

Communal land, culture and production through mezcal producing communities in Oaxaca's Central Valley

Land in Mexico includes vast territories that are legally registered as communal. They represent over 100 million hectares and 52 percent of the country's territory.¹ Not only have they been an important recourse for villagers to maintain access and control of farmland, they have allowed cultures to endure, helped preserve 63 indigenous languages, 350 spoken dialects and various forms of craft and culinary traditions. They have also produced a unique cultural landscape of patchwork-like agricultural fields, small villages and wooded forests, synthesized into shapes of color in paintings by Mexican artists.² Unlike most other Latin American countries, where between 90 and 95% of inhabitants are urban dwellers, even today 20% of Mexicans remain rural land tenants. As we have become increasingly skeptical of civilization's eminent progression toward cities, it is worth examining the inner workings imbedded in Mexico's land use organization. Work we have been doing both professionally and academically in the Central Valley of Oaxaca, has given us a window into understanding the complexities of this territory, its vulnerabilities and the strength with which it has preserved its cultural landscape and lifestyle.

Communal land in Mexico can be traced back to colonial times. The Spanish crown granted indigenous communities control of the territories they occupied and named them *ejidos*. Mexico achieved its independence from Spain in 1821, and even though the new nation abolished crown protection of indigenous communities, political instability and economic stagnation allowed the land structure to remain the same. When the *Liberales* came to power in 1855, they embarked on a major reform that included the expropriation of *ejidos*, and in 1857 made their abolition part of the constitution. In 1876, Porfirio Díaz came to power and encouraged large haciendas to expand, leaving the peasantry landless.

All of this changed with the Mexican Revolution. In 1917, a new Constitution was drafted, which empowered government to expropriate privately held resources. Land redistribution did not begin in earnest, however, until Lázaro Cárdenas became president in 1934. He made it possible for landless farmers to request the formation of a "collective *ejido*." Once approved, land would be expropriated and designated to the farmers as *ejidatarios*. Instead of owning the land outright, lots were assigned that could be used indefinitely and even passed down to children, so long as they were never left idle. In addition to *ejidos*, the agrarian reform legally recognized communal land that existed prior to Mexico's independence and continued to be used as such.

¹ Data released by the Centro de Estudios para el Desarrollo Rural Sustentable y la Soberanía Alimentaria (CEDRSSA) of the Cámara de Diputados, 2015

² *Campos labrantíos* (1969) by German-Mexican artist Olga Costa is a good example. Museo de Arte Moderno México

Ejididos and communal land cannot be purchased by foreigners, nor people outside the community. This has been a *de facto* guarantee for populations to stay connected with their land and for local culture to endure. It is a clear example of Henri Lefebvre's assertion that space is a social product, inextricably tied land.³

Municipalities in the Central Valley of Oaxaca, one of Mexico's states with the highest percentage of communal land (over 80% of the land is social property), are a window into the dynamics that define such vast and seemingly ubiquitous territories in this part of North America.⁴ Each municipality is comprised of three land uses: the town center where people live in houses of their own property, a first ring of fields farmed by individuals, and an outer ring or edge of strictly communal land which in theory is forest.

The land tilled by villagers is mostly used to produce *milpa*, a mixed crop that includes corn, squash, pumpkin and beans. Over the past decades its cultivation has become more difficult as rain patterns have shifted and access to water is increasingly scarce. Some farmers also produce mezcal, an ancestral spirit made from agave plants typical of the Oaxaca region. Others make a living off the goods they sell in local markets or bodegas. But economic activity is fairly stagnant, and every year as much as 20% of the population is forced to leave their village and look for work in a larger city, or cross the border into the United States with the intention of sending remittances back to their families.

The forests, which have been an important resource to access wood for energy, have been significantly reduced, altering rain patterns and diminishing the effectiveness of farmland. The tendency to deplete resources on communally governed land may seem inevitable, as the *Tragedy of the Commons*, has argued.⁵ In fact some central government administrations and the private sector in Mexico consider the communal land system inefficient, doomed to fail and a legal nuisance.

There is however, an important aspect of Oaxaca's communal land to consider. 418 of Oaxaca's 517 municipalities are governed through political institutions that are independent of the party system – known as "*usos y costumbre*." Villagers offer themselves to be elected in local government positions out of a sense of duty and responsibility to their community. The municipality receive a percentage of the state's revenues which the officers can administer as

³ Lefebvre, Henry. "Space: Social product and use value", in *Critical Sociology European Perspectives* (ed.) Freiburg J.W. New York: Irvington Publishers Inc., 1979. p. 286

⁴ CEDRSSA

⁵ Garrett Hardin. "The Tragedy of the Commons" *Science* 162:1243-1248. 1968

they see fit. They make decisions based on their own values and priorities, without the need for approval from higher authorities. They are also free to engage in revenue making activities for the municipality and have the advantage of tapping into the *tequio* system (a tradition of shared voluntary work every villager dedicates for community projects) for projects that involve labor.

In recent years, communities have become increasingly conscious of the need to recover their forests and have sought opportunities to enact reforestation projects.⁶ They are also keen to tap into the mezcal economy by planting agaves on communal land that will produce revenue for the municipality.⁷ Interventions to increase access to water have been designed including collection pools sited and calculated for individual farmers,⁸ as well as a series of pools along the drainage path of basins that could potentially be built through the *tequio* system.⁹ Climate change has no doubt affected the livelihood of locals in the Central Valley of Oaxaca and only makes migration more inevitable. Still, the effects are being addressed through the means and resources available to villagers and reflect an approach based on changing human habits, arguably more sensible and straightforward than technology-based approaches.

Another global threat, Covid 19, has also revealed the virtues and weaknesses of the communal land structure. While Mexico's central government has not been proactive in implementing cautionary measures to avoid the virus' spread, communities in the Central Valleys have been very careful to keep themselves secluded. Their only recourse is prevention. They are fully aware of their extreme vulnerability in terms of access to the more advanced healthcare infrastructure required for someone with respiratory failure or any other deathly effect caused by the virus. Self-sustenance farming has allowed them to live relatively independent from the country's economic network and the fact that the rainy season began in late June has kept them busy in the fields with very limited time for social interaction. There have been no registered cases of Covid 19 since March 2020 in the villages of Agua del Espino, San Agustín Amatengo and San Martín Lachilá in the region of Ejutla, Oaxaca, where we have been working.

⁶ A pilot of this effort is the result of work by Re-Think Foundation and Enlace Arquitectura together with the Harp Helú Foundation and the community of Agua del Espino in Ejutla to implement a reforestation project on 20 hectares of communal land beginning in the summer of 2020.

⁷ GSD student Melody Stein's project "Plant in Place" suggests the communal land reserved for forest use, could be the subject of a hybrid reforestation process that incorporates a diversity of species including agave plants. Option studio taught by Elisa Silva, Fall 2018.

⁸ University of Toronto student Ted Marchant, calculated the size of a pool that could collect enough water to supplement crop irrigation needs and guarantee successful cultivation. Building this pool requires 1 day of digging with a mini-shovel and physical labor that could be done by a single individual. Option studio taught by Elisa Silva, fall 2019.

⁹ GSD student Valat Limwibul designed a chain of pools that could be progressively built and would eventually cover the yearly water demand for personal use and crop irrigation of the entire town of San Agustín Amatengo.

Defending the communal land structure is paramount to championing opportunities for scenarios outside the normative (capitalistic) economy, which translates into alternative forms of production, innovation and livelihood. The ejido, understood by many as the unfortunate legacy of the Mexican Revolution, has actually preserved culture and enabled a quiet resistance to urban migration, allowing rural life to remain an option for what is still a significant portion of Mexico's population. Vast territories of communal resources are mines of opportunities, that need to be better documented, understood and disseminated as their most promising prospect for endurance.