

# The Management of Common Property in a Mexican Pueblo

1990

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The highland indian communities of Meso-America have a long history of communally owned property, which has been managed locally for centuries. In this paper, I would like to give a history of the institutions of communally owned forest and grazing lands as they have existed in communities of the Purepeche speaking area of Central Mexico and specifically in the community of Cuanajo, Michoacan, where I have done fieldwork, off and on, since 1966.

The Purepeche speaking area of Mexico lies in the Central Highlands of the State of Michoacan—between Mexico City and Guadalajara. It is a well watered region with a great deal of agriculture in the valleys. The mountain slopes are generally densely forested in pine and spruce. Frost occurs in many highland communities between 90 and 120 days a year. (This is not stereotypic picture of Mexico common in the United States, but the reality is that there are many Mexicos and this one of them.)

The Pueblo of Cuanajo is in the Municipio of Patzcuaro; and lies about eight miles southeast of the city of Patzcuaro itself. All municipal offices are in Patzcuaro along with the police station and other civic functions. Patzcuaro is a mestizo town where hispanic culture reigns; Cuanajo is identified as "Indian" by residents and non residents alike. In the summer of 1990, the pueblo contained approximately 6200 people. At least 50% of the population are still bilingual in Spanish and Purepeche.

Cuanajo is an agricultural community with a strong craft tradition. The men of the community have made furniture out of local pine since at least 1789 (West 1948: 58-59). Recently wood working has greatly expanded. In 1967, there were 22 wood working shops in the Pueblo (Acheson 1972: 1154; by 1990, there were 200 mechanized shops producing a large variety of furniture.

## HISTORICAL BACKGROUND

Communal property has a long history in Mexico in both mestizo and indian communities (Chevalier 1966: 86-92). In this paper I will be concerned only with the Indian communities in Michoacan. The histories of communal lands in other indian areas and in mestizo communities have their own histories.

The Spanish Conquest of Mexico occurred in 1521. In 1530 one conquistador, Nuno de Guzman went through what is now the modern State of Michoacan, pillaging and looting. In 1533, a young lawyer, Don Vasco de Quiroga was sent to the area, to restore order and administer the area (Foster 1967: 23).

Franciscan missionaries followed shortly thereafter. Quiroga and the missionaries were very much enamored of St. Thomas More's Utopia, and gathered the Indians into communities and organized them into a communal way of life. The key institution of these communities was el hospital, where the sick were cared for, artisans worked and the spiritual needs of the community were cared for. All the people were to eat in a communal dining halls. The hospital and all agricultural land were held in common by the community as a whole. Whether life in these communities followed the dictates of Vasco de Quiroga or not is not known. It is clear that from the conquest through the Colonial period indian communities were nucleated, the larger communities became the centers of government and the churches were established in them, and that a good deal, if not all of the land was held in common and owned by the community.

While Vasco de Quiroga is a folk hero in Michoacan, it needs to be pointed out that a communal way of life was common in the highland communities of Meso-America as a whole. Eric Wolf, for example, speaks of all indian communities as communes (Wolf 1959: 214-15). These indian communities had legal title to their land and were, to one extend or another, protected by the missionaries and the Crown during the Colonial period.

Over the course of the past 300 years, the amount of land controlled and owned by these Indian communities has declined dramatically. This is certainly the case in the Tarascan speaking area where the amount of territory where "Purepeche is spoken" represents only one-fifteenth of its pre-Conquest extent." (West 1948: 11). Two processes were at work. First, there were incursions into Indian communities by Spanish speaking people, who in some cases literally pushed Indians onto less desirable land. In others, indian communities were incorporated into encomiendas and later haciendas owned by a mestizo or Spanish speaker. Second, once Spanish speakers were established in the area, many communities became acculturated—particularly those in direct contact with many hispanics. As a result, Purepeche is now spoken only in communities in marginal mountainous areas, which were not of interest to Spaniards seeking good grazing land or land that could be used for irrigation agriculture (West 1948: 19).

How did Spanish speakers remove Indians from their land? In some cases raw force was used (Friedrich 1986:4). In other cases, more subtle means were employed. Purchasing land was a favorite method. Throughout the Colonial period, much indian land was held communally, but some was held individually. Both communities and individuals were allowed to sell land to other indians and to mestizos. A good deal of indian land was transferred to mestizo ownership in this fashion (Brand 1951: 53). Nevertheless, an important problem for mestizos coveting Indian land was the legal protections Indian land was afforded by the Crown. As the hispanic population rose, and the need for lebensraum augmented, there was there was increasing pressure to change the laws establishing and protecting Los Republicas de los Indios (Brand 1951:11). In 1856, a law was passed (el Ley Lerdo) ending the ownership of lands held by religious and civil units. This law was the beginning of the end for communal land in many communities. But it was not until the reign of President Porfirio Diaz that a serious attempt was made to do away with

communal land. Diaz and his government believed that development of the countryside would be facilitated by opening up public lands on a large scale. Between 1872 and 1902 a whole series of laws were passed by Federal and State Governments facilitating the alienation of communal lands. Most of these laws were not aimed specifically at Indian communities, but at all public lands in all communities, Indian and Mestizo. Some legislation was specifically designed to undermine the legal buttresses for communal property in Indian communities, such as the 1877 Michoacan law outlawing "comunidades de indigenas" (Brand 1951: 53-54).

In response to these changes, some communal land was divided up among community members and became their private property. These legal changes also make it possible for mestizos to move into such communities, obtain legal title to land by purchase or less desirable means, and leave the inhabitants largely landless. Indian communities were especially vulnerable since their inhabitants did not even speak the language in which the laws were written. A good many mestizos were able to move into "Indian communities" in Michoacan (Brand 1951: 53-54). By 1900, the situation in these targeted communities in Michoacan was desperate. Many people with inadequate land were threatened with starvation; others began to support their families by migrant labor.

The same was true in many other pueblos throughout Mexico. Simpson speaks of the rape of the Pueblos and says that by "the end of the Diaz regime, 90% of the villages and towns on the central plateau had no communal lands of any kind" (1937: 31).

In 1910, the Mexican revolution broke out and active fighting lasted to 1920. It was fueled in large part by a desire for land reform. In the decades immediately after the Revolution, a good deal of land reform did occur—particularly in the presidency of Lazaro Cardenas, which occurred from 1934 to 1940. Most land reform involved breaking up haciendas and allocating the land to ejidos. (Ejidos are a kind of communal property financed through an ejidal bank and guaranteed by the Federal government). The struggle for agrarian reform in the Purepeche speaking area has best been described by Paul Friedrich in *Agrarian Revolt in a Mexican Village* (1977), who has done fieldwork in the village of Naranja.

#### Communal Lands in Cuanajo and Other Sierra Pueblos

All of this exciting history largely bypassed the Purepeche communities in the Sierra, including Cuanajo. While the legal protections afforded their communal lands was removed in the 1870's, wealthy mestizos, who owned land companies, did not want to move into these communities. The mountain communities are not known for flat fields, good soil, and they are in the in the tierra fria. They are also isolated. It has only been in the last 10 years that an all weather road has been built into Cuanajo.

As a result, change in the land tenure system was much

slower. In these sierra towns, the agricultural land were divided up among the community members (Brand 1951: 54; West 1948: 32) sometime in the late 19th century. The exact process by which this shift took place is not known. Apparently the changes in the legal system made privatization possible, but it is not clear why privatization was desirable or why this alternative was accepted. The forest lands remained as common property.

Apparently, this situation remained constant for the first decades of the twentieth century. That is, the agricultural lands were in private hands, while the outlying forests remained as communal property. In the 1940's, West was able to report that two vestiges of the communal system remained in most Purepeche pueblos. In five pueblos in La Canada, the communities retain ownership of land at least in name. Individuals are allotted small holdings (2 or 3 hectares) and can retain these holdings for life as long as they are tilled. When they die, these plots can be inherited by children. Legal title is still in the hands of the pueblo (West 1948: 32-33). Moreover, most of the forested land, which includes most of the land in the pueblos, was held in common; a few patches were owned privately.

Much of what we know about the management of these commonly owned forests comes from Beal's description of Cheran (1946: 15). In the 1930's, such lands were considered to belong the local community, and everyone was permitted to have access to the communal forests. However, the Federal government was beginning to exert more control. A law was passed making large forested areas part of the Federal domain; and a tax was levied on forest products. Beals reports that in Cheran each household paid a fee (rustica) for the privilege of cutting fire wood. Those cutting more wood paid more (Beals 1946: 15). This fee was collected by a local committee, and apparently was spent on local projects.

By 1940, however, the Federal government of Mexico passed regulations in an attempt to control exploitations. In that year, a law was passed prohibiting the cutting of any wood without a permit (Beals 1946: 15). They also attempted to restrict lumbering to cooperatives made up of local people. Ostensibly the cooperative would have a monopoly on cutting lumber, and would be the only organization licensed to cut wood by Forestal, the Federal Forestry Ministry. In Charan, at least, the cooperative was involved in a good deal of conflict from its inception and never did work well (Beals 1946: 113-114). The Forestal according to reports of older informants, tried to start a cooperative in Cuanajo, but it ostensibly did not get off the ground.

By 1966, when I first arrived in Guanajo, a very significant switch had taken place—namely that all of the forested land was in private hands. Only one small area on the top of a very steep local mountain (La Cantera) was held in commons. Its primary attraction was a field about 5 hectarias in size that was being used by local farmers for grazing. By the summer of 1990, even that had reverted to private property somehow.

No one wants to say how this switch took place. Several informants started out by saying that there had never been any communal land in the pueblo and that the situation had never been

any different. It took a good deal of pushing to get the story out and even now I am unsure I have all the threads.

Apparently, much of the common forest lands distant from the pueblo was taken over by squatters. An undetermined number were mestizos from outside the pueblo. Others were mestizos and a few Indians who had lived in the pueblo for decades. These people moved into the forests from the early decades of the century, built houses, and cleared land for planting. (Squatting, it should be noted, has a long and honorable history in Mexico. Even today, if a poor person squats on property owned by someone else, and actually builds a house or shack, it is difficult to remove that individual.) Gradually—perhaps in the 1940's or 1950's— the Indians from Cuanajo itself ceased to do lumbering in these outlying areas. The exception are the Indian families who own forested lands on the outskirts of the pueblo.

Forest lands closer to the pueblo became the property of Indians from Cuanajo by a somewhat different process. People from the community used to exploit forest lands close to their homes; and over time, such lands were considered to have been allocated to these families. Rights to these forest plots could be inherited by children. (The forests were still legally considered communal property however.) Sometime in the 1950's, plot owners began to be systematically taxed on what was considered "their property" by the State tax collector. Of course, this further solidified their claim to these lands.

Two additional factors facilitated the switch from communally owned property to private ownership. The population greatly increased. In 1940, the population of Cuanajo was 1735 (West 1948: 19; in 1967 it was 2700 (Acheson 1972: 1153; and in 1990 it has increased to approximately 6200. Since all of the arable land around the settlement had been taken, these people had to move into the forests to find any land at all. Moreover, the furniture industry has expanded rapidly in the past few decades. As a result, the demand for wood has increased dramatically in the past 50 years. Forestal, the Mexican Government forestry agency, is not unaware of the fact that a good deal of wood is being cut in the Cuanajo area. While some cutters have permits, it is clear that a good deal of lumber required by the furniture industry is illegal. While the forest conservation laws apply to both communal and privately owned forest lands, Forestal's authority is much stronger in the case of communally owned lands. In short, one is able to get away with more on one's own land than on land considered in the public domain. As a result, as the decades progressed, an increasing percentage of lumber for Cuanajo's shops was supplied by mestizo farmers from outlying, who were exploiting their own land. Thus there was a good deal of ambivalence about the privatization of the communal forests. If people in Cuanajo were sorry to see the forests privatized and even occupied by mestizos, there was increasing recognition that without privatization, the supply of lumber would be jeopardized and the efforts of Forestal more effective. This sentiment undercut any efforts to defend the communal forests.

In summary, the demise of the communally owned land in the

Purepeche speaking area took over 150 years, but it is apparently now complete. The size of the area where purepeche culture exists has shrunk considerably. And in those purepeche communities that remain, all of the agricultural land has been privately owned since the turn of the century. Since the 1950's the communal forests have been converted into private property as well. There are only a few communities, high in the Sierra, where there are any sizeable communally owned forests.

POSTSCRIPT. If the common property theorists are correct, the transition to privately owned property should have resulted in increased conservation of natural resources. It has not. The profits to be made by cutting trees for Cuanajo's furniture industry are large enough that the forests in the pueblo are slowly being denuded. This is true despite the best efforts of Forestal.

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