ixil labor contractor, was involved in the assassination of Jorge; as a result, he was later captured by the military police, tortured, and murdered in a coffee toaster located inside Finca San Francisco. In discussing this case I am not trying to demonstrate who was responsible for the murder of Jorge Brol but to show how the state and the armed forces implemented legal violence to arbitrarily persecute, detain, and interrogate several Ixil in connection with it.

According to police reports, Jorge was carrying Q8,000 and was traveling with Domingo Vicente Pastor on June 20, 1969, when they were ambushed ten kilometers before reaching San Francisco, where they were going to distribute a biweekly payment to workers (AHPN, GT PN, 50, S009, F51335). Between 10 and 11 a.m., they encountered rocks blocking the road to stop them. When Pastor got out of the vehicle to remove them, Jorge was shot three times by the assailants with

a 45-caliber rifle, killing him instantly (AHPN, GT PN, 50, S009, F51335). Realizing he was dead, the assailants pushed him over from the driver's seat and then seized his briefcase that contained Q8,000, a rifle, a watch, a wallet, and personal documents. The assailants allegedly fled to the town center of Cotzal. Enrique Brol would urge the police to investigate Jorge's murder (ADAHPN, GT PN, 50, S001, 957022). Pastor was arrested soon after, and not much is known of his fate or his role in the murder (ADAHPN, GT PN, 50, S001, 437202).[9]

After a year without additional arrests for the murder of Jorge, his brother Edmundo Federico Brol Galicia complained to the police on August 21, 1970 (AHPN, GT PN, 50, S009, F51335). He implicated the former municipal mayor Pedro Medina Rodriguez as the intellectual author of the murder and accused Domingo Sajic Gómez, Emilio Rivas, and Ildefonso Galicia of being the assassins. Juan Cruz Toma was named as an informant to the "assassins" on "the movements" of Jorge. Miguel Sanchez de la Cruz would also be arrested (AHPN, GT PN, 50, S009, F51335). It is not clear why Edmundo made these accusations or what proof he had to implicate those he named to police. Days later, five detectives of the Judicial Police drove to Cotzal to arrest those Edmundo had named. On August 23, at 9 p.m., the detectives arrested Pedro Medina Rodriguez and interrogated him. According to one detective: "[Rodriguez] was serving as municipal mayor and justice of the peace of the Municipality of San Juan Cotzal. . . . Around 11 a.m. on June 20, 1969, he [went with] his secretary to the place where Mr. Jorge Brol Galicia was assassinated to write up a report [on the case], having supervised the first proceedings of the case" (AHPN, GT PN, 50, S009, F51335). It makes sense that given his position as mayor Rodriguez would go to the scene of the crime and write a report. Regarding the others who were detained, Juan Cruz Toma was accused and interrogated for being a "courier" who had tracked the "movements" of Brol. Domingo Sajic Gómez and Miguel Sanchez de la Cruz were also interrogated and accused of being part of "the group of assassins" (AHPN, GT PN, 50, S009, F51335). These police reports do not contain evidence to place the accused at the scene of the crime; nor do they provide a motive. All of those captured would be further implicated in the crime by two witnesses.

A father and son, Felino and Alejandro Vasquez Martinez, gave a "voluntary declaration" to the police on August 27, 1970, claiming that they had been renting a room at Domingo Sajic Gómez's house at the time of the murder (AHPN, GT PN, 50, S009, Doc. No. 9, [14.0117.1233] 539). They told police that they were from Chinaca, Huehuetenango, and that they lived next to the Finca Sabina located in the municipality of Patulul, Suchitepéquez. The father and son said they were in Cotzal to make baskets and were present when Domingo Sajic Gómez received the news of Jorge's death. According to the police report, Alejandro mentioned seeing Rodriguez meet with Domingo and others, and heard them mention the Brols (AHPN, GT PN, 50, S009, Doc. No. 14, [14.0117.1233] 539). Alejandro's father, Felino, gave a similar statement and added that "he did not fully understand what

the meeting was about" since he did not speak Ixil (AHPN, GT PN, 50, S009, Doc. No. 13, [14.0117.1233] 539). It is not clear how the declaration was obtained, why Felino and Alejandro came forward to provide their testimony a year after the murder, and whether it was actually voluntary.[10]

This case illustrates how the police would arbitrarily detain the Ixil at the request of a *finquero*. Edmundo's complaint mentioned no evidence against those implicated and no possible motives. The testimony of the father and son did not present sufficient evidence to implicate those named in the murder of Jorge Brol. Their testimony mentions that there was a gathering at Domingo's house shortly after the time of the murder, that they heard the group speak Ixil, and that they heard Brol's name being mentioned. But this does not show culpability, especially since the witnesses could not understand Ixil, and since uttering Brol's name would make sense given the magnitude of the crime; the town must have known, for word would have traveled fast.

In Cotzal, this would be an era in municipal politics when the municipal mayor Gaspar Pérez Pérez (Kax Pi'y; 1974–78) was known for his brutality and collaboration with the military. He was the political rival of Concepción Santay Gómez's father (Gregorio Santay) and uncle (Concepción Santay), Baltazar de la Cruz Rodríguez's granduncle (Nicolás Toma Toma), and María Sajic Sajic's father (Domingo Sajic Gómez) (figures 8, 9 and 10). Gaspar told the military that these individuals were collaborating with the guerrillas, and Domingo Sajic Gómez was subsequently kidnapped and disappeared a year after the death of Jorge Brol. He would last be seen on September 25, 1971, on the Finca Magdalena Santa Lucia Cotzumalguapa, Escuintla. After his disappearance, his family was persecuted, including María Sajic Sajic, whose testimony is presented later in this chapter.

The second assassinated *finquero* was José Luis Arenas, who was on the Finca La Perla on June 7, 1975, when he was killed by the EGP while he was paying workers. On that morning, between two hundred and three hundred workers were waiting for their biweekly payment from Arenas. Four EGP members went among the workers, and at approximately 4:30 p.m., two of them entered Arenas's office. According to the CEH: "They drew their weapons and ordered: 'Do not move, all hands up, we come for Mr. Arenas, to avenge the blood of the *colonos* who have been mistreated and harassed.' They told the people who were receiving payment, 'We are not going to do anything to you, lie on the ground face down.' At the moment when the people lay down on the ground, the attackers opened fire on José Luis Arenas. The victim fell dead as the result of six bullet wounds, three in the chest and three in the forehead" (CEH 1999c, 201). The death of Arenas is still remembered today. It marked one of the turning points of the war, when the military government increased its presence in the area (Flores 2021a).

The third *finquero*, Enrique Brol, was assassinated in Nebaj on January 21, 1979, during a one-day occupation of the town center by the guerrillas.[11] During the takeover of Nebaj, the guerrillas went to Enrique Brol's house to confront him. According to one account:

FIGURE 8. Concepción Santay Gómez with a photo of his father, Gregorio Santay Ajanel, who was kidnapped and disappeared during the war. Courtesy of Monika Banach.

Don Enrique Brol, one of the owners of the Finca San Francisco, was also sought, like other contractors, at his home. They introduced themselves as soldiers of the estate. While the maid went to prepare coffee for them, [Brol] himself opened the door for them. A guerrilla entered, and she [checked] him to see if he had any weapons. Don Enrique screamed for help from his son and jumped forward, trying to escape. So she shot him, not to kill him, but the shot was deadly. They didn't want to kill him,

FIGURE 9. Nicolás Toma Toma and Baltazar de la Cruz Rodríguez in 2023. Photo by author.

> they just wanted to take him to the rally to publicly expose the acts of his exploitation. The son came out in his underpants, and they took him to the market. In that house, there was very good hunting equipment. ("La toma de Nebaj" 1982)

Journalist Victor Perera (1993) has written a similar account: "A woman in olive fatigues who had been abused as a servant in the Brol household was the first to approach Enrique after her companions disarmed his son and bodyguard, Fita Brol. Confronted by a former servant clasping a submachine gun, Enrique cursed and reached for his holster. She shot him through the jaw, and he fell to the ground. . . . The executioner and her companions then led Fita to the square and placed him on public exhibition together with their other captives" (70). In comparison to Jorge Brol's murder, Enrique's assassination is better remembered today. It also marked an escalation of the war. Perera argues that the "political execution" of Enrique Brol and Luis Arenas, "two widely hated ladino landowners, . . . won the EGP hundreds of Mayan recruits" who were "willing to risk their lives to provide food, shelter, and military intelligence" to the guerrillas (71).

TWO ORAL HISTORIES

To humanize much of the data presented above, I provide two oral histories below. The first is that of don Nicolás, whose story is about the challenges he faced struggling against structural inequalities and about how he joined the guerrillas. The second is the story of doña María, the daughter of Domingo Sajic Gómez, who was persecuted after his death. Both stories illustrate the complicated history and legacies of the armed conflict.

FIGURE 10. María Sajic Sajic with a photo of her father, Domingo Sajic Gómez, 2022. Photo by author.

Don Nicolás Toma Toma

Don Nicolás is known in Cotzal for his story of being elected municipal mayor, an election that was subsequently stolen from him by alleged fraud, and of being tortured, escaping from the army, and joining the guerrillas. He is commonly known by his two noms de guerre, "Rolando" and "Kaliman." His life demonstrates the Ixil's multiple forms of resistance and the repressive response of the state and

the military. Below are several pivotal points in his life, including his early life, candidacy for mayor, persecution, capture by the military, joining the guerrillas, and life after the war.

I met don Nicolás for the first time in 2011; I interviewed then and would do so again four more times in 2014. These conversations took place in San Felipe Chenlá and his home in Paal, Chajul. In addition, he provided me with a written testimony about his life, titled *Historia por la justicia: Historia personal de la vida de Nicolás Toma Toma* (Toma Toma 2005). The interviews and the written document are the basis of this section.

Early Life. Don Nicolás was born in 1940 in the canton of Tzixecap, Cotzal, and was the son of Juan Toma Marroquín and Juana Toma. His father was a merchant who sold various products in Chajul, Chel, Ilom, Sotzil, Ixcán, and elsewhere. He went to school when he was about ten years old, where many of the ladino teachers were abusive and did not allow children to speak Ixil. When don Nicolás did not pass the second grade, he began to work "with a hoe and a machete" in the field. Despite not continuing with formal schooling, he managed to learn to read and write.

Don Nicolás shares the stories he heard about the first Pedro Brol, who arrived in the Ixil Region after fleeing Italy because of "a war." He says the first Brol was poor but was soon able to trick and use municipal mayors to lend him land. As a result of this request, the municipal mayor gave Pedro Brol approximately eight to ten *cuerdas*. Later, this first Brol requested land documents, which he used to claim additional land:

> "That's fine" they told [Brol]. He always seemed like good people, right? [With the] document they gave him he [claimed more] land; it was no longer just ten *cuerdas* [it was now] *caballerías* [that he claimed]. So there he stayed, [and soon] many *Brolitos* [little Brols] appeared. . . . Soon after, the son of the first Brol had sons. . . . There are many Brol, but recognized children are very few, and there are other children not recognized. . . . Then he denounced the land and the people were displaced. "They are no longer going to work there because the land is already mine," said [Brol]. So every time there were political parties, he became a very good friend as a partisan, and he helped the mayors a lot in the government as well so that they wouldn't [kick him out]. . . . The Brols always have a political party. . . . They must support a party so that they don't get hurt by them.

While don Nicolás is not aware of the type of paperwork the first Brol used to take the land, his narrative reaffirms the Ixil perception that the Brol family used deception and corruption to secure and register large properties in Cotzal. Don Nicolás states that the Brols would force their finca workers to vote for a particular candidate, and that if not enough votes were cast, the workers would be accused of being "rebels." But he notes that the finca's support for a candidate was not always a guarantee that they would win since there were also oppositional movements, and the people would sometimes win.

Don Nicolás adds that with the agrarian reform under Arbenz, "people organized themselves into peasant league unions," which included his father. Don Nicolás remembers the efforts that the people of Cotzal made to organize and demand better living conditions, and says they had more opportunity under Arévalo and Arbenz. He says that people "rose up" and organized into unions and peasant leagues, but that "the rich saw what they were doing [and] staged a coup d'état against Arbenz"; then "All the people that had organized were captured" and imprisoned. Don Nicolás makes a clear connection between *finquero* land ownership and resistance movements at that time:

> San Felipe Chenlá is the Finca Pantaleón, and the lands of Chichel were from the Finca Soledad, and Santa Avelina belonged to Pacayal, [it belonged to] don Donald. . . . All the lands were owned by *fincas*. . . . But the people rose up [as they realized] that what [the *finqueros*] were doing was not good, so they organized unions, peasant leagues, although the government did not like it. . . . I got into the peasant leagues and the unions, I organized unions on the Finca San Francisco and also organized a peasant league in Cotzal because there was no sewage system, there was no drinking water, there was no electricity, and there were no roads, and there was no schools, that's why [we] organized.

Following Arbenz's overthrow, don Nicolás claims, his father was among those arrested and imprisoned for supporting peasant leagues and expropriation efforts: "The lands were distributed, they were parceled out. But when Arbenz fell, what happened? They went to jail. . . . My dad went to jail for about six days, [those who organized] went to jail and [later] were released. . . . The struggle continued through political parties. . . . That's when all the unions ended." Don Nicolás was about twenty-years old when he began to organize in peasant leagues. In the late 1950s, the communities of Cotzal reelected "the leaders of peasant unions, the leaders of Catholic Action, and the leaders of the cooperative," and these people later became part of the leadership that began to organize for the improvement of Cotzal. Approximately four hundred people joined and demanded better social services from the government:

> We demanded that there be washbasins, that there be drinking water and that there be drainage. . . . We didn't have anything, so the people liked [our work]. After we saw that [we had] a lot of people [supporting us], we went down to the Finca San Francisco to organize the unions, and [the people] liked it too, . . . About a hundred people joined there on the finca. . . . The unions were organized and then we started struggling [against] the Brols.

The workers of the Finca San Francisco demanded better working conditions, such as pay (since workers were not always paid by *finqueros*), better wages, and construction of latrines. Don Nicolás says that organizers and the people then came to question the legitimacy of Brol landholdings: "So the finca was already afraid . . . and it was already moving a little when the war broke out and every-

thing was stalled. . . . We couldn't do anything, so that's where it ended." Don Nicolás claims that the *finqueros* and the government persecuted organizers and forced some of them into exile, ultimately inhibiting the momentum of their organizational efforts.

At some point in the early 1970s, during his trips to Ixcán as a traveling merchant, don Nicolás conversed with members of the guerrillas. He recalls a conversation he had with a guerrilla who said that it was impossible to recover stolen lands and make structural changes through reform, since the system and the government were controlled by the rich. As don Nicolás cited and remembered the words of the guerrilla member:

> "University graduates [and professionals] are children of the rich, doctors are children of the rich. All those high officials are children of the rich. And when a complaint or something comes, they go to their parents; then they, their parents [tell their children] not to pay attention to it, because they are guerrillas. [That's why] we can't do anything," said [the guerrilla]. "[Change through] the law in Guatemala cannot happen because all the laws belong to the rich, they made it, it's not for us. . . . The best way [is] through revolution, because with that we are going to make it tremble, we do not ask for forgiveness. . . . Everything is done with weapons, that will be in the mountains," he said. "The peasant league is very good, the unions, the cultural organizations, they are very good, but it [what they are trying to do] does not fit within the law of the rich. They are never going to do it, they are only going to spend money on lawyers; a year, two years go by, and it is never resolved."

The conversation that don Nicolás had with the guerrilla reveals the debate at that time between strategies of reform and revolution, where the limitations of structural changes and the recovery of lands using the Guatemalan state were noted. Don Nicolás decided not to join the guerrillas at that time. Instead, he continued selling as a merchant and became increasingly involved in municipal politics, in which he would eventually be named as a mayoral candidate. Growing violence, selective criminalization, and kidnappings targeting community leaders and activists would increase in the 1970s and 1980s. Don Nicolás would continue to be involved in local politics and became an influential actor in the Christian Democratic (DC) political party.

Running for Mayor. In 1970, don Nicolás was named leader of the DC in Cotzal. He was then proposed as a mayoral candidate for the 1974 elections, and although he did not have many funds to run a campaign, many people in Cotzal supported him because he was active in the community as part of the union, the peasant leagues, and the cooperatives. Gaspar Pérez Pérez was the candidate of the right-wing political party, National Liberation Movement (MLN). Don Nicolás says, "I got 1,300 votes, something like that, and he only got 900, it was well won. But what did [Gaspar] do? Fraud. . . . I won, but I didn't get in because they committed fraud, because the MLN was the ruling party in government."

This was the same year that Ríos Montt lost his election as a presidential candidate for the DC-led National Opposition Front (FNO) to the MLN candidate, General Kjell Eugenio Laugerud García (1974–78), because of fraud.

Gaspar Pérez Pérez assumed the position of municipal mayor in 1974. Shortly afterwards, he would call on the military to come to the Ixil Region, in addition to persecuting his political rivals. Don Nicolás remembers that Gaspar (whom he also refers to by his Ixil name, Kax Pi'y) traveled to gain the support of the central government: "[Gaspar] said it himself, 'I went to Quiché and the governor did not accept me. They are guerrillas too,' said Kax Pi'y. 'I'd better go to [Guatemala City to speak with] Laugerud [the president of Guatemala].' And Laugerud told him, 'Ah, it's very bad that you come to denounce the guerrillas because the guerrillas are strong.'" Though it is unknown if Gaspar Pérez Pérez actually met with the president, don Nicolás claims that Laugerud rejected Gaspar's request for support but that one of the Brols ended up helping him:

> After [the meeting with Laugerud] Kax Pi'y came out sad. So he was sitting in the park, just like that. [Then came] Edmundo Brol. "Gaspar, what are you doing here?" "I went to . . . denounce the guerrillas because they killed your brother and . . . this government doesn't believe it." . . . "That's not right, I'm going to ask for a hearing, and we're going to go in and see what they tell me, wait for me here." And [Edmundo] went in to ask to meet the president. . . . When [Gaspar entered] the meeting, they told him, "Okay, I'm going to send the soldiers, but one warning: the soldiers are just like fire. When the fire takes hold, it burns all things, it doesn't matter if everything is cultivated, and that's how it has to be. That's why I tell you, very dangerous."

The military was sent to the Ixil Region, and shortly after, they began to kidnap leaders and people from an assumed list they had (which included don Nicolás). According to don Nicolás, some of those initially kidnapped included Juan Chamay, Domingo Aguilar, Concepción Santay, and Tomás Santay, some of whom were leaders of the PR and political rivals of Gaspar Pérez Pérez. In the 1980s, scorched earth was implemented, which was foreshadowed in the narrative where the soldiers are like the fire that burns everything.

Persecution and Capture by the Military. Don Nicolás affirms that after the elections he was persecuted by soldiers who tried to kidnap him on multiple occasions. He identifies Gaspar Pérez as one of those responsible, since Gaspar had reported him as a guerrilla to the army. On one occasion in Cunén, the military had a list with his name but another young man who had the same name was disappeared. He later went to live in Ixcán in search of refuge. There a soldier told him that he wanted him to go to the military detachment, but he did not accept because he knew that it was "a very formal kidnapping [that] they wanted to do. . . . I didn't go, I hid more." After some time, he decided to return to his house in Cotzal since he believed that the situation had calmed down, but he was soon kidnapped by

the military in July 1976. According to don Nicolás in his testimony *Historia por la justicia* (Toma Toma 2005):

> The soldiers captured me very early, perhaps at six in the morning above my house in the canton of Tu Putzauy when I was going to see the cornfield and buy a cow from a friend. . . . Suddenly the army appeared from their hiding place and they said, "Hands up." First, they [searched and] checked my identification card, and my business license, and I had 2,500 quetzals in my pocket. The person who captured me was a second lieutenant officer. . . . At that moment he hit me a lot and tied me with a new rope and took me to meet the lieutenant at Gaspar's [Pérez Pérez's] house. Gaspar gave a house to a group of soldiers, and the other group was on the soccer field. The lieutenant gave me a punch and told the second lieutenant to take me to a tent and that's how it happened. I got to the tent, and he threw me to the ground very hard. There were already three people kidnapped in that tent. The people were named Juan de la Cruz, Domingo Velasco, and Francisco [Córdoba] from the community of Chisís. This second lieutenant interrogated me for six days. . . . Every so often he hit me, and the other three soldiers asked me where the guerrillas were and they were telling me the names of the guerrillas. I told him that I didn't know them. Then I explained to him that I was a worker and [that] I was with the peasant league, the union, [and the] cooperative [and] in the political party (DC). But they were not satisfied, [and] after thirteen days they took me out of the tent at night and we went to Gaspar's house where the lieutenant was, but with me blindfolded and well tied up. . . . They gave me a push over to where a person was tied to a stake. The lieutenant put a gun in my mouth, as if he was going to force me to shoot myself with my own hand, but he wouldn't let me do it, and what did he do to me? He hit me several times in the face, and a lot of blood came out of my nose. I was at the point of death. He put us in a jeep along with the one who had been tied to the stake, and the other three stayed in the tent where I was. The car started on the way to Quiché around three in the morning. Tied by the hands they put us in a jail. . . . We couldn't lie down, [there was] just a little [room] to sit up, it was very small. We woke up in that jail. (3–4)

After don Nicolás was taken to Quiché, the interrogation continued for around three months, where he suffered additional torture.

> The four of us were already half dead, [one] already had his back all peeled from the blows, the others too, one broke a hand, another a foot from the blows, we were already ready to die. . . . Four soldiers were guarding us in a garage. Sometimes they gave us food, sometimes not, sometimes they burned us with cigarettes and tortured us however they wanted without any remorse. One day a car entered the garage to leave a grenade in the middle of a table; smoke began to come out from it, and the soldiers who were guarding us were afraid and left their posts. But the grenade did not explode, it was only meant to scare us. (4)

At one point, don Nicolás was detained in a cell with another man from Cunén accused of being a guerrilla, who asked him if don Nicolás could kill him before he was tortured by the military. Don Nicolás refused to do so; they took the man away

and it is not known what happened to him. During his detention, the military kept him blindfolded, and on one occasion they took his photograph.

Shortly after, don Nicolás along with three other captives was taken to be killed near San Lucas Tolimán in the department of Sololá. Before this happened, he had a dream in which he was assured that he would escape from the army and survive.

> The next day the judicial officers arrived at around three in the afternoon. They didn't give us breakfast or lunch. They put us in a pickup truck with four judicial officers. We were well covered by the canvas of the car without knowing where we were going. At around nine or ten we arrived where they [were going to kill us], which was below San Lucas Tolimán . . . across a bridge. They said, "We are going to brutally kill the leader of the guerrillas," and they did so with an iron bar. They only hit me on the neck, face down, I bled. I didn't hear the blows that were hitting me because of the blood, and then a star appeared above where I was. Then they said, "He is already dead," and they hit me again with the bar, hitting my hand. It hurt a lot, but I didn't move at all. And they said I was already dead. They looked for their knife and took off my clothes, cut my pants and shirt, and left me completely naked. They grabbed me, one by my hands and the other by my feet, and they threw me into the ravine, and I went through the bushes. (5)

One of the captors was ordered to ensure his death: "'You are going to shoot a *tiro de graica* [death shot],' they told one of them. . . . He had his gun, [and] I heard he was going to go down to where I was. . . . I decided to roll a little, [did a turn], and fell to the bottom of where the river ran." After falling into the river, don Nicolás heard the execution of the other captives who were with him: "The shots rang out, *paq paq*, they killed one. Five minutes later *paq paq*, they killed the other, and then they killed the other. . . . [They killed] the other three compañeros and I stayed alive. . . . That was very hard."

The river was dry at the time when don Nicolás fell, but he was able to find some water to drink. He then slowly crawled and walked to a nearby house, but because of his injuries after months of torture, he was very weak:

> Little by little, I returned, little by little. . . . I walked like this, crawling. [I went] among the coffee plantations and I heard . . . a dog, that dog, I'm sure he's a campesino. . . . Step by step, after three, four steps, I fell to the ground. . . . It was nine or ten at night, [little by little I moved forward], and I didn't arrive until five in the morning, maybe it wasn't that far. [When I came to the house], there the children were already playing. [They yelled at their mother when they saw me], "Mom! The gringo who got lost in the Volcano is coming." And I answered, "I am not a gringo, I am a Guatemalan, a *paisano* [countryman]."

In this house he talked to a couple and asked for some clothes, which they gave him, and they helped him clean up. After they bathed him, don Nicolás asked the couple if he could stay with them for a month to recover from his injuries, and said he would work for them in exchange once he was healthier. They rejected his offer

out of fear of the military: "[They said], 'I'm very sorry, but the army is coming to look for their dead, and if they don't find them, they search house by house, and if they find you here, they'll kill us. Better go [this way], cross that mountain and then continue.'" They told him to travel to Sololá and ask for help from the priest who was known for supporting the people. They gave him three tortillas and salt for the road.

After leaving the house, don Nicolás wearily climbed a mountain and was accompanied by a dog that began to follow him:

> A dog was behind me. He arrived and went in the woods with me, in the mountains, *puchicas*, the dog followed me. . . . I got a pain, and I didn't want to get up anymore. "I'm going to die here; I'd better lie down," and the little dog lay down too. "I'm dying here," I said, [and I fell asleep]. When I woke up, I no longer had much pain. Right now, I was going up, I had to grab the trees and the roots on the stones, and I managed to climb up. I told the dog, "Go back, thank you for accompanying me, you're not going with me anymore." And with that he went, the dog heard, and he returned. And I continued.

Upon arriving in Sololá, don Nicolás came to the church to ask the priest for help. He was given enough money to travel to Huehuetenango, where his sister was studying. When he arrived, his sister was not there since she had gone away on a trip, so he went to the Catholic church, where another priest helped him by giving him another pair of pants and bus fare to return to Cotzal after they told him that he could not stay there. In Sacapulas, two soldiers stopped the bus he was on and told the passengers to get off. Don Nicolás was in the last seat. He managed to slip away and get into another bus that was going from a coastal finca to Cotzal. People recognized him and were happy to see him since they had thought he was dead. Despite this reception, he decided to get off at Chiul because he was worried that someone would tell the military that he was alive when he arrived in Cotzal. From there he began to walk in the mountains toward the community of Ojo de Agua, where he had family. "I stayed in Chiul until around four in the afternoon and went down the mountain . . . walking all night, but slowly because I was badly beaten. And that's how I survived. There was nowhere to go." He arrived at a relative's house around three in the morning. "I had to go wake up my relative, and I said, 'Please open up for me, I am here, and I have arrived,' but they didn't believe me." He stated that after being welcomed, he decided to hide to avoid being captured again and to save his family from any repercussions: "But look, I told them, I have to go to the mountains because if not, the army will know that I am here, and they will kill them." Don Nicolás moved from house to house, with no place to go that was safe; a quiet life and a secure and peaceful future in Guatemala was impossible. At that time, he was under a death sentence from the military state; he was a refugee in his ancestral lands.

Joining the Guerrillas. With nowhere else to go and with the military looking for him, don Nicolás decided to join the guerrillas, after discussing and consulting with his family. He remembers that after he made the decision, a friend contacted the EGP, and he headed to the mountains. "I'd better go, there is no other way. There's no other way. . . . So, I'm beaten. I left and went up again into the Cuchumatánes, the mountains, they took me there. There [with the guerrillas] were the medical [services], the nurses, they gave me *suero* [serum] and everything, I was there for about fifteen days, and then they took me to Guate [to cure me]." Don Nicolás would go to Guatemala City, where he was housed, fed, and cared for by the guerrillas for a year so that he could recover from the wounds from the torture he had suffered by the military.

After his recovery, he was instructed to return to the Ixil Region to organize the people. "[We] had to continue fighting, and that's how I was saved." That he survived the army and joined the guerrillas caused his family to be persecuted. His house in the Tutzcuy canton would be burned down during this time: "The army found out I was alive . . . and they persecuted my family. In 1979 or in 1980 they burned my house, the first house here in Cotzal. . . . They burned everything that was inside . . . everything burned. My dad, my mom, my wife were all left poor." Isabel Rodríguez Ordóñez, don Nicolás's wife at the time, would be murdered in 1982, after she and another woman, Susana, were accused of collaborating with the guerrillas. He remembers:

> The army organized a demonstration in Nebaj against the guerrillas. The revolutionaries stopped the trucks and executed an army cook. They blamed Isabel for passing information to the guerrillas along with Susana Zacarías, but it was not true. The information that the army had received was false. On May 3 they kidnapped Isabel and Susana during the day at 7 in the morning. They took them to the detachment and the two women disappeared. . . . [One of my sons] went to the capital for fear of the PAC, [but] the patrol went to look for him in the capital and he disappeared. (Toma Toma 2005, 9)

Isabel and Susana were exhumed in 1998 by the Fundación de Antropología Forense de Guatemala (FAFG) in the military detachment in Cotzal (FAFG n.d.).

After the death of his wife, the patrolmen killed his father with a machete. Other family members would suffer the same fate: "They killed my wife. . . . They killed my dad and one of my sisters, and they killed another, my son, and my eldest son. So it made me angry, and it made me feel *pena* [sorrow], but it also gave me more courage . . . and that's how it was." Joining the guerrillas was not an easy decision and contributed to the persecution of his family and the deaths of those closest to him. This violence affected him, and he remembers: "After my wife died, I became mentally sick. The revolutionary leaders organized my departure to . . . Mexico for a full year. In Mexico, I received the news of my dad's death" (Toma Toma 2005, 9).

In the EGP, don Nicolás would hold several positions. He remembers, "So, little by little we organized ourselves. We went to all the mountains of the Ixil area."

According to don Nicolás, before the violence of the 1980s, the Brol family used to be protected by mobile military police. After the military began operating from the Finca San Francisco, the violence increased along with the bombing of people seeking refuge in the mountains, particularly those of Chajul: "Well, after that, the army stayed there and lived [on the Finca San Francisco]. . . . There were battles around here everywhere . . . but where it was most burned was in the Chajul area—for example, Salcho, Santa Rosa, Xexah. . . . They threw bombs . . . from the Finca San Francisco . . . and they killed a lot of people, sometimes in the morning . . . sometimes in the afternoon, there were airplanes, and people continued working, sowing." He remembers the destruction caused by the military in collaboration with the Finca San Francisco:

> [Between] 1982 [and] 1995, the army continually raided, with many beatings, shootings, murders, burning ranches, destroying cornfields. They threw bombs from the Finca San Francisco and bombed them by air force planes, and helicopters strafed and bombed hundreds of thousands of people dead, and many died from torture and kidnappings that turned into disappearances, and many died of hunger and thirst because the army did not allow people to leave to look for food and collect water. . . . Totally naked, without clothes, we barely survived. They cut production, people died in the salt mines just for going to look for salt, and they didn't finish us because nature protected us, and God. (Toma Toma 2005, 9–10)

When the war ended, don Nicolás would still be without peace of mind, as the consequences of the war would continue to affect him.

After the War. Don Nicolás states that after the end of the war and the subsequent demobilization, he was not able to return to Cotzal. He claims that two of his sons forged documents and stole his land after discovering he had remarried, raising concerns about their inheritance. As a result, he settled in Paal, Chajul, with his family. Don Nicolás would run again (unsuccessfully) for municipal mayor of Cotzal in the 2019 elections, with the left-wing political party Movement for the Liberation of the People (MLP).[12]

Don Nicolás says that, compared to the past, the social, economic, and political situation is "worse now, people are more exploited." He maintains that this has to do with a lack of land and job opportunities and the inaccessibility of social services such as education. He connects the past with the present by referring to the Spanish colonizers and the arrival of extractive industries: "So maybe in fifteen or twenty years . . . you will no longer see production, because of the mines, which . . . are going to [extract and] remove *la fuerza* [energy] from the land, the trees. . . . When [Pedro] Alvarado arrived, they deceived our relatives with a mirror and now they deceive us for five *laminas*, with beer, they deceive us for a few

thousand quetzals, which do not have value. . . . Many people fall into individualism." Don Nicolás sees mining and deforestation as serious threats to the environment and future livelihoods of the Ixil people. He identifies individualism as a negative quality that has led people to accumulate wealth at the expense of collective well-being and highlights the continued negative effects of capitalism.

Don Nicolás's life is characterized by resistance and the fight for his community's right to live with dignity and respect. He points to the role the Brol family played in using the municipality to obtain large tracts of land, as well as aligning with the military during the war. That he tried to fight for a better life for the people of Cotzal, from peasant leagues to electoral politics, only to be kidnapped and tortured by the military, demonstrates the limitations of reform at that time during the war. Don Nicolás joined the guerrillas and the revolutionary armed resistance because it was his only solution at that time to survive and continue his fight for a more just society. When the war ended, he found himself unable to return to his home in Cotzal as his land had been taken over by members of his family. Doña María also had some of these experiences of persecution and displacement. We now turn to her story.

Doña María Sajic Sajic (Li' I'ch)

Doña María Sajic Sajic was born in 1967 in Cotzal, and today she is an ancestral authority in Nebaj. After her father, Domingo Sajic Gómez, was kidnapped and disappeared, her family moved to Tuban, near Chisís, and was persecuted by the military in the 1980s. Doña María was forced to seek refuge in the mountains and to join the CPR. Upon her return to Cotzal, her family's lands were occupied. As a result, she decided to move to Nebaj. Her life is presented in four sections: her childhood and the kidnapping of her father; fleeing from the military; the occupation of her land; and life after the war.

I met with Doña María in 2014 to present her with AHPN documents detailing her father's multiple arrests, which included arrests in 1951 and 1969. Some of these documents also included basic information about Domingo Sajic Gómez, such as the names of his parents (Magdalena Gómez and Juan Sajic), his fingerprints, his occupation as a farmer, and the charges against him. One police file documented his being accused of "assault, robbery, and murder" against Jorge Brol and stated that he was "pending capture" (AHPN, GT PN, 50, S001, F51329). In the same file, two additional entries from October and December 1971 show the efforts of relatives who tried to locate Domingo at police stations after he went missing (AHPN, GT PN, 50, S001, F51329). After I gave copies of these documents to doña María, she began to remember her life when she was a child.

Childhood and the Kidnapping of Her Father. Doña María remembers that she was four or five years old when her father disappeared. She claims that before his disappearance, there was another time when he was detained by the police in Santa

Cruz del Quiché, upon his return from the coast. Doña María shares that, given her father's role as contractor, he was summoned by an administrator via telegram on one occasion to go to the coastal finca to ensure payment of the workers, which was something that his job required and thus did not raise suspicions. Upon their return, doña María's father was detained in Santa Cruz del Quiché, and her paternal grandmother had to go on foot to look for him and free him. The AHPN records show several arrests of Domingo and the encounters he had with police. Doña María claims that some people envied him for his economic success and for having served in the municipality as municipal police chief.

Among his political rivals was Gaspar Pérez Pérez (Kax Pi'y), whom doña María holds as one of those responsible for her father's death. She says her father had a working relationship at that time with the Brols because of his role as contractor and that this caused envy among some, particularly since he was smart and had a store. Doña María states that Gaspar did not like her father and accused him of killing Jorge Brol. One day, Domingo was to take a group of workers to the coast as part of his job as a contractor. Doña María remembers that when her father was about to leave on the bus that belonged to Gaspar and that would be used to transport the workers, the latter allegedly made a threat: "[Gaspar] got into the bus: 'Well, right now, yes, you're going to leave, but you're not going to come back, . . .' Don Gaspar said to my father. . . . 'Now you're going to say goodbye to Cotzal,' he said mockingly. . . . 'You're not coming back,' he told him. So that's how they took him, and my dad left by bus." This would be the last time that Domingo would be seen publicly alive in Cotzal, as he would be kidnapped once he arrived at the coastal finca.

Doña María says that upon arriving at the coastal finca, Domingo ate with the workers and everything was normal. Shortly afterward, the administrator told Domingo that they were going to inspect the coffee plantation. It was the finca manager's suspicious request that Domingo go alone with him that alarmed the workers, who reportedly did not want to leave him alone: "'No, we are not going to let don Domingo go, we have to go also,' the people said. . . . 'We don't want him to go alone.' [The administrator responded], '[You all are] going to stay here.' But then they took him in a car, they say, they put him in a car . . . and so they left. . . . [They say that my dad] already knew, they scared him, my dad didn't speak anymore, and he got into the car and left." Some of the workers tried to see where the car went, but they could not see where it went and Domingo did not reappear. Doña María reaffirms other stories that after her father was kidnapped at the coastal finca he was allegedly taken to the Finca San Francisco: "According to what they say, they brought [my] dad here [to Cotzal] and took him to San Francisco. They say that they ground him up in a coffee machine." To this day, the disappearance of Domingo Sajic Gómez remains unpunished, and his remains have never been found.

Doña María remembers the pain she felt as a child when her father did not return, along with the difficulties her family faced after his disappearance. She

adds that it was during this time that one of her little brothers died from an illness. Doña María's childhood was marked by the disappearance of her father, which was only the beginning of the persecution that the family would suffer during the war. She affirms that her father was the first of many missing and that his disappearance signaled the starting phase of the war: "First they killed my father, then they chased the others, saying that they were guerrillas. . . . That's when the war started and the violence started."

Fleeing from the Military. After the disappearance of her father, doña María's family moved to live with her grandmother in Tuban, near Chisís, where the February 1982 massacre mentioned at the start of the chapter occurred. Doña María affirms that her family was in danger because they were heirs to her father's land and also because her father was accused of being a guerrilla and murdering Jorge Brol.

Violence reached Doña María's family after the massacre in Chisís. She remembers when news came that the military and patrolmen were committing massacres. She recalls a family who fled the massacre coming to their home and giving them warning: "'Look, the army has already arrived in Chisís, and they have burned many houses and killed many people, and now we can no longer be in the house, they are coming after us,' said the family [who] came to us." Doña Maria's family was then forced to flee from Tuban and go into the mountains to join the CPR.

Shortly after the Chisís massacre, Doña María was concerned about being caught by the armed forces after bombs were thrown at her family:

> We stayed there [in the mountains]. Then [once] we reached the river bank that comes from Chipal . . . we went down there, into that river. Oh my God! But no more, no more, I don't feel like being there anymore. The patrolmen came to throw bombs, to take us out of the house, but what shootings they caused . . . me shaking [with] my mother and my grandmother, and the other neighbors. . . . But after that, we went to another place. But deeper in the mountains. Then we organized a group of people there, families and neighbors.

Doña María's difficult experiences continued while her family and neighbors continued going deeper into the mountains to seek refuge from the military and patrolmen. This led them to walk toward Xeputul and then to Chajul to join the CPR:

> We went [from] Villa Hortensia Antigua [to] Xeputul, toward San Francisco, so we'd better go there, they said. The people are free there, we'd better go there. . . . Well, the army had already chased us, so we couldn't live in the house, we couldn't return [or] they would kill us. And then we organized ourselves, we went to Villa Hortensia Antigua and we left at night, we went down . . . behind San Francisco. . . . We crossed the river and we arrived in Guacamaya at night . . . near Xeputul, and we passed there and then we took refuge there. . . . There we went to live in the high mountains. . . . There were quite a few of us. People left Chipal, people left Chisís,

> [people from] Santa Avelina . . . we went there, we met there. . . . [Later] we went [into the mountains of] Chajul. We arrived there [and] there were cornfields, there were oranges. . . . The army did not go there. . . . I was [in the mountains] for about fifteen years. . . . When peace was signed, we had already come back here.

Doña María, along with thousands of others, and like their ancestors who fled persecution, found refuge in the mountains as a means of survival.

Doña María remembers that at one point her mother and siblings were captured by the military. They would be sent to a military base in Vipatna, Chajul, where one of her great-uncles would go to rescue her. After her mother was freed, she went to Cotzal, where she was in danger for being the widow of Domingo Sajic Gómez and for claiming her lands that had been occupied:

> So what did the patrolmen say . . . "Does your husband have assets or not?" . . . Well, my mother was afraid . . . to say that she had her land from my dad. [After a relative motivated her to recognize her land, my mother said,], "Well, since my husband was not a thief, they killed my husband . . . out of envy, it is not because my husband hurt people, but because [they] just accused him. . . . I'm going to claim his assets, why should I be afraid?"

From then on, she began making maguey ropes and sold them in the Chajul market. One day,

> My mother was going to go [to the market in Chajul] to sell rope. . . . But [some municipal officials told her,] "You are not going to go [to sell] anymore, they are going to take you to [the Finca] San Francisco . . . and they are going to give you a place there, they are going to give you a piece of land, there is a house there, there is land. You're going to go to San Francisco," they told my mother. . . . And my mother left.

After municipal officials told her that she could go to the Finca San Francisco to receive land, doña María's mother became worried and suspicious of this offer, fearing for her safety. At the same time, she feared staying in the town center of Cotzal since the patrolmen occupied her lands. Ultimately, she decided to go to the finca, but she was reportedly worried before the trip. According to what people told doña María, her mother sensed that they were going to hurt her. She says that the municipal mayor "contracted an army truck" carrying some patrolmen to take people to San Francisco. When they arrived at a place, reportedly the patrolmen ordered people to come out to be killed: "[The truck] arrived in San Francisco. So, they told [the people] that [they were] going to dig a hole. . . . [Then] they raped my mother, they raped my aunt, everyone, my grandmother. . . . My cousins and my brothers were lined up, they say that, with a machete, they knifed them in the head. . . . And like that, they died, that's how they killed them. What sadness. *Me da pena* [It gives me sorrow]. . . . That's what happened to my mother, they killed her in San Francisco." Doña María states that people have told her that some people were buried clandestinely in the finca and that some were thrown into the river. According to this story, the municipality, the patrolmen, and the

military collaborated to falsely promise a safe life on the Finca San Francisco, but this was a deceptive way to commit a massacre. The remains of those murdered have not yet been found.

Occupation of Her Family's Land in Tixelap (Ti' Xelab'). After his disappearance, one of Domingo Sajic Gómez's uncles watched over his lands in Tixelap (near the town center). During the war, the military would occupy Tixelap and settle internally displaced people there as a form of control and as a counterinsurgency strategy. Doña María recognizes the long-standing impacts of this occupation in that she has shared that allegedly part of the land taken would later be used by Enel during the construction of Palo Viejo, as they built and used an alternative route around the town center toward the Finca San Francisco, known as *el periferico*: "The army occupied . . . Tixelap. All the people came from Cajixay, from Chisís, were given pieces [of land and they stayed]. . . . The man who stole that land [from my dad] sold to the company [Enel]." When she tried to recover the land in Tixelap, her efforts were unsuccessful because of the long and arduous process of reclaiming land in Guatemala. "Well, a long time ago, when my husband was alive, I did start looking for [the land titles], but since the lawyers are *mañosos* [sneaky], they didn't do the job for us [but just charged us a lot of money for his services]. . . . He started the process and then realized that it was no longer possible. The lawyer left it like that. . . . I didn't continue because a lot of money [was needed]." Doña María ended up selling part of Tixelap to the people who were resettled there by the military, but only after suffering threats, intimidation, and persecution from neighbors who were part of the paramilitary forces. She felt compelled to sell approximately seventy-five *cuerdas* at a reduced price. One of those involved in threatening her was a former police officer and patrolman who had become an evangelical pastor. On one occasion this man threw tear gas into her house while the family was having dinner (in 2009, he would be sentenced to three years in prison for his role in the lynching of a police officer led by José Pérez Chen, explored further in the next chapter). Doña María describes the insecurity that her family experienced after returning to Cotzal from the CPR: "When peace was signed [in 1996, the people of Tixelap] told me, 'We want to buy that land, and we know that it belongs to your father.' . . . But there are many people, now there are more. . . . [Before they arrived at the beginning], some grabbed five *cuerdas*, ten *cuerdas*, and so on. But after that they started selling it. Now maybe it's worth 35,000 [quetzals] per *cuerda*, that's how they're selling it. I sold it for 200 quetzals [per *cuerda*], nothing more." Doña María sold the land at that price because of the threats she had received from some people, specifically former paramilitaries. She continues:

> [A former police officer] went to throw a tear gas bomb at me in the house. . . . "Look, doña María, be careful," the people told me, "because notice that this man was always surveilling you." . . . [On one occasion] he came to throw tear gas at us around eight at night. We were having dinner and eating, we were joking with my family and my

> daughter, my uncle . . . that house is simple, with *lamina*, nothing else, and sticks. . . . Then he threw [the tear gas] like a stone, it fell [like a] grenade in the middle [of the kitchen]. Boom! It fell, it exploded. . . . Since at that time we already had practice because the army had been throwing several bombs at us, so we [dived to the ground]. They threw that thing in there and it burst. [I had my baby on my back], and what did I do with my baby? I grabbed my baby [and] I got on the ground, if he kills me, well, let's see, but my child, I'm going to save him, I said. I stayed like that, spread out on the ground, when [the tear gas] went off, but pure *cal* . . . pure chili, how it hurt. . . . When I looked, the food was already full of tear gas bomb powder, full. Even my son became intoxicated, and my daughter became intoxicated. . . . We began coughing. So we went out of the house, we went to [another neighbor's house]. . . . We came out coughing, and [there was a] group of kids [who were next to] a big *pila* (water basin) [laughing at us]. . . . One of them was the son [of the former police officer].

Some people told doña María that it was the former police officer and another man who had launched the tear gas. It is concerning to note that the former police officer who harassed and threatened her and whom she accused of throwing tear gas into her house continues to live on her father's land in Tixelap. The fact that the former police officer was convicted for his involvement in the lynching of a police officer in 2009 along with the municipal mayor was a reminder of the real threat they continued to present.

Life after the War. Doña María moved to Nebaj during the time of the peace signing in the mid-1990s because of the threats she had suffered in Cotzal: "I no longer wanted to live in Cotzal. It was not because I did not want to live there or did not love my town. What happened is that because of the threats that this [former police and patrol officers] made against us, [I left]." She adds that she and her family had suffered harassment and insecurity. On one occasion, she had planted corn on her father's land, but one of the men who had persecuted her occupied it and claimed the corn as his own, stealing it. She also claims that her uncle was the victim of an attack on his livelihood because of their familial relationship:

> [They went] to steal my [corn] cobs. . . . [One of the men who was persecuting me] stole them and ate them. . . . "The land is mine," he says. . . . It is not his. We checked that one, he doesn't have a [land title] document. The document he made was just a forgery. Not my father, not even my grandfather, sold that land; [the document was] falsified. . . . And those men are the ones who killed [my entire] family. . . . [They burned] my uncle's barn there in Pulay, they burned a *troja de mazorca* (cob barn), that's how my poor uncle remained there. . . . [They] burned all his hoes, his property, everything.

Doña María reflects on the injustices that happened to her, since those who occupied her father's lands were the same former patrolmen and the people who had murdered her family:

> They should not be on my father's land. They killed my mother, and they killed my brothers, uncles, all my nephews, my cousins, and other people, other people who were not my family. . . . [One of the patrolmen] sold the land to the Enel company. . . . What money did that man receive? It's not even his, he doesn't have a [land] title. We once called the man to tell him he had no right to that land, but what did he do? He didn't want to hand it back, he didn't want to vacate.

She points to her inability to pay a lawyer to pursue legal avenues to recover her land.

Doña María, when reflecting on the war, refers to Ríos Montt and the lack of justice and accountability for the violence committed. "Ríos Montt says that 'it wasn't me.' . . . All that damage he did to the people. . . . I was left without a mother, I was left without a brother. . . . But it's a pity that the law doesn't do justice to that man, they say they are doing justice, but [no]." After doña María moved near the town center of Nebaj, her husband died of cancer in 2004. She would be left to care for her children as a single mother. From then on, she would be elected by her community to take the position of Second *regidor*. Given her strength as a leader, she would later be selected as community mayor, one of the few women to take that position, and as part of the Alcaldía Indígena of Nebaj. Doña María is a committed leader within her community and the Ixil Region who fights for the dignity of her people.

From the disappearance of her father, to fleeing the army to join the CPR, to returning to Cotzal only to be harassed by patrolmen, to becoming a community authority in Nebaj, doña María's life is marked by persecution and resistance. The fact that she points to the Finca San Francisco as the place of her parents' death illustrates the perceptions and fears that many people in Cotzal hold about the finca and the Brols. That the men who occupied their land are allegedly involved in providing stolen land for Enel to build the *periferico* also symbolizes the relationship that multinational companies have with agents of state terror during the war.

REFLECTIONS ON THE THIRD INVASION

When I was talking to people about how the war had affected people in the Ixil Region, one leader told me, "Giovanni, es que quemaron todo!" (Giovanni, they burned everything!). Fincas were sold during the war and became model villages, spaces of control and military surveillance. The Brol family would remain in Cotzal, and the grandchildren of the original *finquero* took over the family business. The people who committed genocide and violence continue to walk freely with impunity, whether in a small community or as elected officials in all branches of government at the highest levels. The stories of don Nicolás and doña María give us crucial perspectives on the impact of the third invasion on daily life and the ways in which the military, authorities, patrolmen, police, and *finqueros* persecuted the

Ixil. Furthermore, they show us how the Ixil were dispossessed of their lands during and after the war.

The three invasions are based on a history of extraction of natural resources, labor, and knowledges. The colonial system that "officially" ended in 1821 became the Guatemalan state and maintained a colonial logic of extraction that viewed Indigenous Peoples as a problem, often one to be solved violently. The legacies of these previous invasions remain embedded within Ixil society and have manifested themselves in further violence today.

Land inequalities since the arrival of the fincas in the second invasion were contested by the Ixil in multiple ways. From open protest that led to the execution of seven *principales* in Nebaj in 1936, to legal channels for recovering land through the 1952 Agrarian Reform, the Ixil resisted the finca system. When these attempts led to state and military intervention and violence, many Ixil joined the revolutionary movement, which led to the third invasion by the military government. The response of the state was genocide and scorched earth.

The arrival of megaprojects and their relationships with these same fincas (La Perla and San Francisco) that have historically repressed the Ixil is not a coincidence; rather, it is a continuation of preexisting colonial and extractive institutions that often comes at the costs of Ixil lives and suffering. That the Palo Viejo hydroelectric plant was constructed by an Italian company on the Finca San Francisco by Italian Pedro Brol's grandson of the same name represents a cyclical history. The lessons from these previous invasions have continued to inform the movements that emerged in postwar Guatemala.

Since the war, many do not see the viability of or have the desire for another armed movement. An ancestral authority said on one occasion, "Now we no longer fight with arms, now we fight with the *vara* (rod of authority). Don Concepción says of the guerrillas, "We are in the same lineage that they were, always demanding rights." That the children and relatives of leaders such as Domingo Sajic Gómez, Nicolás Toma Toma, and Gregorio and Concepción Santay Ajanel today form part of the ancestral authorities and are actively resisting against megaprojects is proof of the legacy of struggle of the Ixil people in Cotzal. In the second part of this book, the resistance in Cotzal against Palo Viejo and future paths are examined.

PART II

The Fourth Invasion

4

Postwar Life and Megaprojects in the Ixil Region

The intensity of the war began to decrease by the 1990s and officially ended with the 1996 Peace Agreement. During that time, there was a process of demilitarization, refugees returned from exile, and the Communities of People in Resistance (CPRs) went back to their communities. At times, people returned to their lands and homes only to find them occupied, as was the case with doña María. Former residents of model villages (Santa Avelina, Vichivalá, San Felipe Chenlá) gained land titles and official ownership of former fincas. Children and minors who had suffered during the 1980s were now adults who were having children of their own. Many ex-patrolmen were now evangelicals, with some building their own churches and becoming pastors. Former guerrilla members were judged and, in some cases, discriminated against by those who had remained in the military-controlled communities. Those from CPR communities settled in places such as Vichemal in Cotzal, and Ajmachel in Chajul. Youth who were born into or grew up during the war, whether in model villages, CPRs, or Guatemala City or the coast, heard stories of terrible violence that had left thousands dead. Depending on who you were, blame was distributed all around and attributed to the military, the fincas, the guerrillas, patrolmen, radicals, terrorists, the state, the US, communists, the Catholic Church, evangelicals, or others.

The peace accords were a moment of hope for the country, but today violence and militarization in Guatemala continue in various forms (Batz 2022a). As part of the peace process, Guatemala ratified the International Labour Organization Convention 169 (ILO 169), which promotes Indigenous rights, such as Free, Prior, and Informed Consent (FPIC) (ILO 1996). At the same time, the Guatemalan government did not fully implement the peace accords, and the necessary structural changes were not made to combat the marginalization and historical inequalities

that affect Indigenous Peoples. Instead, the Guatemalan state promoted neoliberalism and the privatization of social services, passing the General Electricity Law (1996), the Mining Law (1998), and the Central America Free Trade Agreement with the United States (2005), which benefited private companies and undermined public and social services (Doughtery 2011; Solano 2005). Additionally, in 2003, the Incentive Law for Renewable Energy Development was passed to "attract private investment" and promote hydropower, since the state saw electrification as a matter of "national urgency" (Alford-Jones 2022, 2–3). According to Enel, the General Electricity Law "liberalized the sector" and "partly fulfilled its mission by attracting enough investments to ensure security of supply" (UNCTD 2011, 83).

This chapter examines postwar Cotzal to provide the cultural, social, and political context for the arrival of megaprojects. I begin by introducing contemporary Ixil culture, worldviews, and spirituality through the use of the local concepts of *tiichajil* and *txaa* and comparisons to Western understandings and perspectives. I then explore the postwar climate, including the rise of gangs and the adoption of neoliberal policies that support extractivist industries. I also examine the role of the international legal principle of FPIC in conflicts between Indigenous communities, the state, and multinational corporations. The Marlin Mine case is taken as an example to demonstrate the ways in which the state and multinationals have worked together against the collective well-being of Indigenous communities.

WESTERN AND IXIL CULTURE AND WORLDVIEWS

Maya culture existed before the arrival of the Europeans in the sixteenth century, has changed with time, and continues in practice today in various manners (Batz 2014; Boj Lopez 2017; Fischer and Brown 1996). Maya and Indigenous cultures have been recognized by the Guatemalan state through the Accord on Identity and the Rights of Indigenous Peoples, the ILO's Convention 169 (ILO 1996), and the 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). The Constitutional Court has also recognized the cultural rights of the Ixil in a 2015 ruling (CC 2015a).

Ixil and Maya cosmologies and culture are distinct from European and Western perspectives (Banach 2016; Banach and Brito Herrera 2021; Colby and Colby 1981; Firmino Castillo et al. 2014; Linares 2021). Among central tenets of Western worldviews, thought, and philosophy are individualism, the promotion of humans' domination over nature, a view of time as linear, and societies that are not spiritually based. Indigenous worldviews include communalism, the view that humans are not dominant over nature and are instead a part of it, a view of time as cyclical, and spiritually based societies. Nation-states and transnational corporations operate within a Western framework, and because of ethnocentrism they tend to discriminate against Indigenous worldviews, labeling them as "backward," "superstitious," and a roadblock to progress and civilization. Throughout Abya Yala/the Americas, Indigenous peoples have been named with the racial slur *indio*, which

has also justified an ideology of *el problema del indio* that has led to genocide and forced assimilation policies.

The Western concept of development rooted within capitalist and extractivist logics has been contentious and has contributed to conflict between Western-based entities and Indigenous communities. The notion of development is linear since it is premised on achieving the state of being *developed* through the process of *developing* and views the environment and natural resources as commodities to be extracted and used in promoting material wealth. According to Catherine Walsh, "The very idea of development itself is a concept and word that does not exist in the cosmovisions, conceptual categories, and languages of indigenous communities" (2010, 17). This does not mean that Indigenous communities do not understand the concept of development; rather, its capitalist interpretation is not in accordance with Maya worldviews, which instead focus on balance, respect, and a mutually beneficial relationship with Mother Earth.

A 2015 Constitutional Court ruling recognized the concept of territory from an Indigenous perspective, not as a commodity or private property but as something connected to the physical and spiritual world. The court writes, "For Indigenous Peoples, the relationship with the land is not merely a matter of possession and production but rather a material and spiritual element. . . . Their particular way of life, of being, seeing, and acting in the world is constituted precisely from their close relationship with traditional territories and the resources found there, not only because these are their main means of subsistence, but also because they constitute an integral element of their worldview, their spirituality, and therefore their cultural identity" (CC 2015a, 40). Thus when a company building a hydroelectric plant uses dynamite to blow up a mountain or changes the course of a river, it is not just altering the natural landscape in the name of development but harming Mother Earth and Ixil culture, spirituality, and identity.

When Indigenous communities protest these operations, transnational companies and the state criminalize them and present them as being against development and progress. Anthropologist Liza Grandia, in analyzing the presence of transnational companies among the Q'eqchi' in Petén, claims, "When transnational businesses move, they expect the people to adapt to *them*," emphasizing the ethnocentric tendencies of companies to impose their worldviews on local communities (emphasis in original, 2012, 82). As we have seen in the previous chapters, the imposition of Western forms of being and development such as fincas and model villages/development poles led to displacement, forced labor, and oppression.

Ixil Culture and Cosmovision

There are two important concepts in Ixil cosmovision: *tiichajil* and *txaa*.[1] According to the *primer alcalde* of the Alcaldía Indígena of Cotzal, don Diego Sambrano Rodriguez, "*Tiichajil* can be understood as good living in the way of the Ixil people according to their ways of thinking and acting in the face of problems that affect daily life of the Ixil people and collectivities." Other translations describe

tiichajil as equilibrium, balance, health, community, harmony, well-being, and life. *Tiichajil* can also be roughly translated as *buen vivir* (good life)—based within Ixil cosmovision, cultural norms and values of how humans should live their lives in relation to the environment. It promotes balance with Mother Nature and the land, which are to be treated with respect since people are dependent on them for survival. For the Ixil, the environment is a living entity. Thus Ixil ask for permission and forgiveness and give thanks through prayer and ceremony when they cut down trees and plant and harvest milpa, among other activities. Don Diego says that *txaa* can be understood as "a connection with the outlook of human beings in daily life that is closely related to belief and the sacred. Grandmothers and grandfathers utilized this to recommend a harmonious and balanced life, advice to avoid bad practices that brings serious consequences: for example, if you disrespect and do not value your word and instead tell a lie, that will soon have a negative outcome." Moreover, *txaa* is an Ixil concept of things that are not to be done (*lo que no hay que hacer*) or are wrongful to do or transgression (*transgresión*). *Txaa* should be understood not as "sin," which is "a purely Christian concept" that does not exist in Maya philosophy, but as a concept that "recognizes a natural law of causes and consequences—when something unwanted happens to us (illness or personal tragedy, for example)" (Firmino Castillo et al. 2014, 28). *Txaa* can be understood as Ixil cultural values and norms that regulate behavior and interaction between people and the environment as a means of respecting Mother Nature. For example, one cannot cut a tree during a new moon, or cut a tree without asking permission from it first. There exist various *txaa* for how one is to treat and respect animals, neighbors, trees, rivers, and human and nonhuman relationships. The *txaa* are often unwritten rules transmitted orally from elders and parents. Ixil authorities and leaders are guided by the concepts of *tiichajil* and *txaa* in making decisions and in resolving conflicts.

For the Ixil, water and rivers are sacred, and the privatization of water does not exist within their cosmology. The *txaa* regulating behavior regarding water and rivers include prohibitions against urinating, defecating, spitting, and throwing trash in the river. Water is a common good (*bien comunitario*), and historically, *principales* and community authorities safeguarded natural springs ("cuidaban los nacimientos de agua") and rivers. For instance, animals were not allowed to enter natural spring water out of concern that they would contaminate it. Sanctions for violating community norms could include community work (*trabajo comunitario*) or other *castigos* (punishments). These cultural norms and values have the intended purpose of preventing the contamination of water sources and rivers, especially since they are a common good to be used, not by an individual, but by the community. Hence, when a development project uses heavy machinery to change the course of the river or floods it (as was the case in Santa Avelina with the diversion dam), this can be violating *txaa*, Ixil norms and values of respecting water. Similarly, the building of the Hidro Xacbal Delta dam in Chajul, using heavy

machinery inside the river and changing its landscape and course of direction, can be considered a *txaa*.

Rivers and water are of crucial importance to Ixil culture, belief systems, rituals, identity, and spirituality. Traditionally, the Ixil wash all of a woman's clothes in the river after she has given birth. The same is done to the clothes of the deceased on the third day of their passing. In cases where access to a river is prevented through either the construction of a fence or a change in the flow of the river, Ixil cultural rights are negatively affected and can lead to internal conflict with whoever has barred the way. In accordance with *tiichajil* and cultural norms, communities of Cotzal have historically and traditionally used and maintained mechanisms to resolve local conflicts in a peaceful and diplomatic manner. In one case that I observed in November 2014, an Ixil who lived in the town center of Cotzal put up a fence on his property that blocked a path to a natural spring and river. Surrounding community members were concerned that this would prevent them from accessing the river, whether for ceremonial purposes or in times when water was unavailable in their community, as occurred periodically. The matter was eventually resolved diplomatically and peacefully through the mediation of the Alcaldía Indígena, which helped resolved the issue through meetings and dialogue with all interested parties present. The arrival of foreign corporations that do not understand or respect Ixil cultural practices, customs, worldviews, and mechanisms for conflict resolution has contributed to tensions and conflict in the region.

According to several community leaders and ancestral authorities, the Palo Viejo hydroelectric plant, Enel, and the Finca San Francisco have "kidnapped the rivers." From an Ixil perspective and worldview, the river's diversion from its natural course into canals and tunnels made of concrete and metal shows a lack of respect. Additionally, there are concerns about the impact of these changes to the river on the ecosystem. For example, the construction of one of the diversion dams near Santa Avelina harmed animals when the area next to the dam was flooded and the animals' traditional path was cut off. Hydroelectric plants extract power, strength, and spiritual energy from rivers. The long-term impact of these changes in the rivers on the water cycle is not known, which is worrying for the communities of Cotzal. Their concerns were heightened after the two hurricanes Eta and Iota devastated Cotzal in 2020. Hydroelectric plants like Palo Viejo are seen as a threat to Mother Earth, and according to the Ixil, the mother has to defend herself.

Anti-Indigenous discrimination and racism from ladinos exist within the Ixil Region. In March 2014, I attended two meetings in Chichel regarding a conflict over access to a river that was being blocked off by the ladino owners of the land through which the river passed. According to the Ixil women at the first meeting, a death in the community had made it necessary for them to wash the clothes of the recently deceased, per Ixil custom. While they were washing in the river, the ladina woman angrily shouted at them, asking them if they were going to wash off blood. The Ixil women felt very offended and discriminated against. The Ixil in attendance

were mainly women who claimed that they were being prevented from accessing the river, which they argued was a denial of their cultural identity. A *comadrona* in the meeting said, "For me, this is a displacement," since her work required the use of the river and the ladina woman was trying to stop her from doing it. The matter was eventually resolved through mediation of the ancestral authorities.

Ixil Spirituality

Mountains are sacred and living entities within Ixil cosmology. Moreover, they have a reciprocal relationship with water. With regard to Ixil's relationship with mountains, Monika Banach writes: "The Ixil consider several elements sacred within the concept of the mountain. Accordingly, both the peak of the mountain and a cave located at the base are part of it. . . . The mountains considered as sacred places are usually identified as gods, the *aanjel*, 'angels,' but also as *k'uykumam*, 'the ancestors'" (2016, 28, 30). In Ixil ceremonies, spiritual guides pray to the mountains such as Vi'omak. Thus, when a hydroelectric project uses dynamite to blow up hills and mountains, this directly affects Ixil spirituality.

Sacred places and archaeological sites are also of the upmost importance to Ixil identity, spirituality, and culture. Banach, in researching sacred landscapes in Chajul, reports that the presence of *kamawiil* (archaeological artifacts) confers and conserves sacred energies in sacred places and archaeological sites (2017b, 5). With the construction of Hidro Xacbal, the archaeological site Xacbal has been excavated, and many *kamawiil* "that keep the place's power" have been removed from their location. For the Ixil, this was a sacred site where the ancestors would "practice Maya spirituality" and was "a space of meeting" (5). Banach writes that "because of the displacement of *kamawiil*, the artifacts [that] belong to the ancestors, their bones and the materials that their houses were built of, for some people, there is no reason to keep praying there because the place would not be able to listen anymore" (6). Thus the *kamawiil* are essential symbols with significant spiritual importance within Ixil culture.

The construction of hydroelectric plants and electrical towers has caused fear in the population and prevented access to sacred spaces. According to Banach, a spiritual guide from Ilom said of the site of Xacbal: "Maybe there [are] some *kamawiil*, who knows if they are [still] there. In the past they [the spiritual guides] went to burn candles there; now, police and soldiers are there. . . . The soldiers from the capital have their guns, and the land is their property" (quoted in 2017a, 24). As we can see from this statement, the spiritual guide fears that the site of Xacbal has been militarized and taken over by the armed forces who will "shoot you" if you try to go there. The construction of the Palo Viejo hydroelectric plant led to excavations in El Limonar in Cotzal (Martínez Paiz and Herrera 2014). Thus archaeological excavations such as those conducted in Xacbal and El Limonar can be harmful to Maya spirituality, ceremonies, and practices, since the removal of *kamawiil* from their original locations can affect the sacredness of the sites that are important to Ixil spirituality.

Following the war, Maya spirituality (*costumbre*) continued to be criminalized and demonized by nonpractitioners. For centuries, the Catholic Church attempted to repress Maya spirituality, which it viewed as demonic and a form of paganism. Despite its efforts, the Maya in Guatemala were able to incorporate Maya spirituality into Catholicism as a form of resistance. According to Pablo Ceto (2011):

> From 1524 to 1996, [there was] Maya resistance at every moment of the history of colonial exploitation and oppression. Thus, when it was necessary to accept the Catholic cross, Maya spirituality was safeguarded. When it was necessary to put up with the *repartimientos* and the encomiendas, life and hope were preserved. When the Spanish *mayordomías* [stewardships] were imposed in the form of *cofradías* [confraternities], Maya communities practiced them and turned them into a structure that preserved Maya ancestral tradition, thought, and wisdom for a long time. (230)

Another example of Maya resistance within Catholicism is the case of the San Jacinto Church in Nebaj:

> Although the Totzotz Mamkuk'uy [the San Jacinto Church] was built in the colonial period under the command of the Spanish, the Ixil builders left marked elements of their culture in the structure, such as the thirteen main beams, which have a symbolic relationship with the Ixil calendrical enumeration, and the alignment of the house with the four cardinal points that serve as an astronomical framework and that at the same time symbolize the four guardians of the Maya cosmos. (Firmino Castillo et al. 2014, 32–33)

In addition, although "the Catholic tradition is to locate the entrances of the temples toward the west, where the Sun hides. . . . the entrance of the Totzotz Mamkuk'uy is not oriented in this way": "Its entrance is oriented toward the southeast, which seems be aligned with one of the two sacred hills located in that direction: Vi'lajam and Laavitz" (Firmino Castillo et al. 2014, 33).

During the war, Maya spiritual guides were intensively targeted and persecuted because of their leadership positions in communities and as a way of attacking traditional Maya practices. Today, evangelical churches and pastors tend to discriminate and view *costumbre* as the work of the devil and *brujeria*. On the radio, evangelical pastors can be heard preaching against *costumbre* and other activities they believe to be demonic. As a result of this historic persecution, Maya spiritual guides often practice in secret out of fear of being called a *brujo* or suffering physical harm.

Health

Traditional medicine is also changing in the Ixil Region as traditional Ixil healthcare and its providers are rapidly being replaced by Western medicine. The use of *comadronas* has decreased, as some prefer to give birth in hospitals or health centers. When a child is born, a bond is created between the *comadrona* and the baby. *Comadronas* in the Ixil Region are important for women's health and for their provision of prenatal and postnatal care. They often visit a pregnant woman

periodically and are on call throughout the pregnancy. The only public hospital in the area is found in Nebaj, while the town centers of Chajul and Cotzal can only count on a health center. Some communities also have a health center, but they do not have the same equipment, staff, and resources as those located in the town center. Private healthcare practices also exist in Nebaj and other areas. Local stores that serve as pharmacies are available in certain areas.

Illnesses, from an Ixil worldview, can be either physical (cold, fever) or spiritual/nonphysical (*susto, mal de ojo*). Healers use medicinal plants to cure a range of diseases and pains. For example, doña Rosa is a healer in Cotzal who has an herb garden at home, which she uses to cure people. Most of her patients are children from her community, as well as those who travel from surrounding communities to access her gift and services. While some evangelicals publicly criticize traditional healers and say they are doing the devil's work, her patients include evangelicals and others who know the effectiveness of traditional Ixil medicine.[2] Bone setters and healers are less common, and I met only one during my fieldwork in Cotzal. It is important to note that healers who feel that they are incapable of curing a particular disease or illness will recommend that one visit and consult another healer or a Western doctor.

While it is the decision and right of patients to choose the type of healthcare they want, many hospitals and health centers in the Ixil Region are underfunded. Doctors and nurses, who are often ladino, are accused of not providing adequate services, having racist and sexist attitudes toward patients, and being culturally insensitive. In addition, many doctors and nurses face a lack of support and neglect from the government, a structural problem that prevents the ability to provide better services and care. Entering the hospital in Nebaj, one is confronted with a long line of patients in the waiting room. One person told me that he was sick and that the doctor could not do anything at the public hospital but that he could cure his disease at his private practice, thus requiring him to pay. While there are two ambulances in Cotzal, they sometimes run out of gas, and the workers sometimes refuse to come to a community because of no pay, a general unwillingness, or nonexistent or bad roads. Those who live near a road can visit the hospital or health center by taking public transportation during the day. But for communities that do not live by an accessible road, the situation is grim.

In one case, a woman in Ilom went into labor and suffered from complications and fainted. She gave birth while traveling for four hours to Nebaj in the middle of the night on a very muddy, bumpy, and damaged road. At Nebaj's public hospital, it was found that the newborn had a heart defect that left untreated could result in death. Yet because of the lack of resources, the new parents were forced to find funds to pay for a basic operation. In another case from Ilom, a mother died hours after giving birth after she suffered complications. Community leaders stated that they had been unable to transport her to the hospital in Nebaj because of the bad road and the distance, and that they had for years requested further support from

the government. They blamed the Jimmy Morales (2016–20) government, with one leader stating: "How many more women must die to meet our request? A few days ago, community leaders from Ilom and Chajul demanded that the president fulfill the promise he made in 2016 to build a hospital center in this community" (quoted in Cordero 2017). The Guatemalan military was sent to Ilom to build a health center in 2019, and after delays, it was inaugurated in 2022 (although some believed the military was sent to protect the hydroelectric plants located nearby).

Corruption has exacerbated the lack of healthcare and underfunding of healthcare in Guatemala (Papadovassilakis 2021a, 2021b, 2021c). The case of the Guatemalan Institute of Social Security (IGSS) and the Droguería Pisa de Guatemala (DPG, a subsidiary of a Mexican pharmaceutical company), known as the IGSS-Pisa case, exemplifies the corruption in the country and involves the state (Papadovassilakis 2021a, 2021b, 2021c). Investigators found that IGSS officials had negotiated a bribe with DPG in exchange for a $15.3 million contract. DPG was treating over five hundred IGSS kidney patients with peritoneal dialysis, but they lacked the infrastructure and experienced personnel to do so; consequently at least fifty-seven of the patients got infections and dozens died (Papadovassilakis 2021a, 2021b, 2021c). In 2021, Estuardo Galdámez, former deputy for the department of Quiché and presidential candidate of the right-wing National Convergence Front (FCN), was arrested and sent to jail for his role in the "Case of Assault on the Ministry of Health" (*Caso Asalto al Ministerio de Salud*) (Pérez Marroquín 2021). According to the special prosecutor against impunity (FECI), Galdámez was involved in a network of government officials, such as the former health minister, who accepted approximately Q50 million in bribes between 2012 and 2014, along with purchasing unnecessary medical equipment and creating "ghost positions" (*plazas fantasmas*) as a form of political favors (CICIG 2019). Corruption like this leads to the deaths of people in Guatemala and has become more visible with the Covid-19 pandemic and the two hurricanes that devastated Central America in 2020.

Names of Indigenous Peoples and Communities

There is a debate as to what "Cotzal" means in Ixil. Spanish colonial documents spelled the town as "Cozal" or "Cotzal." Some consider that the word derives from the word *k'o tz'al*, which means "Let's go to the hot lands" (*Vamos a tierra caliente*) (*ko'* = let's go, *tza'l* = hot place) (Comunidad Lingüística Ixil 2004, 147). Others say that the name comes from the word *qootz'al*, which means "place of landslides" (*lugares derrumbables*) (*qootz'* = collapse/landslide, *tzal* = place) (Municipalidad de San Juan Cotzal 2019). Today, the Ixil pronounce and write Cotzal as K'usal. Similarly, Nebaj is pronounced Na'b'aa, and Chajul is Txaul.

The emergence of the *comunidades indígenas* led to the recuperation and renaming of particular communities. In San Felipe Chenlá, a name given by *finqueros*, the community declared itself as a *Comunidad Indígena* and recovered its name of Tu Poj. Tu Poj is the ancestral name of the territory where the majority

of residents live, and it means "in or within the sand" (*tu* = in, *poj* = sand). Other communities took similar steps in renaming themselves and recognizing ancestral territorial names.

It is symbolic of the colonial relationship that Ixil communities have with the Guatemalan state that many people in Cotzal have both an Ixil name and a ladino, official, or state name.[3] The Guatemalan state historically did not recognize Maya names; the Ixil were not allowed to register their children's names and were instead forced to give them ladino names. So a person who is named Te'k in Ixil and is known among his family and community by this name is normally registered as Diego with the state, since Ixil names have Spanish/ladino translations. Other examples include Li', which is Maria; Tixh, which is Baltazar; Xhan, which is Juan; and Xhiv, which is Juana. Surnames follow the same logic.

In the communities of Cotzal, there is a process of naming children known as *ch'exel* in Ixil, or *tuco* (an abbreviation for *tocayo* or namesake). This cultural practice views children and grandchildren as the "replacements" of their grandparents on this earth, and their birth as the creation of a cyclical history. An ancestral authority told me: "*Ch'exel* is the way of seeing and naming our *retoños* [sprouts/offspring], giving them the name of our grandfather if they are male and our grandmother if they are female, even the name of uncles and aunts, this so that [ancestral] thought, feeling, struggles, and attitudes prevail and are inherited from a genealogical line." Parents name their children after their own parents and relatives. For instance, a newborn boy is usually named after his paternal or maternal grandfather, and males after him (if any) are named after their other grandfather and other elder male relatives such as uncles. The same process occurs with newborn girls, who are named after their maternal or paternal grandmother and then other female relatives. Thus a great-grandfather in a family can have the name Xhan Tom (Juan Toma), a grandfather Tixh Tom (Baltazar Toma), a father Xhan Tom (Juan Toma), and the son Tixh Tom (Baltazar Toma). However, individuals would be registered with the state by their Spanish equivalent: Xhan Tom as Juan Toma and Li' I'ch as María Sajic. This is due to the racist legacy of the state, which has disallowed the use of Indigenous names as state names.

Ixil will also identify themselves by saying they are the parents of their firstborn, but only after the latter gets married. For example, if a father has a firstborn son named Sebastian, he will introduce himself as "In b'al Pox," which means "I am Sebastian's father." If their firstborn is a daughter, the same process takes place. Thus, if the daughter is Maria, the father will then be "In b'al Li'" or "I am the father of Maria." For mothers, the expression would be "Txutx Pox" ("I am the mother of Sebastian") if Sebastian was her firstborn, or "Txutx Li'" ("I am the mother of Maria") if the firstborn was Maria. There are also ancestral Ixil names that continue to exist in Cotzal. One example involves Baltazar de la Cruz Rodriguez, which is his state name that appears on his passport and on other official state-issued and recognized identification. He is known and referred to by his Ixil

name Tixh in his family and community. While the last name "de la Cruz" is usually translated to Kurus in Ixil, Baltazar's Ixil surname is Viyo'm, which is an ancestral name. The impact of globalization and migration has led to the introduction and adoption of new names such as Kimberly, Bryan, and Wilson, among others. This is by no means the first time the Ixil have experienced the introduction of new names, since some of the current names in Cotzal, such as Miguel (Me'k in Ixil), are Spanish and are drawn from Catholicism.

With the war, some people had to adopt new or other names to avoid being persecuted or detained by the military, who had a list of names of people they were to detain (Mazariegos 2020).[4] In some cases, relatives of guerrilla members who would traditionally bear their name were given another name to avoid being disappeared by the armed forces. In one case, an Ixil was to be named Te'k, but since his uncle was also Te'k, he was given another name to avoid being associated with a relative in the guerrillas.

GANGS AND *MANO DURA*

The war's legacy and impact on the social fabric of Ixil society has been evident through the formation of gangs. Since the early 2000s, Cotzal has experienced gang violence from conflict between MS-13 and 18th Street. MS-13 was born on the streets of Los Ángeles during the height of the Central American civil wars in the 1980s (Levenson-Estrada 2013; Osuna 2020). Many of the youth fleeing the violence in Central America came to the US, where they formed gangs to defend themselves from other marginalized groups and reproduced the violence they had witnessed and suffered during the war. As a result, many were involved in illicit activities, often leading to arrest and deportation to their respective countries, where they regrouped, particularly in national capitals such as Guatemala City and San Salvador. These deportations and returns were the origins of the transnational gang network that would emerge and fuel violence in the region.

Some youth from Cotzal who worked in Guatemala City joined gangs and returned to their home communities, which eventually led to robberies, shootings, and street violence. People today recall specific gun fights, such as one that occurred during a soccer match where the players and spectators fled when someone opened fire against a rival gang member. In the urban center and surrounding communities, streets were divided between MS-13 and 18th Street. Parents were fearful for their children's personal safety when they went to school. Many elders told me that while there was violence, these gang members at least respected them, unlike gang members in the city, who did not respect anyone. People remember that there were many deaths. One former Ixil gang member said he was forced to leave Cotzal and join the military as a way out of being persecuted by rival gang members.

By the early 2000s, Cotzal would be declared a *zona roja* (a place perceived as dangerous and inhabited by gangs). The government's response to this rise in

violence was more violence that would end in more deaths and human rights abuses, a justification for militarization and *mano dura*. Across Guatemala and particularly areas where the civil war hit the hardest, suspected criminals would be "lynched," which meant beating people and burning them alive. Between 1996 and 2001, the Misión de Verificación de las Naciones Unidas en Guatemala (MINUGUA 2002) registered 421 cases of lynching with 817 victims (7). These lynchings are in part the result of a weak judicial system in Guatemala at all levels, a system characterized by corruption and impunity for the perpetrators of violence (7).

In Cotzal, the height of this militarization occurred during the administration of municipal mayor José Pérez Chen (2008–11), who was also involved in the repression of protesters against the Palo Viejo hydroelectric plant. Within the social context of an increase in gang violence, Pérez Chen began a campaign to eliminate the gangs operating in Cotzal by force. According to the Bufete Juridico de Derechos Humanos (BDH 2017), Pérez Chen based his power around a "mini-army" consisting of the Municipal Police, the Municipal Transit Police, personal bodyguards, and Juntas Locales de Seguridad, which consisted of ex-patrolmen. Some residents of Cotzal say increased security led to a decrease in gang activity and credit Pérez Chen with reducing gang violence. Yet according to many, at a certain point *se le paso la mano*, an expression that stresses that he went too far with his actions. There were accusations that Pérez Chen was abusing his power not only by ordering his multiple security and police units to persecute suspected *mareros* (gang members) and others deemed to be delinquents but also by repressing people who were innocent. There were claims that these security forces would act outside the law and beat and torture people, even extorting families for money as a condition for releasing their relatives unharmed. One incident involved the illegal detention and beating of a military member for forty-eight days (Emisoras Unidas 2013).

On Sunday, November 1, 2009, a sixteen-year-old was walking with his friend and his aunt when he exchanged looks with municipal mayor Pérez Chen. Little did anyone know that this exchange of looks and its aftermath would have serious political and social implications for years to come. Pérez Chen sent his bodyguards to detain the young man who had glanced at him, believing him to be a *marero* (gang member) and *rockero* (rocker), since he had relatively longer hair than most boys and men in Cotzal and used hair gel. Under this arbitrary criterion, Pérez Chen placed the young man in the *calabozo* (dungeon) of the municipal building, where he was beaten and tortured and had his hair cut by his abductors.

Word soon got out to his mother and grandmother, who went to the municipality to try and free the young man. They were beaten, and the mother ended up having to go to the hospital for her injuries. Upon hearing this, Pedro Rodríguez Toma, the father of the boy, who was a PNC officer working in Chajul, went to Cotzal to talk to the municipal mayor. For unknown reasons, Pérez Chen ordered his security to beat the police officer and disarm him. He was subjected

to torture, and some claim to hear his screams from the *calabozo* as far as one hundred meters away.

At approximately 6 p.m. that same day, Rodríguez Toma was taken out to the main square, where Pérez Chen called residents and claimed that the police officer had come to Cotzal to assassinate him and that he would now suffer *justicia Maya* (Maya justice). Many Ixil have said that this was not *justicia Maya* and that the municipal mayor was just trying to justify his violent and illegal actions. Rodríguez Toma's face was reportedly bloody and disfigured; the signs of the torture he had endured were evident since he was missing his teeth, and his tongue had been cut out. After being forced to drink gasoline, Rodríguez Toma was set on fire. A man who was filming and taking pictures of the incident would be beaten and hit on the head with the butt of a rifle. Another man who was also in the *calabozo* after being illegally detained and beaten the night before the incident would later serve as a witness against Pérez Chen.

I first heard about Pérez Chen and the incident that had occurred when I arrived in Cotzal in June 2011. In December 2010, arrest warrants had been issued against Pérez Chen, along with twenty-nine others, and he went into hiding (BDH 2017). At this point the municipal council took control and power of the municipality. I heard rumors that Pérez Chen was being aided by his supporters and the police while in hiding. Another rumor said that he was in hiding in the Finca San Francisco. Then on June 26, 2011, two days after the annual festival of the patron saint of San Juan Cotzal, I was in Santa Avelina when I received news saying Pérez Chen had been captured. The town was buzzing with the recent developments. Soon his supporters were threatening to burn down the police station in the town center, but fortunately nothing occurred. In August 2012 Pérez Chen was convicted to eighty-two years in prison for the death of Rodríguez Toma and was charged with abuse of authority, extrajudicial execution, kidnapping, discrimination, and torture. It was the first time in Guatemalan history that someone was sentenced for the crime of torture (BDH 2017). He was later convicted for the illegal detention of the military member mentioned earlier. Others from his security team were also detained, and some of those who went into hiding were subsequently arrested in 2012. As of 2020, at least one member of Pérez Chen's security team remains a fugitive. Some who were arrested had nothing to do with Pérez Chen's abuses. I know of at least one case in which a former member of his security team was arrested and was later freed after being imprisoned for two years. This crime carried out by Pérez Chen highlights the systematic violence, repression, intimidation, and corruption that existed within the municipality of Cotzal and the Ixil Region.

In the communities of San Felipe Chenlá, Vichivalá, and Santa Avelina, growing gang violence was also causing fear. Community leaders decided to arm and organize themselves, since gang members at this point no longer feared community authorities, elders, or norms. In 2008, each community through assembly and consultation took measures to ensure the end of gangs. In San Felipe Chenlá,

the community gave gang members seven days to turn in their weapons, as well as present themselves in front of a community assembly to explain their actions and why they had joined. The purpose of this was to have them show *vergüenza* (shame), a traditional form of punishment meted out to those who have committed something wrong. Some cried upon explaining to the community why they had joined a gang, and some said they had been forced into joining. Patrols began in the community 24/7, and each family was encouraged to volunteer for a shift (it was not done by force). The community patrols consisted of a diverse group of people and included ex-PAC and ex-guerrillas.

Some gang members left Cotzal rather than publicly face their community. Many would go to the capital and return home during the holidays; there is a spike in crime at those times, since many Cotzalenses are returning home with money. For example, there are increases of delinquency and robbery during the annual patron saint festival (*la feria*) of San Juan Bautista in June and also at Christmas. It is rumored that these gangs are always trying to make a comeback and start organizing again.[5] The difference between the approach to gangs under Pérez Chen and that of the communities is that the former was based on *mano dura* and the use of patrols under the control of one individual, whereas the latter was a community effort that used patrols alongside community assembly to reincorporate and hold youth accountable for their actions.

FINCAS AFTER THE WAR

As previously mentioned, many of the fincas that existed in the Ixil Region ceased to operate during the war. The Herrera and Hodgsdon families sold their fincas. After the war, some plantation owners began to invest in other businesses, including the construction of hydroelectric projects "when the price of coffee plummeted around the world" (Escalón 2012a). At the beginning of the 2000s, people began to migrate abroad as an alternative to working on coastal fincas and in other urban centers like Guatemala City or Santa Cruz del Quiché, and remittances from the United States came to replace coffee as the main source of income from abroad (Jonas and Rodríguez 2015, 181). The hydroelectric plants operating in the Ixil Region are located on the Fincas La Perla and San Francisco, which have been associated with violence and dispossession against the Ixil people since the beginning of the twentieth century.

Today, the Brol family mainly lives outside the Ixil Region. Pedro Brol Cortinas (the grandson of the first Pedro Brol) is now in charge of the Finca San Francisco as president of the board of directors and legal representative of the entities Empresa Agrícola San Francisco Cotzal, S.A. and Agrícola Cafetalera Palo Viejo, S.A. (SRP, #15,588, Fol. 143, Lib. 81; SRP, #24,977, Fol. 215, Lib. 103). The quality of the soil and land remains among the best in Cotzal, and San Francisco's coffee products are recognized as some of the greatest in the world. In 2014, the Rainforest Alliance

placed San Francisco eighth in a competition involving sixty growers from eight countries that judged their coffee's quality and taste (Rainforest Alliance 2014). The senior manager of sustainable agriculture at the Rainforest Alliance claimed that these farmers were producing high-quality coffee "while conserving natural resources, protecting wildlife habitat and supporting local communities" (Rainforest Alliance 2014). In the 2000s, Pedro Brol Cortinas would enter into business with Enel to build Palo Viejo (SRP, #24,977, Fol. 215, Lib. 103).

MEGAPROJECTS AND FPIC

Many conflicts surrounding megaprojects are rooted in failure by the Guatemalan state, local municipalities, and corporations to seriously recognize and implement the rights of communities and Indigenous Peoples at all levels. The international law principle of Free, Prior and Informed Consent (FPIC), which affirms the rights of Indigenous Peoples to give informed consent before the "approval of any project affecting their lands or territories and other resources" (United Nations 2007), is most frequently violated. This right is outlined in ILO 169 and UNDRIP.

An example of the need for FPIC is the construction of the Chixoy dam in Rabinal, Baja Verapaz, in the 1970s, which had support and funding from the World Bank and the Inter-American Development Bank (Johnston 2010). The Achi Maya living on the land and in surrounding areas where the dam was to be constructed were not consulted or notified of the project. In addition, there was no compensation or resettlement program for the families who were living on these lands, which were illegally acquired and flooded (Arias 2010). Subsequently, when the Achi refused to relocate, the military labeled them as "subversives," massacred the protesters, and displaced over three thousand people (Arias 2010).

Following the 1996 Peace Accords, the Álvaro Arzú administration (1996–2000) renewed efforts to attract foreign investment through the adoption of neoliberal policies and laws that sought to privatize the energy sector and telecommunications. These included new mining laws that reduced royalty rates from 6 to 1 percent (Dougherty 2011). The privatization of the energy sector occurred through the General Electricity Law, which was meant to attract foreign investment and limit government intervention. These demands for electricity and metals, often for the benefit of foreigners living in developed nations and people living outside the affected communities, have also meant displacement and conflict for the people living on the territories of these projects. Since 1998, metal exploration has grown by 1,000 percent in Guatemala (404). In response, Indigenous Peoples have struggled for the recognition of their rights over their ancestral territories, with international mechanisms and legal instruments such as ILO 169 and UNDRIP. Many communities across Guatemala have used FPIC to defend and demand their rights.

The name FPIC can be broken up into the four terms that describe the principle: *free, prior, informed*, and *consent*. Under FPIC, Indigenous Peoples are given

the right to be *free* from intimidation, manipulation, force, coercion, and pressure from government, companies, and other forces in making their decisions and providing consent. Indigenous communities are also provided enough time to consider all information about the project *prior* to the allocation of land for the project, and *prior* to the approval of certain projects. In addition, Indigenous communities are given the right to be *informed*, thus being provided all the necessary and relevant information needed to make a decision to give consent on a certain project, which can be easily accessed. This includes the community having this information in its own language and having access to independent experts and study on the proposed project. Last, Indigenous communities have the right to give or withhold *consent* at every stage of the project (Hill, Lillywhite, and Simon 2010, 8).

FPIC is not perfect. There is a debate on how effective it is even when adequately implemented. Consultation is not veto power. Thus, if a company decides to practice FPIC, it can consult a community, and even if 100 percent of that community is opposed to a project, the company can claim that it consulted with the community; thus it remains within the confines of the laws, and as long as it has been authorized by the Guatemalan government to engage in its projects, it can proceed. International institutions take a negative view of veto power; it exists only within the United Nations Security Council and even there is reserved only for its five permanent members (the US, France, Russia, China, and the UK). Consultation can become an item on a checklist, and once that checklist is completed, the company can move forward with the project. At the same time, if communities are organized against a project, companies may consider it too risky to implement. Such has been the case among the communities in Salquil Grande, Nebaj, where the extraction of barite by mining interests has been stalled by local opposition.

FPIC has been ignored throughout the country by the state and various companies even though Guatemala has signed and adopted ILO 169 and UNDRIP. This occurs even when affected communities, shareholders, and national and international organizations apply pressure to suspend these projects. Instead, community leaders and human rights defenders are criminalized, and at times the military is sent into communities to suppress protests. According to the secretary of agriculture, in 2011 there were 1,367 cases of land conflicts going on in Guatemala, affecting approximately 1,137,821 people there (Zeceña 2011). Many of these land conflicts occurred in the departments of El Quiché, Alta Verapaz, Huehuetenango, Izabal, and El Petén, which suffered some of the worst violence during the civil war (Zeceña 2011).

One of the most publicized cases involving extractive industries and the denial of FPIC in the face of international pressure and conflict is the Marlin Mine. This mine, which operated in the municipalities of San Miguel Ixtahuacan and Sipacapa in the department of San Marcos, is owned by Goldcorp, Canada's second-largest gold-mining company, which began working the mine in 2003. In 2004

Maya communities protested against the mine, which was not respecting FPIC, and eventually conducted a blockade to prevent mining equipment from being shipped there. Forty days into the protest, approximately 1,200 soldiers and 400 police were sent in to break the blockade and arrest community leaders (On Common Ground 2010, 164). A popular community-level referendum in 2005 resulted in 98.5 percent of the residents in the surrounding communities officially rejecting the mine (Stanley and Zarsky 2011, 11). Yet despite protest and local pressure to suspend the mine's operation, the mine continued to operate. Several international organizations such as the ILO and the Inter-American Commission on Human Rights (IACHR) urged the Guatemalan government to suspend operations because of the lack of consultation and health concerns (Stanley and Zarsky 2011, 6, 12). For instance, a medical study found that people living closer to the mine had "higher blood levels of arsenic, copper, and zinc" and higher levels of urinary mercury than people living farther away (On Common Ground 2010, 40). The study warned of the negative health consequences that the mine could have that could last for decades (On Common Ground 2010, 40). When some shareholders of Goldcorp called for an investigation, the company agreed to an internal review and sponsored a report entitled "Human Rights Assessment of Goldcorp's Marlin Mine," released in 2010. The report found that "the issue of consultation with indigenous people has become the subject of intense and polarized debate within Guatemalan society. The weakness of Guatemala's framework for consultation with indigenous peoples—despite its ratification of ILO 169—is a major concern from a human rights perspective. This is an important gap in the implementation and protection of indigenous peoples' rights in Guatemala, which gives rise to serious social conflict and political mobilization" (On Common Ground 2010, 23). The report also found other negative impacts of the Marlin Mine in the areas of labor, the environment, and social conflict.

In September 2011, a study conducted by researchers at Tufts University found that the Marlin Mine contributed little to long-term sustainability and instead led to negative environmental impacts (Stanley and Zarsky 2011). In addition, it reported that "Guatemala receives about 42 percent of total mine revenues, substantially below best practice in global mining operations," and local communities receive "only about 5 percent" (5). Thus the Marlin Mine has been determined by many to be, not a source of development, but a project that threatens the health and safety of surrounding communities and violates the rights of the people in San Marcos. In the face of all of these criticisms and concerns, on June 23, 2010, President Álvaro Colom pledged to suspend operations at the Marlin Mine but stated that it would take months to implement such an order (Dougherty 2011). After over a year of stalling, in August 2011, the Guatemalan state reversed its decision and decided that it would not suspend operations. The Marlin Mine would eventually be shut down in 2017, leaving a legacy of violence, contamination, and little development to affected communities, and large profits to its owners. State,

military, and paramilitary coercion in communities that struggle against companies and megaprojects is not isolated to San Marcos; it also includes places like San Juan Sacatepéquez, Santa Cruz Barillas, and El Estor, among many others (De León and Rivera 2018; DeLuca 2017; Pérez 2021).

THE IXIL REGION AND MEGAPROJECTS

The Ixil Region has three hydroelectric projects operating (Hidro Xacbal and Xacbal Delta in Chajul, and Palo Viejo in Cotzal), as well as three *amparos* (legal hold for the protection of constitutional individual or community rights) on pending projects in Nebaj. An *amparo* in these cases prevents companies from building their projects until the legal matter of consultation has been resolved by the judicial system. Furthermore, there is an ongoing mining project to extract barite (mineral used in fracking) in Salquil Grande, Nebaj, which has generated tensions and potential conflicts (Roberts 2014). Deforestation is also a serious problem, and it has been estimated by an official in the National Institute of Forests (INAB) that approximately 80 percent of the trees being cut down in the Region have been removed illegally.

Failure to respect FPIC was addressed by an Ixil ancestral authority who described a lack of consultation for Palo Viejo:

> The Brols act like they have [legitimate] documents, just like Enel: "We are authorized, we are legal, we are authorized by [the Ministry] of Energy and Mines." They are authorized, but from up there [at high levels of government]; they do not consult the Indigenous populations, who are the legitimate owners of the territories, of natural resources, they do not consult. They have bypassed national laws, international laws, ILO 169, the municipal code, it is a violation for us. They see themselves as legal, but we are seeing that they are illegal, they say they are legal, but they are illegal, because they arrived without consulting the Indigenous Peoples. Who knows what agreement they had with this mayor—they probably paid him a good amount of money to authorize that construction.

As of 2021, there were sixty-four hydroelectric plants in Guatemala at various stages of the construction process, with a joint planned total of 2,280.41 megawatt (MW) capacity. Thirty-six hydroelectric plants were in operation that had the joint capacity to generate 1,510.12 MW, nine were under construction with 206.46 MW in planned capacity, and the rest were ready to start the construction process or were in the authorization process (MEM 2021). Of the sixty-four hydroelectric plants, six are in the Ixil Region (table 3). Previously, there were at least nine hydroelectric plants in the Ixil Region that were in different stages in the process of being authorized, but for several reasons their respective company did not finalize or decided to suspend its application to build (Batz 2022b, 169). Solel Boneh, an Israeli company, was contracted to build Palo Viejo and Hidro Xacbal in the Ixil Region as well as others throughout Guatemala.[6]

TABLE 3 Total number of hydroelectric projects in the Ixil Region

Name	Entity	Location	Rivers	Capacity (MW)	Status of project
Hidro Xacbal	Hidro Xacbal, S.A. (subsidiary of Terra Group)	Finca La Perla, Chajul	Xacbal	94.00	In operation
Palo Viejo	Renovables de Guatemala, S.A. (subsidiary of Enel Green Power)	Finca San Francisco, Cotzal/ Uspantán	Cotzal, Chipal, El Regadío, El Arroyo Escondido, Putul	85.00	In operation
Hidro Xacbal Delta	Energía Limpia de Guatemala, S.A. (subsidiary of Terra Group)	Finca La Perla, Chajul	Xacbal	75.00	In operation
Hidroeléctrica La Vega I	Hidroixil, S.A. (subsidiary of Casado Hermanos)	Nebaj	Suchum, Xacbal	38.00	Construction has not begun. *Amparo* placed by communities.
La Vega II	Hidroixil, S.A. (subsidiary of Casado Hermanos)	Nebaj	Sumalá, Xamalá	18.75	Construction has not begun. *Amparo* placed by communities.
Hidroeléctrica Las Brisas	Hidroeléctrica Las Brisas, S.A. (subsidiary of Grupo Finco)	Nebaj	Xacbal	25.00	Construction has not begun. *Amparo* placed by communities.

SOURCE: MEM (2021).

The Ixil Region also has two community-controlled micro hydroelectric dams located in Chel, Chajul, and Batzchocolá, Nebaj. These were built with the support of the NGO Semilla de Sol and local community associations (Semilla de Sol et al. 2015). It is said that since these dams operate at a smaller scale, they do not produce the same environmental damage as the larger ones. They are also controlled and managed by the communities, thus generating electricity to be distributed within surrounding areas.

While the war officially ended, its root causes, such as territorial and structural inequalities, continued. The violence of the war gave way to gangs and *mano dura* policies that saw the municipal government criminalize youth. This was evident during the administration of José Pérez Chen, who was convicted of human rights abuses and was involved in the persecution of community leaders who fought against Palo Viejo. With a tense political and social climate in Cotzal characterized

by division and violence, the arrival of megaprojects in the Ixil Region only aggravated these conditions.

Despite cyclical invasions, the Ixil have resisted colonial and extractivist logics and maintained their worldviews that reaffirm their struggle toward collective well-being, *tiichajil*. An increase in neoliberal policies that favor mining and hydroelectric projects has again led to foreign-based development models being imposed on Indigenous communities. Often the energy produced by hydroelectric projects is exported outside of the communities where they operate. The lack of respect for Indigenous rights by corporations and the Guatemalan government has contributed to increasing conflict and state-sponsored violence against those affected by megaprojects. There is a correlation between areas where the internal armed conflict has greatly affected the communities and areas where extractivist projects are being built. The next chapter details the way in which Enel invaded Cotzal with the support of the Guatemalan state.

5

Resistance against Enel

The ENEL company violated our rights: it did not consult, it deceived us, it mocks our interests.

—BANNER HANGING FROM THE CENTER OF THE 2011 BLOCKADE IN SAN FELIPE CHENLÁ IN PROTEST OF THE PALO VIEJO HYDROELECTRIC PLANT

October 17, 2015: Tixh came to pick me up on his motorcycle to travel from San Felipe Chenlá to Xeputul II, a community that had been hard hit by the war and that Enel hails as one of its many success stories within its corporate social responsibility programs. Twenty-four kilometers away from the town center, to arrive there from San Felipe Chenlá we had to travel down the main dirt road, which was heavily damaged, full of potholes and rocks, dusty when it didn't rain, and muddy and slippery when it did. Large trucks and buses defied the road's limitations as they raced down as if their lives depended on it, ironically risking the lives of all those on it.

On the way to Xeputul II, you pass through the Finca San Francisco, where you are received at the entrance by heavily armed men who stop you and begin to aggressively question you: "Who are you? Where are you going? Why did you come?" You get the impression that they are looking for any excuse to become trigger happy and end their boredom from standing around all day. On previous occasions when I had arrived there, these armed men had circled the vehicle and asked for my name, personal information, and the reason for my visit, all which were registered in a large book. They once asked for my identification and passport before I could enter. Before driving off, they told us not to take photographs. The first time I had entered the finca in 2011, I had my camera out when an armed guard came out of nowhere and began yelling with his rifle half-raised, "*¡No toman fotos, no toman fotos!*" ("Do not take pictures! Do not take pictures!"). On this occasion, Tixh told them we would be traveling to Xeputul II, and they let us through.

The road that leads to Xeputul II was slippery and muddy that day from the rains, and we had to walk down with the motorcycle over half the road. After our hour-long trip, we were received by community leaders from Xeputul II at their

community center. They talked about how Enel, the finca, and the municipality had gained their initial support for Palo Viejo by promising projects such as fixing the roads and providing electricity to the communities, promises that went unfulfilled.

On our return, we had to push the motorcycle up the muddy, wet, and damaged road for about forty-five minutes and then head back home. Once we reached Santa Avelina, the sun was setting in the blood-red sky, and homes were already being brightened by the light of candles. As it turned out, the electricity had gone out at approximately 2 p.m. that day, and it would be another thirty-six hours before it returned. Despite the Palo Viejo hydroelectric plant operating nearby, the energy produced is sent out of Cotzal without benefit to local communities. The history of invasions places into context the conflict that erupted in Cotzal with the arrival of Enel. While hydroelectric plants are associated with the production of clean and environmentally friendly renewable energy, the case in Cotzal demonstrates the tensions, conflicts, and inequalities that exist between Indigenous communities, the state, and multinational corporations.

These memories of resistance, invasion, displacement, war, and violent development contextualize the structural violence and the current political and social situation of Cotzal. Community leaders fighting against the abuses of the municipality and Enel have been criminalized and labeled as "guerrillas" and "terrorists"; similar terms were used by the military to dehumanize and justify the massacres against the Maya during the war. The role of plantation owners during the war and their collaboration with companies building dams have exacerbated these concerns and fears. At the same time, some residents wanted Palo Viejo to be constructed since they believed it would provide employment as well as bring about other benefits. These divisions have contributed to conflict in Cotzal and the Ixil Region as well as in other parts of Guatemala.

This chapter traces the arrival of Enel in Cotzal and the impact it had on the communities before, during, and after the construction of Palo Viejo (table 4). It delves into the multitude of issues that have emerged from this new invasion that are representative of other conflicts involving megaprojects in Guatemala and elsewhere. These include human rights abuses, involvement of the military, and the persecution, defamation, and criminalization of Indigenous communities and authorities. In addition, the chapter examines the road blockade by the communities of Cotzal after Enel and the municipality refused to respect their rights to consultation (table 5). This delayed the construction of Palo Viejo and eventually led to the creation of dialogue.

THE ARRIVAL OF ENEL IN COTZAL

Enel is an Italian company based in Rome that operates globally in Europe and the Americas. It promotes itself as a producer of "green" energy through the use of sustainable and renewable energy such as wind, geothermal, and hydroelectric energy. Enel reports that its operations avoid the production of sixteen million tons of CO_2 each year, thus contributing to combating climate change and global

TABLE 4 Timeline of construction of Palo Viejo

Date	Action
June 19, 2006	Environmental Impact Assessment (EIA) approved by the Ministry of Environment and Natural Resources (MARN)
March 12, 2007	Authorization contract signed by Agrícola Cafetalera Palo Viejo, S.A. (ACPV) and Ministry of Energy and Mines (MEM)
January 18, 2008	Letter of no objection received from MARN
August 14, 2008	Cooperation Agreement with the Municipal Council of Cotzal signed with Renovables de Guatemala, S.A. (subsidiary of Enel Green Power)
August 26, 2008	Contract signed between ACPV and Renovables de Guatemala, S.A.
December 2, 2008	Complementary EIA approved by MARN
January 15, 2009	Project start date
January–May 2011	Construction delayed by blockade
May 2011–March 2012	Construction restarted and completed
March 2012	Beginning of operations

SOURCE: CDM (2010), except the last three entries, on which information was obtained during fieldwork.

TABLE 5 Timeline of 2011 blockade in Cotzal

January 2	Communities blocked the road in San Felipe Chenlá. They prevented only the passage of vehicles from Enel and the Finca San Francisco.
January 7	Representatives of Enel and the government were scheduled to meet communities on this date but did not show up. Instead, the commander of the Fifth Brigade in Huehuetenango arrived.
January 10	Representatives of Enel, the government, and San Francisco arrived with soldiers in San Felipe Chenlá and announced that there was an existing agreement with the municipality, which many leaders and communities were unaware of.
January 17	An open letter listed the demands from the communities of Cotzal. A representative of Enel arrived in San Felipe Chenlá, stating that he would provide a response to the demands on January 31.
January 31	The Enel representative stated that the company would not concede to the communities' demands. The blockade continued.
February 3	President Colom gave a speech regarding the blockade.
February 14	One thousand police officers and soldiers came to Cotzal to arrest municipal mayor Pérez Chen, municipal transit officers, and others for the 2009 lynching of a police officer. Seven municipal transit officers were arrested.
February 23	During the Maya New Year, one thousand soldiers arrived in Nebaj to capture those responsible for the attacks on electrical towers in Chajul. Soldiers and police officers passed by San Felipe Chenlá in trucks and there were no arrests.
March 18	Between five hundred and seven hundred police officers and soldiers, with helicopters, entered San Felipe Chenlá to end the blockade and arrest community leaders, which they were unable to do.
April 5	The communities and Enel agreed to begin discussing the creation of a *mesa de dialogo*.
May 2	The first dialogue meeting was held, in which Enel agreed to drop arrest warrants against community leaders, and the communities of Cotzal ended the blockade; members of the armed forces were in Nebaj during the meeting, and the implied threat put pressure on the communities to enter a *dialogo forzado*.

warming. According to Enel (2014, 59), in 2013 the "shareholding structure [saw] 31.2% held by the Ministry of Economy and Finance [of Italy], 41.9% by institutional investors and 26.9% by retail investors."

In Latin America, thirty-three Enel plants operate in Mexico, Costa Rica, Nicaragua, Panama, El Salvador, Chile, Brazil, and Guatemala, producing 669 megawatts (MW) of renewable energy in 2010 alone (Enel 2011a, 17). Enel began operating in Guatemala through its subsidiary Enel Green Power in 1999 (UNCTD 2011, 83). Enel has five hydroelectric plants in operation in Guatemala, which generate a total of 164 MW (Enel Green Power 2021). These are Palo Viejo in Cotzal; Canada and Montecristo in Zunil, Quetzaltenango; and Matanzas and San Isidro in San Jerónimo, Baja Verapaz (Enel Green Power 2021).

The Palo Viejo hydroelectric plant has the capacity to generate 84 MW and produce 370 million kilowatt hours (kWh) of energy per year, thus avoiding 280,000 tons of CO_2 emissions each year (Enel Green Power 2012). According to Enel, the energy produced by Palo Viejo is "equivalent to the energy required by 133,920 homes in Guatemala" (Enel Américas 2022, 157). The investment to build Palo Viejo was approximately $250 to $260 million (CDM 2012; Enel Green Power 2010, 13; UNCTD 2011, 70). The World Bank invested $144 million in the project (World Bank n.d.).

The fourth invasion has harmed the communities of Cotzal, causing social divisions and conflict and environmental damage, its promises of development have been unfulfilled. As seen in this chapter, the communities of Cotzal fought to be heard and consulted before and during the construction of Palo Viejo. In response, Enel's allies, including the municipality, the Finca San Francisco, and the Guatemalan government, used intimidation, military force, and legal persecution against the communities of Cotzal.

Social Divisions and Conflict

In 2005, the municipality of Cotzal, under the administration of municipal mayor Baltazar Toma Sambrano (2000–2008), informed the *alcaldes auxiliares* (auxiliary mayors) and members of the Community Development Councils (COCODEs) about the pending construction of a hydroelectric plant by Enel on the Finca San Francisco. The community leaders present at the meeting then went to their respective communities to inform them about the proposed project, which the communities rejected. Community leaders say it was at this moment that the communities of Cotzal stopped receiving information about Palo Viejo.

Brol and Enel Guatemala, S.A. (part of Enel Green Power) signed a "Development Agreement—Palo Viejo" on December 3, 2007, "with the objective of promoting the development and eventual construction and operation of" the Palo Viejo hydroelectric plant (SRP, #24,977, Fol. 215, Lib. 103). The "rights acquired" by Enel Guatemala, S.A. were later transferred to another subsidiary of Enel Green Power, Renovables de Guatemala, S.A. through its legal representative Juan Carlos

Méndez Ordoñez (SRP, #24,977, Fol. 215, Lib. 103). According to Enel Green Power in its 2009 annual report, Renovables de Guatemala, S.A. was "fully controlled by the Enel Group through Enel Latin America B.V. (99.999%) and ENEL Guatemala S.A. (0.001%)" (Enel Green Power 2010, 13).

In May 2008, the communities learned from the newly elected municipal mayor José Pérez Chen (2008–11) that the planned construction of the hydroelectric plant was to begin that same year. Yet the communities of Cotzal had not been adequately consulted about Palo Viejo. As a result of the construction, the communities of Cotzal began to organize and requested a meeting with Enel. Between 2008 and 2011, these efforts led to intimidation and threats against the opponents of the hydroelectric project. Speaking of government authorities and the Guatemalan state, an ancestral authority told me: "There is a state that does not recognize the rights of Indigenous Peoples, a state that is always a violator of the peoples. I told my people that the deputies, ministers, mayors, and governors are the greatest violators of Indigenous rights, even if they are Indigenous; they violate the rights of Indigenous Peoples. It is a concern that we have as Indigenous Peoples." As in previous invasions, municipal mayors and state authorities often sided with outsiders over the Ixil.

On June 16, 2008, opponents of the hydroelectric plant gathered in Santa Avelina, where they wrote an open letter to the municipality outlining their demands for consultation with the company before construction. The municipal mayor disregarded the communities' demands and instead began to intimidate community leaders. For example, in August 2008, opponents of Palo Viejo held a march and protest in the community of Pulay to demand consultation, and in response the municipal mayor sent armed men to break up the protest. A participant of this protest says armed men started shooting in the air to scare them. The municipal mayor played an active role in this repression. As described in the previous chapter, Pérez Chen had already begun using violent, strong-armed tactics to combat delinquency, which led to human rights abuses. In one case, the municipal mayor threatened one of the community leaders directly and persecuted another indirectly. The threats were so serious that these two community leaders, Baltazar de la Cruz Rodríguez and Pedro Sambrano Rodríguez, received personal security from the state at the suggestion of the Inter-American Court of Human Rights, which protected them for two years, twenty-four hours a day, seven days a week.

One of the turning points that led to further mobilization involved two young adults who were struck and killed in Santa Avelina by a construction truck headed for the finca on March 15, 2009. Don Antonio Pérez Martínez told me that on that night he heard the truck crash and went out to see the two young men lying on the ground. One of the young men had been cut in half. The people were able to take photographs to document the incident. Soon after, people gathered, and in protest against Enel and these deaths, they cut down an avocado tree to block off the road for a week. According to don Antonio, the reaction of the municipality

was to end the blockade by encouraging one of the communities near the finca to file a complaint against Santa Avelina. Subsequently, the municipal government sent security forces to end the blockade. Don Antonio added that after a week of blocking the road, municipal mayor Pérez Chen sent the municipal police to cut the tree with axes and a chainsaw to clear the road. The National Civil Police (PNC) was also present to support ending the blockade. In addition, don Antonio claimed that one of Enel's strategies was to convince store owners in Santa Avelina to increase the prices of their products as a form of punishment for the protest, with the aim of creating enmity among residents and surrounding communities. The threat of arrest warrants being issued and the way in which the municipal mayor Pérez Chen ended the blockade were enough for some people to abandon the protests. According to community leaders, Enel allegedly paid the victims' families Q500,000 to keep them quiet and prevent them from pressing charges. Though the threat of arrest warrants scared some people, others saw the negative effects of Palo Viejo and continued to organize.

After attending a class session in the community building of Santa Avelina in April 2009, Baltazar de la Cruz Rodríguez was stopped by the vice-alcalde of Cotzal, who told him, "Don't move, don't go. We need to talk to you." The vice-alcalde then interrogated him about his activities in the movement against Palo Viejo. A group of armed men with the vice-alcalde disarmed Baltazar's bodyguard that he had been assigned by the Ministry of the Interior on account of the death threats he had received. Both men were kidnapped and prevented from leaving the room. According to Baltazar,

> They locked us up in the community mayor's office, [where] there was another little dungeon-like room. . . . Then the head of security at that time locked me up. Then he says to me, "Who are you? . . . You are the one who has been motivating people to oppose the projects, you are the ones who are opposed." . . . Barely a month had passed since the two young men were run over on March 15, 2009. . . . They were questioning me a lot. The vice mayor arrived . . . and showed us a lot of weapons they had there above the table of the community mayor's office. "You are not getting anything out of this. If you continue with your cleverness, there you will be. Look," he told me while showing me the dungeon they have there.

Baltazar explained to his captors that he was in Santa Avelina to attend the class. After being interrogated further, he decided to call the police in the town center of Cotzal and inform them that he had been detained, along with an agent who was part of PNC personalized security. Baltazar told me that he told the police officer on the phone to register a complaint but that the officer refused to do so, and that this was because of orders from municipal mayor Pérez Chen. Later the PNC would arrive in Santa Avelina and escort them out. Baltazar told me that the same security chief who detained him would participate in the lynching of the PNC officer later that year in November, which was why Pérez Chen would be arrested along with several others, as detailed in the previous chapter. He added that his situation showed that the justice system does not work for the poor or

those defending human and Indigenous rights, only for the rich and for companies using the justice system to repress communities. Baltazar has been a target of multiple persecutions, including being followed by the police one night, receiving death threats, and being subjected to attempts on his life on account of his role in the movement. His commitment, his work, and his selflessness would lead him to become a member of the Alcaldía Indígena and eventually one of the *voceros* for the communities of Cotzal during the dialogue with Enel.

False Promises

Enel, the Brol family, and the administrators of San Francisco began a campaign in surrounding communities of the finca to gain support for the construction of the hydroelectric plant by promising development projects and other benefits. This was particularly the case for communities such as San Marcos Cumlá and Xeputul II, which were situated close to the finca and were what Enel would later call the communities within the "area of influence" of Palo Viejo. According to community leaders, Pedro Brol Cortinas personally visited various communities and during meetings with community leaders promised projects that he would be able to carry out because he was a partner of Enel and the hydroelectric plant would be on his finca.

Don Antonio remembers that when he was the head of the land committee in Santa Avelina, the Finca San Francisco called a meeting where they promised to bring electricity. He told me that Brol's workers would invite leaders from surrounding communities to meetings where they would promise electricity to power phones, computers, and refrigerators. At the meeting he brought up that electricity created an unequitable dependency: at first, he had paid Q10, then Q20, and now he was paying Q50 per month for the service and he did not even own any appliances. Afterwards, according to don Antonio, Pedro Brol began to send his employees, who invited him to his house to try to convince him to support the construction of Palo Viejo. "When he saw that they couldn't convince me, he sent one of his employees. . . . 'Pedro Brol sent me to you, he says that if you would support us on the project, then the old man says that they will give you a prize, but a prize that is worth your while,' he told me." Don Antonio claims that besides offering him a "prize" Brol offered Santa Avelina a *proyecto* (project). He responded by saying that it was not up to him alone but to the community through an assembly: "'I cannot do anything. If you want, we can hold an assembly, the assembly is in charge.' Twice they came to me, I could not be convinced." Such attempts at persuasion, taken by Enel's business associate Pedro Brol Cortinas, took place throughout Cotzal.

Participants of community meetings almost always write down and sign *actas* (acts) of meetings to ensure transparency and to hold people responsible for what is said or to ensure that a resolution is carried out. *Actas* are the minutes of the meeting and provide a summary of what is discussed and decided, and they are written down by the *secretario* of the community. *Actas* are read out loud before

being signed and sealed (if applicable) by participants, and they can be signed within a limited amount of time by others not present. Given past abuses in which people were forced to sign documents or signed without knowing the contents because they were illiterate, reading the *actas* out loud and having them in a written format helps prevent fraud and deceit, although they are written in Spanish. At the same time, these documents are summaries of meetings, and sometimes details, such as specific commitments, may or may not be documented accurately. These are legal documents written in a book of *actas* where each single page on both sides needs to be sealed by the municipality to have validity. Thus community *actas* are important documents that enjoy the legitimacy of the municipality. The *alcalde auxiliar* (the local official who represents the municipal mayor in each community) and the COCODEs each manage their own book of *actas* that are validated by the municipality. The *alcalde auxiliar* and members of the COCODEs are elected through a community assembly every year and begin their one-year term on January 1.

On Monday, July 7, 2008, at 8 a.m. in the community of San Marcos Cumlá, various community authorities that included the *alcalde auxiliar*, members of the COCODE, and the committees on education, women, and land, met with Pedro Brol to discuss Enel and the benefits that Palo Viejo would bring. According to Acta No. 08-2008: "We ask the hydroelectric company Palo Viejo to faithfully comply with the construction of the projects already signed and to be signed today. The projects are construction of the road and its [ballast], and delivery of hydroelectric energy to San Marcos Cumlá at the rural rate, with any increases requiring consultation with the supporting community" (San Marcos Cumlá 2008). The community also requested that vehicles have twenty-four-hour emergency access to the road that runs through San Francisco with no fee. While not specified, this request was made during the time that the Finca San Francisco was charging vehicles to enter and pass through the finca on the only main road, as well as shutting down the road at night at their gate. In addition, the community stated that they did not want "the exploitation or exploration of the natural resources of our lands" and would not approve any petroleum companies to operate in their communities or municipality (San Marcos Cumlá 2008). They claimed that only through these agreements could they avoid conflicts and concluded by requesting that the company voluntarily sign and seal the *acta*, which would then form a mutual agreement between the community and the company (San Marcos Cumlá 2008). The meeting lasted an hour and a half, and the *acta* was signed by the authorities of San Marcos Cumlá and Pedro Brol, who included his seal that reads, "EMPRESA AGRICOLA, SAN FRANCISCO, COTZAL, S.A., ADMINISTRACION" (San Marcos Cumlá 2008). Enel never signed or sealed the *acta*, but community members took Brol's signature as an act of good faith from the company. As of 2021, San Marcos Cumlá still has no electricity or accessible road, and it has received no direct benefits from Enel.

In Xeputul II, community leaders told me about similar experiences with Brol. One leader claimed that Brol came to their community offering things in return for their support of Palo Viejo:

> It is reflected in the minutes we had. . . . He said, "[Let's] work with the Palo Viejo hydroelectric plant. . . . Look, we are going to make a *compromiso* [commitment], I know that the communities have needs," said Mr. Pedro Brol. "Write an *acta*, let's make a *compromiso*, make it say in the *acta* that I am going to give you electricity, and at a good rate, I am not going to charge you much," . . . he said. In the end he did not fulfill . . . but at the time, [among] the communities there were people who supported the hydroelectric project since he gave promises.

Community leaders, like those in Xeputul II and San Marcos Cumlá, viewed Brol as being disingenuous during the meeting and misrepresenting himself as speaking on behalf of Enel, making promises that he was not able or willing to fulfill. The purpose of these promises was to try to convince people to support the construction of the hydroelectric plant.

The strategy of garnering support from the communities of Cotzal for the Palo Viejo project is said to have been based on a colonial logic of "divide and conquer," where the company approached each community separately as opposed to dealing with a collective of communities. In addition, some said when there was opposition within a community, Brol and Enel's agents excluded certain people from the process, waited until they were away from the community, or tried to bribe them. One leader, don José, told me that when Pedro Brol requested that the community of Villa Hortensia Antigua support the project in 2008, he initially opposed the idea as the then-president of the COCODE in consensus with the rest of the community. At the time, he acknowledged that a few people in the community were in favor of the project. So José said that when he was away from the community for a few days, Pedro Brol approached the community again and got their approval. Similarly, in the case of don Antonio from Santa Avelina, representatives for Brol visited his house on various occasions to make offers in order to gain support for the project.

Enel also promised to build a school in San Felipe Chenlá, two stories high with eight classrooms, and with construction to begin in 2010. In late 2010, the Chajul-based construction company contracted to build the school informed the community leaders of San Felipe Chenlá that they had not received full payment for their work and would be unable to pay their workers. Thereafter, community leaders went to inspect the school, only to find that the quality of the construction was poor. According to a community leader from San Felipe Chenlá the materials that were being used were not adequate and were not what Enel had promised to the community. Enel, for its part, stated that it had made payments to the municipality, but the situation was never clear and demonstrates the lack of consultation, transparency, and information provided to the communities of Cotzal, which contributed to the confusion and the unfinished project. According to

this same community leader: "The Enel company said that it had already made the transfer to the municipality's account . . . and that the municipality was responsible for making the transfer to the construction company. . . . But we do not know what happened, these were issues that we could never obtain information on." It was then rumored that the municipal mayor, José Pérez Chen, had stolen the funds. During this time, children of San Felipe Chenlá had to receive classes outside since the school was incomplete.

Despite these delays in the construction of the school in 2010, and though the school was not built as promised and initially planned, in Enel's 2010 Sustainability Report the company falsely claimed that it had completed building a school in the community in San Felipe Chenlá. They also stated that they were renovating schools in Vi'chivalá and other communities elsewhere in Guatemala: "In addition to extending the electricity service, Enel also can contribute to the quality of life and social development of the communities in which it operates through initiatives regarding education and social inclusion. In Guatemala, for example, Enel built a high school, the 'Instituto San Felipe Chenlá', for the local indigenous people who live in the vicinity of the future Palo Viejo hydro power plant, as well as contributing to the renovation of schools in Vichibala, Santa Barbara, Santa Cruz, San Rafael Chilasco, and Matanzas" (Enel 2011b, 221). It is not clear why Enel included the communities of Santa Barbara, Santa Cruz, San Rafael Chilasco, and Matanzas in its report, since these are not in the vicinity of Palo Viejo, or in Cotzal. By late 2010, the construction bore no resemblance to the description in Enel's reports. Residents viewed this as another example of the false promises made by Enel. The school was eventually completed, but not in the way originally promised, and only after the communities of Cotzal launched a blockade in 2011 as a form of protest regarding Enel's broken commitments, among many reasons.

Construction of Palo Viejo, Damages, and Environmental Degradation

The arrival of Enel saw an influx of hundreds of trucks coming in and out of Cotzal using the main road that begins in Nebaj and goes through the communities of Pulay, Cotzal, San Felipe Chenlá, Vichivalá, and Santa Avelina before arriving at the finca. At the time of construction this caused serious problems, since the road runs along the curvy mountainsides where trucks scarcely fit, as well as presenting a public hazard. On market days in Santa Avelina, there is the risk of hitting pedestrians since many vendors sell on this road. The dangers of these trucks were made evident with the deaths of the two young men.

In 2010, hills were blown up with dynamite as part of construction of Palo Viejo. Many residents from surrounding communities reported that the sounds and shaking of the explosions frightened many children as well as bringing back bad memories of the war for survivors. In one incident, the company blew up a hill where bats were living. Consequently, the bats flew throughout Cotzal and began biting cattle, pigs, and other animals from various communities, including Villa Hortensia Antigua, Santa Avelina, San Felipe Chenlá, and Cajixay. Subsequently,

all the bitten animals were killed and burned, since their owners feared that they could have rabies and that consuming their meat could cause health problems (Escalón 2012b). The loss of these animals meant economic losses to their owners. According to community leaders, Enel denied responsibility.

Although an environmental impact assessment (EIA) was carried out for the Palo Viejo hydroelectric plant, the residents of Cotzal were unaware of the environmental impacts of the project because they lacked access to the study. The EIA for Palo Viejo was done by Asesoría Manuel Basterrechea Asociados, S.A in 2005 (Chernaik and Lu 2012). EIA studies normally consist of hundreds of pages, written in very technical language, and are available on request only in the capital; thus they remain inaccessible to local communities. An analysis of Palo Viejo's EIA by researchers from the Environmental Law Alliance Worldwide claimed that there were deficiencies in several areas, such as the study's "methodological flaws" and insufficient data regarding the project's potential impacts on the quality of water sources, the ecosystem, and local communities (Chernaik and Lu 2012). Another study, sponsored by the National Coordinator of Widows of Guatemala (CONAVIGUA), found that much of the information presented in Palo Viejo's EIA was poorly organized and that from the maps and data provided it was difficult to determine the plant's boundaries (Grajeda Godínez 2010). In addition, the EIA study lacked sufficient data on the area's flora and fauna that might be affected by the project, particularly endangered species (Grajeda Godínez 2010). Even if communities had been provided access to the EIA study, it would have been difficult for communities to obtain reliable information from it that would allow them to make an informed decision as to whether to give or withhold consent on the project.

The eventual impacts of the construction of Palo Viejo would become evident on a trip that I took in November 2013, along with an Ixil ancestral authority and another researcher, when I visited the community of San Pedro Cotijá, Uspantán, a community that borders the Copón River. The purpose of the trip was to verify the impacts of the river once it passes Palo Viejo after I heard from members of the Alcaldía Indígena of Cotzal, Fundamaya (a Maya organization), and international observers about the plant's negative environmental effects. The community of San Pedro Cotijá forms part of the Zona Reina, where over forty communities, including those in Alta Verapaz and Ixcán, are resisting the proposed construction of Hidro Xalalá. Many of the communities are Q'eqchi'; other Maya groups include the K'iche' and Ixil who sought refuge in the Zona Reina during the war and formed part of the CPRs and guerrillas.

When we reached San Pedro Cotijá, the community was celebrating since they had inaugurated their first *terraceria* (paved dirt road). We met with community leaders from communities from Uspantán: San Pedro Cotijá, Playitas Copón, and Caseria los Encuentros. Community leaders stated that before the construction of Palo Viejo, the Copón River had been clean and a vital source for daily life, as people used it to bathe, wash their clothes, swim, and fish. During and after the construction of the Palo Viejo hydroelectric plant, they noticed that the fish and other marine

FIGURE 11. During a visit to the Copón River, Uspantán, the water turned muddy for hours. Residents attributed the change to the Palo Viejo hydroelectric plant. November 2013. Photo by author.

life that lived alongside the river were beginning to die. The river would turn brown and greasy for days. The communities did not know what was causing this, and they were not warned by Enel or the Finca San Francisco that something like this would happen; indeed they did not hear anything. A study conducted by Fundamaya in January 2012 found that 529 out of 738 families from twelve communities that lived besides the Copón River in the municipality of Uspantán and Ixcán depended on fishing for family consumption as well as for income (Roberts 2012a, 1).

During my visit, one of the leaders shared his memories regarding the health and environmental impacts that the construction of Palo Viejo had on children and marine life: "Some children came out of [the polluted river] with some blisters on their skin. . . . We found some fish on the riverbank—fish, crabs, shrimp began to die." Community leaders also expressed concern for their children and future generations since there were no more fish in the river. One leader stated: "The river is our blood, it is our life, and we are never going to sell it. . . . We are fighting now, and our children, grandchildren, and great-grandchildren will remain in the fight along with us." The water continues to become dirty and muddy on an irregular basis and can stay that way anywhere from two or three hours up to three days. Community leaders claimed that the river is dirty and contaminated for approximately half the month. During the visit, I witnessed the river unexpectedly become muddy and visibly contaminated for about three hours (figure 11). Community leaders view

this as a clear violation of their rights to life, but their concerns have been ignored by Enel and the state. Even after the end of construction of Palo Viejo, the economic and community life of the people continues to be harmed by the contamination of the river. The lack of accessible information on the environmental impacts of Palo Viejo is concerning for the community of Cotzal and Uspantán.

THE BLOCKADE

After years of trying to start a dialogue with Enel, the communities and the Alcaldía Indígena of Cotzal decided to launch a blockade on January 2, 2011, as a form of peaceful resistance to demand that their natural resources, ancestral territories, and rights to consultation be respected. The blockade was also a response to the violence that they had suffered at the hands of Enel and the municipality. It took place in San Felipe Chenlá, where participants blocked the only road to the Finca San Francisco with a large metal pole known as the *talanquera* (figure 12). Groups of men took turns patrolling the road twenty-four hours a day and kept any vehicles that belonged to Enel and the finca from passing through; all others were allowed to go through.

The communities of Cotzal extended an invitation to meet with Enel and government representatives in San Felipe Chenlá, and the latter agreed to a meeting scheduled for January 7 to find a peaceful resolution to the conflict surrounding Palo Viejo. Instead, the colonel of the Military Zone of Huehuetenango came to San Felipe Chenlá on that date, stating that he was there as part of his military duties. The communities in opposition to Palo Viejo viewed his visit as an intimidation tactic. On January 10, representatives of Enel, the lawyer for the Finca San Francisco, and government officials, who included the secretary to the president, arrived in San Felipe Chenlá (Curruchich Cúmez and Vecchi 2011, 45). They were accompanied by armed soldiers and met with community leaders and members next to the *talanquera*. Each visitor had an opportunity to speak. During this meeting it was revealed by one of the company's speakers that Enel was paying the municipality of Cotzal Q800,000 every year and had consulted with the municipality about the project (Curruchich Cúmez and Vecchi 2011, 45). Many had been unaware of Enel's dealings with and payments to the municipality.

The lawyer representing the Finca San Francisco, Jorge Sactic Estrada, wanted an end to the blockade on the basis that the business deal between Enel and the finca was legitimate. He stated at the meeting that the Finca San Francisco was also open to dialogue: "Those towers there, gentlemen, that is an investment, that tower that we see over there costs money and brings development, just like the hydroelectric plant. . . . Please accept the invitation that the president's secretary extends to us, let's respect the municipal authority in the way that I respect the ancestral authority. As the lawyer that I am, I give you my word that the Empresa Agrícola San Francisco Cotzal, Finca San Francisco, is going to sit down at the table, to talk as long as necessary." The lawyer also reminded those gathered of

FIGURE 12. *Talanquera* in San Felipe Chenlá, Cotzal, 2011. Courtesy of B'o'q'ol Q'esal Tenam K'usal / Alcaldía Indígena de Cotzal.

the power dynamics that existed in Cotzal: "We have the land, the finca has the land where they are being built, and the gentlemen who are going to talk now have the money, they come to invest." While the finca may hold state-issued land titles, many Ixil see these as illegitimate since their lands were stolen by *finqueros*, and they claim that they hold ancestral rights to the land.

Another subject Sactic Estrada brought up was the finca's *talanquera* located at the entrance of San Francisco. He claimed that the communities had requested to have it installed, and he produced documents to that effect. One was a letter from the community of San Marcos Cumlá saying that they were concerned about unknown people they had seen in masks and that they wanted security provided by the finca. After the lawyer read this letter aloud to those assembled, one of the members in the crowd asked, "Who signed it?" The lawyer responded that there were only seals and no names, to which the assembly started saying that the document was "false" and "not real." Another letter from Xeputul in the possession of the lawyer did have seals and signed names, but this did not dispel people's distrust concerning the validity of these letters. Historically, municipal mayors, finca owners, and companies have often drafted letters and gotten community leaders to sign them through deceit, bribes, and other unethical means.

Don Israel Francisco Gómez Rodríguez, the COCODE secretary of Santa Avelina at the time, was at the meeting. He told me that the letters produced by the

lawyer for Finca San Francisco had been obtained by unethical means and claimed that "the company with its lawyers . . . already have *actas* drafted" and that the *actas* that the lawyer read did not match the language used by *secretarios* at community meetings since the language of the lawyer's *actas* was legalistic and very technical. Don Israel said they had asked the COCODEs and auxiliary mayors of the communities mentioned by the Finca San Francisco and present at the assembly if the document read by the finca lawyer was true. He said community leaders from various communities present had denied knowledge of these *actas*, declared that the documents were false, and insisted that they had never asked the finca to put in a *talanquera* at the entrance of San Francisco. Don Israel added that the leaders had said, "You [from the finca] are liars, you invented the texts that you are reading to us, those *actas* are made by yourselves." In addition, he said Brol nevertheless maintained that it was the communities that had requested the *talanquera* at the finca's entrance.

At this meeting, René Oswaldo Smith González, the general manager of Enel in Guatemala (*mandatario general con representación Enel-Guatemala*), formally and publicly introduced himself to the communities of Cotzal and pledged the company's support to dialogue. Smith González seemed open at first to engage in discussion with the people of Cotzal. The communities of Cotzal also wanted to create dialogue based on good faith with Enel. On January 17, 2011, the communities of Cotzal issued an open letter listing the demands of the communities.[1] It reads:

> We the Maya Ixil communities of San Juan Cotzal, after a process of consultation and dialogue with our residents, have decided to declare ourselves in peaceful resistance against the constant violations of our individual and collective rights as Indigenous Peoples. The Enel company and the Palo Viejo hydroelectric company have violated our individual and collective rights and have installed themselves in our territory and operate without our consent. Given the constant breach of the commitments of the Enel company to our communities and on the basis of our rights enshrined in the political constitution of the republic and in the exercise of our self-determination as Indigenous Peoples, we have decided to present the following demands before the Enel company. (Comunidades de San Juan Cotzal 2011)

The letter's seventeen demands included Q4 million annually for the thirty-six communities; the asphalting and maintenance of the road from Cotzal to Pinal; 20 percent of the energy produced by Palo Viejo, which would be administered by the communities; and the finca's removal of its *talanquera*.

Representatives from Enel, the government, and the Finca San Francisco met with the communities of Cotzal and received a copy of their demands. They returned on January 31, where they formally rejected the communities' proposals and refused to enter into discussions with them. In a declaration and open letter on January 31, the communities of Cotzal stated that they would continue to engage in peaceful resistance because Enel and the state were proceeding without

consulting them or obtaining their consent on Palo Viejo. They also asked the government not to send soldiers, create military garrisons in the area, or declare a state of siege, all which were all real possibilities, as they were occurring elsewhere in Guatemala.

During the first month of the blockade, Pedro Brol Cortinas came to San Felipe Chenlá to plead with the protesters to allow Enel's trucks and machinery to pass. In response, the protesters declared that one of their conditions was for Brol to remove the *talanquera* he had in place at the entrance of the Finca San Francisco. Many complained that in order to reach other *aldeas* or their plots, they were forced to use the main road that passed through the finca. Every time, they were stopped at the entrance by heavily armed men who charged them a fee if they entered with vehicles. For instance, trucks were forced to pay Q20 and motorcycles Q10, with some saying they had to pay up to Q25 and Q30. Moreover, vehicles were not allowed to use the road after 5 p.m., and people were subjected to interrogation by the heavily armed guards, who would often require identification.

According to don Antonio Pérez Martínez, Brol had promised two years earlier in Santa Avelina to remove his finca's *talanquera*, but he had never fulfilled his commitment, which was written in an *acta*. On December 5, 2008, community leaders and residents of Santa Avelina, the municipal mayor Pérez Chen, a councilman, the municipal secretary, Pedro Brol, and the field chief of the Palo Viejo hydroelectric plant met in a public meeting. During this meeting, residents of Santa Avelina expressed their complaints about the finca's checkpoint and the fees being charged there. According to Act No. 1-2008 of the municipality of San Juan Cotzal:

> The primary objective of this meeting is to respond to the disagreement that exists in the population about the inconveniences in which the residents of the communities surrounding the Finca San Francisco have found themselves because the owners . . . have restricted the right of passage through the aforementioned finca and charged fees to the owners of vehicles when they pass through the place, thus violating the right of free locomotion established by the Political Constitution of the Republic of Guatemala. (Municipalidad de San Juan Cotzal 2008)

The *acta* then states that the "authorities and neighbors" have requested that Brol stop these practices. The *acta* goes on to state:

> Mr. Pedro Brol takes the floor expressing his goodwill to cooperate based on the disagreement and request of the communities. For this reason he commits to all attendees to grant the right of way twenty-four hours a day, 365 days a year, and to annul the fees that were being charged to the owners of vehicles that cross the territory of the agricultural company. It is shown that the right of way is granted definitively.

The municipal *acta* concludes: "By signing for legal purposes . . . it is shown that the right of way will continue through the usual place, so as not to affect the

residents who have their land in the different communities" next to the finca. The *acta* was signed by community leaders and residents, as well as by the municipal mayor Pérez Chen, municipal officials, and Pedro Brol with the stamp that reads "Empresa Agricola San Francisco Cotzal, S.A.", as well as the field chief, whose signature was accompanied by a stamp that read "Field Chief, Palo Viejo Hydroelectric Plant, Finca San Francisco Cotzal." It is clear from this municipal *acta* of San Juan Cotzal (1) that Pedro Brol and the Finca San Francisco publicly gave their word and commitment to the population, the community, and municipal authorities without fulfilling them, even when they signed to it in a municipal *acta*; (2) that the residents of Cotzal were detained and forced to pay to use the road crossing the Finca San Francisco, violating their rights of passage; and (c) that an employee associated with the Palo Viejo hydroelectric plant was present during this meeting.

At the above-mentioned meeting during the 2011 blockade, Brol eventually agreed to remove his finca's *talanquera*. According to participants of the meeting, the finca removed the pole blocking their entrance that same day. This was viewed by residents as one of the communities' first victories of the blockade.

The Guatemalan state responded directly to the blockade and other events in the Ixil Region. During this period, eight electrical towers attached to Hidro Xacbal, in neighboring Chajul, were knocked down by unknown assailants, with the first being knocked down in November 2010 and three more on January 29, 2011. In response, on February 3, President Álvaro Colom (2008–12) addressed the situation in the Ixil Region involving the hydroelectric plants and said: "I have sent delegates to solve the problem of the illegal obstruction of the road in San Felipe Chenlá. . . . There are illegalities being committed. . . . The only people who can detain or interrupt traffic of people or vehicles are the national police or authorities. Respecting law and order is a guarantee to peace in the area" (Gobierno de Guatemala 2011). Colom went on to claim that he would capture those responsible for the destruction of the towers: "To the honest working people of the area, I guarantee that the region will not have the reputation of savages, but [the reputation] for what they are, a noble people that respects the Law, the goods of their neighbor, and the nation" (Gobierno de Guatemala 2011). He urged the people of the Ixil Region to denounce the attackers of the towers, whom he associated with "organized crime" and labeled as "terrorists." Speaking in the third person, he added, "This will help your President Colom *to prevent the return of terrorists of any kind to the Ixil area* that paid so much blood for peace and tranquility" (emphasis mine, Gobierno de Guatemala 2011). The media in their coverage usually coupled the blockade with the toppling of the towers, as Colom had done in his speech. Thus protesters in San Felipe Chenlá were portrayed as performing "illegal" activities and were characterized as "savages" and "terrorists" responsible for knocking down electrical towers. People in Cotzal continue to remember being criminalized by Colom.

Similarly, the media presented the protesters of Cotzal as radicals or as those who were endangering the jobs of the approximately one thousand people working on Palo Viejo (Figueroa 2011; Kaltschmitt 2011). In a 2011 opinion piece featured in the *Prensa Libre* entitled "Cosecha Insana" (Insane Harvest), Alfred Kaltschmitt, a conservative and founder of the NGO Agros, criticized the protesters in Cotzal. Kaltschmitt, who had attended a meeting between the communities and Enel in February in San Felipe Chenlá, writes: "This columnist witnessed an intransigent, radical, and rebellious attitude that bordered on the unusual. It is the result, in my opinion, of the irresponsible antimining and antihydroelectric propaganda that extremist groups protected by the environmental cause have been promoting for years, in many cases even with financing from some European countries that now regret the open Pandora's box" (Kaltschmitt 2011). Kaltschmitt argued that the blockade threatened future investments in Guatemala in hydroelectric facilities and other megaprojects: "Delays for these types of projects have an immense cost. It is not only the company that invests in the project, but also the other foreign companies subcontracted for the construction of infrastructure and technology. Who will dare to come to Guatemala to invest in this type of project? By the way, the 'only' type of project that has a high long-term economic impact" (Kaltschmitt 2011). Kaltschmitt defended and promoted foreign investment in extractivist industries over Indigenous Peoples, whom he instead criticized.

The government's presence in Cotzal was felt when the military came to the Ixil Region on three separate occasions during the blockade. The first occurred on February 14, 2011, when one thousand police officers and soldiers came into Cotzal to search and arrest municipal mayor Pérez Chen for his involvement in the lynching of the police officer (Curruchich Cúmez and Vecchi 2011, 51). On this occasion seven municipal transit police (PMT) were arrested. The second occurrence was on February 23, the Maya New Year, when a thousand soldiers entered Nebaj to capture those responsible for the attacks on the electric towers (52). This was the same day that the US ambassador, Stephen G. McFarlan, visited San Felipe Chenlá to celebrate the Maya New Year and observe the blockade. According to community leaders, the purpose of the military's visit was to make the presence of the state known in the municipality—in other words, to showcase that the state was not afraid to send the military into Cotzal again, as they had done during the war.

The military directly confronted the protesters on March 18, 2011: between five hundred and seven hundred police and soldiers along with helicopters invaded San Felipe Chenlá (as described in the Introduction) to arrest nine community leaders and end the blockade. By January 2011, nine leaders were being legally persecuted by Enel through Enel's workers, who pressed charges against Concepción Santay Gómez (San Felipe Chenlá), Antonio Pérez Martínez (Santa Avelina), Francisco Castro Ixcoy (Santa Avelina), Nicolas Pérez Toma (San Felipe Chenlá), Gabriel Torres Cavinal (Vichivalá), Pedro Sambrano Rodríguez (Cotzal), Baltazar

de la Cruz Rodríguez (San Felipe Chenlá), Maximiliano Poma Sambrano (Cotzal), and José Mario Pacheco (Vichivalá).

The presence of the armed forces in Cotzal had a psychological effect on the people who had experienced the violence in the 1980s; many claimed that it felt like the war. There were near-nervous breakdowns, and two women fainted, as mentioned in the Introduction. In a video testimony describing the impact of the soldiers who arrived in San Felipe Chenlá on March 18, a young woman stated, while crying:

> [The women] were sick and they fainted . . . because the government sent the soldiers, and the soldiers wore ski masks. Many people were scared, and now they were sick . . . because they had experienced the armed conflict. Although [I didn't live through the war] my mother was telling me . . . that my grandfather had been kidnapped, and my mother told me her whole story, and now *me da pena* [I feel sorrow] . . . because now I don't have a grandfather, we are poor, my grandfather had land, but . . . the soldiers and all the people who were envious of my family stole the land from my grandfather. That's why my mother is now in my house, but she is very sad for her father, because my mother was eight years old when the soldiers came.

The young woman's testimony provides a clear link between the violence of the 1980s and the fear that these soldiers caused. While she had not experienced the war firsthand or known her grandfather, the stories that her mother shared with her also caused her discomfort, pain, grief, and *pena* (sorrow). The young woman made it known that many of the survivors continued to have war trauma that was triggered by the mere presence of the soldiers. Likewise, Baltazar de la Cruz Rodríguez recalled the arrival of the armed forces on March 18 in the documentary *Tenam K'usal: La resistencia ante una nueva invasión* (Tenam K'usal: Resistance against a New Invasion): "It was like remembering a war scene, like watching a movie. I did not experience the war, but that moment was the perfect scene to be able to recreate, that was the panic that my parents experienced during the war" (Alcaldía Indígena, Cotzal 2018). Both the young woman and Baltazar expressed how the military had affected them emotionally and the seriousness of the harm caused by the police and military.

A week after the arrival of the military, in a community meeting attended by the ancestral authorities of Chajul, Cotzal, and Nebaj, the media and other observers, community leaders, and community members recounted the terror they had experienced on March 18. Baltazar, one of the nine leaders with a warrant out for his arrest, said that despite the efforts of the government to end the blockade, the people would continue to struggle:

> The struggle in San Felipe Chenlá has not stopped. The struggle here in San Felipe Chenlá has not been violent, nor has it been terrorist, nor has it been savage, as the Colom government mentioned in their speech. We want to make you see why when

> there is repression [it can also] be seen [as] a sign of the strength of the struggle in San Felipe Chenlá. The more repression, the more strength the struggle has.

Don Concepción added that under the threat of arrest there cannot be dialogue. A group of women testified publicly at this meeting and to the media, further linking the military's arrival to the massacres and genocide of the war, and their ties to multinational corporations. One of them stated in an emotional plea:

> I want to claim our rights, because we are poor, we are campesinos, even our children are crying, the community is surrounded by soldiers. Why? We have no crimes, we are poor, we are campesinos, we are workers . . . without land, they have taken our land. Because of the previous violence, I for example, I no longer have a father, I no longer have my uncles, my cousins, the soldiers kidnapped him. . . . And again it scared me, I went to hide in the mountains, and because of the soldiers, they had come to harm us again, I was scared. . . . These businessmen had come to harm us. . . . They would kill us all, bring their bombs, [their weapons] and their bulletproof vests, and that scared me a lot, one of my neighbors was about to die, and my house was surrounded by the army. . . . I was screaming and the soldiers were walking behind me. . . . I have been through so much violence, and my children grew up during the war. . . . [After the armed forces' arrival in the community] I could hardly sleep at home at night, how my head hurt, it gave me a headache, I was thinking, I was thinking a lot.

She continued relating her experiences of running from her home to the center of the community since that was where the people gathered. To her surprise, police and soldiers were also there, and it was there that she started shouting at the armed forces, telling them to stop scaring her: "I was already made nervous by the military because when I was nine years old . . . they kidnapped my father . . . and my uncle too. Who knows where my father's bones are, so far I have not found his bones, or even bits of his clothes. . . . The leaders are supported by the people." She then asked the company why they were seeking to arrest the leaders and said the community was peacefully protesting through the use of a blockade. The woman then criticized the central government for creating an environment of fear that was reminiscent of the war: "Thank you to the leaders who are supporting their people, you are supporting your population, and now they have an arrest warrant. . . . Another general has come like Lucas García before, he killed us, burned our grandparents, our uncles, Lucas García [was responsible]. We don't know about Colom, the people voted for him, but right now . . . he can kill us, he can bomb us." This testimony provides a clear and local understanding of the ways that Enel has used a violent social and political environment and history to pursue its business interests. Another woman reaffirmed support for the community leaders and said the company needed to stop persecuting leaders: "If they come again, here we are women *luchando* [struggling]." An elderly woman then requested that

the president no longer support Italians and others who had come to take away the communities' resources.

The presence of the soldiers also served as a deterrent for people to become involved in movements against Palo Viejo. Gaspar, a resident of Santa Avelina who was not involved in the blockade, was in Nebaj when the soldiers arrived in March. He said: "Since I did not support [those protesting in San Felipe Chenlá], I was calm. . . . If I had supported them and the military came, what would I do, right? . . . Maybe they would take me. . . . Maybe it is against the leaders. . . . It was not too long ago that the war happened, and again, they've come back . . . problems." Gaspar was expressing a fear some felt about becoming involved in any way with the movement against Enel because of bad memories of the war. He added that if he had not been interested in joining the movement before, the arrival of the military now provided a greater incentive not to. He said the finca and the company were worth millions and had guns and it would be difficult to win against them. It was the arrival of the soldiers in March that continued creating an atmosphere of violence and intimidation, reminiscent of the terror of the war and thus further deterring people from becoming involved in the movement against Palo Viejo.

Throughout the blockade, Enel approached various communities to convince them to leave and renounce the movement. According to various community leaders, they were able to get official support from the *alcaldes auxiliares* of the communities of Vichivalá and Quisis to denounce the movement in San Felipe Chenlá. Many say this support was obtained only through intimidation, which was reinforced by the presence of the soldiers in March. Some community leaders claim that during this period many were living under the threat of violence and possible incarceration because of their involvement in the movement.

For instance, two community leaders from outside San Felipe Chenlá stated how on one occasion, when they were on their way home from participating in the blockade and protest, they were approached by Brol's employees when they reached the entrance of the finca since it was en route to their home community. One of them said:

> When I was going to the protests in San Felipe, I was struggling against Enel. . . . I was going there with my brother, and others were going with us, there were about four or five of us. When we were coming [back home], they were already waiting for us at the security [checkpoint] of the finca. . . . 'Well, folks,' they said, . . . , 'Come to don Pedro's office.' . . . When we arrived . . . we went in, and there was his administrator [another finca representative] and Brol."

According to these community leaders, Brol asked them why they were supporting the blockade in San Felipe Chenlá, and they stated that they were against his finca's *talanquera*, which caused them problems and prevented them from passing with

their *cargas* like *leña*. According to one leader, Pedro Brol allegedly responded: "'Any thief can get through, that's why I'm putting up a *talanquera* . . . The guerrillas came out of San Felipe when the war started, they were guerrillas, you know why I'm putting up that *talanquera*. Before, when the war started here, the guerrillas entered with trucks, they arrived with cars and killed people . . . and the same thing can happen now.'" The leaders understood this as a paternalistic way to scare them into not participating in the blockade and the movement against Palo Viejo. One of them reflected, "We are not afraid, we are not doing wrong with them either . . . but that's how it is, always to scare . . . accusing the neighbors of being guerrillas, they were not guerrillas."

Using counterinsurgency language and accusing people of being "guerrillas" is an attempt to try to discriminate and promote an ideology of the internal enemy (used in the war) against activists and community leaders; these accusations can serve to justify violence and even death. People from Cotzal who worked on the construction of Palo Viejo stated that they had been discriminated against for being from Cotzal. One Ixil worker from San Felipe Chenlá told me that he and others from Cotzal had to say they were K'iche' from Santa Cruz since those from Cotzal were labeled "guerrillas" by those at the work site on the finca. He and other workers feared they could lose their jobs if the finca owners or Enel learned he and others were from San Felipe Chenlá, which was the center of the blockade.

On April 5, 2011, after four months of the blockade, the communities of Cotzal and Enel reached an agreement to begin discussing the creation of a *mesa de dialogo* (dialogue table). The ancestral authorities outlined the conditions for beginning dialogue, which included dropping all charges against the nine leaders against whom there were arrest warrants and having open and public dialogues. In an open letter, they stated that the struggle in Cotzal was a shared one with the Ixil in Nebaj and Chajul. Part of the dialogue would include *testigos de honor* (witnesses) who would accompany the process.

The first official dialogue took place between the communities of Cotzal and Enel on May 2, 2011, in order to discuss the terms of dialogue. Present at this meeting was the *dirigente* (director) of Enel Green Power. While they met in San Felipe Chenlá, hundreds of members of the armed forces equipped with tear gas and automatic rifles were again called upon from throughout the country and came to Nebaj. Ambulances were also convened in Nebaj. There were rumors and fears that the armed forces were going to come into San Felipe Chenlá to arrest the movement's leaders. The terms for dialogue were tense and rushed, but at the end there was an agreement to end the blockade and meet again for a dialogue a week later. This would be considered by some in Cotzal as a *dialogo forzado* since community members felt pressured to end the blockade by the presence of the military. According to don Concepción:

> They already had plans for if the dialogue broke down on May 2: the state would act against us on the May 3. They moved, I don't know, about eight hundred or one thousand police officers and one thousand soldiers to displace the community, they brought an ambulance, they brought firefighters, and they almost brought morticians in case there were dead people. . . . [They] don't care about human life, people's lives, so we are seeing that, when people claim their rights, they treat them as terrorists, criminals, savages.

As a result, the ancestral authorities and communities felt pressured and forced to enter in dialogue to avoid another attack by the armed forces against their communities.

During discussion, the leaders of Cotzal reiterated their position that before they could engage in dialogue with Enel, the arrest warrants needed to be dropped so that discussions could take place without coercion. Enel requested that the blockade be removed. Both sides agreed to these terms, with the justice of the peace (*jueza de paz*) of Cotzal serving as witness. Each party also selected *testigos de honor* (witnesses of honor) to ensure good faith during the meetings. Their selection by the communities of Cotzal involved holding community assemblies at the municipal level, with the participation of COCODEs and community mayors. The Cotzal communities chose Monseñor Álvaro Ramazzini and Rev. Dr. Vitalino Similox because they were both part of the Ecumenical Council of Guatemala, and according to one leader, "The Catholic Church as well as the Evangelical Church were considered to be important figures to be able to guarantee a dialogue with the Italian company Enel." The company selected ex-guerrilla member and sociologist Gustavo Porras and finca owner Pedro Brol. A *vocero* expressed his disappointment with the former guerrilla: "He forgot his principles of defending the people and the poor. He defended Enel and the Finca San Francisco." Although Brol was a *testigo de honor*, he did not participate much in the dialogue and instead was represented by his lawyer, Sactic Estrada. According to the aforementioned *vocero*, it was clear that in contrast to Cotzal, where *testigos de honor* were chosen by the communities, "Enel stood as a company, not as a community."

Enel's arrival to Cotzal has been marked by persecution of community leaders, a lack of recognition of Indigenous rights such as FPIC, and the militarization and use of the armed forces as a means to intimidate the communities of Cotzal. That the communities of Cotzal had attempted to engage in dialogue with Enel since 2008, after initially rejecting the project, only to be persecuted by the municipal mayor, speaks to the way that the government serves the interests of foreign corporations. That the Brols and the company made false promises of bringing electricity and other development projects to Cotzal as a way to garner support

is in accordance with the historical strategies that outsiders have used to divide Indigenous communities.

The communities of Cotzal had no interest in making business deals regarding the extraction of natural resources or the extraction of power from the river. They sought dialogue to be informed of the impacts of Palo Viejo, something that would have been provided had FPIC been respected and implemented. The dialogue meetings served Enel in imposing their vision of development, and as we will see in the next chapter, they marginalized and discriminated against Ixil perspectives and worldviews.

The use of the armed forces to try to end the blockade and arrest leaders was viewed by the communities of Cotzal as a continuation of invasion and of state-sponsored violence. Enel's apparent goodwill to sit down and dialogue would turn out to be a strategy to buy time to finish construction of Palo Viejo. The next chapter provides a summary of what transpired during dialogue meetings, which Enel would subsequently abandon.

6

Dialogue and Deception

The communities of Cotzal entered into dialogue with Enel and laid out their central demands. There was hope that while the communities did not want a hydroelectric plant to be constructed, and had never been consulted, at least the dialogue would be a form of reparative justice. In hindsight, it turned out that Enel would use the dialogue to stall and buy time to complete construction of Palo Viejo, which would become operational in 2012. Moreover, Enel would eventually abandon dialogue and use certain talking points to undermine the communities and enter into a secret agreement with a newly elected municipal mayor. Thereafter, Enel would criminalize the ancestral authorities and the struggle that the communities of Cotzal had engaged in since 2008.

Between May and December 2011, there were a total of nine dialogue meetings between the communities of Cotzal and Enel. All of the meetings with the exception of the last one were held in either the town center of Cotzal or San Felipe Chenlá. The last meeting was held in Guatemala City on December 26. The participants involved in the dialogue were nine *voceros* who were selected by the communities of Cotzal to represent them at the meetings. These included Concepción Santay Gómez (San Felipe Chenlá), Baltazar de la Cruz Rodríguez (San Felipe Chenlá), Maximiliano Poma Sambrano (Cotzal), Miguel de León Ceto (Pulay, Nebaj), and Antonio Pérez Martinez (Santa Avelina). The communities of Cotzal were accompanied by the lawyers Moisés Rosales Barrientos and Marly Vásquez. The representative of Enel was Oswaldo René Smith González, and the lawyer for the Finca San Francisco was Jorge Sactic Estrada. An academic also sat with Enel and was perceived to be allied with the company. According to one of the *voceros*, this academic was "hired by Enel to be able to direct and mediate the

dialogue that they had initiated. . . . They were practically serving the company [and] defended Enel." The *testigos de honor* were also present for these meetings. During the fifth meeting, Vinicio López Maldonado, assistant to Ramazzini, was named as the moderator, and Enel selected a secretary to take notes. In addition, there were delegates from twenty-eight communities who attended the meetings. International observers attended one or more meetings; the ambassador of Norway for example, was present during the fourth meeting. Other international and national observers included lawyers, academics, and NGOs.

This chapter begins by detailing the nine dialogue meetings between the communities of Cotzal and Enel, including the ways in which Enel, while maintaining a discourse of acting in "good faith," hindered and diverted discussion. The chapter then recounts how Enel abandoned the dialogue, despite efforts by the communities of Cotzal to maintain communication. Last, I examine seven of Enel's talking points to illustrate the ways they seemingly evaded accountability and responsibility for the harm committed against the communities of Cotzal, such as violating FPIC, labeling the ancestral authorities as "illegitimate," and causing environmental degradation.

DIALOGUE MEETINGS

As mentioned, the first meeting of the dialogue was on May 2, 2011. During the second meeting, on May 7, 2011, the communities of Cotzal and Enel formally adopted, signed and sealed the guidelines and terms for dialogue (figure 13). These were:

1. During the dialogue process, coercive measures will not be used by any of the actors. No means of pressure or threats will be used, such as criminal complaints or complaints of any other nature, arrest warrants, raids, disinformation, or attempts of any kind to divide communities.
2. The dialogue process will be in good faith, ensuring that the communication between the parties is respectful, courteous, and frank and that both parties make the corresponding consultations, so that the dialogue is participatory and the resolutions that are adopted are firm and lasting, seeking the common good of the communities.
3. Enel recognizes and respects the ancestral authorities as legitimate representatives of the Indigenous communities involved and as interlocutors of the company in the dialogue process. The communities recognize that Enel Guatemala is a company legally established in the country.
4. The rights associated with public, private, and community property guaranteed by the Political Constitution of the Republic of Guatemala are recognized, as well as the rights that the state of Guatemala and ILO Convention 169 grant to Indigenous communities, particularly on territories

Uno de tres

BASES PARA EL PROCESO DE DIALOGO ENTRE LA EMPRESA ENEL Y LAS COMUNIDADES DE SAN JUAN COTZAL
San Felipe Cheniá, 7 de mayo de 2011

1. Durante el proceso de diálogo no se utilizarán medidas de coerción por ninguno de los actores. No se utilizarán medios de presión o amenazas tales como denuncias penales, ni de cualquier otra naturaleza, órdenes de captura, allanamientos, desinformación ni intentos de cualquier tipo para dividir a las comunidades.

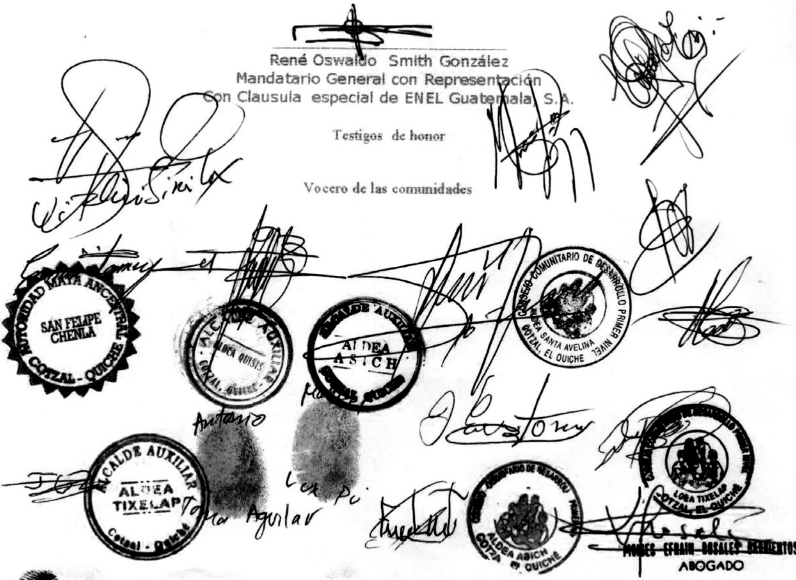
2. El proceso de diálogo será de buena fe, procurando que la comunicación entre las partes sea con respeto, cortesía y franqueza, y haciendo ambas partes las consultas que correspondan, de manera que el diálogo sea participativo y que las resoluciones que se adopten sean firmes y duraderas, procurando el bien común de las comunidades.

3. ENEL reconoce y respeta a las autoridades ancestrales como representantes legítimos de las comunidades indígenas involucradas y como interlocutores de la empresa en el proceso de diálogo. Las comunidades reconocen que ENEL Guatemala es una sociedad legalmente establecida en el país.

4. Se reconocen los derechos asociados a la propiedad pública, privada y comunitaria garantizados por la Constitución Política de la República de Guatemala, así como los derechos que el Estado de Guatemala y el Convenio 169 de la OIT otorgan a las comunidades indígenas particularmente sobre los territorios que tradicionalmente han ocupado y utilizado como medios de vida de las comunidades indígenas.

5. Las propuestas de acuerdo se someterán a consulta y aprobación de las comunidades involucradas en el diálogo y de las más altas autoridades de ENEL.

6. Los acuerdos finales se harán constar en escritura pública y de forma judicial ante el órgano competente.



René Oswaldo Smith González
Mandatario General con Representación
Con Clausula especial de ENEL Guatemala S.A.

Testigos de honor

Vocero de las comunidades

FIGURE 13. Terms for the dialogue process between Enel and the communities of Cotzal, May 2011. Courtesy of B'o'q'ol Q'esal Tenam K'usal / Alcaldía Indígena de Cotzal.

that Indigenous communities have traditionally occupied and used for their livelihoods.

5. The proposed agreements will be submitted for consultation and approval by the communities involved in the dialogue and by the highest authorities of Enel.
6. The final agreements will be recorded in a *escritura pública* [public deed] and judicially before the competent body. ("Bases para el proceso" 2011)

These guidelines were based on mutual respect and recognition of the ancestral authorities as the legitimate representatives of the communities of Cotzal. These discussions were also to be free of coercion and threats such as legal prosecution. The need for dialogue was viewed as an important step in having mutual discussions between the communities of Cotzal and Enel, something that the communities had been requesting for years. At the start of the dialogue the municipal mayor Pérez Chen was in hiding for the death of the police officer in 2009, and the municipality played little role during the meetings. The central demands of the communities of Cotzal throughout the dialogue were for (1) 20 percent of the energy produced by Palo Viejo to be administered by the communities of Cotzal; (2) paving of the main road between the town center of Cotzal and the community of Pinal, a length of approximately sixteen kilometers; (3) Q8 million every year for the next twenty years that Palo Viejo would operate, to be used for local development; and (4) creation of a commission to inspect and repair damages caused by the hydroelectric plant. Table 6 provides a summary of the nine meetings between the communities of Cotzal and Enel.

The third dialogue meeting would begin a longer discussion on Enel's "good faith" gesture of distributing *laminas* (tin sheets of zinc) for roofing to community members and the question of who should benefit from Enel's proposed projects. Enel offered to give sixteen *laminas* per family in twenty communities, for a total of 43,104 *laminas* for 2,694 families. At this point, the *voceros* pointed out that sixteen sheets did not constitute the minimum housing standards for *laminas* needed to cover a roof. For example, an average household of five needs at least twenty-four *laminas*. In addition, ridge caps are required with the *laminas* to prevent water leaks, pests, and rodents from entering through the roof. The *voceros* argued that all the communities and families of Cotzal should receive *laminas*, not just the twenty communities identified by Enel as being within their "sphere of influence," especially since they considered that all communities contributed toward protecting and maintaining the river used by Palo Viejo. Moreover, giving *laminas* to only some communities was a form of exclusion that threatened to further divide communities and bring about conflict.

The rooms used for the meetings were filled, and audio speakers were installed outside so people could hear discussions. But Enel began to suggest dialogue in a private setting, a move that threatened transparency and public accountability

TABLE 6 Nine dialogue meetings in 2011

Dialogue no./date	Location	Topics discussed
1: May 2	San Felipe Chenlá	Enel agreed to drop charges, and the communities of Cotzal ended their blockade as conditions to begin dialogue. *Testigos de honor* were selected.
2: May 7	San Felipe Chenlá	Terms of dialogue were reached. Enel recognized ancestral authorities as legitimate representatives of Cotzal.
3: May 15	San Felipe Chenlá	Enel offered sixteen *laminas* (tin sheets) to every family in twenty communities as a gesture of good faith. *Voceros* requested that all of the communities be given *laminas*.
4: May 24	San Felipe Chenlá	Discussion regarding *laminas*.
5: June 10	Cotzal (town center)	Discussion regarding *laminas* and the sphere of influence continued.
6: June 30	San Felipe Chenlá	Discussion regarding *laminas* and the sphere of influence continued. The *voceros* reiterated their central demands, including 20 percent of Palo Viejo's electricity, which Enel rejected verbally. Enel's representatives agreed to take the communities' proposal to Rome, Italy, to be discussed during their shareholders' meeting. Enel offered a set of programs surrounding education, microcredits, and technical training.
7: August 5	Cotzal (town center)	Enel formally rejected the communities' central demands in a written document and offered the same projects that it had offered in the previous meetings.
8: September 2	San Felipe Chenlá	Smith González questioned the format of the dialogue meetings. Enel presented the same projects, which the communities of Cotzal rejected. Enel again rejected the central demands of the communities of Cotzal and called for restructuring the *mesa de dialogo*.
9: December 26	Guatemala City	Enel again rejected the demand for 20 percent of Palo Viejo's energy and again called for the restructuring of the *mesa de dialogo*.

to the communities of Cotzal. Community leaders claimed that Enel offered to provide detailed information on investments and profits from Palo Viejo, but only on the condition that dialogue be conducted behind closed doors with just the nine *voceros* present and "without the presence of the delegates of the twenty-eight communities," advisers, observers, or lawyers, and that this meeting take place outside Cotzal (Curruchich Cúmez and Vecchi 2011, 70).

Despite committing to open discussions with the communities of Cotzal, Enel from the start of dialogue attempted to divide them through various tactics such as the use of proxies to promote their interests. In the community of Chisís, don Juan, who was the *alcalde auxiliar* in 2011, told me that Enel had hired someone from a neighboring community to try to convince the community to support the

company: "What they did, they searched for the authorities, they searched for the people in each community; the company had their workers. . . . There was one in [the neighboring community], he was working with the company . . . [and he came] to convince people that the company was good [and would] give us projects. . . . The COCODEs were convinced, and I was not." Don Juan says that the second *alcalde auxiliar* joined the COCODEs but that he himself refused to sign a document from Enel requesting local support. He warned other community members that their signatures and documents could be used for other purposes. Don Juan remembers telling the COCODEs that the *laminas* were not worth their signatures and trust, and remembers saying to them: "You are going to receive things, you are going to trust them for little things, but the territory [and water are] going to be harmed. . . . *Laminas* will last a few years, but the company will be there for fifty years." On May 17, 2011, a group of about fifteen people came to don Juan's house so that he could give them his seal and sign Enel's document. Don Juan was away from the community, and his wife and son refused to hand over the seal, but the group took it by force. They stole don Juan's *vara* and seal, and left at approximately 11 p.m. In an open letter on May 18, 2011, the Alcaldía Indígena of Cotzal denounced these actions in Chisís and reported that workers of Enel had tried to do something similar in Chichel and Vichivalá. In Santa Avelina, one of Enel's workers tried to get authority from the *alcalde auxiliar* to distribute *laminas* since they accused the *vocero* of risking their chance of receiving *laminas*; the *alcalde auxiliar* denied this request. In short, promises of *laminas* and promises of projects were used to divide communities.

At the fourth dialogue meeting, the *voceros* stated that Enel should not create division, and the conversation focused on *laminas*. The fifth meeting again saw discussion regarding the number of *laminas* that would be distributed. In a protest letter, the ancestral authorities denounced Enel's attempts to divide the communities and provided the examples of the events mentioned above in Chisís, Vichivalá, and Chichel. Moreover, they reported that on June 2, 2011, during a meeting in Cajixay, Enel workers said the dialogue was a waste of time right when they were distributing pastries and beverages. They requested that Enel control its workers and respect the dialogue process.

At the sixth meeting held on June 30, 2011, discussion began regarding the distribution of *laminas*, and the *voceros* eventually reiterated their central demands and submitted a written proposal. Enel rejected these demands and counteroffered with their own proposed projects, which would be outlined in a document entitled *Sumando voluntades: Plan de responsabilidad social corporativa renovables de Guatemala, S.A.-Proyecto Hidroeléctrico Palo Viejo* (Enel Green Power 2011). Their plan had four main goals:

- Increase the technical knowledge, skills, and capabilities of young people and adults to increase the income of households, focusing on the potential of the municipality.

- Prepare the conditions for carrying out a phase to promote the development of entrepreneurial initiatives in the municipality.
- Create environmental education programs at the primary and basic level with the objective of creating awareness among children and youth of the importance of the use, management, and care of natural resources as a basis for the integral development of the municipality.
- Support the execution of programs for the use, recovery, preservation, and sustainability of resources focused on the management of forested areas and the municipality's water resources. (5)

To achieve these goals, proposed projects included creating a "training and technical education center," providing *pelibueyes* (a type of domestic sheep), extending microcredits, and establishing community seed banks (5–6).

While these programs may seem progressive and attractive on paper to an outside observer, the communities of Cotzal rejected them mainly because they were imposed and did not fit with local visions of development and *tiichajil*. For example, with regard to the proposal of a nursery that would bring in imported seeds, don Concepción told me: "We have native seeds from our grandparents and ancestors, and that is what we have. We do not accept [their offer] because that would be taking away the value of our seeds that our ancestors have obtained over hundreds of years." Microcredits were also viewed as a capitalistic tool that has been used to displace Indigenous Peoples from their lands. Don Concepción echoed these sentiments: "[They say,] 'We are only going to give a loan,' and over time [if] we cannot pay back that money, they take us off our land, let's say they give you [the loan] now, if you no longer pay, you have to abandon the houses or the land, and *they invade us little by little, so we do not allow this because we have already seen how the invaders were before*" (emphasis mine). After the *voceros* refused these proposed projects, Enel's representatives claimed that they would take the communities' proposals to Rome, Italy, where there was a scheduled stakeholders' meeting at their corporate headquarters at the end of July to discuss the situation in Cotzal. According to Baltazar, "They received our demands and said, 'Well then, let us analyze it, we are going to present it to our highest leaders, our highest bosses, so that they can give their respectful response.' 'It's okay,' the communities said. Enel was given time to consult. . . . [He said] he would present it in Rome, and the answer would be given as soon as possible." Once Enel's representatives came back from Rome, community leaders say their attitude changed and they became even more demanding. During the seventh meeting, Enel verbally rejected the communities of Cotzal's proposals.[1] Instead, the company counteroffered to provide projects that again involved microcredits, scholarships, and a technical school in the town center. The communities in turn rejected these offers.

Another demand from the communities was to receive data and figures regarding investments and profits from Palo Viejo. Enel agreed to this but would reveal this information only to the nine *voceros* and the *testigos de honor*. The

communities believed that if they were to have a clear and transparent conversation with Enel this information needed to be public and was vital for their discussions. But Enel refused to provide any information regarding profits and their finances. In a press release issued August 19, 2011, the communities said they were worried about Enel's intention to continue meeting, and said that "the dialogue would only help ENEL to finish building the Palo Viejo hydroelectric plant" (Comunidades Indígenas 2011).

Eighth Dialogue Meeting

The eighth meeting held on September 2, 2011, would be the last dialogue held in Cotzal after Enel arrived with a written proposal that reiterated the same proposed projects presented in the previous meeting. The meeting had two agenda items: (1) Enel would provide a written response to the communities' demands, and (2) the communities would explain their perspectives and plans for development. The meeting would prove to be tense.

Before the agenda items could be discussed, the moderator read the "Bases para el proceso de dialógo" after Enel called for a reformatting of the rules and procedures of the meetings. Afterwards, Smith González began to question that document and said that the only people who should be present at the dialogue table were Enel and the communities of Cotzal, their lawyers, and the *testigos de honor*, and that there was no need to have observers, advisers, or any other entities present. Ramazzini then countered that the "Bases para el proceso de dialógo" needed to be respected. Baltazar then intervened, asking, "What damage do observers do in the dialogue? . . . We the communities are not [like the] governments that lock themselves [behind closed doors] with companies and negotiate under the table." Another *vocero* added that the representatives for Enel had privileges not shared by community members: "There is no problem for you, you're on the clock, I don't know how much you get paid to come here, [but] there is no problem, that is paid by Enel. For us who are here, not one penny, no one pays us to come here, we have lost eight days, apart from the consultations we have made, and what results do we have? . . . There are no results." Moreover, he asked, what was the harm of having advisers and observers at the dialogue, especially if there was nothing to hide? The *voceros* questioned whether Enel was discussing the format of the meetings and the presence of observers and advisers merely as a strategy to waste time and prevent any real progress on their demands from taking place.

At the meeting, Smith González then began to read Enel's written proposal about the projects they were offering with simultaneous translation by an Ixil who seemed to have difficulty translating some portions, words, and concepts. After the reading, Smith González handed out copies to the *voceros*. The proposals were nearly identical to those provided in previous meetings. So don Concepción asked if this was the same proposal from August. He noted that Enel had added only a few other points and that it had not responded to or addressed their demands, and

he pointedly asked if Smith González had brought another document or offer to present. In response, Smith González said:

> No, Concepción, I didn't bring another document. In the penultimate paragraph it is mentioned that we are in the best disposition to listen to what you propose and it says, I am going to read it to you: "Enel Guatemala hopes to know and discuss as part of the dialogue process any reasonable proposal that the communities may present, ruling out the possibility of discussing the approach of considering [that the community receive] 20 percent of the electrical energy to be generated." I think that's an answer. "Or [that the community receive] more than 8 million quetzals per year for the first twenty years . . . Additionally [the company] cannot be held in any way responsible for psychological and cultural damage that it never produced, simply because we have not been an actor in any armed conflict." So here [we understand] that we are giving an answer.

Afterwards, don Concepción asked why Enel had rejected their demands. As Smith González explained the company's position: "Really, I think what is happening, don Concepción, is that the model you propose does not adhere to the company's cooperation model, it isn't the amount that's the issue, but the form. . . . The form is not a form that the company can accept as a way to collaborate, or to cooperate, or to work together or to participate in the development of the communities." He continued by saying that Enel was looking for "creative" proposals that were mutually beneficial.

Baltazar in his role as *vocero* addressed Smith González, recalling the origins of the dialogue and the double standard that existed

> Since we started the dialogue, you as a company, you have given the orders, how things have to happen. . . . From the beginning of your show of will, you ruled out sixteen communities in [receiving *laminas*]. . . . They continue to be ruled out today. . . . The company always does what it wants, but we, the communities, have never been listened to, clearly, and it is evident, we have not been paid attention.

Baltazar then mentioned the pressure that had been exerted on the communities to accept dialogue in May, recalling that the police and military that were in Nebaj had been ready to enter Cotzal if they did not come to an agreement with Enel. He stated: "The communities are always seen as inferior, they see us as if we were mongrels, house dogs to accept the piece of tortilla that can be offered. . . . We feel we are treated this way because we have the natural resources that belong to the communities, and at no time did we want to negotiate for Mother Nature, because we did not buy this, this is a good for everyone." Baltazar added that there had yet to be any real discussion of their demands and that Enel's proposals were not compatible with the Ixil vision of development or *tiichajil*.

> We have held three meetings since the reconsideration of our demands, twice they have presented us the same thing today. . . . I see that you bring a development model,

> but we do not have this form of development in mind. Last time we were clear in saying that we as communities have our own vision of community development, not like the government, which has imposed itself on us and come and said what we have to do. We are clear in saying, the rivers that are here in Cotzal belong to the communities. It is not only for ten [or] twenty. . . . It is for the entire municipality, and therefore, as communities present in the dialogue, we have the right to part of the profits and the energy that the company will produce. . . . We repeat several times, if the rivers were not here, the company would not be interested in coming here; if this were a desert, I imagine that a mining company would have come.

Baltazar questioned the company's perspective regarding the role that communities had in shaping their corporate social responsibility programs: "What we are analyzing is that they are once again rejecting the proposal that we made on June 30. So where are the communities going? What role are we playing? We are following the model that [has been imposed, and] we are always forced to accept . . . , we are always [expected to abide by what [we are told]." He adds that the communities have their own local forms of development that they can draw from. After Baltazar spoke, the room erupted in applause demonstrating support for his words. Another concern that the communities had was how the Q37 million that Enel reported having given Cotzal had been used. *Voceros* said that there were thirty-six communities, so each community should have received at least Q1 million, but if one visited them, they had not received any projects from Enel. Furthermore, in San Felipe Chenlá, the materials for the school built by Enel were of inferior quality.

In response to Enel's proposal, *vocero* don Miguel de León Ceto described the company's relationship to the people of Cotzal as a colonialist and its attitudes as paternalistic. He addressed Smith González's use of the words *reasonable* and *creative* in proposing development projects:

> You want to be our dad, you want to be our mom, you want to do things the way you want, when you talk about reasoning, what is the reasoning, what is reasonable for you ? . . . You keep 80 percent and we get 20 percent, do you think this is reasonable? . . . You talk about creativity, what is your creativity? . . . Because if you presented us with this same proposal that you brought on [August] 5, it seems to me that it is not creativity. Why do you demand creativity from us if you keep bringing us the same proposal?

Vocero don Antonio Pérez Martínez also claimed that Enel did not have the desire to negotiate. He told all in attendance, "They discriminate against us as Indigenous people, as campesinos, they totally discriminate against us." For the *voceros* and communities, Enel's insistence on reorganizing the format and structure of the *mesa de dialogo* was a strategy to buy time and prevent serious discussion regarding their demands, and a way to end dialogue. The inequality between Enel's representatives and the *voceros* was also pointed out by don Miguel, who said, "We

are willing to talk . . . but it seems to us that you have come to finish the dialogue, tire us, tire our witnesses. For you there is not much of a problem, you arrive in your planes, your helicopters." The meeting ended without further discussion of the agenda, and the future of the dialogue was uncertain.

On November 2, 2011, Smith González sent a letter to the *testigos de honor* that again called for the restructuring of the *mesa de dialogo* and accused the *voceros* of violating the *bases de dialógo* through their press releases regarding it (Smith González 2011a). Enel proposed that the *testigos de honor* and the moderator implement a Mechanism of Dialogue that would include (1) naming a moderator; (2) naming a secretary; (3) naming a *vocero*; (4) finding a neutral site; (5) defining an agenda; (6) defining participants of the process; (7) accrediting all participants involved; and (8) institutionalizing the dialogue process to ensure long-term compliance (Smith González 2011a). The communities would issue a statement on December 9, 2011, in which the communities of Cotzal and Uspantán denounced the misinformation that Enel was spreading and protested the contamination of the rivers due to the construction of Palo Viejo.

Ninth Dialogue Meeting

The ninth and final dialogue meeting would see representatives of Cotzal travel to Guatemala City to meet with Enel on December 26, 2011. There Enel again rejected their proposal of providing 20 percent of their electricity to Cotzal and reaffirmed their position and counteroffer. One of the leaders in attendance said that they had tried to find ways to work with Enel on the 20 percent proposal and had even suggested that the communities become stakeholders, but the company would not budge from their position and still insisted on changing the guidelines and terms of the meetings. This time, Enel proposed having only six *voceros* instead of nine and having meetings in Guatemala City. The people of Cotzal said they could not do this: the guidelines for dialogue were already signed, and they could not accept Enel's proposal of restructuring the *mesa de dialogo*. So they left without any resolution. One of the leaders who went to the meeting said he was devastated by the outcome:

> It hurts me because I went to the capital [on December 26, 2011], and nothing was achieved at that time, that date they were going to respond. What destruction, *me dio pena* [I felt sorrow], and all the people *le dio pena* [felt sorrow]. [Enel's representative] looked like a professional, but in his manner he was not a professional. These are people who have no conscience about Cotzal's communities. . . . I felt pain, I hardly ate [afterwards]."

In Guatemala, people with a university education such as *licenciados* are viewed as respectable, but in this case, this leader viewed Enel's representatives as people without any ethical concern for the people of Cotzal. We can also observe the emotional and physical impact of Enel's actions, as this leader was unable to eat. Other leaders described feeling similar emotions and frustrations. These communities

and their leaders had risked their lives and risked imprisonment and were still open to dialogue, but Enel never budged from its position, and worse, disrupted the dialogue process.

During the dialogue meetings, Enel kept pushing for meetings to be held outside Cotzal and in private, but the communities objected on the basis that the meetings needed to be made public in order to maintain transparency. Community leaders who attended meetings provided summaries from the meetings to their communities in general assemblies. In Santa Avelina, I was present the day after the fourth dialogue meeting and saw the *voceros* provide updates, address concerns, answer questions, and receive suggestions and input for over two hours with approximately five hundred people in attendance. The *voceros* were accountable to the communities of Cotzal, but Enel was not.

ENEL ABANDONS DIALOGUE

After months of meetings, Enel would eventually end communication with the communities of Cotzal and abandon the dialogue. The communities of Cotzal made various attempts to continue dialogue with the aid of the *testigos de honor*. But Enel would not stop attempts to restructure dialogue and would resend a proposal to restructure the *mesa de dialogo* on January 17, 2012 (Smith González 2012a). The ancestral authorities responded a few days later and the two sides were unable to reach an agreement.

In April and May 2012, don Concepción and *testigo de honor* Ramazzini traveled to Rome, Italy, to visit Enel's corporate headquarters. There they met with an Enel executive to express their wish to restart dialogue. In June, Enel, through the *testigo de honor* Gustavo Porras, provided a proposal to renew dialogue under certain conditions such as the dialogue being "neither public nor open," and Cotzal's participants consisting of "a representative of the central government, the municipal mayor of Cotzal, and a representative of the Cotzal ancestral authorities" (Santay Gómez 2012a). This proposal was again rejected since it did not respect the *bases de dialogo*.

The Alcaldía Indígena of Cotzal sent a letter on August 6, 2012, requesting that Enel start dialogue again and continue to discuss their central demands (Santay Gómez 2012a). Three months had passed without a response from Enel, which led don Concepción to write another letter in November, seeking to know their position on the dialogue:

> By virtue of your long silence, we request your response within five business days from the date of receipt of this letter, under notice that if you do not make a statement within the indicated period, the dialogue table will be considered broken and definitively terminated, along with the dialogue itself, [and that will be considered Enel's responsibility and not the responsibility] of the Ixil Maya communities of San Juan Cotzal or of their ancestral authorities. . . . For a dialogue with results that benefit our daughters and sons and our communities. (Santay Gómez 2012b)

Ramazzini also sent Enel a letter dated November 8, 2012, where he claimed that days prior he had spoken to Oswaldo Smith González on behalf of the ancestral authorities to ask if the dialogue was still in place and that Smith González had responded by saying that the company was still open to dialogue, but in another form, and that the dialogue could not continue in its current "format," under which he could not see how they could reach an agreement (Ramazzini 2012). Ramazzini added that Smith González had promised to write down his verbal explanation in a memorandum and send it to him via email but that he had not received it yet. Smith González eventually responded in a letter addressed to Vitalino Similox and copied to Porras and Ramazzini on November 13, 2012. Here he reaffirmed commitment to dialogue and wrote: "Allow me to reiterate the will of Enel Green Power Guatemala to maintain a fruitful, friendly, and good faith dialogue, with the goal of joining efforts in favor of the economic and social development of the Municipality of San Juan Cotzal" (Smith González 2012b). Moreover, he added that the dialogue should include "a wide space for participation" and, with the aid of the *testigos de honor*, should allow for "the exchange of ideas, the identification of proposals, and the construction of consensus through a frank and respectful discussion between the state, civil society, and the company" (Smith González 2012b). Smith González ended his letter by adding that in accordance with the commitments based on the principles of social corporate responsibility, he ratified their wish to continue dialogue that would be "strengthened" by the election of the municipal mayor and his council. Unbeknownst to the communities of Cotzal at this time, by early November 2012 Enel was secretly beginning to negotiate with the municipality and the newly elected municipal mayor.[2] Smith González's letter was deceptive in that he committed Enel to dialogue based on good faith and "a frank and respectful discussion," but at no point in his letter mentioned that Enel was already in dialogue or planning to dialogue exclusively with the municipality of Cotzal (Smith González 2012b). Furthermore, there was no mention of reformatting dialogue with the ancestral authorities, as they had done in the past, which could also suggest that Enel had no intention of resuming talks.

In March 2013, it was publicly announced that Enel had arrived at a new agreement with the recently elected and new municipal mayor Baltazar Cruz Torres (2012–20). This was done without the knowledge of the ancestral authorities or the communities, and their meetings were held in private. According to Enel in a report published a year after the agreement was signed, "The new Municipal Mayor asked Enel Green Power for a reasonable period of time to consolidate his position and then hold a constructive dialogue that would result in solutions. Dialogue with the new authorities began in November 2012, when the first meeting was held by what was called the '*Technical Table*,' comprised of representatives of the Municipal Council of San Juan Cotzal and representatives of Enel Green Power Guatemala" (emphasis in original, Enel Green Power 2014a, 8). As noted by Enel, dialogue between Enel and the municipality began in November 2012. The first meeting established the method that would be used in dialogue. A "Working

Table" was established, and "The negotiation process was conducted on December 21, 2012, date of the change of era or Baktún, as per the Mayan calendar. It is considered as a time of change and a good omen for cultures descending from the Mayan civilization" (8).[3] After months of discussion, on March 11, 2013, at "a public ceremony held" in the town center, the municipal mayor presented the agreement to the *alcaldes auxiliares* and presidents of the COCODEs, who subsequently supported it, according to Enel (9). Though the report claimed that the agreement was made public through a ceremony, many people did not hear anything about it before or on that date. The news was a surprise.

The new agreement was signed at the presidential house with the participation of President Otto Pérez Molina, who had been the military commander of the Ixil Region at the height of the violence between 1982 and 1983 and was known by his wartime pseudonym of Tito Arias (*Prensa Libre* 2013). Under the new agreement, Enel's annual contributions to the municipality increased from 800,000 to Q2.3 million ($294,871.79) or "85% of the income of the municipality" (Enel Green Power 2014a, 10). Enel stated that the municipality would receive approximately $8.21 million over the next twenty years (10).[4] In a 2012 Sustainability Report, Enel would provide a "memorandum of understanding with the municipality of San Juan Cotzal," which reads:

> On March 13, 2013 in Ciudad de Guatemala a memorandum of understanding was signed, in the presence of the President of the Republic Otto Pérez Molina, which aims to promote economic, social, environmental and cultural development to improve the living conditions of the inhabitants of San Juan Cotzal. With the financial support of Enel Green Power, projects and initiatives will be realized locally regarding education, health, and water management, culture and to enhance the municipal administration itself, with the allocation of economic benefits which will favor associations or organized groups of women. Before the signing the contents of the agreement were agreed by the Mayor and the Municipal Council with all the leaders of the local communities and were approved by them. The Mayor of San Juan Cotzal, Baltazar Cruz, stressed that "this agreement is the result of an understanding among all the parties involved and was designed with the aim of promoting development that is shared among all the communities belonging to the local area and it promotes cooperation, dialogue, and reconciliation, also in order to resolve any differences or disagreements which may arise in the future." (Enel 2013, 75)

President Pérez Molina, Smith González, and the municipal mayor hailed the agreement as a great achievement since it would allow Palo Viejo to operate without any conflicts.

Since the agreement was made in private between the municipality and Enel, and without the participation of those who had been in the dialogue with Enel, the news came as a complete surprise. Coincidentally, members of the Alcaldía Indígena of the Ixil Region were in a meeting in Guatemala City. After learning of the agreement, they went to the presidential house, where they

confronted the municipal mayor. The moment was captured by Guatevision, a news channel, whose report stated that the municipality and Enel "put an end to the conflict over the operation of the Palo Viejo hydroelectric plant in exchange for [Q] 2.3 million in royalties, with the signing of an agreement that, according to the municipal authority, had previously been accepted by the COCODEs and the community mayors" (Guatevision 2013). The reporters captured the tense moment between the municipal mayor Cruz Torres and the *alcalde indígena* of Cotzal don Concepción Santay Gómez standing face to face, surrounded by news outlets, members of the Municipal Council, and ancestral authorities. Don Concepción asked municipal mayor Cruz Torres why he had not been invited to the meeting two days earlier regarding the agreement. A reporter than asked don Concepción how many were not content with the agreement, to which he answered that during the dialogue twenty-eight communities had been represented. The municipal mayor was then asked by the same reporter if those twenty-eight communities had been included in the process. Cruz Torres responded, "The problem is that they form a group that is parallel to the municipality of San Juan Cotzal, to the representatives of the municipality. . . . They excluded the Municipal Council at the time, and now they feel excluded" (Guatevision 2013). Don Concepción then told a reporter that the actual result of the agreement was "just a crumb, really this is a crumb that the company leaves for the people of San Juan Cotzal."

Don Concepción traveled again to Italy in May 2013 to publicly denounce Enel. Italian activists with the human rights group Stop Enel organized a protest in front of Enel's corporate offices to highlight the struggles being undertaken by various communities in multiple countries against the company (Recommon 2013). Don Concepción spoke at an event along with other activists from Colombia, Romania, and Chile to denounce Enel's lack of consultation (Recommon 2013). The organizers of Stop Enel visited Cotzal on multiple occasions during dialogue and afterwards as a form of international solidarity.

After Enel abandoned dialogue, there were credible fears and serious concerns that the government would declare a state of siege in Cotzal. These concerns increased when the newly elected municipal mayor requested that the Ministry of National Defense install a military detachment in Cotzal, which happened on April 20, 2012. The official reason was to provide additional security to combat crime. At a national level, Pérez Molina had declared a state of siege in Santa Cruz Barillas, Huehuetenango, in May 2012 to arrest those who opposed a hydroelectric dam (Hernández 2012). On October 4, 2012, the army would commit the first state-sponsored massacre since the end of the war in 1996 after opening fire on people from Totonicapán who were peacefully protesting on the highway about high electricity prices and constitutional reforms, among other issues, killing six and injuring at least thirty-three (Falla 2012).

After the request to install an army garrison was made to the minister of national defense, the municipal mayor sent a letter to the communities of Cotzal

on May 3, 2012. According to leaders, he asked them to sign a letter drafted by the municipality that supported the request and called for combating delinquency through the use of the military. In addition, the letter stated that the mayor was democratically elected and that signees agreed to the following statement:

> *We categorically reject the actions of some people who call themselves Indigenous authorities*, who are people who named themselves a short time ago and who just want to form a parallel authority to the existing community authorities such as the auxiliary mayors. Therefore we ask the municipal authorities that these people be ignored, because all they do is hinder the development of the municipality. This organization is nothing more than an offense to the people of San Juan Cotzal, because we as community authorities and the municipal authorities are people of Indigenous origin and popularly elected. (emphasis mine, unsigned letter 2012)

On May 7, 2012, the community leaders of San Felipe Chenlá responded to the municipality with a letter that read:

> We received your document sent to members of our community authorities dated May 3 . . . when a meeting was held in the municipal seat of Cotzal, in relation to the installation of a military detachment. . . . As community authorities we want to inform you that we have reached consensus that the decision is not [in the interest of our] community. This is due to the fact that last year in 2011 . . . the army once again sowed terror in our community, recalling the '80s when the internal armed conflict took place. The army broke into our community on more than three occasions and helicopters flew over our community. From this we saw a [community] reaction of repudiation of the army. (Autoridades de la Comunidad San Felipe Chenlá 2012)

The community letter then proposed an alternative to the military in terms of security and encouraged the municipal mayor to look for community and municipal strategies to confront delinquency. They argued that the best path was to find ways to reintegrate youth into society. In addition, the community of San Felipe Chenlá reaffirmed their recognition of the ancestral authorities and their work in defending the communities' rights. The conflation of the call for the military's return and the rejection of ancestral authorities by the municipality created concern. For community leaders, the return of the military was a strategy meant to control and intimidate social movements. Despite these efforts from San Felipe Chenlá and other communities, their calls were ignored.

The army garrison came to Cotzal without warning. I was returning from Chichel with two friends when we got the call of the military's return and drove to the town center. During the ceremony for their return on June 12, 2012, hundreds of people were gathered in the plaza. Some were standing on the church steps, other standing directly behind the over twenty-five armed military members who were lined up in three rows facing the plaza platform where municipal and military

officials were giving speeches. The platoon was to consist of between twenty and thirty soldiers (no more and no less than that) and was to be based within the municipal hall next to the main road that leads to the Finca San Francisco.

During the speeches, municipal officials mentioned the war and the violence as being in the past but recognized the history of the military in the Ixil Region. One municipal official stated:

> This combined force comes to bring peace, they are our friends. As the [municipal] mayor said, what happened, already happened, if something happened in history and in the past, well, if it was serious then, there was a reason . . . but now we are living a different life. Something important [is] to instill respect for the authorities in our children, because the members of the army, the police, are our authorities. Therefore, they deserve respect, because if we insult them, the same law says that it is a mistake, that it is a crime to insult or mistreat our authorities.

Colonel Rudy Ortiz Ruiz of the Fifth Infantry Brigade in Huehuetenango, who came to San Felipe Chenlá during the blockade, said that the soldiers were in Cotzal for the people's security and well-being. He stated that this was the Fifteenth Detachment in the brigade and that more than 150 requests had been made throughout Guatemala to get a detachment for their locality, so residents should be grateful for the army's presence. These speeches capture authoritarian sentiments of gratitude for the military, particularly after a municipal official recognized the military as their authorities and made it clear who was in control. This took place after the municipal mayor sent a letter to communities asking them to reject the ancestral authorities. The presence of the military was again viewed as the government's support for Enel.

The increase of military garrisons in Guatemala during this time was criticized by the Organization of American States in reports regarding human rights and extractivist industries, noting the role that militarization plays in repressing Indigenous Peoples. In 2015, the Inter-American Commission on Human Rights (IACHR) stated that in Guatemala it "verified that, in clear contradiction of the Peace Agreements, military garrisons were set up on ancestral lands and territories of indigenous communities and municipalities, particularly in areas where there were strong protests in defense of indigenous rights, purportedly as a strategy to allow projects to go ahead, in addition to which, Army personnel were said to be engaging in illegal acts" (IACHR 2015a, 84). Describing the ways in which "Civilian Police and Army operations [were] designed to intimidate and silence social protests and force the implementation of extractive industry projects," the IACHR cited the case of Cotzal and the movement against Enel (133). In another report, the IACHR made special mention of the Ixil Region as an area where militarization was concerning because of recent protests against megaprojects:

> The alleged increase in the military presence in the Ixil Region, one of the most affected by the armed conflict, is particularly troubling. In this region the number of military personnel has purportedly increased in the Chajul Military Base and the Nebaj military detachment. Also, a detachment was installed in Cotzal, and it is alleged that there is constant patrolling by the military personnel based in the military base of Ixcán to Chajul and Izpatán, locations in the Northern Area. In the view of the leaders, shared with the IACHR, "[The military] comes to control the peoples instead of the companies that want to come in, if the members protest they control the demonstrations [and] intimidate the population, especially those who are victims or survivors of the conflict. The wounds have not healed and they are open again." (IACHR 2015b, 159)

The military detachment would remain in Cotzal and was a reminder of the Guatemalan state's willingness to use the armed forces to repress protesters. In addition, in other communities that are resisting megaprojects, such as Santa Cruz Barillas and El Estor, the Guatemalan state has increasingly militarized and abused the use of states of siege to suspend civil liberties. These types of repressive measures have criminalized, persecuted, and arbitrarily arrested activists, Indigenous leaders, journalists, and environmentalists (Batz 2021).

ENEL'S TALKING POINTS

Corporations often avoid taking responsibility for damage committed in communities. In discussing the Palo Viejo conflict, Enel had issued press releases, open letters, and public reports. Within these, I have identified at least seven of Enel's main talking points: (1) consultation was carried out before the construction of Palo Viejo (CDM 2010); (2) the ancestral authorities are illegitimate (Enel Green Power 2014a); (3) protests were controlled by outsiders and/or the "radical" few (Enel Green Power n.d.); (4) private property supersedes ancestral and collective rights (Enel 2013, 75); (5) Palo Viejo is environmentally friendly (Enel Green Power 2014a); (6) Enel was not present during the civil war and should not be accused of causing psychological harm to local residents (Smith González 2011b); and (7) the hydroelectric plant brings jobs and development, and the company goes beyond the call of duty with its corporate social responsibility (CSR) programs (Enel Green Power 2014a).

Talking Point 1: Consultation Was Carried Out before the Construction of Palo Viejo

As mentioned in chapter 4, consultation is a contentious issue, and there are various interpretations as to how it should be carried out. Enel details out its perspective on its consultation process in a Clean Development Mechanism (CDM) report submitted to the United Nations Framework Convention on Climate Change. Section E of the report, entitled "Stakeholders' Comments," is divided into three

subsections where Enel lays out its consultation process for Palo Viejo. Enel presents copies of newspaper clippings, two in Spanish and another in Ixil, without identifying which periodical they were published in (CDM 2010, 38). They state that the purpose of these advertisements in three unnamed Guatemalan newspapers was "to inform the general public about the existence of the EIA Study of the Project, allowing: 1) public consultation during a period of 20 working days, starting in Spanish on December 22nd, 2005 and in Ixil on March 4th, 2006; and 2) allowing the reception of comments, consultation or even opposition manifestations, properly substantiated in every case" (CDM 2010, 38). By translating the content of the newspaper clippings presented in the report, which were published in relatively small print, one can see the discrepancies between the Ixil and Spanish version, as well as the affected communities' lack of accessibility to information. The translated Spanish version reads:

> PUBLIC NOTICE
>
> Through this medium it is made known to the public that the Environmental Impact Assessment Study of the Palo Viejo Hydroelectric Project in the department of Quiché will be available for consultation and comments for twenty business days (from 9:30 a.m. to 5:30 p.m.) at the headquarters of the Ministry of Environment and Natural Resources, 20 Street 28–58, Zone 10, Guatemala. (CDM 2010, 38)[5]

One can observe that the notice mentions the Environmental Impact Assessment (EIA) study for Palo Viejo but does not specify that Palo Viejo is in Cotzal or on the Finca San Francisco. In addition, the ad states that if one wants to consult the study or present opposing comments, one must visit the Ministry of Environment and Natural Resources in Zone 10 of Guatemala City. This would require considerable time and expense for people of Cotzal to travel to the city. Moreover, government officials and workers at ministries have historically discriminated against Indigenous Peoples and do not attend to them properly; even if someone made it to the ministry, they might find the space inhospitable. The translated Ixil version of the Public Notice reads:

> INFORMATION TO THE PEOPLE
>
> We are informing the people that the study on the protection of forests has already been carried out. They can consult it and/or visit. It will be announced for twenty days, and whoever wants can comment. Some information about the study will be given from 9:00 a.m. to 5:00 p.m. at the facilities of the offices of the Ministry of Environment and Natural Resources at the following address . . . 20 Street 28–58, Zone 10, Guatemala. (CDM 2010, 38)[6]

While the Spanish version mentions that the EIA for Palo Viejo was completed, the version in Ixil makes no mention of a hydroelectric plant or its location. More importantly, the Ixil version was written in Ixil using the variant from Nebaj and not Cotzal. A community member from Cotzal who reads Ixil told me that the

version from Nebaj may not be accessible or clear to people from Cotzal, and the announcement assumes that there is only one variant of Ixil and that speakers can read it. The Ixil version may have been a bad translation, but despite this, there is no mention of Palo Viejo or San Francisco. An announcement that does not mention the project or its location cannot be considered a form of informed consultation.

Enel also notes in its CDM report that there was a "public hearing held on May 2nd, 2006, in the presence of all of the presidents of the COCODE from San Juan Cotzal," where the presidents "showed disagreement for the project construction and remarked that Cotzal communities should be consulted to obtain their opinion regarding the project development" (CDM 2010, 40). Enel states that as a result, "in accordance to that request, after consulting the stakeholders" they received comments and support from the municipal mayors from Santa Cruz del Quiché, Nebaj, and Chajul (all outside Cotzal), who said that the hydroelectric plant would "benefit many communities that despite being connected to the grid have no electric current" (CDM 2010, 40). Enel would label their conversations with the municipal mayors of Santa Cruz, Nebaj, and Chajul as "consultation" and as a result would move to submit the EIA to MARN, "fulfilling all requirements according to the Decree No. 22-2003" (CDM 2010, 40).

Enel states that they were also able to obtain "11 letters of support to the project addressed to the Mayor of San Juan Cotzal and signed by leaders of the COCODE's . . . where they attest to know and approve project construction's plan (signed from September 2006 to March 2007)" (CDM 2010, 41). In Cotzal, these communities were Buenos Aires, Xeputul I, Xeputul II, Sajubal, Villa Hortensia Antigua, Tzibanay, Las Guacamayas, El Pinal and Pamaxan, and San Pedro La Esperanza and Los Regadíos in Uspantán.[7] In addition, they presented in their report a letter signed by the governor of the department of El Quiché on November 23, 2006, and another letter from seventeen communities that "unanimously agree to provide support to the construction of the project activity," signed on July 8, 2008 (CDM 2010, 42). While Enel claims to have carried out consultation, its process was unclear, especially since they have not clarified what they did to gain these communities' support after many were against the project initially (as Enel confirms). In some cases, community leaders say that Enel obtained these letters and support through deceit and by making false promises and commitments. There are also claims that the municipal mayor through his political allies and pressure forced communities to sign these letters; in other words, FPIC was not respected.[8]

Enel has argued in various publications that Palo Viejo has legitimacy since they made deals with elected officials, going back on their signed 2011 document where they agreed to start a dialogue with the ancestral authorities of Cotzal and recognized them as legitimate representatives. For example, in a 2013 Sustainability Report, Enel claims with regard to the 2013 agreement with the municipality that "before being signed, the contents of the agreement were agreed by the mayor

and the town council with all the leaders of the local communities and were approved by them" (Enel 2014, 92). The Guatevision news story mentioned above regarding don Concepción's public confrontation with the municipal mayor after the mayor signed the new 2013 agreement demonstrates how Enel and the municipality attempted to publicly represent themselves as consulting the communities of Cotzal and providing benefits. If it had not been for this confrontation, there would have been no mention of the dialogue in the news story. In addition, the municipal mayor stated that the protesters had excluded the municipality from the dialogue, but there was no mention of how the municipality at the time was repressing community leaders and opponents of Palo Viejo, or that municipal mayor Pérez Chen, an ally of Enel, was a fugitive at the time.

Talking Point 2: The Ancestral Authorities Are Illegitimate

Enel claimed that the ancestral authorities of Cotzal were illegitimate and blamed them for the breakdown of dialogue. According to Enel, "Dialogue did not progress due to illegitimacy, illegality, and the rigid position of ancestral authorities" (Enel Green Power 2014a, 8). These declarations contradicted their earlier signed agreement to initiate dialogue, in which they recognized "the ancestral authorities as legitimate representatives of the indigenous communities," and the accusation constitutes a form of defamation on a national and international level ("Bases para el proceso" 2011). In an official response provided to me directly via email by the external relations representative for Enel Green Power, the company's position on the conflict in Cotzal was the following:

> The conflict originated when the *self-named group of ancestral Indigenous mayors* wanted to be part of the dialogue process that the company was already holding with the local authorities and with the leaders of the Community Development Councils—COCODES—entities that, in accordance with the current Municipal Code, are the only ones that the law recognizes to represent the local population. The conflict became polarized when the municipal mayor of San Juan Cotzal found himself involved in a police-judicial matter. *The situation was taken advantage of by local politicians who took the hydroelectric project as a discourse for their electoral repositioning*. (emphasis mine, personal communication, December 10, 2014)

Again, we see Enel claiming that the ancestral authorities were illegitimate because they were "self-named" and that they were protesting only for personal gain, while not acknowledging the collective aspect of the communities organizing and their central demands Moreover, regarding dialogue, Enel via its external relations representative states:

> The judicial process against the mayor [Pérez Chen] created a vacuum of authority in San Juan Cotzal. The local politicians and the self-named ancestral Indigenous mayors claimed representation of the population and sought to negotiate with the

> company. The company spoke with them in order to learn their positions and requests. However, it did not reach any agreement since *these groups lacked representativeness and legitimacy*. ENEL GREEN POWER GUATEMALA sat down at the dialogue table with the municipal authorities elected in September 2011, in a process that had the participation of 87 percent of the voters of San Juan Cotzal. (emphasis mine, personal communication, December 10, 2014)

Enel's response reaffirms their position that the authorities lacked legitimacy and makes no mention of the agreement on the terms of dialogue. Enel claims to have signed a deal with the municipal mayor and points to his legitimacy given the participation of 87 percent of the electorate in his election, but some question his legitimacy on the basis that out of these 87 percent, only 36 percent of the 13,114 possible voters voted for him (Tribunal Supremo Electoral 2011, 528). These criticisms also note Guatemala's weak and corrupt democratic system, in which the municipal mayor can win with a simple majority and there are no run-off elections. It demonstrates how the electoral system and political parties divide communities.

Talking Point 3: Protests Were Controlled by Outsiders and/or the "Radical" Few

In various reports and press releases Enel portrays itself as a socially responsible company, but it has criminalized community leaders and claimed that they have been manipulated by external organizations. For example, in their version of the conflict, Enel writes: "The community of San Felipe Chenlá, one of the 36 communities of the Municipality of San Juan, began a road block, alleging that the supply of funds for the construction of a school in this community had been delayed. The protest was led by a few NGOs (CONAVIGUA, MOJOMAYA, FUNDAMAYA). The most *radical leaders* monopolized the protest, unsuccessfully trying to extend it to other communities and rejecting several mediation attempts" (emphasis mine, Enel Green Power n.d.). This version of history denies the autonomy, agency, and self-determination of the local people and the various communities involved in mobilizing, since it places the blame on external actors in the form of NGOs. It ignores the participation of multiple communities and claims that only the community of San Felipe Chenlá was involved in the blockade. While the NGOs that Enel mentions were present during the conflict, they were there as observers and accompaniers, and they were not heading or inciting the movement. Furthermore, Enel never mentions the march in Pulay, the blockade in Santa Avelina, the warrants for arrests of community leaders from various communities (Santa Avelina, Vichivalá, Cotzal, and San Felipe Chenlá), or the arrival of the military, among other events.

I have spoken to leaders from all over Cotzal, and it is clear that the people of Cotzal have not been manipulated or forced to protest Palo Viejo by outsiders

or a "radical" few. I have spoken with people from all walks of life, ex-guerrillas, ex-patrolmen, ex-military, evangelicals, Catholics, spiritual guides, youth, elders, women, and men, all of whom joined to oppose Palo Viejo. The strategy of accusing non-Indigenous outsiders of manipulating Indigenous Peoples is used by dominant groups and is based on a racist mentality and trope that views Indigenous Peoples as incapable of thinking for themselves or practicing self-determination. The same strategy was used to discredit the guerrilla movement during the war, when the Ixil were accused of being manipulated by outsiders. Denying the Ixil their agency, creativity, and potential is a colonial strategy, one that Enel employs to avoid accountability.

Talking Point 4: Private Property Supersedes Ancestral and Collective Rights

In a 2012 Sustainability Report, Enel stated that Palo Viejo "was fiercely opposed by a group of activists . . . on the grounds of alleged ancestral rights to possession of the land affected by the project (land which, in any event, was wholly owned by one individual)" (75). With regard to the claim that Palo Viejo operates on private property, the communities of Cotzal contend that (a) the Finca San Francisco was founded by displacing Ixil (as described in chapter 2), and (b) ancestral and collective rights supersede private and individual property rights. There is a lack of clarity about many of the boundaries of fincas located in the Ixil Region, partly because of errors in the original mappings due to poorly trained, corrupt, or incompetent surveyors (McCreery 1994, 59). In Cotzal, proving where the boundaries of the finca are has also caused controversy because the ejido map went missing sometime after 2004. The Alcaldía Indígena launched an investigation and met with all the living municipal mayors and other previous municipal officials to determine what happened to the ejido map. Many claimed that the map had been stolen or lost during the 2004–8 administration of Baltazar Toma Sambrano, and they specifically blamed the administrator of the Finca San Francisco who served as *sindico* in the administration. Speculation that the ejido map had been stolen increased with the realization that during this time the Finca San Francisco and Enel had agreed to build Palo Viejo, and some stated that they were not sure if Palo Viejo was fully within the territorial limits of the finca in Cotzal. Thus some claimed that without the ejido map, the verification of the Finca San Francisco's territorial limits made Palo Viejo's validity and location uncertain. The lack of information also speaks to the finca's and Enel's unwillingness to provide informed consultation.

The communities of Cotzal argue that Palo Viejo is located on ancestral territories. The finca has been in existence for only a little over a hundred years, while the Ixil have lived in Cotzal for thousands of years. Moreover, the Finca

San Francisco is the location of archaeological and sacred sites, and being barred from accessing these spaces is a direct threat to Ixil cultural rights, identity, and spirituality.

Talking Point 5: Palo Viejo Is Environmentally Friendly

The construction of the hydroelectric plant led to unforeseen environmental consequences such as contamination of the river and dynamiting of hills that caused bats with rabies to infect livestock and create public health concerns. While Enel states that Palo Viejo is a run-of-the river hydroelectric plant that did not require the relocation or displacement of people, the construction of its four diversion dams (Presa Cotzal, Presa Chipal, Presa El Desengaño, and Presa El Regadío) has caused problems. The diversion dam Presa Cotzal near Santa Avelina has damaged crops, altered the landscape and the course of the river, and cut off the ancestral path of animals such as deer, which are sacred within Maya cosmovision. Within an Ixil worldview, these changes can also be a violation of *tiichajil* or *txaa*, and the diversion of rivers into concrete and metal canals and dams is seen as a kidnapping.

Talking Point 6: Enel Was Not Present during the Civil War and Should Not Be Accused of Causing Psychological Harm to Local Residents

In a letter that Enel's representative read at the dialogue meeting to the communities of Cotzal in September 2011, he declared that "in no way can [Enel] be held responsible for psychological and cultural damage, which it never caused, simply because it was never an actor in the internal armed conflict that unfortunately occurred in Guatemala" (Smith González 2011b, 2). While Enel denies that they had a role in creating psychological stress and cultural conflict in the communities of Cotzal, they omit various points. First, it is true that Enel was not present during the civil war, but they became business partners with the Finca San Francisco and the Brol family, who supported the military during the armed conflict. Second, the issuing of arrest warrants against the nine community leaders resembled the persecution that community leaders suffered during the war, especially since the nine leaders had been victims of the earlier violence. For example, the father and uncle of don Concepción, *alcalde indígena* of Cotzal, were leaders who were kidnapped and disappeared by the military. Third, the arrival of members of the armed forces in San Felipe Chenlá on March 18, 2011, caused psychological harm, not just among the direct victims of the conflict, but among the youth present, since many of them were scared and some cried. Today, many members of the community remember this as a traumatic day. Government officials working closely with Enel such as Pérez Molina and Pérez Chen have been implicated in repression and human rights violations, and one can see why residents would be scared. Guatemala is a violent place for environmentalists, human rights activists, and Indigenous Peoples protesting megaprojects. A global company like Enel cannot claim ignorance or deny their role in re-creating and benefiting from an

environment marked by violence, armed conflict, terror, fear, and persecution. Ignoring the historical-social context of the Cotzal communities and the Ixil's worldview is irresponsible and is not in accordance with Enel's discourses as outlined in their CSR programs and their claim to green energy.

Talking Point 7: Palo Viejo Brings Jobs and Development, and Enel Goes beyond the Call of Duty with Its CSR Programs

One of Enel's biggest claims is that they bring about development through their CSR programs. During my field research living in and visiting most communities in Cotzal, Enel's CSR program was not present in daily life in the ways portrayed in their reports and press releases. J.P. Laplante and Catherine Nolin (2014) describe what they call a "CSR gap" between communities affected by megaprojects and the projects' beneficiaries, where "firms are unable to engage all the communities affected by their investments" (242). They state that "this 'gap' reflects many factors—limited engagement with communities who are not on the firms' radar, as well as a limited understanding of capital markets in rural Guatemala. Clearly, promises of corporate social responsibility mean less in a country like Guatemala, where the government is either unable or unwilling to protect the basic human rights of its citizens" (242). In a similar manner, while Enel has implemented various CSR programs, these remain superficial in nature. They seem more for photo ops than for creating a more friendly, equitable, and just relationship between local communities and the company (the alleged purpose of CSR).

Palo Viejo is one of the largest hydroelectric plants in Guatemala and has the capacity to produce 85 MW of electricity. Yet during fieldwork only approximately 37 percent of the population of Cotzal had access to electricity, and there were disparities between the discourses of development and local realities. Moreover, the available electricity was unreliable and inadequate, since energy dropped at nights and there were blackouts that came without warning and lasted from a couple of hours up to full days. Between October 10, 2014, and January 15, 2015, there were an average of six blackouts per month, lasting between two to twenty-four hours. For example, in Cotzal a blackout began on October 14, 2014, at approximately 11:00 p.m. and ended on October 16 at approximately 11:00 p.m. On November 14, 2014, the power went off at 11:48 p.m. and did not return until the next day (November 15) at 1:00 p.m. While living in Cotzal, I witnessed the consequences of the lack of reliable energy and electricity. On various occasions I observed children using flashlights to complete their homework even while the house lights were on, because those lights were too dim to be adequate. Computers, televisions, and cellphones would not charge after six at night. In some cases, an electrical surge could damage or destroy cellphones, refrigerators (for the very few families that owned them, and store owners), and other electrical appliances, which could have economic impacts. For example, during the month of November 2014, a freezer at an ice cream store in the town center was destroyed because of an electrical surge and

was not replaced for two weeks. This had a negative economic impact on the business, since its products (ice cream and refrigerated products) were destroyed. In April 2015, the Alcaldía Indígena of Nebaj had to resolve a conflict involving four men who were detained by the national police during a blockade against the construction of Xacbal Delta. Ironically, the meeting was held using candles because the entire region was experiencing a blackout that was already three days long. In 2019, "The electricity distributor Energuate (a subsidiary of I Squared Capital, an investment fund based in the United States) cut off electricity" in Cotzal, to "pressure the town to eliminate more than 2,000 informal connections to the flow of energy" (Brown 2020). Because of this, the town of Cotzal "was without electricity for 11 days," including important services such as those provided at the health center, where women gave "births with candles" (Brown 2020).

During a February 2014 visit by Pérez Molina to the Finca San Francisco he received an update from the 2013 agreement signed between Enel and the municipality of Cotzal. A representative from the community of Pamaxán was designated to be the representative of all of the COCODEs of Cotzal. During his speech, he complained directly to the president, saying that although he lived four kilometers from the hydroelectric plant, his community did not have electricity. In the community of Cajixay, power poles were installed in 2001 to bring electricity to the community, but despite these initial efforts, there is still no electricity. Instead, these nonfunctioning poles are covered with political propaganda from previous elections, including posters for extinct political parties like the Frente Republicano Guatemalteco (FRG).

Information on Enel's profits from Palo Viejo is scarce, but some estimates put this figure at or over $30 million a year. The Project Design Document (PDD) appendices to the above-mentioned CDM report provide a 2012 Internal Rate of Return (IRR) worksheet with projected estimates of the value of revenues, costs, and operating expenses for the Palo Viejo project for the years 2009 to 2060 (CDM 2012). According to the IRR sheet, the average annual estimated profit, after taxes, for the period from 2012 to 2021 (the first ten years of full operation) was $30,948,658 (Q239,179,492) (see table 7) (CDM 2012). Again, Enel's annual contribution to the municipality is $294,871.79 (Q2.3 million) (Enel Green Power 2014a, 10). In other words, on the basis of these figures and projections, Enel contributes less than 1 percent (approximately 0.95 percent) of its average earnings to the municipality of Cotzal. Between 2011 and 2060, or the fifty years covered by the license during which the hydroelectric plant is expected to operate, it is estimated that Enel's project will generate $2.44 billion (Q18.89 billion) in profits after taxes (CDM 2012).[9]

Other estimates regarding the profits from Palo Viejo are in accordance with these figures. According to an investigation by Oswaldo Hernández of Plaza Pública, Enel earned approximately Q296 million per year (Hernández 2013a). In

TABLE 7 Estimate of income and profits of Palo Viejo in USD for 2012–21

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Total income	$38,872,412	$37,089,161	$35,879,871	$36,120,984	$37,905,463	$38,944,350	$39,425,061	$40,846,861	$42,839,266	$44,946,575
Profit after tax	$32,153,190	$30,405,488	$29,178,900	$29,275,227	$30,779,383	$31,596,821	$31,898,868	$33,057,187	$34,732,619	$26,408,896

SOURCE: CDM (2012).

December 2014, the municipal mayor of Cotzal during a meeting with a youth organization claimed that Enel earned between $30 and $40 million annually.

Tobias Roberts, an observer of the dialogue, reports that during Enel's stakeholders' meeting in April 2012, it was revealed that Enel had signed an agreement with Pedro Brol Cortinas, in which the company paid him $3.36 million for the use of his properties and an annual royalty of 8.5 percent from the revenues from the sale of energy produced by Palo Viejo (Roberts 2012b). Enel had said that the demand of the communities of Cotzal for the profits from 20 percent of the energy from Palo Viejo was impossible and that the communities should instead accept Enel's counteroffer of *pelibueyes* and microcredit. Roberts also notes that during the dialogue, Smith González claimed that Enel could not fulfill Cotzal's demands because Enel didn't approve of profit sharing in the form of paying a percentage of earnings. Yet

> although Oswaldo Smith affirms that ENEL does not agree with "the form" of sharing a percentage of the profits with the communities of Cotzal, since 2008, three years before the dialogue began, they had been in a similar agreement with Mr. Pedro Brol. So ENEL does not agree to negotiate a percentage of the profits with the twenty-five thousand inhabitants of Cotzal, but it can negotiate a percentage with an individual. It is worth imagining: What would Mr. Brol have said if ENEL had offered him a few *pelibueyes* instead of 8.5 percent of profits yearly? (Roberts 2012b)

Enel's business dealings with the Brol family deserve scrutiny, since these same landowners have historically displaced and exploited the Ixil and local communities.

Many people I spoke to did not know how the funds Enel paid to the municipality are utilized. It is important to note that before Palo Viejo was constructed, a 2010 report written by the Municipal Council of Development of Cotzal (COMUDE del Municipio de San Juan Cotzal) recognized that there are "large companies who have intentions for the exploitation or construction of hydroelectric plants, without contemplating direct benefits for the population" (2010, 35). The text then references an image in the report that shows a map of Cotzal where they identify Palo Viejo in the Finca San Francisco as the site for the construction of a hydroelectric plant (36). In addition, the report notes that "despite the wealth of water and the very strategic locations of the communities, there have been no initiatives to promote community hydroelectric plants in the municipality, *although private projects are being developed within the territory that do not intend to benefit the municipality*" (emphasis mine, 30).

Public schools in Guatemala are underfunded and many teachers are underpaid. Development projects and corporations like Enel take advantage of structural problems and provide support by building schools and infrastructure. While these funds are direly needed, part of the problem is that they are proposed and allocated by the company without consideration of local perspectives and input. Hence, there is a sense of a paternalistic imposition by a European foreign company on Indigenous communities. During the dialogue meeting Ramazzini reminded

participants that funding and projects in infrastructure and the area of education are the responsibility of the state, not corporations.

During the construction of Palo Viejo, Enel provided funds to build schools in San Felipe Chenlá and in Los Ángeles. That funding for these projects began and then stopped was one of the reasons for the 2011 blockade, since communities considered that Enel had made a false promise and had not honored its agreement. According to Enel, the company also distributed 3,927 backpacks to twenty schools in Cotzal and seven schools in Uspantán (Enel Green Power 2014a, 17). While I was living in Cotzal, I saw many children and parents using these backpacks. When I asked people in Cotzal about them in 2015, many stated that while they were grateful for the gift, it was a one-time affair. Many said that these backpacks had ripped or had a broken zipper after some use. One community leader stated that the backpacks lasted for fifteen days but Enel would be in Cotzal for fifty years, and that this was unjust.

Another major initiative advertised by Enel in their report a year after the 2013 agreement with the municipality involved sending two women from Tzibanay to Barefoot College, located in India, where they were trained in installing solar panels (Enel Green Power 2014a, 18). According to Enel, the company partnered with the Asociación para el Desarrollo Rijatz'ul Q'ij (Semilla de Sol) and the Indian NGO Barefoot College, and "began searching in Guatemala for grandmothers who would travel to India for training" (19). The program recruited participants who were "mostly grandmothers between 35 and 50 years old and with low education levels" (18). Enel stated that they were able to find two women from Cotzal in September 2012 and that these two women were *abuelas* (grandmothers). There is no mention in their report about how they approached the community. Enel further explained that "the model focuses on grandmothers because they provide local roots and have fewer responsibilities compared to young mothers" (19). The idea behind this initiative was that these women would return to their community and "train other women and replicate the model in nearby communities" (18). Enel described how the solar panels would work in terms of installation and maintenance: The head of each household "pays a monthly fee for the installation, maintenance, and repair of home solar-panel systems and for the service provided by the BSEs [Barefoot Solar Panel Engineers]" (19). According to Enel, beneficiaries included eighty families in the three communities of Xeputul I, which received thirty-eight solar panels; Xeputul II, which received twenty-seven solar panels; and Tzibanay, which received fifteen (19).

In a near-seven-minute 2014 video created by Enel showcasing the installation of the solar panels, the company highlights the two women who oversee installing the panels. According to Enel's video, Enel, the Indian Embassy, Barefoot College, and Semilla de Sol were responsible for bringing the solar panels to Xeputul II (Enel Green Power 2014b). Orlando Lopez, the general manager of Enel Green Power Guatemala, states that the solar panels will bring development. According to a community leader, "Solar energy has arrived in the community, and many

years ago, well, we had nothing, we suffered, but today is the day that we have our light." The video states that a year before the inauguration, two "grandmothers" were sent to Barefoot College to learn how to install solar panels. We can see the women cutting and connecting wires, and toward the end of the video they are said to be responsible for supervising the solar panel equipment. Since then, at least two other women from Cotzal have been sent to India to attend Barefoot College. Yet when I spoke to community leaders from Xeputul II and one of the women mentioned by Enel who had traveled to India, residents provided a different perspective from what Enel projected in its report and video.

When I visited Xeputul II, the rain was pouring down on the tin sheet roof of the community building where leaders were gathered to talk about Enel and the solar panels installed two years earlier. From my conversation with community leaders, there was an observable CSR gap between Enel and community leaders from Xeputul II. One of the community leaders began to detail how Enel had first arrived in their community through deception. He said that the community had welcomed the proposal of installing solar panels, as well as the plan for the two women from Tzibanay to travel to India. But community leaders claimed that the people who came to propose the solar panel projects said they were from the NGO Semilla de Sol, which works in the areas of sustainable development; they had not been made aware, notified, consulted, or informed of Enel's role in this project. One community leader stated that while Semilla de Sol had come to the community initially, Enel somehow began to support the project without people's knowledge. Residents claimed they did not become aware of Enel's role in supporting the project until the day of the inauguration and installment of solar panels. When I asked these leaders if the solar panels worked, they responded by saying that they did not work that well: the equipment was fragile and malfunctioned easily, there were no spare parts to fix them, and they did not provide reliable or strong energy. They added that sometimes the sun panels did not work at all. There was also confusion about the monthly maintenance fee; some did not know why they had to pay, and some even thought it was because the two women were stealing the money, placing them in a bad situation. The confusion may have resulted from the outside organizations' failure to consult community leaders and residents.

In speaking to one of the two women sent to India, I found that she was unaware that the financial support was being provided by Enel and that her image and name were being used in Enel's reports as part of their social corporate responsibility program results.[10] She stated that she had been working in a finca in Escuintla when she received a call from her community, offering her the opportunity to participate in the solar panel project in India, to which she agreed. But she claimed that "it was not the company [Enel] that sent us, but [Semilla de Sol]," and she was unaware of Enel's role until the day of the inauguration in Xeputul II. At Barefoot College she learned how to weld, install, uninstall, and connect solar panels, and

gained knowledge surrounding solar energy. Once she returned, she and the other woman installed the solar panels, and after their inauguration they never heard from Enel again.

While the solar panels were initially well received, the woman noted that they sometimes worked only in the daytime and often had only enough energy to charge cellphones and lightbulbs. Moreover, she stated that the model that the company had set up to manage and repair the solar panels did not work: people started out paying Q30 monthly, but this was reduced to Q15 a month by the community since people could not afford to pay these fees in full. Little by little, people stopped paying, and now each family was responsible for repairs and maintenance; in other words, the model imposed by outside entities was not sustainable or successful. In a community like Xeputul II, where economic opportunities are slim and where most people migrate to the coast to earn quetzals, a model that requires monthly payments does not work, especially if the solar panels were donated. The woman reaffirmed that with regard to the solar panels, "It was not Enel that gave us solar energy, but Semilla de Sol. . . . It was not directly an Enel project."

During the interview, I showed her Enel's report in Spanish that featured her image during the inauguration. I read to her that they referred to her as a grandmother, which led her to laugh out loud and shake her head. As it turned out, she did not become a grandmother until after Enel's report and video were produced, and not during her time during the solar panel project. She went on to state that she had not consented to her image being used by Enel: "Since it is clear that it was not Enel that gave us the opportunity but someone else . . . and they are using these images, I do not agree." About Palo Viejo and Enel, she said they had made false promises of bringing electricity to Cotzal, and added: "It's not development. . . . All the people there [in Cotzal] disagree [with Enel]. . . . Although the hydroelectric plant is working down there [at the Finca San Francisco], it is not justly benefiting the population. The people are against it because we don't have energy, and even though it [is generated] nearby, where there is power, we are using solar panels, and it is not fair." She did not agree with the claims of development made by Enel in their report.

In a 2019 article published by the BBC entitled "Xeputul 2: La aldea de Guatemala que decidió volver a vivir sin luz," the authors share a similar story regarding residents' frustration with the solar panels and the monthly maintenance fee model (Cabria and Villagrán 2019). The article states: "This community [Xeputul II] chose to stop paying for their electricity because it seemed like a contradiction to have to pay money that they did not have for a service that came as a product of aid. A donation is a donation, they told us." In addition, the goal of having the two women train other women as promoted by Enel never came to fruition. The authors of the article talked to one of the women who went to India and found that "the goal was for her to become a leader in her community so that she could teach other women

the trade. She laughs. She believes that her two daughters have learned something from her from seeing her with the panels but says that only she takes care of them. Nobody has asked her to teach [community members], and she is not going to do it because she is not paid." They report that Enel paid for the importation of the solar panels to Guatemala from India, which was part of their CSR program. The reporters note a general sense of apathy among residents of Xeputul II in relation to the solar panels, with one of the women who had traveled to India declaring it was no longer her responsibility "if Xeputul II returns to darkness."

These three perspectives, of the community leaders, the woman who went to India, and the reporters, present a situation in which (a) Enel was not involved in the solar energy project in its entirety, as suggested in their report, and merely paid for the panels; (b) they employed deception by not consulting the communities or the women about using their images and story in their report and not telling the communities that the solar panel project was part of Enel's CSR programs; (c) they have not supported the development of the community of Xeputul II beyond buying the panels, which has caused problems and tensions at the local level; and (d) they have misrepresented their CSR program as bringing energy and development to Xeputul II.

Enel has held competitions under its "PlayEnergy" initiative, where students and youth compete in promoting and designing environmentally friendly projects to combat climate change. A select few then may take trips abroad to present their ideas. The director of one of the schools in San Felipe Chenlá and other youth recall having the opportunity to travel to Costa Rica and participate in a meeting with other youth whose communities are also being affected by Enel's projects. Youth who participated in these trips recall going to meetings but also having the opportunity to play paintball, stay in hotels, and travel. One community leader in Cotzal claimed that these trips were strategic and were meant to gain support among young people and fill their heads with false ideas. At least one of the participants who benefited from Enel's trip was the younger brother of one of the nine leaders who was being persecuted and had an arrest warrant issued against him in 2011. The leader said that his younger brother, through this trip with Enel, was "sitting at the dinner table of the enemy." His brother's acceptance of the opportunity led to tensions and divisions within the family, and he believed that his brother was selected precisely for that reason.

2015 CONSTITUTIONAL COURT RULING

In 2012, the Alcaldía Indígena of Cotzal, represented by lawyers Moisés Rosales Barrientos and Marly Vásquez, placed an *amparo* against the Ministry of Energy and Mines (MEM) for violating their right to consultation regarding the construction of electrical towers by Transmisora de Energía Renovable, S.A. (Transnova). The Transnova towers are part of an electrical network built to transport the energy

produced by Palo Viejo. Transnova is a subsidiary of Enel Guatemala (CC 2015a, 43). Three years later, the CC ruled in favor of the communities of Cotzal and the Alcaldía Indígena of Cotzal, requiring that "the necessary measures" be taken by the government so that consultation would be practiced "in accordance with the applicable international standards" (78). The CC designated the Cabinet of Indigenous Peoples within the Executive Branch of the Guatemalan State as having the responsibility to carry out this consultation process (78). Rosales Barrientos and Vásquez represented the communities of Cotzal throughout these years and for these cases. Lawyer José Santos Sapón Tax would later join these legal efforts during the discussion on the consultation process.

The resolution has many legal aspects that recognize the rights of Indigenous Peoples. Among them is the recognition of the Alcaldía Indígena as legitimate representatives of their communities, in contrast to companies such as Enel and Transnova, as well as the municipal mayor, who claim that the municipality is the only legal and legitimate representative of Cotzal (25–26). In addition, the CC resolution views consultation as a fundamental right. Although the MEM and its officials along with companies like Transnova argue that consultation does not exist within the General Electricity Law (1996) or the Mining Law (1998), this is a right guaranteed by the Guatemalan state because of its signing and ratification of international instruments and conventions (37). The resolution states that notification of projects in the *Diario de Centro América* and other periodicals of high circulation is not a form of consultation, as companies have claimed. In addition, these announcements are published only in Spanish and not in the local languages where projects will operate. The ads are also very small print, and the newspapers in which they publish are sometimes found only in very limited places in Guatemala City (53). As we saw with Enel's use of ads in newspapers as a form of consultation, this method of disseminating information and informing the Ixil was not adequate.

Last, the resolution recognizes the concept of territory from an Indigenous perspective, one that does not view territory as individual, or as a commodity or private property. While the Alcaldía Indígena and their claims to ancestral lands would exist without this state recognition, the Court's recognition is important given the debate that occurred between Cotzal and Enel regarding private property and ancestral rights (40).

There are other cases in the Ixil Region involving hydroelectric projects and electrical towers. In 2015, the CC ruled in favor of the communities of Nebaj on cases regarding the hydroelectric plants La Vega I and La Vega II (CC 2015b, 2015c). The CC also ruled against Nebaj on a case involving the company Transportadora de Energía de Centroamérica, S.A. (TRECSA), a subsidiary of the Colombian corporation Grupo Energía de Bogotá, which built electrical towers. In 2016, the Corte Suprema de Justicia (CSJ) ruled in favor of the Alcalde Indígena of Nebaj and against the MEM for their failure to provide consultation for the hydroelectric

plant of Las Brisas (CSJ 2016). These *amparos* take years to be resolved, and as is the case with Transnova in Cotzal, companies may have already begun and finished construction, which makes consultation an afterthought and places the implementation of the ruling in an awkward position or makes it challenging to carry out. For the three cases in Nebaj involving hydroelectric facilities, these projects had not begun construction at the time of the *amparo*.

The communities of Cotzal began dialogue a year later in June 2016 with representatives from the Cabinet of Indigenous Peoples and municipal officials to determine what the consultation process should look like. Since the electrical towers were already built, this was a complex situation. Nevertheless, the process of dialogue to work out the conditions for consultation was viewed as a reparative form of justice and provided hope that companies considering building megaprojects in Guatemala would respect free, prior and informed consent (FPIC). But after two years and seven months of periodic meetings, on February 8, 2019, government representatives informed the communities of Cotzal that in January President Jimmy Morales had repealed Government Agreement 117-2014, which created the Cabinet of Indigenous Peoples. This undermined the legal authority that these government representatives held in discussing the process of consultation with the people of Cotzal. Hence, the meetings regarding consultation proceedings ordered by the 2015 CC ruling were for naught, and community leaders were alarmed by Morales's decision. The ancestral authorities of Cotzal expressed their concerns in an open letter dated February 8, 2019, where they stated: "With the repeal of the government agreement that gives legal life to the Cabinet of Indigenous Peoples, Mr. Jimmy Morales Cabrera and his cabinet break the consultation process with the Maya Ixil Indigenous people of San Juan Cotzal, initiated on June 22, 2016, disobeying openly and flagrantly the ruling of the Constitutional Court that orders the Guatemalan state to comply with its obligation to consult the Maya Ixil people of San Juan Cotzal, through said cabinet, on the execution of the aforementioned project" (B'oq'ol Q'esal Tenam K'usal 2019; Batz 2019). For the Ixil, the sudden end of the consultation process was also a form of keeping the Ixil from accessing their rights guaranteed by the CC. They add: "This racist, discriminatory, and irresponsible act of the government, contained in Government Agreement Number 11-2019, published in the *Diario de Centro América* on January 15 of this year, which repeals Government Agreement Number 117-2014, adds to the constant refusal of Mr. Jimmy Morales Cabrera and his government to comply with the judgments of the Constitutional Court, in a clear breach of the institutional framework and the rule of law" (B'oq'ol Q'esal Tenam K'usal 2019; Batz 2019). At a press conference in February of that year, the ancestral authorities of Cotzal reaffirmed their discontent with Morales's decision to end the consultation process (Toro 2019).

The outcomes of these court resolutions are still pending. The court rulings represent and form a historic effort by the Ixil to access and use state structures as a form of resistance. The 2015 CC resolution was a historic victory, and its full

implementation is crucial for building a more just Guatemala. But the government's increasing militarization of the country is creating a social and political environment where defenders of Indigenous territory and rights are being criminalized. Furthermore, because of structural inequalities, many find themselves forced to migrate abroad, primarily to the US.

In various reports, documents, and press releases, Enel, like other companies, highlights the initiatives of its CSR programs. Megaprojects appeal to the Western savior mentality that has called for green energy, fair trade, and CSR without seriously contesting the ill effects of capitalism and neoliberalism, which fuel global warming. Companies like Enel have been successful in portraying themselves as environmentally friendly and as supporting educational programs, without serious evaluation of the impacts of Palo Viejo or these programs. While many of these programs may be well meaning and may sound good on paper, they serve to mask the local problems and daily realities that communities face.

As community leaders and residents shared, they were deceived by Enel, from how they entered and settled in Cotzal, to their tactics during dialogue that encouraged governmental officials and community members to side with them against opponents of Palo Viejo, to their tactics after dialogue, when Enel began to criticize the ancestral authorities whom they had initially recognized as legitimate leaders, and to claim that they were illegitimate. The new agreement with the municipal mayor in 2013 completely undermined any good faith that Enel claimed to have had with the communities of Cotzal. That the vast majority of Cotzal has no electricity, while the hydroelectric plant exports energy out of the municipality and generates millions of dollars in profits for a foreign company that relied on the armed forces to complete its project, is symbolic of the neocolonial realities of Guatemala.

Conclusion

Imagining a Future

In Cotzal, there are two visions for the future. The first comes from a feature story on the Brol family and the Finca San Francisco from an online magazine symbolically titled *Coffee or Die*, the media wing of a coffee company formed by US military veterans. In it, the author of the article in envisioning the future of Cotzal writes: "Through all the bloodshed, violence, and tragedies, the San Francisco Cotzal farm prevailed and shines as a prime example of how a community can unite together against an *invasion of communist ideology*. Some 38 years after the war, the farm today is more than just a plantation that grows and harvests coffee. . . . *Pedro's grandchildren are the fifth generation*, and when it is their time to take the lead, they will continue the long family tradition built upon community and sacrifice" (emphasis mine, Fratus 2020). Don Concepción's words requoted from the Introduction provide another vision of the Ixil's future: "According to what we have heard, when Enel ends its operations after fifty years, it will remain in the hands of the Brols, so the Brols will make more money for another one hundred years—in other words, our future generations, the children who are not born yet, and the children who were born, their children, their grandchildren, they already have their *patrones* [bosses], that is to say, we will never come out from under the pressure of these landowners, the invaders [unless we resist]." These two visions for the future see two different worlds: one presents the Finca San Francisco as a benign entity in Cotzal, and the other recognizes the finca's history of exploitation and resource extraction that has sacrificed Indigenous Peoples and territories. Thinking about the future, the Ixils do not want a *fifth* invasion.

The four invasions provide us with local realities and a local understanding of history. The Ixil are actively resisting, building, and imagining another

future guided by *tiichajil* and the spirits of their ancestors. The Guatemalan state and invaders continue to engage in the extraction of natural resources, labor, and knowledges. That thousands are fleeing Guatemala is an ill effect of the fourth invasion, something the Ixil are trying to combat within their communities.

In this book, I examined historical Ixil resistance movements during the four invasions. In every invasion, whether during colonial rule, dictatorships, or democratic governments, the Ixil Region suffered the extraction and commodification of their natural resources and territories, often in the name of "civilization" and "development." In Part I, I traced the various colonial and repressive institutions that marginalized the Ixil during the four invasions. Outsiders and foreigners benefited from the displacement of the Ixil from their ancestral lands, their labor, and the extraction of their natural resources. The communities of Cotzal resisted in multiple ways, which included rebelling openly during the colonial era; not paying tribute and fleeing into the mountains; using the 1623 *convenio antiguo* written in Ixil; using the 1952 Agrarian Reform to expropriate fincas; and joining the armed revolutionary movement during the war. Some Ixil became agents of colonial institutions, such as some municipal mayors who supported the *finqueros* and the state during the second, third, and fourth invasions. Foreigners and outsiders relied on these social divisions to pursue their interests and agendas.

In Part II, I analyze how the legacies of these previous invasions have shaped social movements in the new or fourth invasion. Through this historical approach and the use of a case study of Cotzal, I have demonstrated that the arrival of megaprojects is a continuation of a colonial logic of extraction that thrives on racist and colonial institutions, often at the expense of Ixil labor and lives. Companies like Enel use the discourses of development, capitalistic desires, and promises of enhancing the living conditions of local communities to justify their presence. As we see in Cotzal, Enel benefited from a postwar and violent environment that relies on a politics of terror in which the municipality persecutes protesters. When the then-municipal mayor became a fugitive, the Guatemalan government and military became further involved, with the company taking a more aggressive stance by legally persecuting nine leaders. After starting dialogue and recognizing protesters and the ancestral authorities' legitimacy, the company stalled and bought time to finish constructing the hydroelectric plant, then entered a new deal with a new municipal mayor. The company used deceit and unethical strategies, but the Ixil continue to organize and struggle with dignity.

The 2015 CC resolution that favored the communities of Cotzal gives them the opportunity to begin dialogue with Transnova since their rights to consultation were violated. This history is currently taking place at the time of this writing and is an extension of the ways in which the Ixil have used legal mechanisms for their struggle. The use of the judicial system is part of a larger legal resistance, as seen in Part I when the Ixil denounced abusive priests and colonial officials, invoked

agrarian reform, participated in the genocide trials, and used FPIC. While the efficacy of these legal channels and mechanisms can be limited, the 2015 resolution makes clear that the Guatemalan state has the obligation to implement and support consultation processes as well as to respect the rights of Indigenous Peoples.

Today, Guatemala is at a crucial political juncture that is witnessing the use of political terror by what is referred to as the Pact of the Corrupt, an alliance between government officials, military, business interests, and elites. Impunity for the elites and *finqueros* continues, and prisons continue to be filled with the poor and with activists who organize for social change. The injustice within the justice system is captured by a common saying that "justice in Guatemala is like a snake, it bites only the barefoot." That the Ixil and other Indigenous Peoples in Guatemala continue to fight daily to bring those accused of war crimes and genocide to justice and to resist megaprojects is a reminder that there is still *hope* in Guatemala. The communities of Cotzal continue to struggle against the oppressive structures that have existed since the first Europeans arrived in the territory known today as Guatemala.

OVER A DECADE OF PALO VIEJO AND ENEL GREEN POWER IN COTZAL

Since I began research in 2011 in Guatemala, there has been increasing militarization and state-sponsored political violence against Indigenous activists, communities, and land defenders, who have been criminalized for struggling to live a dignified life and for defending their ancestral territories from hydroelectric and mining projects. While many of these companies engaged in extractivism claim that their projects will bring about development in Guatemala, that has not been the case. Proof of this is the increase in the numbers of displaced Maya peoples who are migrating to the United States because of the lack of economic opportunities in Guatemala and the need to seek political refuge. When I first arrived in Cotzal, there was very little migration; today, over a decade since Enel Green Power came with promises of development and employment, migration has increased exponentially.

Returning to Cotzal throughout the years, I have seen the changes at the local level. In 2022, I am back in Cotzal, standing with Baltazar de la Cruz Rodríguez next to one of Palo Viejo's diversion dams where the river has been dry since the water was forcibly routed to a concrete canal (figure 14). While pointing to the dried-up riverbed, Baltazar says of the last ten years of Enel Green Power:

> The construction began in 2008; they finished construction in 2012 and began to operate, generating energy, offering development. But development is the kidnapping

FIGURE 14. Cotzal River after passing through one of Enel's diversion dams, which diverts the river into a concrete channel, leaving the riverbed dry, May 2022. Photo by author.

of the river that is channeled next to this river. . . . We can no longer see the aquatic life that was here more than a decade ago. Unfortunately, there is no life. Now we can only see the skeleton of the Cotzal River that has been kidnapped by Enel Green Power for more than ten years. They came up with the term *development*, but if you came to Cotzal now in 2022 and realized what development there is, there are

> communities still without electricity here. . . . It is a looting of natural resources; it is a destruction. They earn millions of dollars a year, but for Cotzal there is nothing.

His words summarize this book. What concerns me is the brutally harsh reality expressed by another community leader and ancestral authority, Pedro Sambrano Rodríguez, who recognizes the historical injustice that the Ixil have confronted in resisting invaders:

> They have persecuted us as leaders, they have really criminalized us and the social struggle. . . . In Guatemala, Indigenous Peoples have always been deceived, it has always been a system that does not belong to us. That is why we are going to continue our fight, our being, to face the situation in which we are living. We must always tell Enel Green Power that they really came to loot our natural resources, and the water. . . . The land [San Francisco] is occupied too, the land belongs to the town, the land belongs to Indigenous Peoples.

Possibly one of the best arguments against the discourses of development promised by Enel Green Power is the hundreds from Cotzal who have fled Guatemala because of historical structural inequalities. An Ixil ancestral authority explains: "Our people are looking for their own development. How do they do that? Through migration. So the development option offered by Enel Green Power through Palo Viejo is not reflected [in reality], it does not exist. It's a myth. It's a lie that they brought . . . as an excuse to be able to loot natural resources."

The struggle in Cotzal against extractivist violence is a long history captured in the four invasions and evident in the memories and actions of the Ixil, and their pursuit of *tiichajil*, their commitment to live a dignified collective life. The people of Cotzal dream of a better future for their children and grandchildren, a future where they do not have to experience their community being invaded by hundreds of soldiers and policemen, and where children do not have to scream in fear and say things like "*Mami*, the violence you told me about is coming back!'" The future in Cotzal looks bright and uncertain, hopeful, and concerning. *No queda de otra que luchar*.

FINAL REFLECTIONS

The *Pop Wuj* is a Maya creation story that tells the origin of our world through the story of two sets of twins. The first set, Jun Junajpu and Wuqub' Junajpu, go to the underworld, where they are killed during a ball game by the lords of the underworld in Xib'alb'a ("the place of fright"). Their children, known as the Hero Twins, Junajpu and Xb'alamke, are able to defeat the lords of Xib'alb'a, and they become the sun and the moon, respectively. Thus the world begins after the defeat of Xib'alb'a, whose lords were the cause of fear, pain, sickness, starvation, destitution, and death. The *Pop Wuj* can also be read as a story of intergenerational

FIGURE 15. View from Vichemal, Cotzal, 2023. Photo by author.

struggle and resistance against the evil forces of destruction. Today, Guatemala is Xib'alb'a, and the Hero Twins of today are the Ixil and K'iche' of Cotzal; they are the Indigenous and oppressed peoples that seek liberation from a violent and corrupt government; they are those resisting historical invasions.

Guatemala is Xib'alb'a, and the oligarchs, landowners, and corporations like Enel are the lords of this underworld that fosters fear, pain, sickness, starvation, destitution, and death. The people are the Hero Twins because only the people can save the people. Social movements like those taking place in Cotzal, the Ixil Region, and elsewhere are the seeds of a new world and a future where the sun and moon can rise in a more just and dignified world.

NOTES

INTRODUCTION

1. Here and throughout this book, all translations, including those for quotations from all documents, meetings, interviews, and cited Spanish-language publications, are my own.

2. Enel Green Power is part of the Enel Group of Italy, and operates in Guatemala through subsidiaries such as Enel Guatemala, S.A. and Renovables de Guatemala, S.A. For more on the corporate structure, investments, and subsidiaries of Enel Green Power, see Enel Green Power (2010, 2013).

3. Nolin and Russell (2021) also refer to the arrival of extractivist industries and mining in Guatemala as a fourth invasion.

4. Quoted from video of dialogue meeting, September 2, 2011. All other uncited quotations in the book are from fieldwork interviews or video recordings. In Guatemala, the Spanish word *indio* (Indian) is a very racist term used against Indigenous Peoples.

5. The origin of the term *vir* (pronounced "veer" in English) is unknown, but some Ixil in Chajul have joked that it is because gringos like to drink "beer."

6. According to David Stoll (1993), "The gringo colony in Nebaj was nothing new: it dated back half a century, starting with evangelical missionaries from the United States and reinforced in the 1970s by hippies. All were forced to leave by the violence" (9).

7. According to Adriana Linares (2021), in Cotzal these include Pulai, Xolpe (?), Aasich, Mutzil, Chichel, Vi'sachoom, Xolkoo, Tutxok, Kajixay, Tzikuay, and Ichiil (56).

8. One exception is Paul G. Townsend, who lived in Cotzal and has published on Ixil language and rituals in collaboration with people from Cotzal (Townsend, Cham, and Ich' 1980; Townsend and Met T. 1980).

9. The brutal assassination of spiritual guide Domingo Choc Che, Maya Q'eqchi, on June 6, 2020, is a recent example. For more on this case, see Pastor and Cherofsky (2020).

10. For more on the Ixil calendar, see Lincoln (1942).

11. Adriana Linares (2021) also notes similar Ixil perspectives on the role of academics and anthropologists (188).

12. The administrator of the Finca San Francisco and I met during a meeting held by the ancestral authorities in 2014 regarding a missing municipal map of the ejido.

1. FIRST INVASION: GENOCIDE, COLONIAL INSTITUTIONS, AND RESISTANCE

1. According to Firmino Castillo et al. (2014), several Ixil concepts were suppressed in Nebaj, such as *Yooxhib'al*, which means "place of our essence, or where we go to meet our vital energy"; *txaala tx'ava*, which "refers to sacred sites, in general"; and *nachb'al*, which are "places that are found at certain points," now "popularly known as 'Mayan altars'" because of the "evangelization process [and] hispanicization" and as part of a colonial strategy (31). In addition, they state that "the suppression of Ixil philosophical and spiritual concepts . . . becomes an act of political aggression, especially when it comes to changing the names of geographical places. The consequences have repercussions [among the Ixils]: when the name and meaning of a certain *yooxhib'al* is no longer remembered, exploitation by outside interests opens up" (31).

2. According to Lovell and Swezey (1990), some of these are not exact figures, such as the numbers for tributaries from San Juan, Cotzal, and Salquil, Nebaj, because the manuscript they were consulting was "badly burned in a fire in the archive earlier this century," so that some figures were "so charred as to be illegible" or had "completely disintegrated" (30).

3. In 1662, Fr. Domingo de Granados was chosen to oversee the church in Sacapulas and the jurisdiction of Cotzal and Chajul (AGCA, A1.39, Leg. 1751, Fol. 451). The document is available at the AGCA in the form of a photo copy and is difficult to read.

4. Patch (2002) writes Miguel's last name as Matón, but it is most likely Matóm (which is how I spelled it here). Matóm is a common name in Nebaj today.

5. According to Colby and Van den Berghe (1969), "While the exploitation of the Indians was most intense just after the Conquest when the Spaniards were intent on immediate personal profit through tribute and mining, strong control, tribute and corvée or slave labor for agricultural and other activities continued to be imposed" (48).

6. Elaine Elliott (1989) mentions that the people of Cotzal did have an ancient document written in their own language that they used to defend their territory, but she does not give details of the document such as the year or its contents (6, 17).

7. This quote seems to have been taken from either Jomo Kenyatta or Desmond Tutu, who said some variation of this regarding the arrival of missionaries in Africa: "When the missionaries came to Africa, they had the Bible, and we had the land. They said, 'Let us pray.' We closed our eyes. When we opened them, we had the Bible, and they had the land."

2. SECOND INVASION: LAND GRABS, PLANTATION ECONOMY, AND FORCED LABOR

1. It is not clear exactly how much land was lost during the second invasion. Several studies that examine the land in the Ixil Region (Durocher 2002; González S. 2011) are based on figures published by David Stoll (1993), estimating that almost 44.89 percent of

land in Cotzal was titled to individuals (35). Stoll obtained his data from figures provided by Elaine Elliott in 1990 and does not present the sources of her figures presented other than to mention that they are from the "National Land Register," so it is difficult to verify this data (35). It is possible that more land was lost, and additional research is needed to review the titling of private land in Cotzal.

2. According to Colby and Van den Berghe (1977), one of the first ladinos to settle in the Ixil Region was Doña Juana B. in 1889 or 1890; after much difficulty, she was able to build a house in Nebaj. Another ladino to settle in Nebaj was a Spaniard, Isaías Palacios. These individuals would be followed by others from Spain, Italy, France, Mexico, and Guatemala City.

3. Pedro Brol arrived with his wife, Rafaela Galicia. Some in Cotzal state that Brol founded Finca San Francisco in 1902. As noted in the chapter, I have found archival data to show that he purchased some land in Cotzal in 1904 and several other properties in subsequent years.

4. Jackson Steward Lincoln (1942) published his work on the Ixil calendar but died suddenly before he could complete a larger manuscript of his work. His notes were published posthumously in 1945 by the University of Chicago and offer insights to the research he was conducting, especially since he had firsthand accounts of meeting the original *finqueros* of the region.

5. The Hodgsdon surname sometimes appears in texts and sources as Hodgson; I use Hodgsdon since it appears in this way in several archival sources.

6. Elaine Elliott's unpublished "A History of Land Tenure in the Ixil Triangle" (1989) was one of the first works on land tenure in the Ixil Region and has been cited by several scholars. Elliott recently published this article in 2021 under a similar title.

7. These lands would later appear as finca #6971 and #6972, owned by the Herreras.

8. According to Alejandro Flores (2021b) on the historical importance of the 1936 uprising: "I propose that in the collective imagination of several members of the ancestral authorities of the municipality of Nebaj, the state had reactivated in 1936 a cycle of undeclared war against the Ixil, with the execution of seven B'oq'ol Qesal Tenam Naab'a [ancestral Indigenous authorities of the municipality of Nebaj] and the disappearance of several hundred residents and *principales* (community authorities) for their refusal to send compulsory labor to open paths in road projects, promoted by the dictatorial regime of Jorge Ubico."

9. For a detailed look at Burbank, Burkitt, and Ruhl, see Batz (2022b).

10. Jan Rybicki (2010) argues that *Memoirs* was also written by Alma and that she influenced and contributed to the work produced by Jeremiah.

11. Curtin (1940) described the impact that alcohol had at this time in the Ixil Region and noted that the "only commerce in fixed places was that of liquor," more specifically aguardiente (567–68, 571). Curtin claimed that one day he had been summoned by the Italian-looking mayor whom he "never saw sober" and who was "said to be the son of an Italian who in 1868 resided in Nebaj" but had abandoned him and his mother (1940, 568). He observed that the Ixil of Nebaj engaged in trading their products (most likely treque, the exchange of goods and services between neighbors) as opposed to buying and selling with money. At one point he described a woman who was selling candy but "would not sell for money" and would only trade for corn. He said that other items such as tomatoes were bartered as well (569). Curtin complained about the lack of bread or flour (both foreign products). He was fed by local women who would come to prepare food.

12. For an in-depth analysis of Decree 900 and its impact in Guatemala, see Handy (1994).

13. For another analysis of the impacts of Decree 900 in the Ixil Region, and the conflict between Girón Toledo and Brol, see Juan Carlos Mazariegos (2020).

14. According to Nicolás' *ficha*, an entry under *asunto* for October 25, 1954, reads, "Letters arrived from Mexico say that he is preparing people for an invasion into Guatemala" (ADAHPN, GT PN, 50, S001, 959821).

3. THIRD INVASION: STATE-SPONSORED VIOLENCE AND ARMED STRUGGLE

1. Don Juan asked that I accompany him for emotional support and to document the exhumation with my camera, so I did and printed pictures for him.

2. For more on the massacre in Chisís, see CEH (1999a), "Caso ilustrativo No. 92: La masacre de la aldea Chisís," 89–96.

3. I was not present during all of the exhumation of the community grave, or at its end. This information was given to me by a community leader from Chisís who was present at the exhumation.

4. For more on the arrival of the guerrillas in the Ixil Region, see Ceto (2011); González S. (2011); Flores (2021a); Forster (2012); Payeras (1998); Stoll (1993).

5. A wide range of works have focused on the war and its legacies. They include testimonies from Ixil (Reyna Caba 2001; Ceto 2011; Hernández Alarcón et al. 2008; Guzaro and McComb 2010); documentaries such as *Granito* (Skylight Pictures 2011); academic works (Brett 2007; Manz 1988; Perera 1993; Stoll 1993); and photographic works (Asociación de la Mujer Maya Ixil 2000; Simon 1988; Volpe 2015). The two truth commissions after the war, CEH and REMHI, and declassified US and Guatemalan documents, such as *Operación Sofia*, are also important historical documents that highlight the systematic violence and its perpetrators (CEH 1999b; Ejército de Guatemala 1982; REMHI 1998). The 2013 conviction of Ríos Montt for genocide and crimes against humanity provides ninety personal testimonies from survivors of the war as well as expert testimony to further prove that these crimes occurred (Tribunal Primero de Sentencia Penal 2013).

6. San Marcos Cumlá, listed under Cotzal, appears as "San Marcos." Cajixay appears as "Cajixaj."

7. For an example of these types of kidnappings of children by the military, see the documentary *Finding Oscar* (Filmrise 2016).

8. The annulment of the sentence was seen as a victory for the systematic impunity and corruption in the Guatemalan society and government. This widespread corruption would come to light later, in 2015, with the uncovering of the case called La Línea, which eventually led to the resignation and arrest of President Otto Pérez Molina and Vice President Roxana Baldetti, among other high-ranking government officials and ministers.

9. A *ficha* for Domingo Vicente Pastor has two entries. The first, dated June 25, 1969, days after the death of Jorge, reads, "He was accompanying Jorge Brol Galicia, who was murdered; he was captured by elements of the Pol. Nac. Del Quiché." A second entry, dated August 27, 1970, after Edmundo complained to police, reads: "He was accompanied by a person who was the victim of assault, robbery, and murder; consigned as responsible" (ADAHPN, GT PN, 50, S001, 437202).

10. Interestingly, Edmundo Brol Galicia would request a copy of "the interrogation that was conducted of two Indigenous people who testified against PEDRO MEDINA RODRIGUEZ" (AHPN, GT PN, 50, S009, Doc. No. 11, [14.0117.1233] 539). His request would be rejected.

11. According to Cindy Forster, Enrique Brol "personally participated in the repressive operations of the military and the various police forces. This man had tremendous energy to commit heinous acts. He was famous for his cruelty" (2012, 129).

12. The MLP promotes a plurinational state and the nationalization of electricity, among other progressive proposals. The MLP presidential candidate for the 2019 elections was Thelma Cabrera, a Maya Mam woman who finished in fourth place (Rivera 2019).

4. POSTWAR LIFE AND MEGAPROJECTS IN THE IXIL REGION

1. For other examples of *tiichajil* and *txaa*, and more discussion of Ixil concepts, see Banach and Herrera (2021); Linares (2021); Firmino Castillo et al. (2014); and Firmino Castillo (2018).

2. When I became sick with a cold that was lasting over a week and I was not feeling better even after taking some pills, doña Rosa prepared an herbal bath and medicine. Soon after, I felt better.

3. Pedro Gaspar Gonzalez's novel *La otra cara* (1996) explores the dual nature of Maya identities in Guatemala.

4. For a detailed analysis of wartime naming practices, with examples from the Ixil Region, see Mazariegos (2020).

5. In one case, the owner of the only bus line that goes from the Finca San Francisco to El Quiché was being extorted to pay a protection tax. When he refused, he was shot while driving one of his buses, but survived. A few days later, another one of his buses was shot at. I was on that bus, sitting in the last seat on the right side, and saw the hooded gunman as he aimed and shot at the driver. He was not trying to rob the bus but rather to kill the driver. Luckily, he missed and only shot the tires, and no one was hurt. He fled, but attacks against bus drivers continued for a short time.

6. The hydroelectric plants in operation built by Solel Boneh in Guatemala include the projects El Canada in Zunil, Quetzaltenango; Monte Cristo in El Palmar and Zunil, Quetzaltenango; Oxec I and II in Cahabón, Alta Verapaz; and Promoción y Desarrollos Hídricos in San Mateo Ixtatán, Huehuetenango (SBI International Holdings AG 2022).

5. RESISTANCE AGAINST ENEL

1. These communities included San Felipe Chenlá, Vichivalá, Santa Avelina, Quisis, Chisís, Chichel, Ojo de Agua, Cajixay, Villa Hortensia II, San Marcos Cumlá, La Bendición, San Antonio Titzach, San Juan Cotzal (*cabecera*), Tixelap, Villa Hortensia Antigua, Villa Hortensia I, Buenos Aires, Vichemal, Los Ángeles, Xeputul I, Xeputul II, Sajubal, and Pinal.

6. DIALOGUE AND DECEPTION

1. The meeting was originally scheduled for August 2, but because Ramazzini and the moderator had transportation issues, the meeting could not take place and was rescheduled for August 5.

2. A report from Enel would later confirm that these discussions began in November 2012 (Enel Green Power 2014a, 8).

3. According to Enel, "The first concrete product generated during the first Technical Table meeting was the ultimate approach methodology. In late December, the Working Table was officially established, but prior to that representatives of the parties carried on constant communication and worked together to structure the new process, design logistics, and more importantly, achieve the political will of all parties invited to participate in both, process verification and facilitation" (Enel Green Power 2014a, 8).

4. According to Enel, "Starting on 2015, the contribution will be adjusted in accordance with the national inflation as per the Banco de Guatemala (Bank of Guatemala) annual declaration… for every dollar in income of its own, the Municipality will receive approximately another $0.24 from the state. These two aspects of the Agreement result in" the calculation of the $8.21 million figure (Enel Green Power 2014a, 10).

5. The original in Spanish reads: "Aviso Publico: Por este medio hace del conocimiento público, que el Estudio de Evaluación de Impacto Ambiental del Proyecto "Hidroeléctrica Palo Viejo" en el departamento de Quiché, se encontrará a disposición para consulta y comentarios durante 20 días hábiles (de 9:30 a 17:30 horas) en la sede central del Ministerio de Ambiente y Recursos Naturales. 20 calle 28–58 zona 10 Guatemala" (CDM 2010, 38).

6. Translated by an Ixil trained in linguistics into Spanish, which I then translated to English, the original notice in Ixil (Nebaj variant) reads: "Alich Yol Xo'l Tenam. Ni qale'l yol xo'l u tenam, va kat ilax yi suchil u aq'one ve' ti' unq'a q'esla chaj tze'e', ve'at tuu la b'en soliloj. Vinqil q'ii la kuchun salel tzan as abi'il kuxhla uch toone'ti'tilche' as la b'al ka'voj yol sti'la xet' tuu b'eluval hoora tuk'poko' chil q'alam, as la tzojpi tuu o'val hoora ku'eb'al q'ii tuu atimb'ale'va ni ilon isuchil unq'a tze'e'tuk'tatin u vatz txaava'e', ve' echen tu nimla tenam tu vinqil tachul b'ey, as vinaj vaxajil tuk'vaxalaval toxk'al ixoleb'al u b'eye've tu laval ch'oola b'ey tuu nimla tenam" (CDM 2010, 38).

7. All these letters have the same style and format, and the letter presented with the signatures of the community leaders of Sajubal misspells the name of the community as "Sajual."

8. Because of these types of dubious processes, the Office of the United Nations High Commissioner for Human Rights uses hydroelectric plants in the Ixil Region as examples of the lack of consultation. In 2012, they reported: "In 2011, the Ministry of Energy and Mines granted four licences, and eight are in process of approval, for the installation of hydroelectric plants in indigenous territories. These licences are in addition to other concessions granted since 2008. . . . All have been granted without respect for the indigenous peoples' right to consultation recognized in international standards. This is the case of the Ixil Region in El Quiché, where OHCHR-Guatemala monitored social conflicts due to a lack of consultation prior to the granting of the licences for the Xacbal, Palo Viejo I and Hidroxil hydroelectric plants" (OHCHR 2012).

9. The construction and operation of the hydroelectric plant were delayed by the blockade in 2011. It is estimated that in the year 2060 the Palo Viejo project will generate $95,782,630 for that year (CDM 2012).

10. I withhold her name here to protect her identity. The Ixil woman could understand Spanish but preferred to speak in Ixil and agreed to have a translator during the interview.

BIBLIOGRAPHY

ARCHIVES

ADAHPN (Archivo Digital del Archivo Histórico de la Policía Nacional de Guatemala). https://ahpn.lib.utexas.edu/es.

AGCA (Archivo General de Centro América). Guatemala City, Guatemala.

AHPN (Archivo Histórico de la Policía Nacional). Guatemala City, Guatemala.

NSA (National Security Archives). Death Squads, Guerrilla War, Covert Operations, and Genocide: Guatemala and the United States, 1954–1999. Benson Library, Austin, TX.

SRP (Segundo Registro de la Propiedad). Quetzaltenango, Guatemala.

COURT RESOLUTIONS

CC (Corte de Constitucionalidad, República de Guatemala). 2015a. Expediente 156–2013 Of. 8. Ref: 60–2012. Acumulados: 159–2013. Guatemala.

———. 2015b. Expediente 1149–2012 Of. 3. Ref: 953–2011. Guatemala.

———. 2015c. Expediente 4957–2012 Of. 7. Ref: 1906–2011. Acumulados: 4958–2012. Guatemala.

CSJ (Corte Suprema de Justicia, República de Guatemala). 2016. Amparo 1230–2014.

Tribunal Primero de Sentencia Penal, Narcoactividad y Delitos contra el Ambiente; Asociación para la Justicia y Reconciliación; and Centro para la Acción Legal en Derechos Humanos. 2013. *Sentencia por genocidio y delitos contra los deberes de humanidad contra el pueblo maya ixil Guatemala, 10 de mayo 2013*. Guatemala. Guatemala City: Editorial Serviprensa.

SOURCES

Aguilar P., Luis. 1928. *Equivalencias y tablas de reducción de medidas y pesas: Francesas, inglesas, americanas y españolas*. Guatemala City: Talleres Tipográficos San Antonio.

Aguirre, J.A. 2005. "The Personal Narrative as Academic Storytelling: A Chicano's Search for Presence and Voice in Academe." *International Journal of Qualitative Studies in Education* 18 (2): 147–63.

Alcaldía Indígena, Cotzal. 2018. *Tenam K'usal: La resistencia ante una nueva invasión*. https://youtu.be/HMuTalhvCqw.

Alford-Jones, Kelsey. 2022. "How Injustice Can Lead to Energy Policy Failure: A Case Study from Guatemala." *Energy Policy* 164:1–9.

Arias, Arturo. 2010. "The Ghosts of the Past, Human Dignity, and the Collective Need for Reparation." *Latin American and Caribbean Ethnic Studies* 5 (2): 207–18.

Asicona Ramírez, Lucas, Domingo Méndez Rivera, and Rodrigo Domingo Xinic Bop. 1998. *Diccionario ixil de San Gaspar Chajul*. Guatemala City: Proyecto Linguístico Francisco Marroquín.

Asociación de la Mujer Maya Ixil. 2000. *Voces e imágenes: Mujeres maya ixiles de Chajul / Voices and Images: Mayan Ixil Women of Chajul*. Chajul, Guatemala City: Asociación de la Mujer Maya Ixil.

Autoridades de la Comunidad San Felipe Chenlá. 2012. "Carta al Alcalde Municipal Baltazar Cruz Torres y Concejo Municipal de San Juan Cotzal." May 7. Cotzal, Guatemala.

AVANCSO (Asociación para el Avance de las Ciencias Sociales en Guatemala). 1992. *Donde esta el futuro? Procesos de reintegración en comunidades de retornados*. Guatemala City: AVANCSO.

———. 2015. *Sexo y raza: Analíticas de la blancura, el deseo y la sexualidad en Guatemala*. Guatemala City: AVANCSO.

———. 2016. *Despojos y resistencias: Una mirada a la Región Extractiva Norte desde Tezulutlán-Verapaz*. Guatemala City: AVANCSO.

———. 2020. *Espirales de despojos y violencias en Tezulutlan Verapaz*. Guatemala City: AVANCSO.

Bahbah, Bishara A., and Linda Butler. 1986. *Israel and Latin America: The Military Connection*. London: Palgrave Macmillan.

Banach, Monika. 2016. "Xo'lvitz y Xe' Naloj: El paisaje sagrado de los mayas ixiles de Guatemala." In *Into the Underworld: Landscapes of Creation and Conceptions of the Afterlife in Mesoamerica*, edited by Jarosław Źrałka and Christophe Helmke. Kraków: Polish Academy of Arts and Sciences, Jagiellonian University, Institute of Archaeology.

———. 2017a. "The Ancestors of the Ixil Maya of Guatemala: Oral Tradition and the Pre-Columbian sites in Ilom." *Polish Journal of the Arts and Culture*, n.s., 6:7–28.

———. 2017b. "Tx'ol Winaq: The Story of the First Ixil Ancestor and the Sacred Places of Ilom." *Axis Mundi: Journal of the Slovak Association for the Study of Religions* 12 (1): 2–15.

Banach, Monika, and Elena Brito Herrera. 2021. "Buscando eela chil vatz en el tiichajil tenam: El concepto del buen vivir en el pensamiento maya ixil." *Maya America: Journal of Essays, Commentary, and Analysis* 3 (3): 49–69.

Barrios, Lina. 2001. *Tras las huellas del poder local: La Alcaldía Indígena en Guatemala del siglo XVI al siglo XX*. Guatemala City: Universidad Rafael Landívar, Instituto de Investigaciones Económicas y Sociales.

"Bases para el proceso de diálogo entre la Empresa Enel y las Comunidades de San Juan Cotzal." 2011. May 2. Cotzal, Guatemala.

Bastos, Santiago, and Aura Cumes. 2007. *Mayanización y vida cotidiana: Análisis específicos*. Guatemala City: Cholsamaj.

Batz, Giovanni. 2014. "Maya Cultural Resistance in Los Ángeles: The Recovery of Identity and Culture among Maya Youth." *Latin American Perspectives* 41 (3): 194–207.

———. 2018. "The Ixil University and the Decolonization of Knowledge." In *Indigenous and Decolonizing Studies in Education*, edited by Linda Tuhiwai Smith, Eve Tuck, and K. Wayne Yang, chap. 6. New York: Routledge.

———. 2019. "Proceso de consulta en Cotzal derrumbado por el presidente." Plaza Pública, March 13. www.plazapublica.com.gt/content/proceso-de-consulta-en-cotzal-derrumbado-por-el-presidente.

———. 2020. "Ixil Maya Resistance against Megaprojects in Cotzal, Guatemala." *Theory and Event* 23 (4): 1016–36.

———. 2021. "El Paro Nacional de Guatemala exige un cambio estructural." North American Congress in Latin America (website), September 7. https://nacla.org/paro-nacional-guatemala-exige-cambio-estructural.

———. 2022a. "A 25 años de los acuerdos de paz, democracia débil en Guatemala." North American Congress in Latin America (website), January 21. https://nacla.org/25-anos-de-los-acuerdos-de-paz-democracia-debil-en-guatemala.

———. 2022b. *La cuarta invasión: Historias y resistencia del Pueblo Ixil, y su lucha contra la hidroeléctrica Palo Viejo en Cotzal, Quiché, Guatemala.* Guatemala City: AVANCSO.

BDH (Bufete Jurídico de Derechos Humanos). 2017. "Caso Cotzal." Accessed February 9, 2018. https://web.archive.org/web/20160707131607/http://bdh.org.gt/index.php?id=caso-cotzal.

Black, George. 1983. "Israeli Connection Not Just Guns for Guatemala." *NACLA Report on the Americas* 17 (3): 43–45.

Boj Lopez, Floridalma. 2017. "Mobile Archives of Indigeneity: Building La Comunidad Ixim through Organizing in the Maya Diaspora." *Latino Studies* 15:126–37.

B'oq'ol Q'esal Tenam (Alcaldía Indígena, Cotzal). 2014. *Cronología de resistencia de las comunidades de Cotzal y la Alcaldía Indígena: Ampliación, aspectos que no se han contado*. Cotzal, Guatemala: B'oq'ol Q'esal Tenam, Alcaldía Indígena, Cotzal, Quiché, Guatemala C.A.

B'oq'ol Q'esal Tenam K'usal (Alcaldía Indígena Maya Ixil de San Juan Cotzal). 2019. "Jimmy Morales Cabrera y su gabinete desobedece la Corte de Constitucionalidad que ordena consulta al pueblo ixil de San Juan Cotzal." Open letter, February 8. San Juan Cotzal, Guatemala. Copy in author's possession.

Brett, Roderick Leslie. 2007. *Una guerra sin batallas: Del odio, la violencia y el miedo en el Ixcán y el Ixil, 1972–1983*. Guatemala City: F&G Editores.

Broad, Robin, and Julia Fischer-Mackey. 2017. "From Extractivism towards *Buen Vivir*: Mining Policy as an Indicator of a New Development Paradigm Prioritising the Environment." *Third World Quarterly* 38 (6): 1327–49.

Brown, Richard. 2020. "Un apagón de 11 días en Cotzal, Quiché, despertó los miedos de la guerra." *Nómada*, January 3. https://nomada.gt/identidades/guatemala-rural/un-apagon-de-11-dias-en-cotzal-quiche-desperto-los-miedos-de-la-guerra/.

Burbank, Addison. 1939. *Guatemala Profile*. New York: Coward-McCann.

Burkitt, Robert. 1930. "Explorations in the Highlands of Western Guatemala." *Museum Journal* 21 (1): 41–76.

Burt, Jo-Marie, and Paolo Estrada. 2022. "Mujeres achíes sobrevivientes de violencia sexual durante el conflicto en Guatemala logran justicia, 40 años después." Washington Office on Latin America, February 23. www.wola.org/es/analisis/justicia-achies-conflicto-guatemala/.

Cabria, Elsa, and Ximena Villagrán. 2019. "Xeputul 2: La aldea de Guatemala que decidió volver a vivir sin luz." BBC News, Mundo, July 22. www.bbc.com/mundo/noticias-america-latina-48909178.

Cannon, Lou. 1982. "Reagan Praises Guatemalan Military Leader." *Washington Post*, December 5. www.washingtonpost.com/archive/politics/1982/12/05/reagan-praises-guatemalan-military-leader/2c0aab2a-d928-4dbc-b120-68f1f93cd936/.

Casaús Arzú, Marta. 2007. *Guatemala: Linaje y racismo*. Guatemala City: F&G Editores.

CDM (Clean Development Mechanism—Executive Board). 2010. Clean Development Mechanism Project Design Document Form (CDM-PDD), Palo Viejo Hydroelectric Project, Version 01. August 2. https://cdm.unfccc.int/UserManagement/FileStorage/4ZEOQH6IMVXGF2SB3WYLJRPAK75U80.

———. 2012. Project 5942: Palo Viejo Hydroelectric Project. Appendix 2, IRR Sheet, March 26. Excel. https://cdm.unfccc.int/Projects/DB/DNV-CUK1332751491.14/view.

Cedillo Chel, Antonio, and Juan Ramírez. 1999. *Diccionario del idioma ixil de Santa María Nebaj*. Guatemala City: Proyecto Lingüístico Francisco Marroquín.

CEH (Comisión para el Esclarecimiento Histórico). 1999a. *Guatemala: Memoria del silencio*. Vol. 7, *Casos ilustrativos, Anexo I*. Guatemala City: CEH.

———. 1999b. *Guatemala: Memory of Silence*. Guatemala City: CEH.

———. 1999c. *Guatemala: Memoria del silencio*. Vol. 3, *Las violaciones de los derechos humanos y los hechos de violencia*. Guatemala City: CEH.

Ceto, Pablo. 2011. "Rebelión indígena, lucha campesina y movimiento revolucionario guerrillero: Reflexiones y testimonio." In *Guatemala, la infinita historia de las resistencias*, edited by Manolo E. Vela Castañeda, chap. 6. Guatemala City: Magna Terra Editores.

Chernaik, Mark L., and Mercedes Lu. 2012. "Observaciones al estudio de evaluación de impacto ambiental hidroeléctrica Palo Viejo, Finca San Francisco, San Juan Cotzal, Quiché, Guatemala, octubre 2005." Environmental Law Alliance Worldwide. Unpublished paper; digital copy in author's possession.

CIA (Central Intelligence Agency). 1982. "Guatemalan Army Conducts Sweep through Ixil Region." Death Squads, Guerrilla War, Covert Operations and Genocide: Guatemala and the United States, 1954–1999, #00767, [microfiche]. National Security Archive.

CICIG (Comisión Internacional contra la Impunidad en Guatemala). 2019. "Presentación del Caso Asalto al Ministerio de Salud Pública." July 16. www.cicig.org/casos/caso-asalto-al-ministerio-de-salud-publica/.

Colby, Benjamin. 1976. "The Anomalous Ixil—Bypassed by the Postclassic?" *American Antiquity* 41 (1): 74–80.

Colby, Benjamin N., and Lore M. Colby. 1981. *The Daykeeper*. Cambridge, MA: Harvard University Press.

Colby, Benjamin, and Pierre L. Van den Berghe. 1969. *Ixil Country: A Plural Society in Highland Guatemala*. Berkeley: University of California Press.

———. 1977. *Ixiles y ladinos: El pluralismo social en el Altiplano de Guatemala*. Translated by Gloria Li and Fernando Cruz. Guatemala City: Editorial José de Pineda Ibarra, Ministerio de Educación.

Collins, P.H. 1991. *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment*. New York: Routledge.

COMUDE (Consejo Municipal de Desarrollo) del Municipio de Chajul. 2010. *Plan de desarrollo Chajul*. Guatemala City: Segeplan/DPT.

COMUDE (Consejo Municipal de Desarrollo) del Municipio de Nebaj. 2010. *Plan de desarrollo municipal PDM del Municipio de Nebaj, Quiché*. Guatemala City: Segeplan.

COMUDE (Consejo Municipal de Desarrollo) del Municipio de San Juan Cotzal. 2010. *Plan de desarrollo, San Juan Cotzal, Quiché*. Guatemala City: Segeplan/DPT.

Comunidades de San Juan Cotzal. 2011. "Reiteración y ampliación de demandas de las comunidades de San Juan Cotzal ante la Empresa Enel Autoridades de Gobierno." Digital copy in author's possession.

Comunidades Indígenas. 2011. "Comunicado de Prensa." August 19. Copy in author's possession.

Comunidad Lingüística Ixil, Academia de Lenguas Mayas de Guatemala. n.d.-a. *Chib'eb' Alaj Yol Ixil = Textos literarios ixil*. Coordinador de Programas, Pedro Cedillo Marcos. Técnico Investigador Miguel Chel Corio. Guatemala City: Academia de Lenguas Mayas de Guatemala.

———.n.d.-b. *U Tootzajib'al U Tenam Ixil Yolb'emal = Tradición oral ixil*. Coordinador, Pedro Cedillo Marcos. Técnico Investigador, María C. Pacheco Ostuma. Guatemala City: Academia de Lenguas Mayas de Guatemala.

———. 2004. *B'iichit Unq'a Jejleb'al Na'ytzan Mayab' Ixil = Toponimias maya ixil*. Investigadores de Toponimias, José Torrez Raymundo, José Vinicio Gómez Canay, Gabriel Rodríguez Pérez. Guatemala City: Academia de Lenguas Mayas de Guatemala.

———. 2008. *Itilon Tatin Tenam Maya' Ixil = Monografía maya ixil*. Investigado por Tabita Juana de la Cruz, Diego Santiago Ceto, y Lucas Mendoza Asicona. Guatemala City: Academia de Lenguas Mayas de Guatemala.

———. 2018a. *K'ujb'ab' Yol Tu Ixil = Vocabulario ixil. Xe't Ve't U Yol*. Coordinador de Programas, Pedro Cedillo Marcos. Técnico Investigador Miguel Chel Corio. Guatemala City: Academia de Lenguas Mayas de Guatemala.

———. 2018b. *Unq'a Itz'akab'al K'ul Kumam Ixil = Medicina maya ixil*. Coordinador de Programas, Pedro Cedillo Marcos. Técnico Investigador Miguel Chel Corio. Guatemala City: Academia de Lenguas Mayas de Guatemala.

Congreso de la República de Guatemala. 2002. Decreto Número 12-2002. www.acnur.org/fileadmin/Documentos/BDL/2008/6698.pdf.

Copeland, Nicholas. 2019. *The Democracy Development Machine: Neoliberalism, Radical Pessimism, and Authoritarian Populism in Mayan Guatemala*. Ithaca, NY: Cornell University Press.

Cordero, Héctor. 2017. "Responsabilizan al gobierno por muerte materna en Chajul." *Prensa Libre*, July 10. www.prensalibre.com/ciudades/quiche/responsabilizan-a-presidente-de-muerte-materna en-chajul/.

Cortés y Larraz, Pedro. 2001. *Descripción geográfico-moral de la diócesis de Goathemala*. Madrid: Consejo Superior de Investigaciones Científicas.

Crosby, Alison, M. Brinton Lykes, and Brisna Caxaj. 2016. “Carrying a Heavy Load: Mayan Women’s Understandings of Reparation in the Aftermath of Genocide.” *Journal of Genocide Research* 18 (2–3): 265–83.

Cumes, Aura. 2012. “Mujeres indígenas, patriarcado y colonialismo: Un desafío a la segregación comprensiva de las formas de dominio.” *Anuario de Hojas de Warmi*, no. 17. https://revistas.um.es/hojasdewarmi/article/view/180291.

Cura Párroco de Nebaj. 1824. *Doctrina y confesionario en lengua ixil*. Manuscript. Foundation for the Advancement of Mesoamerican Studies, Mesoamerican Language Texts Digitization Project. www.famsi.org/research/mltdp/item91/ms_coll_700_item91_wk1_body0003.html.

Curruchich Cúmez, Máximo Arnoldo, and Alessandra Vecchi. 2011. “Empresa italiana Enel llega a San Juan Cotzal, Guatemala, violando los más elementales derechos de la población maya ixil.” Digital copy in author’s possession.

Curtin, Jeremiah. 1940. *Memoirs of Jeremiah Curtin*. Madison: State Historical Society of Wisconsin.

De León, Quimy, and Nelton Rivera. 2018. “En San Juan Sacatepéquez hombres encapuchados atacaron a la resistencia pacífica en Santa Fe Ocaña.” *Prensa Comunitaria*, July 3. www.prensacomunitaria.org/2018/07/en-san-juan-sacatepequez-hombres-encapuchados-atacaron-a-la-resistencia-pacifica-en-santa-fe-ocana/.

De León Calel, Santa Roselia. 2014. *K’iche’s en la región ixil*. Guatemala City: Universidad Ixil.

De León Ceto, Miguel. 2013. “La rebelión maya ixil de 1936: Una historia de dignidad y resistencia.” Unpublished paper.

Deloria, Vine. 1969. *Custer Died for Your Sins: An Indian Manifesto*. New York: Macmillan.

DeLuca, Danielle. 2017. “Hidro Santa Cruz termina proyecto de represas en Barillas, Guatemala.” *Cultural Survival*, August 24. www.culturalsurvival.org/es/publications/cultural-survival-quarterly/hidro-santa-cruz-termina-proyecto-de-represas-en-barillas.

Dougherty, Michael. 2011. “The Global Gold Mining Industry, Junior Firms, and Civil Society Resistance in Guatemala.” *Bulletin of Latin American Research* 30 (4): 403–18.

Dunn, Alvis E. 1995. “A Cry at Daybreak: Death, Disease, and Defense of Community in a Highland Ixil-Mayan Village.” *Ethnohistory* 42 (4): 595–606.

Durocher, Bettina. 2002. *Los dos derechos de la tierra: La cuestión agraria en el país ixil*. Guatemala City: Facultad Latinoamericana de Ciencias Sociales, Guatemala.

Ejército de Guatemala. 1982. *Operación Sofía*. Guatemala. National Security Archive Briefing Book no. 297. https://nsarchive2.gwu.edu/NSAEBB/NSAEBB297/Operation_Sofia_lo.pdf.

Elliott, Elaine D. 1989. “A History of Land Tenure in the Ixil Triangle.” Unpublished paper.

———. 1998. “Gaspar Ilom: Maya Resistance to the Western Ideology of Nature.” MA thesis, University of San Diego, CA.

———. 2021. “A History of Land Tenure in the Ixil Region.” *Maya America: Journal of Essays, Commentary, and Analysis* 3 (3): 111–37.

Emisoras Unidas. 2013. “Exalcalde enfrenta segundo debate por retención ilegal de un militar.” February 27. https://emisorasunidas.com/noticias/nacionales/exalcalde-enfrenta-segundo-debate-retencion-ilegal-militar/.

Enel. 2011a. *Enel SpA Annual Report 2010*. www.enel.com/content/dam/enel-com/documenti/investitori/informazioni-finanziarie/2010/annuali/en/annual-report_2010.pdf.

———. 2011b. *Sustainability Report 2010*. www.enel.com/content/dam/enel-com/documenti/investitori/sostenibilita/2010/sustainability-report_2010.pdf.

———. 2013. *Sustainability Report 2012*. www.enel.com/content/dam/enel-com/documenti/investitori/sostenibilita/2012/sustainability-report_2012.pdf.

———. 2014. *Sustainability Report 2013*. www.enel.com/content/dam/enel-com/governance_pdf/reports/annual-financial-report/2013/Enel_Sustainability_Report_2013.pdf.

Enel Américas. 2022. *Integrated Annual Report, Enel Américas 2021*. www.enelamericas.com/content/dam/enel-americas/en/investor/annual_reports/annual_reports/2021/Enel%20Americas%202021%20Memoria.pdf.

Enel Green Power. n.d. *Guatemala. Construction of the Palo Viejo Hydropower Plant*. Accessed February 1, 2016. www.enelgreenpower.com/en-GB/doc/ela/construction_paloviejo.pdf.

———. 2010. *2009 Enel Green Power Annual Report*. www.enel.com/content/dam/enel-com/documenti/investitori/informazioni-finanziarie/2009/annuali/en/annual-report-egp_2009.pdf.

———. 2011. *Sumando voluntades: Plan de responsabilidad social corporativa renovable de Guatemala, S.A.—Proyecto Hidroeléctrico Palo Viejo*. Guatemala. https://web.archive.org/web/20120722181343/http://www.enelgreenpower.com/en-GB/doc/ela/Propuesta_Sumando_voluntades_072011.pdf.

———. 2012. "Enel Green Power: Palo Viejo Power Plant in Guatemala Becomes Operational." Press release, February 15. www.enelgreenpower.com/en/media/press/d201203-enel-green-power-palo-viejo-power-plant-in-guatemala-becomes-operational.html.

———. 2013. "Report and Financial Statements of Enel Green Power SpA at December 31, 2012." www.enel.com/content/dam/enel-com/documenti/investitori/informazioni-finanziarie/2012/annuali/en/report-and-financial-statements_2012.pdf.

———. 2014a. "Cooperation Agreement between the San Juan Cotzal Municipality and Enel Green Power Guatemala: A Year Later." www.enelgreenpower.com/it-IT/doc/sustainability/FILE_A_Cooperation_Agreement_EGP_Guate_SJCMunicipality.pdf. No longer available online; digital copy in author's possession.

———2014b. "Enel Green Power, Inauguración de paneles solares, Aldea Xeputul II, San Juan Cotzal, Quiché." Video, January. Proyecto de Energía Fotovoltaica Xeputul Tzibanay. www.youtube.com/watch?v=lTUcuIjIjwk.

———. 2021. "Enel Green Power Guatemala Sold 283 GWH of Clean and Renewable Energy to Large Users in Guatemala and Panama." Press release, November 10. www.enelgreenpower.com/media/press/2021/11/enel-green-power-guatemala-sold-283-gwh-clean-renewable-energy-large-users-guatemala-panama.

Escalón, Sebastián. 2012a. "La hidroeléctrica de ENEL, sus aliados poco ortodoxos y el diálogo." Plaza Pública, July 2. www.plazapublica.com.gt/content/la-hidroelectrica-de-enel-sus-aliados-poco-ortodoxos-y-el-dialogo.

———. 2012b. "Hidroeléctricas: Ir al fondo de sus contradicciones." Plaza Pública, June 29. www.plazapublica.com.gt/content/hidroelectricas-ir-al-fondo-de-sus-contradicciones.

Escobar, Arturo. 2020. *Pluriversal Politics: The Real and the Possible*. Durham, NC: Duke University Press.

España, María José, and Edwin Pitán. 2022. "Caso Mujeres Achí: Sentencian a más de 30 años de cárcel a cinco expatrulleros militares por delitos de lesa humanidad." *Prensa Libre*, January 24. www.prensalibre.com/guatemala/justicia/caso-mujeres-achi-senten-

cian-a-mas-de-30-anos-de-carcel-a-cinco-expatrulleros-militares-por-delitos-de-lesa-humanidad/.

FAFG (Fundación de Antropología Forense de Guatemala). n.d. "Exhumación FAFG-0043." Accessed December 14, 2021. https://fafg.org.

Falla, Ricardo. 1992. *Masacres de la selva: Ixcán, Guatemala (1975–1982)*. Guatemala City: Editorial Universitaria de la Universidad de San Carlos.

———. 2012. "Toto, 4/10/12: Primera masacre del ejército tras la firma de la Paz." Plaza Pública, November 13. www.plazapublica.com.gt/content/toto-41012-primera-masacre-del-ejercito-tras-la-firma-de-la-paz.

Fanon, Frantz. 1967. *Black Skin, White Masks*. New York: Grove Press.

Figueroa, Óscar. 2011. "En peligro tres mil empleos por pugna." *Prensa Libre*, February 2. www.prensalibre.com/noticias/peligro-mil-empleos-pugna_0_419958039.html.

Filmrise. 2016. *Finding Oscar*. Directed by Ryan Suffern. Produced by Ryan Suffern and Frank Marshall. Filmrise, AMC Plus Documentaries.

Firmino Castillo, María Regina. 2018. "What Ma Lach's Bones Tell US: Performances of Relational Materiality in Response to Genocide." *Transmotion* 4 (2): 31–62.

Firmino Castillo, María Regina, Maxho'l (Lalo Velasco Ceto), Tohil Fidel Brito Bernal, and Xhas Matom (Jacinto Brito Bernal). 2014. *Uma'l Iq': Tiempo y espacio maya' ixil*. Guatemala City: Cholsamaj.

Fischer, Edward F., and R. McKenna Brown, eds. 1996. *Maya Cultural Activism in Guatemala*. Austin: University of Texas Press.

Flores, Alejandro. 2017. "They Didn't Win the War: Aesthetics and Infrastructure in Postcounterinsurgency Guatemala." PhD diss., University of Texas at Austin.

———. 2021a. "Entre Ilom y el bicentenario." *Revista Eutopía, Especial Bicentenario*, 2:141–60. https://biblior.url.edu.gt/wp-content/uploads/2021/URL/VRIP/Rev-Eutopia/Bicentenario02.pdf.

———. 2021b. "La guerra no declarada contra los B'oq'ol Qesal Tenam Naab'a: El eterno retorno y la memoria del futuro pasado." Paper presented at V Jornadas Internacionales de Estudios de América Latina y el Caribe, October 27–29.

Flores, Sergio A., and Jaime Roquel Chávez. 2005. *Xeonal tuch' llolq'etz = Wokaj q'alb'al k'uxaj xuq loq'chajin ib' = Seguridad comunitaria y gobernabilidad*. Guatemala City: Asociación Guatemalteca Pronaciones Unidas; Red Nacional de Organizaciones de Jóvenes Mayas, Guatemala.

Forster, Cindy. 2001. *The Time of Freedom: Campesino Workers in Guatemala's October Revolution*. Pittsburgh, PA: University of Pittsburgh Press.

———. 2012. *La revolución indígena y campesina en Guatemala, 1970 a 2000: "Ver un día que nuestra raza maya fuera levantada."* Guatemala City: Editorial Universitaria, Universidad de San Carlos de Guatemala.

Fratus, Matt. 2020. "How Guatemala's San Francisco Cotzal Farm Went from Brutal Battlefield to Prosperous Coffee Plantation." *Coffee or Die Magazine*, June 2. https://coffeeordie.com/san-francisco-cotzal-farm/.

Freire, Paulo. 2000. *Pedagogy of the Oppressed*. Translated by Myra Bergman Ramos. 30th anniversary ed. New York: Continuum.

Garay Herrera, Alejandro José. 2013. "Arqueología y tradición oral en el área Ixil." In *Cosecha de memorias: La memoria cultural de la sociedad ixil*, edited by Francisco Rodolfo González Galeotti. Guatemala City: Aporte para la Descentralización Cultura, Centro

de Estudios Mexicanos y Centroamericanos, Escuela de Historia de la Universidad de San Carlos de Guatemala.

García, María Luz, Jule Garcia, and Melissa Axelrod. 2005. "The Construction of Collectivity in Historical Narratives of Ixil Mayan Women." https://ailla.utexas.org/sites/default/files/documents/GarciaAxelrod_CILLA2_ixil.pdf.

Garrard-Burnett, Virginia. 2010. *Terror in the Land of the Holy Spirit: Guatemala under General Efraín Ríos Montt, 1982–1983*. Oxford: Oxford University Press.

Gibbings, Julie. 2020. "Their Debts Follow Them into the Afterlife": German Settlers, Ethnographic Knowledge, and the Forging of Coffee Capitalism in Nineteenth-Century Guatemala." *Comparative Studies in Society and History* 62 (2): 389–420.

Gleijeses, Piero. 1991. *Shattered Hope: The Guatemalan Revolution and the United States, 1944–1954*. Princeton, NJ: Princeton University Press.

Gobierno de Guatemala. 2011. "Presidente Colom llama a denunciar a terroristas en Quiché." February 3. www.guatemala.gob.gt/noticia4.php?codigo=11328&titulo2=Nacionales.

Goldman, Francisco. 2007. *The Art of Political Murder: Who Killed the Bishop?* New York: Grove Press.

Gonzalez, Pedro Gaspar. 1996. *La otra cara*. Rancho Palos Verdes, CA: Ediciones Yax Te'.

González S., Leticia. 2011. "Más allá de la montaña: La región ixil." In *Guatemala, la infinita historia de las resistencias*, edited by Manolo E. Vela Castañeda, chap. 5. Guatemala City: Magna Terra Editores.

González-Ponciano, Jorge Ramón. 2005. "De la Patria del Criollo a la Patria del Shumo: Whiteness and the Criminalization of the Dark Plebeian in Modern Guatemala." PhD diss., University of Texas at Austin.

Grajeda Godínez, Ana Lucía. 2010. "Revisión técnica al estudio de evaluación de impacto ambiental: Hidroeléctrica Palo Viejo, Finca San Francisco, San Juan Cotzal, Quiché." Guatemala City: Coordinadora Nacional de Viudas de Guatemala.

Grandia, Liza. 2012. *Enclosed: Conservation, Cattle, and Commerce among the Q'eqchi' Maya Lowlanders*. Seattle: University of Washington Press.

El Guatemalteco—El Diario Oficial. 1922. "Títulos Supletorios." No. 20.

Guatevision. 2013. "13 de marzo 2013, Municipalidad de Cotzal firma convenio con la Empresa Enel." www.youtube.com/watch?v=EZ6cmA4pRO0.

Gudynas, Eduardo. 2016. "Beyond Varieties of Development: Disputes and Alternatives." *Third World Quarterly* 37 (4): 721–32.

———. 2018. "Extractivisms: Tendencies and Consequences." In *Reframing Latin American Development*, edited by Ronaldo Munck and Raul Delgado Wise, 61–76. London: Routledge.

Gutiérrez Valdizán, Alejandra. 2013. "Digo absolutamente la verdad y Dios está de testigo." Plaza Pública, April 18. www.plazapublica.com.gt/content/digo-absolutamente-la-verdad-y-dios-esta-de-testigo.

Guzaro, Tomás, and Terri Jacob McComb. 2010. *Escaping the Fire: How an Ixil Mayan Pastor Led His People out of a Holocaust during the Guatemalan Civil War*. Austin: University of Texas Press.

Hale, Charles R. 2006. *Mas que un Indio: Racial Ambivalence and Neoliberal Multiculturalism in Guatemala*. Santa Fe, NM: School of American Research.

———, ed. 2008. *Engaging Contradictions: Theory, Politics, and Methods of Activist Scholarship*. Berkeley: University of California Press.

Handy, Jim. 1994. *Revolution in the Countryside: Rural Conflict and Agrarian Reform in Guatemala, 1944–1954*. Chapel Hill: University of North Carolina Press.

Harrison, F.V. 1991. *Decolonizing Anthropology: Moving Further toward an Anthropology for Liberation*. Washington, DC: American Anthropological Association.

Hernández, Oswaldo J. 2012. "Un pueblo, el estado y . . . una empresa." Plaza Pública, May 15. www.plazapublica.com.gt/content/un-pueblo-el-estado-y-una-empresa.

———. 2013a. "Acuerdos y desacuerdos sobre Palo Viejo." Plaza Pública, February 16. www.plazapublica.com.gt/content/acuerdos-y-desacuerdos-sobre-palo-viejo.

———. 2013b. "Acul y Tzalbal, el despojo de los gobiernos militares." Plaza Pública, June 17. www.plazapublica.com.gt/content/acul-y-tzalbal-el-despojo-de-los-gobiernos-militares.

Hernández Alarcón, Rosalinda, et al. 2008. *Memorias rebeldes contra el olvido = Paasantzila txumb'al ti' sotzeb' al k'u'l*. Guatemala City: AVANCSO.

Herrera, Feliciana. 2020. "En Nebaj conmemoran el 'Día de la Dignidad Ixil.'" *Prensa Comunitaria*, June 22. www.prensacomunitaria.org/2020/06/en-nebaj-conmemoran-el-dia-de-la-dignidad-ixil/.

Hill, Cristina, Serena Lillywhite, and Michael Simon. 2010. *Guide to Free Prior and Informed Consent*. Victoria: Oxfam Australia. www.oxfam.org.au/resources/filestore/originals/OAUs-GuideToFreePriorInformedConsent-0610.pdf.

IACHR (Inter-American Commission on Human Rights). 2015a. *Situation of Human Rights in Guatemala: Diversity, Inequality and Exclusion*. Report. www.oas.org/en/iachr/reports/pdfs/guatemala2016-en.pdf.

———. 2015b. "Indigenous Peoples, Afro-Descendent Communities, and Natural Resources: Human Rights Protection in the Context of Extraction, Exploitation, and Development Activities." Report. www.oas.org/en/iachr/reports/pdfs/ExtractiveIndustries2016.pdf.

ILO (International Labor Organization). 1996. "Guatemala Ratifies Convention Guaranteeing Indigenous Rights." Press release, June 13. www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_008061/lang—en/index.htm.

Imai, Shin, Ladan Mehranvar, and Jennifer Sander. 2013. "La violación del derecho indígena: Empresas mineras canadienses en Guatemala (Breaching Indigenous Law: Canadian Mining in Guatemala)." February 5. Osgoode CLPE Research Paper No. 12/2013. https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=1261&context=clpe.

Immerman, Richard H. 1982. *The CIA in Guatemala: The Foreign Policy of Intervention*. Austin: University of Texas Press.

Instituto Nacional de Estadística Guatemala. 2018. *Censo de población 2018*. www.censopoblacion.gt.

Jamail, Milton, and Margo Gutierrez. 1986. *It's No Secret: Israel's Military Involvement in Central America*. Belmont, MA: Association of Arab-American University Graduates, Inc.

Johnston, B.R. 2010. "Chixoy Dam Legacies: The Struggle to Secure Reparation and the Right to Remedy in Guatemala." *Water Alternatives* 3 (2): 341–61.

Jonas, Susanne, and Nestor Rodriguez. 2015. *Guatemala-U.S. Migration: Transforming Regions*. Austin: University of Texas Press.

Jones, Grant D. 1998. *The Conquest of the Last Maya Kingdom*. Stanford, CA: Stanford University Press.

Julajuj Chamalé, Lilian Jeaneth. 2013. "Las mujeres ixiles, protectoras de la identidad." In *Cosecha de memorias: La memoria cultural de la sociedad ixil*, edited by Francisco Rodolfo González Galeotti, 27–36. Guatemala City: Aporte para la Descentralización

Cultura, Centro de Estudios Mexicanos y Centroamericanos, Escuela de Historia de la Universidad de San Carlos de Guatemala.

Kaltschmitt, Alfred. 2011. "Cosecha insana." *Prensa Libre*, February 4. www.prensalibre.com/opinion/Cosecha-insana_0_421157969.html.

Laplante, J.P., and Catherine Nolin. 2014. "Consultas and Socially Responsible Investing in Guatemala: A Case Study Examining Maya Perspectives on the Indigenous Right to Free, Prior, and Informed Consent." *Society and Natural Resources* 27 (3): 231–48.

Levenson-Estrada, Deborah. 2013. *Adiós Niño: The Gangs of Guatemala City and the Politics of Death*. Durham, NH: Duke University Press.

Linares, Adriana. 2021. "Ixil Political Geography during the Postclassic Period: Approaches from Archaeological Knowledge and Ixil Ontologies." PhD diss., University of Texas, Austin.

Lincoln, Jackson Steward. 1942. *The Maya Calendar of the Ixil of Guatemala*. Washington, DC: Carnegie Institution.

———. 1945. *An Ethnological Study on the Ixil Indians of the Guatemala Highlands*. Chicago: University of Chicago Press.

Lovell, W. George. [1985] 2005. *Conquest and Survival in Colonial Guatemala: A Historical Geography of the Cuchumatán Highlands*. Buffalo, NY: McGill-Queen's University Press.

———. 1990. "Maya Survival in Ixil Country, Guatemala." *Cultural Survival Quarterly* 14 (4): 10–12.

Lovell, George, and William R. Swezey. 1990. "Indian Migration and Community Formation: An Analysis of 'Congregación' in Colonial Guatemala." In *Migration in Colonial Spanish America*, edited by David J. Robinson, 18–40. Cambridge: Cambridge University Press.

Lugones, María. 2010. "The Coloniality of Gender." In *Globalization and the Decolonial Option*, edited by Walter D. Mignolo and Arturo Escobar, 369–90. London: Routledge.

Lykes, M. Brinton, Alison Crosby, and Sara Beatriz Alvarez Medrano. 2021. "Redressing Injustice, Reframing Resilience: Mayan Women's Persistence and Protagonism as Resistance." In *Resilience, Adaptive Peacebuilding and Transitional Justice: How Societies Recover after Collective Violence*, edited by Janine Natalya Clark and Michael Ungar, 210–33. Cambridge: Cambridge University Press.

Mallon, Florencia E., ed. 2012. *Decolonizing Native Histories: Collaboration, Knowledge, and Language in the Americas*. Durham, NC: Duke University Press.

Manz, Beatriz. 1988. *Refugees of a Hidden War: The Aftermath of Counterinsurgency in Guatemala*. Albany: State University of New York Press.

Martínez Paiz, Horacio, and Juan Pablo Herrera. 2014. "Paisaje, simbolismo y arqueología en la Cuenca media del río Cotzal." In *XXVIII Simposio de Investigaciones Arqueológicas en Guatemala, 2014*, edited by B. Arroyo, L. Méndez Salinas, and L. Paiz, 341–50. Guatemala City: Museo Nacional de Arqueología y Etnología, Guatemala.

Martínez Salazar, Egla. 2012. *Global Coloniality of Power in Guatemala: Racism, Genocide, Citizenship*. Lanham, MD: Lexington Books.

Matthew, Laura E. 2012. *Memories of Conquest: Becoming Mexicano in Colonial Guatemala*. Chapel Hill: University of North Carolina Press.

Mazariegos, Juan Carlos. 2020. "A War of Proper Names: The Politics of Naming, Indigenous Insurrection, and Genocidal Violence during Guatemala's Civil War." PhD diss., Columbia University.

Mazariegos Cuyuch, Melvin Orlando. 2010. *Diagnóstico Administrativo Municipal: Municipalidad de San Juan Cotzal, Departamento de Quiché*. Ejercicio Profesional

Supervisado, Facultad de Ciencias Económicas, Universidad de San Carlos de Guatemala. Guatemala: Universidad de San Carlos de Guatemala. http://biblioteca.usac.edu.gt/EPS/03/03_0740_v3.pdf.

McAllister, Carlota, and Diane M. Nelson. 2013. *War by Other Means: Aftermath in Post-genocide Guatemala*. Durham, NC: Duke University Press.

McCreery, David. 1994. *Rural Guatemala: 1760–1940*. Stanford, CA: Stanford University Press.

MEM (Ministerio de Energía y Minas), Gobierno de la República de Guatemala. 2021. "Autorizaciones de centrales hidroeléctricas otorgadas y en trámite." Last modified July 1, 2021. https://mem.gob.gt/wp-content/uploads/2021/07/1._-Listado-de-Hidroel%C3%A9ctricas-Mayores-a-5-MW-2.pdf.

Ministerio de Agricultura, Departamento de Estadística, Guatemala. 1957. *Directory of Private Fincas of One Caballeria or More, by Municipio; Tabulated from the Census of 1950*. Guatemala City: Ministerio de Agricultura.

MINTRAB (Ministerio de Trabajo y Previsión Social). 2021. "El Gobierno de Guatemala a la población guatemalteca sobre la fijación de salario mínimo 2022." Gobierno de Guatemala. https://guatemala.gob.gt/el-gobierno-de-guatemala-a-la-poblacion-guatemalteca-sobre-la-fijacion-de-salario-minimo-2022-informa/.

MINUGUA (Misión de Verificación de las Naciones Unidas en Guatemala). 2002. *Los linchamientos: Un flagelo que persiste*. Guatemala City: Misión de Verificación de las Naciones Unidas en Guatemala.

Montejo, Victor. 2002. *The Adventures of Mr. Puttison among the Maya*. Rancho Palos Verdes, CA: Yax Te' Foundation.

Municipalidad de San Juan Cotzal. 2008. Acta No. 1-2008. December 5. Digital copy in author's possession.

———. 2019. "Historia del municipio." https://web.archive.org/web/20190710191831/http://munisanjuancotzal.gob.gt/municipio/historia/.

New York Times. 1909. "Sulzer Finds Field for American Trade." June 27.

Nolin, Catherine, and Grahame Russell. 2021. *Testimonio: Canadian Mining in the Aftermath of Genocides in Guatemala*. Ontario, Canada: Between the Lines.

O'Brien, Thomas F. 1999. *The Century of US Capitalism in Latin America*. Albuquerque: University of New Mexico Press.

Oglesby, Elizabeth. 1995. "Myrna Mack." In *Fieldwork under Fire: Contemporary Studies of Violence and Culture*, edited by Carolyn Nordstrom and Antonius C.G.M. Robben, 254–60. Berkeley: University of California Press.

Oglesby, Elizabeth, and Diane M. Nelson. 2016. "Guatemala's Genocide Trial and the Nexus of Racism and Counterinsurgency." *Journal of Genocide Research* 18 (2–3): 133–42.

OHCHR (Office of the United Nations High Commissioner for Human Rights). 2012. *Annual Report of the United Nations High Commissioner for Human Rights*. January 30. www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/RegularSession/Session19/A.HRC.19.21.Add.1_en.pdf.

On Common Ground. 2010. *Human Rights Assessment of Goldcorp's Marlin Mine*. Vancouver, Canada: On Common Ground Consultants. http://csr.goldcorp.com/2011/docs/2010_human_full_en.pdf.

Osuna, Steven. 2020. "Transnational Moral Panic: Neoliberalism and the Spectre of MS-13." *Race and Class* 61 (4): 3–28.

Palencia Frener, Sergio. 2021. "One Day in the Guatemalan War: The Rebel Occupation of Nebaj, 21 January 1979." *Dialectical Anthropology* 45 (4): 1–27.

Pan-American Magazine. 1908. "Two American Railway Men." December.

Papadovassilakis, Alex. 2021a. "Impunidad para todos." InSight Crime, December 1. https://es.insightcrime.org/investigaciones/impunidad-para-todos/.

———. 2021b. "Una prueba de resistencia para la justicia guatemalteca." InSight Crime, December 1. https://es.insightcrime.org/investigaciones/prueba-resistencia-justicia-guatemala/.

———. 2021c. "Un tratamiento fatal para pacientes renales." InSight Crime, December 1. https://es.insightcrime.org/investigaciones/tratamiento-fatal-pacientes-renales/.

Parrini, Carl P. 1969. *Heir to Empire: United States Economic Diplomacy, 1916–1923*. Pittsburgh, PA: University of Pittsburgh Press.

Pastor, Diana, and Jess Cherofsky. 2020. "Celebrando la vida del abuelo Domingo Choc Che y exigiendo justicia por su asesinato." *Cultural Survival*, June 15. www.culturalsurvival.org/news/celebrando-la-vida-del-abuelo-domingo-choc-che-y-exigiendo-justicia-por-su-asesinato.

Patch, Robert. 2002. *Maya Revolt and Revolution in the Eighteenth Century*. Armonk, NY: Sharpe.

Payeras, Mario. 1998. *Los días de la selva*. Guatemala City: Piedra Santa.

Perera, Victor. 1993. *Unfinished Conquest: The Guatemalan Tragedy*. Berkeley: University of California Press.

Pérez, Regina. 2021. "El Estor: Concluye 'consulta' sobre proyecto Fénix; comunidades q'eqchi' la invalidan." *Prensa Comunitaria*, December 14. www.prensacomunitaria.org/2021/12/el-estor-concluye-consulta-sobre-proyecto-fenix-comunidades-qeqchi-la-invalidan/.

Pérez Marroquín, César. 2021. "Asalto al Ministerio de Salud: Estuardo Galdámez es enviado a prisión por caso de corrupción." *Prensa Libre*, January 29. www.prensalibre.com/guatemala/justicia/exdiputado-estuardo-galdamez-es-enviado-a-prision-preventiva-por-estar-implicado-en-un-caso-de-corrupcion-breaking/.

Poma Sambrano, Maximiliano, and Francisco Castro Osorio. 1994. *Kuchab'ataj Iyolb'el Itz'ib'al U Kuyolb'al B'a'nil Ech Sa Qootzaji Iyolb'el U Yolb'al Mu's = Aprendamos a hablar y escribir nuestro idioma para saber hablar en castellano*. Guatemala City: Cholsamaj.

———. 1995. *Aq'b'al Elu'l Yol Vatzsaj = Diccionario ixil*. Guatemala City: Cholsamaj.

Prensa Comunitaria. 2020. "Comunicado: Corte ordena devolución de tierras de la Comunidad Aldea Ak'ul en Nebaj." August 6. www.prensacomunitaria.org/2020/08/comunicado-corte-ordena-devolucion-de-tierras-de-la-comunidad-aldea-akul-en-nebaj/.

Prensa Libre. 2013. "Presidente Otto Pérez reconoce seudónimo Tito Arias." April 25. www.prensalibre.com/guatemala/politica/presidente-perez-seudonimo-tito-arias_0_907709453-html/.

———. 2014. "Se oficializa punto resolutivo que niega genocidio." May 29. www.prensalibre.com/guatemala/politica/genocidio-punto-resolutivo-congreso-rios-montt-conflicto-armado-interno-0-1147085407/.

Quijano, Aníbal. 2008. "Coloniality of Power, Eurocentrism, and Social Classification." In *Coloniality at Large: Latin America and the Postcolonial Debate*, edited by Mabel Moraña, Enrique Dussel, and Carlos A. Jáuregui, 181–224. Durham, NC: Duke University Press.

Rainforest Alliance. 2014. “Rainforest Alliance Announces Record Breaking Scores from Spring Cupping for Quality.” Press release, April 25. www.rainforest-alliance.org/press-releases/2014-spring-cupping.

Ramazzini, Álvaro (Monseñor). 2012. Letter to Oswaldo Smith, Enel representative. November 8.

Recommon. 2013. “Gli impattati dai progetti dell’Enel fanno sentire le loro ragioni in occasione dell’Assemblea degli azionisti della compagnia.” Recommon website, April 24. www.recommon.org/gli-impattati-dai-progetti-dellenel-fanno-sentire-le-loro-ragioni-in-occasione-dellassemblea-degli-azionisti-della-compagnia/.

Remesal, Antonio de. 1964. *Historia general de las Indias Occidentales y particular de la gobernación de Chiapa y Guatemal*a. Madrid: Ediciones Atlas.

REMHI (Recuperación de la Memoria Histórica). 1998. *Guatemala, nunca más: Informe del Proyecto Interdiocesano Recuperación de la Memoria Histórica*. Guatemala City: Oficina de Derechos Humanos del Arzobispado de Guatemala.

Restrepo, Eduardo. 2007. “Antropología y colonialidad.” In *El giro decolonial: Reflexiones para una diversidad epistémica más allá del capitalismo global*, edited by Santiago Castro-Gómez and Ramón Grosfoguel, 289–304. Bogotá, DC: Siglo del Hombre Editores, Universidad Central, Instituto de Estudios Sociales Contemporáneos, IESCO-UC, Pontificia Universidad Javeriana, Instituto de Estudios Sociales y Culturales, Pensar.

Reyna Caba, Engracia. 2001. *Kal B’op: Relato testimonial*. Guatemala City: Comisión de Asuntos Políticos de la Mujer de Unidad Revolucionaria Nacional Guatemalteca.

Rivera, Nelton. 2019. “Thelma Cabrera, la candidata indígena que consolidó a una fuerza política.” *Prensa Comunitaria*, June 18. https://prensacomunitar.medium.com/thelma-cabrera-la-candidata-ind%C3%ADgena-que-consolid%C3%B3-a-una-fuerza-pol%C3%ADtica-8a0c0fd37b70.

Roberts, Tobias. 2012a. *Análisis de pérdidas económicas percibidas por las 12 Comunidades del Río Copón debido a la contaminación del río por parte del Proyecto Hidroeléctrico Palo Viejo de la empresa italiana Enel*. Guatemala City: Fundamaya.

———. 2012b. “La verdadera cara de ENEL en Guatemala.” *Rebelión*, December 6.

———. 2014. “The Other Side of Fracking: Connecting the Dots along the Supply Lines.” Huffington Post, August 9. www.huffingtonpost.com/tobias-roberts/the-other-side-of-fracking_b_5476952.html.

Rodríguez López, Antonio. 2005. “La pobreza del desarrollo y el desarrollo de la pobreza: El caso de la Región Ixil, departamento del Quiché, Guatemala.” PhD diss., Universidad Pontificia de Salamanca, Madrid.

Rojas, Álex F. 2014. “Genocidio es negado por legisladores.” *Prensa Libre*, May 14. www.prensalibre.com/guatemala/politica/genocidio-negado-legisladores_0_1138086211-html/.

Romero, Sergio. 2017. “Ethnicity, History and Standard Ixhil (Ixil) Mayan.” *Language and Communication* 61:102–12.

Rostica, Julieta. 2016. “La política exterior de la dictadura cívico-militar argentina hacia Guatemala.” *Estudios* 36:95–119.

Ruhl, Alfred. 1928. *The Central Americans: Adventures and Impressions between Mexico and Panama*. New York: Charles Scribner’s Sons.

Rybicki, Jan. 2010. “The Translator’s Wife’s Traces: Alma Cardell Curtin and Jeremiah Curtin.” *Przekładaniec. A Journal of Literary Translation* 24:89–109.

Sanford, Victoria. 2003. *Buried Secrets: Truth and Human Rights in Guatemala*. New York: Palgrave Macmillan.

San Marcos Cumlá. 2008. "Acta Numero 08-2008." July 7. Cotzal, Guatemala. Copy in author's possession.

Santay Gómez, Concepción. 2012a. Letter to Enel. August 6.

———. 2012b. Letter to Enel. November 5.

Sawyer, Suzana. 2004. *Crude Chronicles: Indigenous Politics, Multinational Oil, and Neoliberalism in Ecuador*. Durham, NC: Duke University Press.

SBI International Holdings AG, Guatemala Branch. 2022. "Hidroeléctricas." http://solelboneh.com/new/hidroelectricas/.

Schlesinger, Stephen C. 1982. *Bitter Fruit: The Untold Story of the American Coup in Guatemala*. Garden City, NY: Doubleday.

Semilla de Sol, the International Network on Gender and Sustainable Energy, and the International Union for the Conservation of Nature. 2015. "Experience in Gender Inclusion in the Implementation of the Batzchocolá Community Micro Hydroelectric Plant in Nebaj, Quiché, Guatemala." December. https://energia.org/assets/2015/12/Semilla-de-Sol_ENG-1.pdf.

Sesé, Manuel Ollé, Jo-Marie Burt, and Claire Colardelle. 2013. *Genocide in Guatemala: Ríos Mont Guilty*. Paris: International Federation for Human Rights. https://www.fidh.org/IMG/pdf/rapguatemala613uk2013.pdf.

Shiva, Vandana. 2002. *Water Wars: Privatization, Pollution and Profit*. Cambridge, MA: South End Press.

Simon, Jean-Marie. 1988. *Guatemala: Eternal Spring, Eternal Tyranny*. New York: Norton.

Skylight Pictures. 2011. *Granito: How to Nail a Dictator*. Directed by Pamela Yates. Produced by Paco De Onís. Brooklyn, NY: Skylight Pictures.

Smith, Carol A., ed. 1990. *Guatemalan Indians and the State: 1540 to 1988*. Austin: University of Texas Press.

Smith, Linda T. 1999. *Decolonizing Methodologies: Research and Indigenous Peoples*. London: Zed Books.

Smith González, René Oswaldo. 2011a. Letter to Testigos de Honor, November 2. Guatemala.

———. 2011b. Respuesta a las Comunidades de San Juan Cotzal, Guatemala, September 2. Guatemala.

———. 2012a. Letter to Testigos de Honor. January 17. Guatemala.

———. 2012b. Letter to Vitalino Similox. November 13. Guatemala.

Solano, Luis. 2005. *Guatemala: Petróleo y minería en las entrañas del poder*. Guatemala City: Inforpress Centroamericana.

Speed, Shannon. 2006. "At the Crossroads of Human Rights and Anthropology: Toward a Critically Engaged Activist Research." *American Anthropologist* 108 (1): 66–76.

———. 2019. *Incarcerated Stories: Indigenous Women Migrants and Violence in the Settler-Capitalist State*. Chapel Hill: University of North Carolina Press.

Stanley, Leonardo, and Lyuba Zarsky. 2011. *Searching for Gold in the Highlands of Guatemala: Economic Benefits and Environmental Risks of the Marlin Mine*. Medford, MA: Global Development and Environment Institute, Tufts University. www.bu.edu/eci/files/2019/11/marlinemine.pdf.

Stoll, David. 1993. *Between Two Armies in the Ixil Towns of Guatemala*. New York: Columbia University Press.

Svampa, Maristella. 2019. *Neo-extractivism in Latin America: Socio-environmental Conflicts, the Territorial Turn, and New Political Narratives*. Cambridge: Cambridge University Press.

Taracena, María Inés. 2023. "Indigenous Leaders Are Being Forced into Exile." *The Nation*, March 23. www.thenation.com/article/world/guatemala-indigenous-exile/.

To'm, Li' (María Toma Toma), Tzima (Maximiliano Poma Sambrano), and Tel Met (Teresa Toma Sambrano). 2014. *Historia breve de la cabecera municipal de Cotzal*. May. Guatemala.

"La toma de Nebaj." 1982. *Revista Polémica* 3 (January–February): 37–43.

Toma Toma, Nicolás. 2005. *Historia por la justicia: Historia personal de la vida de Nicolás Toma Toma*. Unpublished memoir.

Toro, David. 2019. "Jimmy Morales irrespeta derecho de consulta del pueblo Ixil en San Juan Cotzal." *Prensa Comunitario*, February 14. www.prensacomunitaria.org/2019/02/jimmy-morales-irrespeta-derecho-de-consulta-del-pueblo-ixil-en-san-juan-cotzal/.

Townsend, Paul G., and Lax Met T. 1980. "Ixil Text from Guatemala." In *Guatemalan Maya Texts*, edited by Paul G. Townsend. Guatemala City: Summer Institute of Linguistics.

Townsend, Paul G., Te'c Cham, and Po'x Ich'. 1980. *Ritual Rhetoric from Cotzal*. Guatemala City: Summer Institute of Linguistics.

Tribunal Supremo Electoral. 2011. *La memoria de elecciones generales y al Parlamento Centroamericano 2011*. Vol. 2. Guatemala City: Tribunal Supremo Electoral.

Tu Poj (San Felipe Chenlá). 2011. "Acta Numero 23-2011." July 18. Cotzal, Guatemala.

United Nations. 2007. *United Nations Declaration on the Rights of Indigenous Peoples*. https://social.desa.un.org/sites/default/files/migrated/19/2018/11/UNDRIP_E_web.pdf.

UNCTD (United Nations Conference on Trade and Development). 2011. https://unctad.org/system/files/official-document/diaepcb201009_en.pdf.

Universidad Ixil. 2021. *22 de junio, Día de la Dignidad del Pueblo Ixil. Cuatro rumbos y una historia de resistencia: Resistencia del Pueblo Ixil*. Región Ixil: Universidad Ixil.

Unsigned letter. 2012. Copy obtained in San Felipe Chenlá, Cotzal, Guatemala.

Velásquez, Teresa A. 2022. *Pachamama Politics: Campesino Water Defenders and the Anti-mining Movement in Andean Ecuador*. Tucson: University of Arizona Press.

Velásquez Nimatuj, Irma Alicia. 2019. *"La justicia nunca estuvo de nuestro lado": Peritaje cultural sobre conflicto armado y violencia sexual en el caso Sepur Zarco, Guatemala*. Bilbao: Universidad del País Vasco and Hegoa, Euskal Herriko Unibertsitatea.

Volpe, Daniele. 2015. *Chukel: Buscando*. Tegucigalpa: Diakonia.

Walsh, Catherine. 2010. "Development as Buen Vivir: Institutional Arrangements and (De) colonial Entanglements." *Development* 53 (1): 15–21.

Weld, Kirsten. 2014. *Paper Cadavers: The Archives of Dictatorship in Guatemala*. Durham, NC: Duke University Press.

WOLA (Washington Office on Latin America). 1988. *Who Pays the Price? Cost of War in the Guatemalan Highlands*. Washington, DC: Washington Office on Latin America.

World Bank. n.d. *Palo Viejo Hydro Power Plant*. Accessed July 20, 2022. https://ppi.worldbank.org/en/snapshots/project/Palo-Viejo-Hydro-Power-Plant-7912.

Ybarra, Megan. 2017. *Green Wars: Conservation and Decolonization in the Maya Forest*. Berkeley: University of California Press.

Zeceña, Leonel Díaz. 2011. "Conflictos por tierra eran mil 367 a junio." *Prensa Libre*, August 12. www.prensalibre.com/noticias/politica/Conflictos- tierra-mil-junio_0_534546545.html.

INDEX

Abella, Francisco, 32
actas, 137–39
Acul, 45, 53
agro aldeas, 7, 8
Aguilar, Domingo, 64, 95
alcalde auxiliar, 138, 151, 159
alcalde indígena, 4, 41, 63, 169, 178
Alcaldía Indígena: Baltazar de la Cruz Rodríguez, 137; blockade, 143, 180; denouncing stolen *vara* and seal, 160; dialogue meetings, 166; doña María, 107; investigation, 177; mediation, 115; members of, 141, 168; *primer alcalde*, 13, 113; recognition of, 187; research, 14, 15, 16*fig.*, 18–19; right to consultation, 186–87; unrecognized, 10–11
Alonzo Pendás, Ramón, 58
Amedee María, Benoit Pierre (aka Benito María), 18
ancestral authorities: Alcaldías Indígenas, 10–11; collaborations with scholars, 13–15; community meeting, 149; concerns of, 188; conditions for dialogue, 152; criminalized by Enel, 155–56; denounced Enel, 160; dialogue with, 174, 192; end of dialogue, 166–67; Enel's criticism of, 189; Enel's talking points, 172, 175–76; forced into dialogue, 153; and kidnapping of rivers, 115–16; recognition of, 170; rejection of, 170, 171; representatives, 158; resistance, 108
Árbenz Guzmán, Jacobo, 69, 70, 72, 93
Archivo General de Centro America (AGCA), 16, 36, 49, 52, 56–57
Archivo Histórico de la Policía Nacional (AHPN), 16, 64, 102
Arenas, José Luis: assassination, 79, 84, 86, 88; offer to lead revolt, 72; ownership of Finca La Perla, 60; "political execution," 90
Arévalo, Juan José, 69, 93
Arias, Gaspar, 28
Arzú, Álvaro, 125
Asociación para el Avance de las Ciencias Sociales en Guatemala (Association for the Advancement of the Social Sciences in Guatemala AVANCSO), 15, 19
Aviles, Pedro, 57

Bacaro, Juan, 30
Banach, Monika, 116
Barrios, Lina, 10
Bartón Scott Skilling, Edward Alexander, 58
blockade, 1, 127, 133*fig.*, 136, 143–54, 176
Brol Cortinas, Pedro, 41–42, 124–25, 137–39, 146, 152, 153
Brol family, 182
Brol Galicia, Agusta, 57
Brol Galicia, Catarina, 57
Brol Galicia, Edmundo Federico, 57, 87, 88, 201n11
Brol Galicia, Enrique, 57, 79, 86, 88–90, 201n11

Brol Galicia, Jorge, 57, 79, 86–87, 88, 90, 101, 103
Brol Galicia, Nicolás, 57, 70, 71–72, 200n14
Brol Galicia, Pedro, 57, 71
Brol, Pedro, 46, 47, 49, 55–56, 57, 70, 92, 199n3
Brollo Manzano, Pietro. *See* Brol, Pedro
Burbank, Addison, 65
Burkitt, Robert, 61, 65

Cabinet of Indigenous Peoples, 187–88
Cárdenas de Garcia, Angela, 57
cargadores, 66–69
Carrera, Rafael, 38
Castillo Armas, Carlos, 69–70
Castillo M., Jacinto, 55, 58
Castillo Mendez, Francisco, 53
Castro Ixcoy, Francisco, 148
Catholic Church, 39; blame for violence, 111; as colonial power, 43; dialogue with Enel, 153; Ixil resistance, 77; landowners, 40; and priests, 30–33; Recuperación de la Memoria Histórica, Guatemala Nunca Más (REMHI), 79; repressing Ixil, 27; repressing Maya spirituality, 117
Cavinal Rodriguez, Domingo, 64
Cavinal Toma, Juan, 64
Ceto, Pablo, 61, 77–78, 117
Chamay Poma, doña Inés, 10
Chamay, Juan, 95
Chamay, Miguel, 59
Chamay, Teresa, 59
Chavez, Francisco, 57
Civil Defense Patrols (PAC), 81, 83
Clean Development Mechanism (CDM) report, 172, 174, 180
Clinton, Bill, 84
Colby, Benjamin N., 5, 30, 44, 198n5, 199n2
Colom, Álvaro, 127, 147, 150
colonial identities, 26
colonialism, 12, 20, 27, 65
Commission for Historical Clarification (CEH), 79–80, 82, 85, 88
Communities of Population in Resistance (CPRs), 77, 86, 103, 105, 111, 141
Community Councils of Development (COCODE): authorities, 9, 11, 175; disagreement with construction, 174; don Israel Francisco Gómez Rodríguez, 144–45; don Juan, 160; informed of construction, 134; management, 138–39; participation of, 153; representatives, 180; support for agreement, 168–69
congregaciones, 27, 29–30, 35, 39
corporate social responsibility (CSR) programs, 172, 179, 186
corporate social responsibility (CSR) projects, 25
Cortés y Larraz, Pedro, 28–29, 35
Cortes, Hernan, 27
Cotzal communities: blockade, 140; conflict resolution, 115; consultation with, 134–35, 175, 188; demand for profits, 182; "divide and conquer" support for Palo Viejo, 139; environmental concerns, 143; historical-social context of, 179; Indigenous, 41; inequalities with fincas, 42; naming children, 120; on property rights, 177; resistance, 192–93; ruling in favor of, 187
Cotzal: 1954 coup, 72; agriculture, 6; *alcalde indígena*, 63, 169; Alcaldía Indígena, 10–11, 14, 16*fig.*, 18, 113, 141, 143, 160, 166, 186, 187; alleged support for plant, 174; Álvaro Colom, 147; ancestral authorities, 188; army invasion, 1–2; authorities, 14, 15, 174, 175; communities of, 2, 21, 25–26, 41, 42, 115, 120, 134, 135, 137, 139, 140, 143, 145, 152, 153, 154, 155–56, 156–60, 161, 162, 164, 165, 166, 167, 169–70, 175, 177, 178, 179, 182, 187, 188, 192, 193; Curtins, 66–69; debate with Enel, 187; deceived by Enel, 189; dialogue meetings, 155–66; doña María, 104–7; Don Nicolás Toma Toma, 91–95, 98–102; EIA for Palo Viejo plant, 141, 173; ejidos of, 49–52, 54–55; Enel invasion, 132; Enel's gift of backpacks, 183; Enel visiting, 169; energy requirements, 3; expropriation efforts in, 73; false promises of electricity, 185; fincas in, 45, 48, 52, 55–56, 57, 59, 70, 73, 177; fourth invasion, 134; future of, 191, 195; Gaspar Pérez Pérez, 88; healers, 118; invited guerrillas, 78; Ixil language, 173–74; Ixil leaders from, 79; Ixil people, 108; Ixil Region, 5, 8–9, 69–70, 129–30; José Pérez Chen, 122–23, 148; lack of electricity, 179–80; land titles, 36–39; leaders, 153; meaning of "Cotzal," 119; militarization, 122; military, 148–49, 169, 170–71, 172; movement in, 3, 171; municipality of, 180; *parcialidades*, 29–30, 34; people from, 152; personal names, 120–21; place-names, 22; plantations in, 43–44, 49; population, 5–7; postwar, 112; power dynamics, 144; protesters, 148, 176; research in, 15, 19; second invasion, 39, 43; social political histories, 7–8; transportation, 8; violence, 74, 75, 121, 195; war in, 8
Cruz Toma, Juan, 87
Cruz Torres, Baltazar, 11, 167, 169

Curtin, Alma Cardell, 65
Curtin, Jeremiah, 65–69, 74, 77, 199n11

de Alvarado, Pedro, 27
de Castellanos, Francisco, 28
de la Cruz Rodríguez, Baltazar: on dialogue, 162–63; interrogation of, 136–37; meeting representative, 155; persecution of, 148–50; political rivalry, 88; on rivers, 193–95; threats against, 18, 135; with Toma Toma, 90*fig.*
de León Ceto, Miguel, 155, 164–65
de Leon, Andres, 31
de Olmos, Pedro, 28
Decree 900, 69–70, 72–73, 77
deforestation, 101, 128
denuncias (claim or denunciation), 70–72
desmembraciones (partitions), 50, 51t, 52
dialogue meetings, 25, 137–40, 143–45, 152–54, 155–66, 167–69
don Juan, 75–76
don Miguel, 46–47, 62–63
doña Rosa, 118
Droguería Pisa de Guatemala (DPG), 119
Durocher, Bettina, 48

Egger Forster, Franz Fernando, 60
El Estor, 128, 172
Elliott, Elaine D., 55–56, 60, 198n6, 199n1, 199n6
Enel: area of influence, 137; arrival to Cotzal, 21, 132–34, 140–41; and blockade, 143; blockade, 146, 151, 152; claim of environmental friendliness, 189; construction of Palo Viejo, 105, 125; denial of interview, 16, 42; dialogue meetings, 25, 137–40, 143–45, 152–54, 155–66, 167–69; General Electricity Law, 112; government's support for, 171; initial support for, 132; and migration, 193, 195; newspapers, 187; no warning of impact to river, 142–43; paternalistic and racist attitudes toward indigenous peoples, 25–26; profits, 3; resistance against, 8, 14, 135–36, 151; rivers kidnapped by, 76, 115, 194; secret negotiations, 167; stolen land for, 107; "success stories," 131; talking points, 172–86; and threats, 19; violent social and political environment, 150, 192
environmental impact assessment (EIA), 141, 173
Estrada Cabrera, Emanuel, 47–48
Estrada Cabrera, Manuel, 45, 57
extractivism, 19–20, 193

Falla, Ricardo, 13
Fernández, Joaquín, 54
Finca San Francisco: communities surrounding, 146; consolidation, 55–57; created by Brol family, 21; denial of interview, 17, 42; Domingo Sajic Gómez disappearance, 102; doña María Sajic Sajic, 104–5, 107; employment, 8; entrance, 131; expropriation of, 70; founding and displacement of Ixil, 46, 177; history, 191; Jorge Sactic Estrada, 143–45, 155; meeting, 137; military operating from, 100; *orejas* (informants), 19; Otto Fernando Pérez Molina, 180; Palo Viejo EIA, 173; passage through, 138; Pérez Chen in hiding, 123; persecution of Cotzal, 134; road leading to, 171; workers, 93
fincas: arrival of, 73; arrival to Cotzal, 108; boundaries, 177; ceased operations during war, 124; coastal, 98, 102, 124; communities surrounding, 7–8, 136, 137, 147; consolidation, 69; conversion, 43, 48, 54–55; in Cotzal, 52; creation of, 42, 44, 49, 59; Decree 900, 69–70; *denuncias*, 71; development, 113; Esmeralda, 43, 48; expropriation of, 70, 192; families living in, 46; Finca La Perla, 59–60, 72, 88; illegitimate registration of, 53; kidnapped the rivers, 115; land, 144; murders on, 86; outsiders' perspective on, 65; Pacayal, 47, 48, 81; Pantaleón, 45; Pedro Brol, 153; private, 20, 73; resistance, 60–64; role of, 79, 84; Soledad, 43, 48, 93; *talanquera*, 144, 145, 146, 147, 151; during the war, 84–86; workers' votes, 92; working on, 73; work site, 152; worth, 151
finqueros: assassinations of, 79, 86–90; colonial power structure, 65; consolidation, 69; conversion into fincas, 20; displacement by, 78; forced labor, 53, 73; genocide, 21; government of, 62; imagining Ixil insurgency, 85–86; impunity for, 193; invasion of, 73; Ixil denouncing, 77; land grants, 43, 49; lands stolen by, 144; land titles, 53, 57–58; persecution of Ixil, 84, 86, 94; privilege, 43; resistance against, 78; sexual violence, 43; supported by mayors, 192; US imperialism, 45, 48
first invasion: displacement and *congregaciones*, 29–30; and Indigenous time and spaces, 26; land tenure, 35–39; priests and the Catholic Church, 30–33; reflections on, 39–40; Spanish arrive, 27–29; tribute, 33–35
Flores, Alejandro, 78
Forster, Cindy, 52–53, 78, 201n11
fourth invasion, 3, 21, 74, 76, 134, 192

Francisco Orellana, Fray, 31
Free, Prior, and Informed Consent (FPIC): and conflicts, 21, 112; disrespected, 174; Indigenous rights, 111, 153–54; Ixil's use of, 193; and megaprojects, 125–28, 188; violations of, 156
Fundamaya, 141, 142

Galdámez, Estuardo, 119
gangs, 121–24
Garcia, Lucas, 18
General Electricity Law, 112, 125, 187
Gerardi Conedera, Juan José, 79
Gómez Rodríguez, don Israel Francisco, 144–45
Gordillo Galán, Lisandro, 60
Grandia, Liza, 113
Guatemala: 2015 CC resolution, 188–89; Alcaldías Indígenas, 10–11; army, 45; boundary, 65; capital markets in rural Guatemala, 179; Civil War, 3, 79, 122; corruption, 119; Curtin, 66–67; Decree 900, 70, 73; end of peaceful protest, 1–2; Enel plants, 134; energy requirements, 3, 134; Euro-American invasion, 45; fincas created across, 43; foreigners arriving in, 74; future investments in, 148; genocide, 83; Guatemalan context, 63; healthcare, 119; history, 123; hydroelectric plants, 128; Indigenous Peoples, 6, 44, 127, 140, 193, 195; judicial system, 122; lack of economic opportunities in, 193; land conflicts, 126; land titles, 49, 52; Maya in, 117; megaprojects, 5, 132, 188; metal exploration, 125; military, 8, 13, 77, 84, 111, 119; neocolonial realities, 189; newspapers, 173; peaceful future in, 98; persecution of Ixil, 81; political and social situation, 18; postwar, 108; prevention from practicing ceremonies and rituals, 10; public schools, 182; public wealth, 44; reclaiming land in, 105; remains of war victims, 76; requests for army's presence, 171; respectability, 165; revolutionary project, 78; rights in, 22, 127; society, 27, 127; Spanish invasion, 27; surface measurements, 22; US gringos in, 6; US power in, 47; violence, 18–19, 79–80, 83, 111, 178, 196; weak and corrupt democratic system, 176; working in, 65
Guatemalan Civil War: and Bill Clinton, 84; Enel not present, 172, 178; genocide, 3; San Felipe Chenlá, 55; violence, 79, 126
Guatemalan government: claim that all Ixil were guerrillas, 78; genocide, 83; inequalities affecting Indigenous, 111; involvement with Enel, 192; lack of consultation, 127; lack of respect for Indigenous rights, 130; ownership of San Felipe Chenlá, 55; persecution of Cotzal, 134; project authorization, 126; seizure of German assets, 47–48
Guatemalan Institute of Social Security (IGSS), 119
Guatemalan National Revolutionary Unity (URNG), 77
Guatemalan state: ancestral authority on, 135; colonial relationship with Ixil, 120; colonial system, 108; consultation responsibility, 187–88, 193; decision not to suspend operations, 127; *desmembraciones*, 53; elimination of Mayas, 79; Enel's invasion, 130; extraction of resources, 192; genocide, 83; massacre, 75; neoliberalism, 112; persecution of Cotzal, 68; recovery of lands, 94; response to blockade, 147; rights of, 156; support for megaprojects, 20, 125; use of military, 172; violence, 84
Guerrilla Army of the Poor (EGP), 77, 80–81, 84, 86, 88, 99–100

Handy, Jim, 69
healthcare, 117–19
Hernández, Oswaldo, 180
Herrera family, 45, 46, 58, 59, 62–64, 72, 124
Hidro Xacbal Delta, 48, 54, 114, 128–29, 180
Hidro Xacbal, 48, 54, 116, 128–29, 147, 202n8
Hodgsdon Driscoll, Daniel Bascome. *See* Daniel B. Hodgsdon
Hodgsdon family, 124
Hodgsdon Invernizzio, Donald Brian, 48, 58–59
Hodgsdon Invernizzio, Willard Tisdel, 58–59
Hodgsdon, Daniel B., 47–48, 58–59
Hubbard, Thomas H., 47

Incentive Law for Renewable Energy Development, 112
Indigenous Peoples: agrarian movements, 70; consultation with, 127, 128, 202n8; control over, 35; criticism of academics, 12; and Curtin, 67; displacement and destruction of, 5, 44, 52, 61, 161; extractivist industries over, 148; fight against genocide, 193; fincas sacrificing, 191; forced into Christianity, 30; forced labor, 43, 61; genocide of, 21; historical discrimination against, 173; marginalization and historical inequalities, 111–12; migration, 40; not manipulated by outsiders, 77;

presenting roadblocks, 20, 44; protesters, 178; refuting "conquered" narrative, 20; repression of, 29, 33, 171; viewed as inferior, 26; viewed as problem by government, 73, 108; violence against, 65; violent history of the Western education system against, 13
Indigenous rights: consultation, 193; implementation of, 127; legal aspects, 187; and megaprojects, 125; persecution, 19; state's violations of, 135; violations of, 83, 145
Inter-American Commission on Human Rights (IACHR), 127, 135, 171
Invernizzio y Alvarez de Hodgsdon, Maria, 58–59
Ixil Peoples, 4–5
Ixil Region: *agro aldeas*, 8; alcohol in, 61, 199n11; anti-Indigenous discrimination, 115; authorities, 9–10; civil war, 21, 74, 76–77, 79, 80–81; conflict in, 132; Cotzal, 5; Curtin, 65–66; displacement, 85; doña María, 107; expropriation order, 72; fincas in, 124, 177; *finqueros*, 45, 48, 69, 73; first invasion, 20, 27–30; foreigners visiting and living in, 6; Guatemalan state, 147; healthcare, 117–18; history, 3, 4*fig.*; impact of Decree 900, 70, 73; invasions, 192; K'iche' arriving in, 5, 35, 63; and megaprojects, 128–30, 187, 202n8; military in, 95, 99, 148, 168; military in, 171–72; outsiders arriving in, 61, 65; Pedro Brol, 46, 92; Pérez Chen, 123; precious metals, 33; research in, 13–15, 76–77; second invasion, 20, 40, 42–44; social movements, 196; towns, 34, 86; typhus, 32; violence, 1, 84
Ixil University, 13, 14, 15, 18

K'iche' Peoples: author's identity, 14; claiming identity of, 152; communities of, 8, 12, 50, 141; culture, 15; defeat, 27; displacement, 5; in Ixil Region, 35; and reality of war, 77; territories, 28
Kaltschmitt Lujan, Alfred Antonio, 8, 148
Keith, William C., 47

La Farge, Oliver, 65
ladinos: arrival in Ixil Region, 73; arrogant and paternalistic attitudes, 26; in Cotzal, 5–6; fincas owned by, 48; and Ixil Peoples, 60–61; land titles, 60; racism, 115; second invasion, 39, 42, 44; stolen land, 46; urban, 69
laminas, 158
land titles, 198n1; before, 48; deceptive means to gain, 47; displacement, 73; ejido, 44; fincas holding, 144; *finqueros*, 43, 53; fraudulent, 52; free of territorial disputes, 39; gaining, 111; Ilom, 60; Indigenous communities, 36; Ixil lacking, 62; obtaining, 38; paper trail, 57; registration of, 49
Laplante, J.P., 179
Laugerud García, Kjell Eugenio, 95
León Schlotter, René de, 82
Linares, Adriana, 7, 197n7, 198n11
Lincoln, Jackson Steward, 46, 199n4
López Maldonado,Vinicio, 156
Lovell, George, 27–28, 30
Lucas García, Fernando Romeo, 79, 150

Mack, Myrna, 13, 15
Mallon, Florencia, 14
Marlin Mine, 112, 126–27
Martínez Salazar, Egla, 9
Matóm, Miguel, 30
Mayas: author's identity, 14; Baktún, 168; blockade, 127; books, 12, 13; ceremony, 17*fig.*; and colonialism, 27; communities, 61; conscious of colonial structures, 25; creation story, 195–96; culture, 112–14; displacement, 193; extractivism, 20; *justicia Maya*, 123; names, 120; "Palestinianization" of, 84; population, 5; right to consultation, 188; sacred animals, 178; sacred sites, 29, 80; Spanish invasion, 27, 33; spirituality, 6, 9–11, 26, 33, 46, 116–17; subject to unethical research, 65; violence against, 79–80, 82, 132
McCreery, David, 35–36, 49
McFarlan, Stephen G., 148
Medina Rodriguez, Pedro, 87
megaprojects, 128–30
Mejía Víctores, Oscar Humberto, 55, 82
Méndez Ordoñez, Juan Carlos, 134–35
Mendoza, Jacinto David, 18
Mining Law, 112, 125, 187
Mirón y Compañía, C., 58
Montejo, Victor, 65
Morales, Jimmy, 119, 188
Movement for the Liberation of the People (MLP), 100, 201n12
Municipal Councils of Urban and Rural Development (COMUDE), 9

Nolin, Catherine, 179
nongovernmental organizations (NGOs): Agros, 148; Barefoot College, 183–84; dialogue meetings, 156; protests, 176; Semilla de Sol, 129, 183–84; workers, 6

Ordoñez Aguilar, Juan, 64
Orellana, Ismael, 56–57
Ortiz Ruiz, Rudy, 171

Pacheco, José Mario, 149
Palacios, Isaias, 45, 73, 199n2
Palo Viejo construction: completion, 155; discrimination of workers, 152; environmental impacts, 140–42, 165; excavations, 116; on Finca San Francisco, 2, 21, 105, 108; impact on communities, 132, 134; state's support for, 1; support for, 8, 137; timeline, 133*fig.*
Palo Viejo: ancestral territories, 177–78; "area of influence," 137; author denied interview about, 16; capacity, 134; claim of consultation, 172–75; claim of economic development, 179–86; claim of environmental friendliness, 178, 189; conflict surrounding, 15, 143, 172; construction, 152; Cotzal demands, 158, 161; Cotzal's demands, 145; environmental impacts, 41–42, 143; environmental impact assessment (EIA), 141; impacts of, 154; inadequate consultation with Cotzal, 135; and indigenous people, 140; "kidnapped the rivers," 76, 115; lack of consent, 145–46; lack of consultation, 128; leaders fighting against, 129; media on protesters, 148; meeting, 146–47, 159, 162; movement against, 10, 75, 81, 151–52; operations, 168–69; opponents, 135; Pedro Brol Cortinas, 139, 146; promised benefits, 138; protesters, 122, 176–77; "sphere of influence," 158; threat of arrest, 136; unfulfilled promises, 132
Pap Lu Ch'ib' (Pedro Guzmán), 61
Pap Lu' (Pedro Cedillo), 61
Pap Te'k'a'ch (Diego Cuchil), 61
Pap Ve's (Vicente Guzmán), 61
Pap Xha'p Ak'ul (Sebastían Cedillo), 61
Pap Xhun (Juan Brito Brito), 61
Pap Xhun Ijom (Juan Brito), 61
Pastor, Domingo Vicente, 86
Payeras, Mario, 86
Peláez Villalobos, Juan Carlos, 52
Pellecer, Carlos Manuel, 70
Pendás, Manuel, 58
Perera, Victor, 90
Pérez Chen, José, 121–24; administration of, 129; arrest, 136, 148; construction, 135; ending blockade, 136; gangs, 122, 124; in hiding, 158, 175; human rights violations, 178; lynching of a police officer, 105; meeting, 146–47; rejection of Alcaldía Indígena, 10–11; repression of protesters, 122; stolen funds, 140; torture, 122–23
Pérez Martínez, don Antonio, 135–36, 137, 146, 148, 155, 164
Pérez Molina, Otto Fernando, 168, 169, 178, 180
Pérez Pérez, Gaspar, 88, 94–95, 102
Pérez Toma, Nicolas, 148
Poma Sambrano, Maximiliano, 13, 149, 155
Poma, Nicolas, 64
Porfirio Díaz Mori, José de la Cruz, 65–66
Porras, Gustavo, 153, 166–67
protection tax, 201n5

racism: of academics, 65; of Curtin, 66; against Indigenous Peoples, 112–13, 177; against Ixil, 5–6, 25–27
Ramazzini, Álvaro, 153, 156, 162, 166–67, 182
Ramírez Santiago, Juana, 18
Raymundo, Juana, 18
Reagan, Ronald, 83
Recuperación de la Memoria Histórica, Guatemala Nunca Más (REMHI), 79, 84
Reina Barrios, José María, 66
Ríos Montt, José Efraín, 8, 9, 79, 82, 83–84, 95
Rivas, Emilio, 87
Rivas, Jesús, 60
Roberts, Tobias, 182
Rodríguez Ordóñez, Isabela, 99
Rodríguez Toma, Pedro, 122–23
Rodriguez, Juan, 36
Roquel Chávez, Jaime, 63
Rosal, Carlos, 36–37
Rosales Barrientos, Moisés, 155, 186–87
Rufino Barrios, Justo, 36, 42, 44, 49, 66
Ruhl, Alfred, 65

Sactic Estrada, Jorge, 143–44, 153, 155
Sajic Córdova, don Sebastian, 18
Sajic Gómez, Domingo, 86, 87, 88, 90, 101, 102
Sajic Sajic, doña María: childhood and father's kidnapping, 101–3; father, 91*fig.*; fleeing from military, 103–5; impact of third invasion, 107; Ixil organizer, 21; occupation of family's land, 105–7; persecution of Ixil, 79, 90, 101
Sambrano Rodriguez, don Diego, 113
Sambrano Rodríguez, Pedro, 135, 148
San Felipe Chenlá: ancestral authorities, 14; armed forces in, 2*fig.*, 178; blockade, 143, 149–50, 151, 176; community leaders, 63, 170; community of, 1; *Comunidad Indígena*,

11, 119; denying residency, 152; destroyed, 80; don Concepción Santay Gómez, 18, 64; formed during war, 8; living in, 77; meeting with Enel, 148, 155; military invasion, 148–49; ownership, 54–55; protesters, 147; resistance against Palo Viejo, 81; schools, 139–40, 164, 183, 186; size and organization, 45–46; *talanquera*, 144*fig.*; violence, 123
Sanchez de la Cruz, Miguel, 87
Sanchez, Francisco, 64
Santay Ajanel, Concepción, 63–64; kidnapping of, 95
Santay Ajanel, Gregorio, 63–64
Santay Gómez, don Concepción: *alcalde indígena*, 4, 41–42, 63–64, 169; on ancestors, 161; attack upon, 18; charges against, 148; confrontation with mayor, 175; on dialogue, 162–64, 166; father, 88, 89*fig.*; on future, 191; on genocide, 83; on guerrillas, 78; heritage, 5; meeting representative, 155; on the state, 152–53; threat of arrest, 150
Santay, Tomás, 95
second invasion: academics as invaders, 64–69; agrarian reform, 69–73; extraction, 43–44; fincas, 42–43, 44–48, 55–60; land dispossession, 78; land inequalities, 108; land management, 48–54; reflections on, 73–74; resistance against, 60–64
Segundo Registro de la Propiedad (SRP), 16, 48, 50–52, 55–57
sexual violence, 82–83
Similox, Vitalino, 153, 167
Smith González, René Oswaldo, 145, 155, 162–63, 165, 167
Sorogastua Carranza, Vicente, 32
Stop Enel, 169
Sulzer, William, 47
third invasion: civil war, 79–84; fincas during war, 84–86; *finquero* assassinations, 86–90; guerrilla movement, 77–79; military and Guatemalan state, 77; reflections on, 107–8
Toledo, Antonio, 30, 31
Toledo, Rosendo Girón, 70–71, 73, 200n13
Toma Marroquín, Juan, 92
Toma Sambrano, Baltazar, 10, 134, 177
Toma Toma, don Nicolás: after the war, 100–1; alleged fraud, 21, 91; early life, 92–94; impact of third invasion, 107; joining the guerillas, 99–100; persecution and capture, 95–98; running for mayor, 94–95; struggles against structural inequalities, 90
Torres Cavinal, Gabriel, 148
Torres, Andrés, 59
Transmisora de Energía Renovable, S.A. (Transnova), 21, 186–88, 192
Transportadora de Energía de Centroamérica, S.A. (TRECSA), 51, 187
tribute, 33–35
Tu Poj. *See* San Felipe Chenlá
Tuhiwai Smith, Linda, 12

Ubico, Jorge, 60
United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), 112, 125, 126

Van den Berghe, Pierre, 5, 30, 44
Van Horne, William, 47
Vásquez, Marly, 155, 186–87
Vega, Felix, 53
Velásquez Nimatuj, Irma Alicia, 13

Walsh, Catherine, 113

Xib'alb'a, 195–96

Founded in 1893,
UNIVERSITY OF CALIFORNIA PRESS
publishes bold, progressive books and journals on topics in the arts, humanities, social sciences, and natural sciences—with a focus on social justice issues—that inspire thought and action among readers worldwide.

The UC PRESS FOUNDATION
raises funds to uphold the press's vital role as an independent, nonprofit publisher, and receives philanthropic support from a wide range of individuals and institutions—and from committed readers like you. To learn more, visit ucpress.edu/supportus.

Based on more than a decade of ethnographic research, *The Fourth Invasion* examines an Ixil Maya community's movement against the construction of one of the largest hydroelectric plants in Guatemala. The arrival of the Palo Viejo hydroelectric plant (built by the Italian corporation Enel Green Power) to the municipality of Cotzal highlighted the ongoing violence inflicted on Ixils by outsiders and the Guatemalan state. Locals referred to the building of the hydroelectric plant as the "fourth invasion" for its similarity to preceding invasions: Spanish colonization, the creation of the plantation economy, and the state-led genocide during the Guatemalan armed conflict. Through a historical account of cyclical waves of invasions and resistance in Cotzal during the four invasions, Giovanni Batz argues that extractivist industries are a continuation of a colonial logic of extraction based on the displacement of Indigenous Peoples and the destruction of their territories and values that has existed since Spanish arrival in 1524.

"A wonderfully insightful and powerful book, which vividly captures the continuity of colonialism and the way the past presses on the future. I strongly recommend it."—**GREG GRANDIN**, author of *The End of the Myth: From the Frontier to the Border Wall in the Mind of America*

"This extraordinary, detailed account of Maya-Ixil framings of five hundred years of struggle is a remarkable achievement for the author and the Ixil communities with which he collaborates."—**CARLOTA MCALLISTER**, coeditor of *War by Other Means: Aftermath in Post-Genocide Guatemala*

"This brilliant book illuminates how Indigenous world-making ideas shape contemporary resistance to megaprojects. Its deep and careful collaboration with Mayan communities in Guatemala is a model for scholars and activists alike."—**ELIZABETH OGLESBY**, coeditor of *The Guatemala Reader: History, Culture, Politics*

GIOVANNI BATZ (MAYA K'ICHE') IS ASSISTANT PROFESSOR OF CHICANA AND CHICANO STUDIES AT THE UNIVERSITY OF CALIFORNIA, SANTA BARBARA.

UNIVERSITY OF CALIFORNIA PRESS
WWW.UCPRESS.EDU

A free ebook version of this title is available through Luminos, University of California Press's Open Access publishing program. Visit www.luminosoa.org to learn more.

Cover design: Kevin Barrett Kane
Cover illustration: Photo by Giovanni Batz. Part of the image used for the cover comes from a banner drawn by Chemol Txumb'al, 2015.