

The changing and enduring ejido: a state and regional examination of Mexico's land tenure counter-reforms

Nora Haenn*

Department of Anthropology, Arizona State University, Box 2402 Tempe, Arizona 85287, USA

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Abstract

Research on the counter-reforms to Article 27 of the Mexican constitution has been challenged to bridge micro- and macro-level data and illuminate a general refusal to privatize land. Here, a layered approach poses a few possible answers. Drawing on data for the state of Campeche, I relate how ejido members effectively expanded their landholdings via the counter-reforms. Drawing on data for the municipality of Calakmul in Campeche, including a survey of nine ejido's, I discuss how the combined actions of federal policies, local administrators, and ejido members reinforced the ejido's *de facto* mixed common and private property tenures. In all, I show that, despite global pressures toward privatized land, Mexican policy-makers and ejido members alike are ambivalent regarding a privatized ejido. Nonetheless, state policies have delimited the ejido sector, if not in terrain, in the number of people with land rights in any given ejido.

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Introduction

During the past two decades, countries throughout Latin America reversed course on questions of land distribution. Following neo-liberal models, policies aimed at privatizing common property landholdings became the norm. As Zoomers and van der Haar describe, this process is not just a regional one, but a global one: "Many donor organizations (e.g., United Nations, World Bank, Inter-America Development Bank) have abandoned their previous attitude of non-intervention" and are now actively involved in the promotion of new land laws, land titling, and registration projects (2000, p. 18). These activities affect an array of legal and economic phenomena. The question of land tenure impinges on (to name a few) rural subsistence, the structure and content of governance, and social contracts binding state and citizenry. Thus, in

exploring the impacts of these policy reversals, researchers must consider both the *de jure* aspects of land tenure as well as *de facto* regimes (Gibson et al., 2002). The latter often prove more revealing as global prescriptions encounter diverse localities.

By exploring the *de facto* regimes associated with the 1992 changes to Article 27 of Mexico's constitution, I use the concept of a 'layered' land tenure setting (Jansen and Roquas, 1998) to emphasize the importance of scale in shaping land tenure and land use policy. In particular, I consider how local, regional, state, and national decision-making in land tenure differ because actors in these diverse arenas hold different ideals and operate within distinct spheres of power (Lomnitz-Adler, 1992; Rubin, 1997). Formerly, Article 27 outlined the government's role as provider of land in the form of quasi-common property *ejidos* (Nigh, 2002). Although technically *ejidos* are managed by the landed farmers who make up the community, government authorities retained certain legal prerogatives by donating ejido land in usufruct right only. State authorities used this

*Tel.: +1-480-965-4730; fax: +1-480-965-7671.

E-mail address: nora.haenn@asu.edu (N. Haenn).

wedge to mandate farm practices and control an ejido's internal political structure (Cornelius and Myhre, 1998b; Otero, 1999). By ceasing 70 years of land distribution, the revised Article 27 promised to change this scenario. Crucially, these counter-reforms also made possible the privatization of Mexico's ejidos. Both the enormity of the project and the diverse communities affected have hindered a summary analysis of these changes (for regional and ejido level findings see Cornelius and Myhre, 1998a; de Janvry et al., 1997; Randall, 1996; Snyder and Torres, 1998). Some 15–20 million people may have been affected by the new policy.¹ Mexico's federal government cites 29,000 ejidos, with 3.5 million *ejidatarios*—people with vested rights in an ejido—and half of national territory as subject to the counter-reforms (Procuraduría Agraria, 1995; compare Cornelius and Myhre, 1998b, who describe half the nation's *arable* land as subject to the counter-reforms). In Campeche state, site of this research project, 43% of the state's territory is governed as ejido land under the jurisdiction of 381 communities (INEGI, 1994).

In reporting the impacts of Article 27 changes in Campeche and nine communities within the *municipio* (municipality or county) of Calakmul, I emphasize distinct patterns operating at state and local levels as well as different norms of policy implementation. This layered approach, I argue, is helpful in examining an enigma associated with the counter-reforms. Ejido members throughout Mexico largely failed to follow federal aspirations to privatize. By 1998, less than 2% of all ejidos had requested full privatization, while 4% had rejected the program completely (Jones, 2000, pp. 209–210). Stephen (1998) suggests this phenomenon may not have a universal explanation. The particular histories of individual ejidos, diverse experiences of state authority, along with the quality of interpersonal relations within any single community all contribute to particular land tenure processes (cf. Gibson et al., 2000). However, as I will show, because state authorities sometimes constructed areas as meriting particular kinds of policy implementation—'specifically, the refusal to privatize forests'—the individual quality of ejidos could be muted through regional policies. Thus, the counter-reform outcomes at regional and national levels may be explained by particular and competing notions of governance.

I begin by offering an overview of the counter-reforms. I then follow with a consideration of how these reforms transformed land bases at a state level as well as the local effects of counter-reforms in Calakmul. My data draws mainly on internal documents of the

Procuraduría Agraria (PA), the agency charged with implementing the counter-reforms.² I supplement this material with interviews conducted with three PA promoters working in Calakmul. One of these interviews took place in 1995, when the counter-reforms were just getting under way. The other two interviews took place in 2001. A total of two staffers are assigned to the Calakmul area and oversaw 63 legally recognized ejidos.³ Finally, along with a team of researchers, I questioned ejido authorities in nine communities as well as 150 individual *ejidatarios* on the effects of ejido counter-reforms.

Before addressing the reforms specifically, it is important to keep in mind a few factors which lend Calakmul its uniqueness. First, as a tropical frontier located near Mexico's borders with Belize and Guatemala, Calakmul has been open to colonization only since the 1960s. The 24,000 migrants living in the municipality continue to struggle with swidden farming in an inhospitable climate (Turner et al., 2003), personal histories entailing multiple moves, and a record of population instability (Ericson et al., 1999). Migrants' desire for land intersects with the ejido as a minimal point of agreement among people who otherwise see themselves as quite different. During the area's colonization, when government agents were often absent from the region, ejidos were able to formulate village policies with little state interference. Second, as home to Mexico's largest protected area for tropical ecosystems, the Calakmul Biosphere Reserve (municipality and reserve share the same name), since the late 1980s Calakmul has been subject to a variety of sustainable development programs and environmental protection initiatives (Haenn, 2002). Third, in the final days of 1996, Campeche authorities reinforced Calakmul's separate character by creating a municipality out of the reserve and surrounding lands, declaring this Mexico's first "ecological" municipality (*Diario de Yucatán*, December 31, 1996). As described further below, the county and the environmental character

²One document, entitled "Relación de Ejidos con Excedencia" and acquired in 2001, lists all ejidos in Campeche state along with their land size as indicated in their presidential resolutions, their extensions as measured after the ejidos joined PROCEDE, and the percent difference between the two figures. The second document offers specific information on Calakmul. Entitled "Programa de Certificación de Derechos y Titulación de Solares, Sistema de Interinstitucional de Seguimiento, Evaluación y Control, Avance Realizado," and dated April 24, 2001, the document contains a list of Calakmul ejidos and the number of certificates and titles expedited to date. State documentation regarding PROCEDE often contains important contradictions. Given the localized quality of data collection, I was unable to compare these data with that of other agencies (such as the National Agrarian Registry, the Agrarian Tribunal, or the offices of the Agrarian Reform).

³Another 24 municipal communities have not been recognized as either ejidal or private property. This count was made possible by information provided by Birgit Schmoock.

¹This figure is based on census data from the year 2000, which describes 25% of the Mexican population, or 24.6 million people, living in communities comprised of fewer than 2500 people (INEGI, 2001). The figure is corroborated in PROCEDE, 1995.

ascribed to the area are both strongly relevant to land policies.

PROCEDE, national and local programming

At a national level, the initiative to implement changes to Article 27 known as PROCEDE (the Program for the Certification of Ejido Land Rights and the Titling of Urban House Plots) entailed a multi-step process which, depending on the decision of ejido members, might or might not end in privatization. Across Mexico, PA staff met with ejido assemblies in “interviews” to disseminate information about the new program. Comprised of ejidatarios, the assembly is the principal decision-making body within any given ejido (Procuraduría Agraria, 1993). Ejidatarios are usually men, and both Hamilton (2002) and Stephen (1996) show PROCEDE reinforced men’s prerogatives in deciding land tenure issues.

Work with assemblies would comprise the PA’s benchmark of program success, and Jones (2000) notes the institution could more than exaggerate in this regard. By 1997, the PA reported more interviews than existing ejidos for all but 10 of Mexico’s 32 states. Multiple interviews may have been necessary to convince skeptics (Jones, 2000, p. 205). In any case, after receiving this information, ejido assemblies voted whether or not their particular ejido should join PROCEDE.

National policies stipulated that, by joining PROCEDE, ejidatarios be offered the possibility of three titles: to house plots (*solares*), farm plots (*parcelas*), and a percentage of the value of common goods (including common lands, known in Calakmul as *el uso común*, see Fig. 1). Ejidatarios could choose any or all of these

titles/certificates, and they could even designate how much land to assign to each category (Procuraduría Agraria, 1995). PROCEDE offered an additional, significant benefit to people concerned about their land base. By joining PROCEDE, ejidatarios would have their ejidos and personal farm parcels delineated by government staff. In Calakmul, ejidatarios recognized that, in any single ejido, landed members were supposed to have an equal number of hectares in their plots.⁴ Without precise measurements, many people believed they had been shorted and official delineations might put to rest long-held doubts.

Privatization was possible only at the end of this specified series of steps. After voting to join PROCEDE, in a second vote, ejidatarios would decide whether to title their land. After the titling process, a third vote by ejidatarios would determine whether to privatize their land and possibly disband the ejido. In 1995, PROCEDE’s promoter at Calakmul described the program as an end to the ‘paternalism’ and ‘deceit’ that formerly characterized government-farmer relations. Government agents, he said, had deceived people by promising to distribute land when none was available. He, also, admitted state officers used ejido tenures to interfere in a community’s affairs. Before the reforms, state officers of all stripes offered ejido members programs with an attitude of “participate or we won’t help you at all.” “Before,” he asserted, “it was chaos. Farmers did not know if the land belonged to the nation, the ejido, or individual ejidatarios. The changes clarify that land belongs to the ejido.”⁵

State level effects of counter-reforms

If land does indeed belong to the ejido, at a state level, PA documents show a rural sector anxious to expand the terrain under its control. By 2001, state offices charged with carrying out the mapping (INEGI, the National Institute for Statistics and Geographic Information) asserted they had delineated 90% of the state’s 381 ejidos. I derive this figure from INEGI’s official web site.⁶ Documentation from PA offices during the same period lists only 320 mapped ejidos, of which 32 had either not completed the mapping process or had declined parcel titles and common land certificates. PA data point to a completion rate closer to 75%. While Jones (2000) notes the quality of counter-reform data

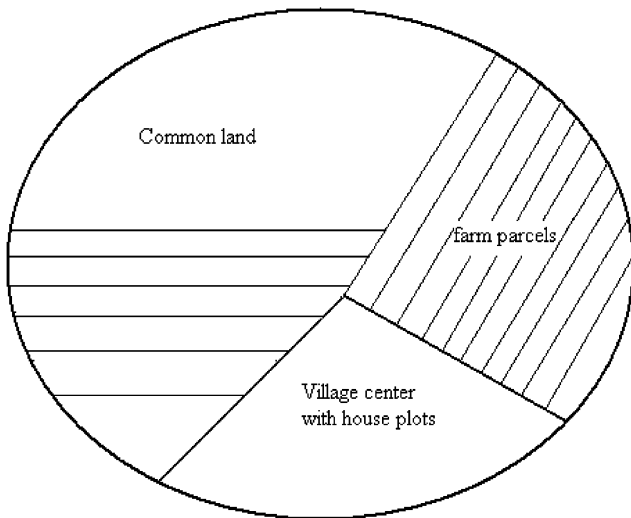


Fig. 1. Ejido layout with village center, common lands, and farm parcels.

⁴This is one way Calakmul may differ from other places in Mexico. Because of continuous population turnover in the past, farm parcels only began to be subdivided in the 1990s and many residents retain the ideal that each landed member merits the amount of land prescribed per ejidatario in the ejido’s original charter.

⁵Int. PA offices, Xpujil, Campeche, April 17, 1995.

⁶See <http://camp.inegi.gob.mx/territorio/espanol/cartcat/nucleos.html>. Available as of September 26, 2001.

MUNICIPALITY	Ejidos Gaining Land	Avg. % Gán	Ejidos Losing Land	Avg. % Loss	Ejidos Incom- plete Info.	No Change	Total % Loss/ Gain
1. Calkiní (7 ejidos)	5	45	6	6	–	--	7
2. Campeche (32 ejidos)	20	32	9	6	2**	1	13
3. Carmen (39 ejidos)	24	11	9	13	5	1	1
4. Champotón (46 ejidos)	25	15	12	4	9	--	2
5. Hecelchakán (7 ejidos)	6	28	1	24	–	--	23
6. Hopelchén (29 ejidos)	21	14	5	6	3		6
7. Palizada (2 ejidos)	2	10	–	–	–	--	10
8. Tena-o (7 ejidos)	2	17	1	4	4	--	5
9. Escárcega (38 ejidos)	25	14	7	7	5	1	3.6
10. Calakmul (59 ejidos)	38	16	19	1	2	--	7
11. Candelaria (54 ejidos)	32	9	18	7	4	--	-1.3
Campeche State (n'320)	200	17	83	7	34	3	5

(Source: Author calculations based on Procuraduría Agraria reports.)

*Percentages are rounded to nearest whole number.

**Incomplete information includes ejidos that may not have completed PROCEDE or that chose only partial participation. In the case of the latter, a limited amount of ejido lands was measured.

Fig. 2. Gains and losses in Campeche ejidal land bases by municipality.

emanating from state sources can be challenging, I offer the following as indicative of trends.

Fig. 2 depicts ejido land base changes throughout Campeche state following PROCEDE measurements. The numbers can be misleading without some sense of the variation in land adjustments. Averages in land gains across the state are weighted by 7 ejidos whose size more than doubled following PROCEDE measurement. An additional 7 ejidos saw their land base grow by more than 50%. Taking into account all of Campeche's ejidos, communities saw an average gain of 385 hectares, with a median change of 123 and a mode of 115 ha.

Analyzing gainers and losers separately, at the state level, we find that, for those ejidos gaining land, the average increase in their land base was 1194 ha, while the mode was 115 ha and the median 260 ha. For those ejidos losing land, the average loss was 466 ha, but the mode for ejidos losing land was 588 ha and the median just 88 ha. The relative uniformity in amounts of land lost and the marked diversity in land gained suggest distinct local level processes contributing to changes in ejido land bases.

These changes were so widespread that, at a state level, only 38 ejidos, roughly one-tenth of all Campeche

ejidos, occupied a land base within 1% of the amount outlined in their legal charters. Fully one-quarter of the state's ejidos, or 83 communities, occupy terrain in excess of 10% of that decreed in their formation. Legally, these communities will have to purchase their excess land from the nation. Communities occupying land beyond their charters, but in an amount less than 10% of their original allotment, received that land at no cost. Notable here is that the neo-liberal stance accompanying PROCEDE sought for the state's decreased role in Mexico's rural sector (Cornelius and Myhre, 1998b; Ibarra Mendivil, 1996). PROCEDE in Campeche countered this ideal by reinvigorating ejidos' connections to bureaucratic undertakings and, in one-fourth of the cases, inserting communities further into lengthy negotiations with state authorities. This aspect of PROCEDE supports findings in which top-down initiatives and bureaucratic procedures undermine land reforms (Zoomers and van der Haar, 2000).

On the whole, ejidos in Campeche were able to expand their land base, but at whose expense? Measurement of ejido boundaries focused on land actually occupied by a given ejido. Where ejidos bordered one another, surveyors were accompanied by representatives

Ejido Code	Land Base in Hectares (PROCEDE count)	# of Ejidatarios	Est. Size of Parcels in Hectares	Est. Size of Common Lands in Hectares
1.	2,297	29	70	none
2.	2,564	23	50	200
3.	1,888	32	24	850
4.	7,281	37	N/A	N/A
5.	2,631	35	40	1,171
6.	8,569	33	N/A	N/A
7.	51,163	83	150	25,000
8.	13,035	169	60	1,600
9.	14,884	114	100	1,000

(Source: Author calculations)

Fig. 3. Overview of nine Calakmul ejidos.

from all ejidos whose boundaries were in question. Working through differences immediately and on the ground, surveyors followed the lead of ejido authorities who indicated where the limit between their communities lie.⁷ In the case of ejidos bordering national lands or, in Calakmul, a protected area, surveyors were not usually accompanied by a state representative for these entities. As such, encroachment on these terrains would likely find little counter-argument. (In the case of ejidos bordering private property, the quality of relations between specific landowners and ejido authorities would influence ejido measurements and the extent to which each party might succeed in its claims.) As I explain, given the weight of the trend toward expansion, the data in Fig. 2 suggest Campeche ejidos gained land at the expense of the state rather than neighboring ejidos.

Overall, following PROCEDE-related measurements, Campeche's ejido sector was in possession of 5% more land than originally decreed, an additional 109,190 ha. The amount of land gained outpaced that lost by ejidos in nine of Campeche's 11 municipalities. The ratio of ejidos gaining land to those losing land was 2.4:1, while the ratio of hectares gained to hectares lost was 3.8:1. Calakmul followed the state-wide tendency toward ejido expansion by gaining an average of 553 ha per ejido with a median of 186 and a mode of 15 ha. Of Calakmul's 63 ejidos, 40 had increased their land base by an average of 16%. Another 20 ejidos lost land, but these losses averaged just 1% (see Fig. 3).

This emphasis on ejido expansion may be particular to Campeche, a state that saw its agricultural frontier

open during the latter part of the 20th century. At a national level, Jones notes that boundary and other disputes arose in 40% of all ejidos entering the program (2000, p. 208). In contrast, Campeche state, at just 12 people per square kilometer, is one of Mexico's least densely populated states, where ejido members had room to grow.⁸

Despite Campeche's small size, PROCEDE completion rates were no quicker there than elsewhere in Mexico. Originally scheduled to end in 1994 and then 2000 (Jones, 2000, p. 207), PROCEDE staff in 2001 were still implementing the counter-reforms. In Calakmul, the counter-reforms were close to completion, although a few ejidos, in some way illegally occupying land, continued to be held up in the process. Significantly, one ejido, promised private property titles to farm parcels, was told the program did not have enough funding to deliver titles that year. Their involvement with the titling process continued into 2004. These loose ends leave PROCEDE's final outcome in doubt. Nonetheless, at a regional level, trends in the counter-reforms' outcome were becoming apparent.

Environmentalism and the counter-reforms

Although the promoter I spoke with in 1995 talked of an end to paternalism and deceit, as our conversation continued it became clear that PROCEDE at Calakmul would not clarify the chaos in the way originally

⁷Int. PA offices, Xpujil, Campeche, June 19, 2001.

⁸See <http://www.inegi.gob.mx/difusion/espanol/fietab.html>, available July 24, 2003.

intended. In Calakmul, ejidatarios would be allowed to privatize their house plots and receive a certificate stating their right to a certain percentage of community goods/land. Because of area forests, the program would not permit titling or privatization of agricultural lands. PROCEDURE, instead, would offer individuals certificates to their farm parcels (see below). As mentioned earlier, the certificates to parcels and common goods signified usufruct rights and echoed former ejido tenures. Relations among ejido members, including the dominance of the ejido's assembly, would remain largely unchanged. Interestingly, ejidatarios could choose whether or not to include the farm parcels in the percentage noted on the certificates. In this way, even though farm parcels are technically part of common lands, through the ejido's own internal rulings, ejidatarios could, in a way, remove parcels from common land jurisdiction. Prior to the counter-reforms, many of Calakmul's ejidos effectively combined private property (in the case of parcels) and common property (in the case of common lands). For these places, the counter-reforms provided an additional foundation for mixed tenures.

In 1995, the PA promoter specified the connection between ejido land tenure and state environmental regimes: "If they [ejidatarios] have private property, the government cannot affect their actions (*el gobierno no puede meterse*)."⁹ Private property, he felt, would allow ejidatarios more control over their land, a fact that purportedly inhibited enforcement of environmental laws. Furthermore, the staffer hinted at continued paternalism. In his personal opinion, ejidatarios lacked sufficient training to administer private property ("*no son capacitados*"). He compared local people with residents of a distant ejido who counted trained agronomists among their members. That group, he noted, handled computers, photocopiers, and a truck.⁹ By implication, Calakmul's swidden farmers, with their lack of formal education and scant economic resources, appeared unready to manage their own affairs.

At the same time, the promoter spoke hesitantly in apparent awareness of the contradiction between his assertions of ejido autonomy and the fact that privatization had been largely forbidden in Calakmul. The certificates to farm parcels not only fell short of privatization, they contained a dramatic flaw that led ejidatarios to reject them entirely. These certificates required state environmental officers study ejidatario parcels and map out standing forests. Forests would then be removed from the process, and ejidatarios would receive certificates only to their cultivated land. Forested lands would then pass more firmly into the jurisdiction of the ejidos' assemblies. Ejidatarios rightly interpreted this possibility as reducing their personal land base and

declined to certify farm parcels. With little farmland incorporated into PROCEDURE, by 2000, state offices estimated Calakmul had 325,800 ha of common lands but just 7600 ha of parceled land (INEGI, 2000, p. 11). Members of 59 Calakmul ejidos did receive some kind of title (to house plots) or certificate (to common lands). In all, officials estimated they would distribute 206 titles to parcels, another 1842 certificates to common lands, and 3486 titles to houseplots in the Calakmul region (INEGI, 2000, p. 18, 24). While two ejidos declined to join PROCEDURE in any way, two ejidos chose to receive only titles to their house plots. In contrast to earlier statements of a complete ban on parcelization, three ejidos were deemed distant enough from the Biosphere Reserve to merit full privatization.

These distinct reactions hint at the variety of situations Calakmul's people found themselves in both before and after PROCEDURE entered their communities. In the next section, I demonstrate how summary statements regarding PROCEDURE change significantly the closer one looks at individual ejidos. Although PROCEDURE banned privatization at Calakmul, the national program's messages of individual autonomy resonated with regional landholders who used the reforms to increase the amount of land under their personal control.

Local effects of counter-reforms

Traveling among Calakmul's diverse ejidos can entail changing social worlds sometimes so starkly different as to prove dizzying. The ejidos in this particular study included 569 of Calakmul's 3355 ejidatarios. The communities they founded included three in the 1960s when authorities believed forestry was key to area livelihoods (see Haenn 2002 for a regional history). These *ejidos forestales* or forestry ejidos house vast extensions of forested reserves (see Ejidos 7, 8, and 9 in Fig. 3). Other communities, founded in the late 1970s and early 1980s, are considered relatively small by Calakmul standards. Apart from farmland, these ejidos may house common lands of 300–500 ha of forest (see Ejidos 1, 2, and 5 in Fig. 3). Following on these past distributions and land use policies, PROCEDURE forced a new encounter between state and locally generated geographies. Ejido members entered this encounter with distinct histories and distinct ideas regarding natural resource management. To a large extent ejidatarios were able to shape PROCEDURE in ways that appealed to them. Most especially, ejidatarios sought to shore up their land claims and redistribute ejido lands among themselves.

Before addressing the general trend in local reactions to PROCEDURE, let me note two unusual ejidos, numbers 4 and 6 in Fig. 3, that entered PROCEDURE without ever having parceled their farmland. Their situations are

⁹Int., PA offices, Xpujil, Campeche, April 17, 1995.

somewhat unusual even for Calakmul. These ejidos worked their land in a manner known locally as *mancomún*. Ejidatarios claimed ownership over the lands they farmed, but these lands were not located in the measured rectangles which usually make up ejidatario parcels (see Fig. 1). Instead, an ejidatario may have fields dotted throughout the ejido. In order to request new fields, ejidatarios approached the community's authority charged with keeping track of who farmed where. In parceled ejidos, this office undertook the same work for people wishing to farm outside their parcels on the ejido's common lands.

The two ejidos we studied working *mancomún* did so for starkly contrasting reasons. In one, neighbors generally trusted each other and had never seen the need for the arduous work of demarcating parcels. As well as measuring, the work often entails opening and maintaining paths in dense forests. In the second ejido, the *mancomún* system appeared to support a local strong man who, I surmised, was enacting his authority by delimiting people's rights to land. He did this, for example, by working with supporters to decree that people could only have one farm field. Some residents found their work hemmed in by neighbors competing for the same quality land. For just this reason, most farmers in Calakmul find working *mancomún* distasteful. People argued that, without clearly defined parcels, they had greater difficulty defending land claims. Working *mancomún* was something farmers might do in the early days of settlement, before an ejido had mustered the resources to carry out parceling. As soon as possible, however, people desired to have authority over a specific piece of land that offered a variety of farming and forestry possibilities.

Reading summary statistics of PROCEDE, one would not catch sight of the two ejidos working *mancomún*. Ejidatarios in those communities received paperwork from PROCEDE exactly like that of other ejidos. People occupying house plots received a title to those plots. (Land sales following PROCEDE mainly entailed these sites, rather than farmland, especially as ejidatarios were regularly in possession of more than one house plot.) And, all ejidatarios received a certificate noting their right to the percentage of the ejido's common goods. This was the case even in that second ejido, where common lands were effectively off limits to many individuals. In these two ejidos, PROCEDE did little to alter either power relations or land distribution.

Like the other communities, however, members of these ejidos had begun to think differently about their land holdings. For each ejido we visited, our research team asked about farm parcel sizes and, in many places, we received confusing answers. As we explored what these answers meant, we found that, although PROCEDE had changed the land people occupied in only one case, the program presented new disjunctures

between ejido members' cognized and operationalized models of their land base (Abizaid and Coomes, 2004). In addition to adjusting to the idea that their ejidos occupied more or less land than was stipulated in their communities' charters, ejido members were working through the meaning of those certificates to the community's common goods.

The certificates received special attention partly because the ownership mechanism was simultaneously familiar and confounding. The certificates denoted rights to common goods but changed the connotations surrounding ejido membership. Previously ejidatarios measured their affiliation to the ejido in terms of both their status as ejidatarios which gives them equal voting rights in the ejido assembly and their parcel size, where distinctions in land base suggested a ranked membership. While PROCEDE retained the former aspect of membership, it changed the latter by calculating claims to common goods according to percentages rather than hectares. In meetings with the PA promoters, ejidatarios decided how to distribute the percentages, and all but one of the ejidos we surveyed divided up the common goods evenly among ejidatarios. Thus, if an ejido had 100 ejidatarios, each had a right to 1% of the community's common goods.

PA staff emphasized this percentage did not translate into a specific amount of land, nonetheless, many ejidatarios had quickly made the logical leap to hectares. In their minds, ejidatarios divided their ejido's total area by the number of ejidatarios receiving certificates. For example, in Ejido 2, the community's 2564 ha divided by 23 ejidatarios works out to approximately 110 ha per ejidatario. Following this course of thought, members of Ejido 1 had gone so far as to reconfigure their parcel and common lands. Prior to PROCEDE, these ejidatarios held 50 ha parcels. The 70 ha parcel size noted in Fig. 3 reflects a post-PROCEDE distribution. In order to achieve their new parceling, Ejido 1 had eliminated its common lands.

Recalling that Calakmul is home to a biosphere reserve, this internal redistribution of ejido land raised some concerns. The reserve's director looked upon Ejido 1 with the fear that other communities would similarly eliminate their common lands. He viewed the ejido's common property regimes as acting to protect forests and expressed dismay at the way national policies worked against local conservation. The environmental intentions of national policy-makers foundered on local creativity. In this sense, the reserve director coincided with the PA promoter who asserted that state interference in the ejido was necessary precisely because state programs purportedly acted as a more effective conservation tool than ejidatario policies. However, the reappropriation of PROCEDE at the state, regional, and local levels betrayed the flaws of this stance. When federal authorities chose to retain the ejido structure in

Calakmul for environmental reasons, they failed to take into account two critical issues that countered the policy's effectiveness.

The first of these issues is the sometimes irresolute quality of state governance. In Calakmul, this issue meant policies were unlikely to see an even application. The second issue builds on Calakmul's history as an agricultural frontier. For decades, ejido members have enjoyed a relatively high degree of autonomy, deciding matters with little state direction. The re-parceling in Ejido 1 was emblematic of this autonomy. Yet, our team noted a few points that countered the reserve director's fear of a wholesale trend. Although members of two additional ejidos were also talking in ways suggestive of re-parceling, this process runs into logistical problems. New boundaries might require that some people trade pieces of their existing parcels. Many ejidatarios interpret such possibilities as a loss of land and, certainly, the loss of land improvements. Even dividing common lands could be tricky. Ejidatarios often plant on common lands and think of those plots as theirs even if they have not revisited the sites in decades. How might an ejido divide up common lands which appear to prospective claimants as a patchwork quilt of past fields? In the case of forested ejidos, the common lands are often too vast for such management, and those ejidos may have profitable forestry activities that some ejidatarios are unwilling to forego.

These obstacles are certainly not impassable and time will tell what ejidatarios in Calakmul decide. During our research, ejidatarios were in the midst of working through these difficulties. In these communities, our team asked, How large is your parcel? A typical response was 300 ha. After conversation, we were able to suss out that the individual's parcel measured 150 ha. Following PROCEDE, he believed he had the right to another 150 ha. Where that land may lie, whether and when the ejido's assembly might re-divide land to meet this new count were all questions that remained to be answered (Abizaid and Coomes, 2004).

Circumscribing ejido membership

Curiously, while PROCEDE confirmed the expansion of ejido terrains, the program effectively circumscribed the number of ejidatarios in Calakmul, thereby delimiting ejido populations if not their importance in land management. Prior to PROCEDE, ejidatarios assigned ejidatario status as they saw fit to their sons and new immigrants. Given constant population turnover on the frontier (Boege and Murguía, 1989; Ericson et al., 1999), ejidos usually had land available, a point which made Calakmul attractive to potential migrants. Following PROCEDE, ejidatarios reported they were now closed to new migrants. What they meant was that PROCEDE

had capped the number of ejidatarios the ejido could house. Following PROCEDE, ejidatarios argued, a person could become an ejidatario only if he or she purchased someone's ejido rights (the certificate to common goods) or if an existing ejidatario died and left an opening in the ejido's assembly. Under these more restrictive conditions, few people had the chance of becoming ejidatarios.

Questioning PA promoters on this policy, I learned ejidatarios were not legally obliged to close their ejidos. Thus, the policy's adoption throughout the municipality was intriguing. Did ejidatarios autonomously rework PROCEDE or did promoters send out confusing messages? The two promoters working with PROCEDE in 2001 gave two different answers to the question of whether PROCEDE closed ejidos. One answered a strong negative. The staffer explained that ejidatarios could re-assign the percentages listed on the certificates to common goods to include a larger number of ejidatarios.¹⁰

The second promoter hedged his response to the question of closing ejidos. He claimed the bureaucratic process for naming new ejidatarios was not recommended because people confuse this process with a land sale. Interestingly, the promoter did not connect his hesitancy to the idea that common property aids Calakmul's environmental setting. Instead, he defended his position based on the complicated quality of the appropriate legal steps.¹¹ Another pressing point in his mind was the way naming ejidatarios might encourage informal land sales whose failure to comply with the law would then create additional legal problems. This reluctance to support land sales was notable given PROCEDE's explicit aim of land commodification. Historically, ejido lands were barred from sale, although such transfers can be common (DeWalt and Rees, 1994). Staff working with the PA, who might reflexively side with this tradition or who recognized the bureaucratic failings of their own institution, could effectively subvert national aims and open a space for local reinterpretations. Nonetheless, in the case of Calakmul, this repackaging ultimately coincided with national agendas.

Closed ejidos circumscribed both the number of ejidatarios and government obligations to a now delimited sector. Although, in the short run, PROCEDE effectively strengthened individual ejidatario land claims, in the long run, the program could undermine the ejido sector as a whole, as the number of ejidatarios and ejidatario families decrease as a proportion of Mexico's overall population. This conclusion demands corroboration with national level data, corroboration which is not, at the moment, possible. In the paper's

¹⁰Int. PA offices, Xpujil, Campeche, June 19, 2001.

¹¹Int. PA offices, Xpujil, Campeche, June 19, 2001.

conclusions, however, I consider additional contradictions arising from PROCEDE which are likely to shape the ejido sector in the future.

Conclusions: the changing and enduring ejido

By 1999, 74% of Mexico's ejidos (comprising 57.5% of all ejido land) had joined PROCEDE, although the certification was stalled or suspended in one-third of those communities (7629 ejidos, see Jones, 2000, pp. 207–208). Jones further reports that, following the counter-reforms' inauguration in 1992, authorities created some 400 new ejidos and 170,000 ejidatarios by legalizing squatter settlements and addressing the backlog of petitions in agrarian reform offices (Jones, 2000, p. 209). The ambivalence surrounding PROCEDE went beyond the numbers cited here. In his interviews with PROCEDE staff, Jones found little interest in privatization, and the issue did not appear as a tangible goal in internal documents.

The example of Calakmul offers insight into these conflicting impulses and the flaw in reducing land to its marketable aspect. Communicating the findings reported here to one Calakmul ejidatario, I learned why he thought the refusal to privatize obvious: This wasn't some agreement we negotiated, but a right we won through spilt blood. From peasant perspectives, the counter-reforms made it possible for state authorities to renege on the promises of Article 27 but only if ejidatarios agreed to this negation. As long as people remain ejidatarios, they retain their constitutional claims on the state. The state has no similar obligation to engage private property owners. For 70-odd years, ejidatarios have used their position to gain state resources, build community with neighbors, and leverage their natural resource base in a variety of ways. At the same time, it seems clear from the combination of common and private property regimes favored by ejido members that ejidatarios are not necessarily committed to a single form of land tenure. Instead, to summarize the ejidatario position in Calakmul, PROCEDE reinforced their efforts to have their cake and eat it too (Goldring, 1998). Ejidatarios strove to retain all the privileges of an ejidatario and all the privileges of a private property owner. Ejidatarios can do so by conducting a *de facto* privatization within the inalienable ejido.

From a state perspective, the ambivalence regarding forested land suggests state authorities were conflicted over the value of land privatization. Forests needed to remain ejido land, where the state could intervene. This position raises important questions. Why could the state not regulate forests on private land? Do ejidos offer a specific level of intervention that state agents would want to exercise? In saying they can better regulate

forests as ejido land, authorities hint at a more general powerlessness, raising the question, what guarantee can authorities give they will be effective on *ejido* lands? Elsewhere, I discuss how state authorities often use the ejido's independence and the decisions of ejido assemblies to explain why a policy failed or how a program departed from its original intent (Haenn, 2005). Here, I note that by placing the responsibility for forests in ejidatario hands, authorities can assert simultaneously that they have addressed the question of forest conservation and yet are not responsible for those policy outcomes.

By layering nation, state, and municipality, researchers learn how such sentiments flow through a politically de-centered Mexico (Rubin, 1997), a place where federal policies *per force* filter through increasingly localized political structures and cultural norms. Here, I have highlighted the importance of environmentalism, land insecurity on an agricultural frontier, the diverse amounts of land held by individual ejidos, and the role of local administrators in reconfiguring national policies. At the same time, I wonder whether, given the possibility to privatize, ejidatarios and government staff in Calakmul would have the vision to create post-ejido communities.

This question arises from two directions: private property communities in Calakmul and the local state agencies that service the ejido sector. Our research team visited two private property villages, one formed in the late 1990s and the other dating to the 1970s. Although private property communities are regulated under civil law (as opposed to the Agrarian Law which governs ejidos), familiarity with this realm was so scarce that in both communities, the governing structure resembled that of an ejido, only very poorly functioning ejidos. In both places, residents held assemblies and had officers whose titles were borrowed from the ejido. However, in both communities, residents claimed that their private property character did not require they attend village assemblies. Village leaders had difficulty mustering support for community policies and, importantly, organizing groups to qualify for state development aid. Local forestry and agrarian promoters had little experience working directly with individuals on a one-to-one basis. Promoters often countered the individualism of private property regimes by demanding that owners organize as ejido-like collectives to receive aid.

As diverse groups enforce their distinct interests in the ejido, contradictory land tenure outcomes become all the more possible. Fundamentally, contradictions arise from the way national and international policies aim to change the ejido's legal underpinnings, while infusing the ejido's collectivism with a spirit of commercialism and individuality (Cornelius and Myhre, 1998b; Ibarra Mendivil, 1996). As Calakmul shows, this process is by

no means straightforward. Ejidatarios supported aspects of PROCEDE which government officials, both officially and privately, made null. In their reconfiguration of ejido geographies, ejidatarios sought to increase the amount of land under their control, a portent of small-scale land concentration *within* ejidos. PROCEDE's peculiar implementation in Calakmul means that, even though ejido members may pull away from one another, they cannot choose a sharp break with their neighbors. Instead, they will continue to live within communities which are de jure common property and de facto a mix between private and common property. This mixture, as well as the ability of distinct institutions and persons to alter prescriptions, vastly complicates land use policy, especially, as shown here, in the case of conservation initiatives.

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