

# Mexico: History of Forest Ownership and Government Regulation



(news from the other West)

Antonio Azuela

Beijing September 2005

# A well kept secret



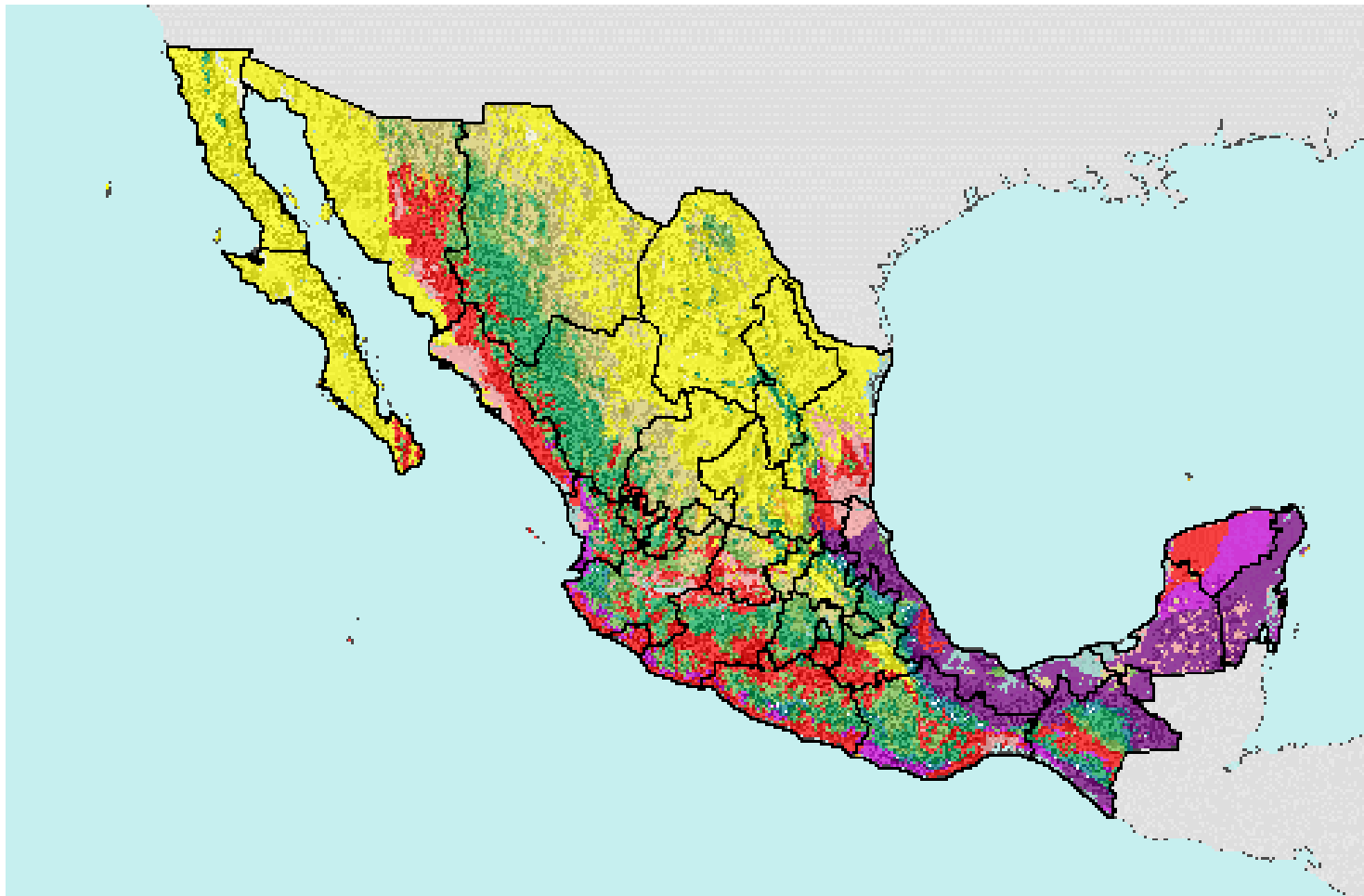
- Is Mexico “in the vanguard of community forest movements worldwide”?

Klooster and Ambinakudige (2005, 305)

# ...or an oximoron?



- 80 % of Mexico's forests are common property of peasant communities
- High deforestation rates (500 000 hectares per year)



# Mexico's Biodiversity and the forest sector



- Mexico's biodiversity
  - 10% of terrestrial vertebrates in 1% of the earth's land area
  - 70 pine species; 130 species of oak
- Not a forest world power (annual production under 1% of GDP)

# The origins of forest common property in Mexico



- XVIth Century: The Spanish conquest and its territorial settlement
- 1910-1980: The Mexican Revolution: land distribution [with a forest limbo].
- Since the 1980's peasant communities take control of their forests

# The two faces of the “Pueblos de indios” property system



- Indigenous peoples were (brutally) subject to the Spanish Empire
- And they were granted the right to own property “even if they were not Christians” (property as a human right)

# The Great Hacienda: a major threat for the "Pueblos de indios"



- Individual landowners (and their cattle)
- 1521 – 1810: Indigenous communities lost part of their lands (but retained a large proportion of it)



# 19th Century Mexican liberalism: one big mistake



- The suppression of all corporations (liberating the Church property and allowing peasants to become individual landowners)
- A new opportunity for the great hacienda
- A few families became owners of vast territories
- Zapata, Pancho Villa and the grievances that gave meaning to the Mexican Revolution.

# Let the pueblos have their "ejidos" back



- *Ejido*: from the latin "exitus" (lands at the outskirts of a town)
- A two tier agrarian reform
  - Restitution (or confirmation) of communal lands to the pueblos (now called *comunidades*)
  - Granting of ejidos to new peasant groups (ejidos)
- The outcome: 52% of the national territory, is owned by:
  - 27 000 ejidos
  - 2 800 comunidades

# Forests and the Program of the Mexican Revolution



- Land distribution with two features:
  - An agricultural bias (forests ignored)
  - Political clientelism (weak property rights)
- Racial mixture (*Mestizaje*), a national goal
- State control of strategic natural resources
  - 1938: Nationalization of the oil industry
- State centralism, a condition for social reform

# The forestry regime (up to the 1980's)



- Strict and centralized beaurocratic control of forest activities
  - Forest concessions, only to private companies (state owned companies, in the 70's)
  - Forest bans in many regions (an 'open access' situation)
- For peasant communities, only a stumpage fee
- Conservation policies on community lands (national parks as if they were public)

# From the stumpage fee to the community control over forests



- A gradual strengthening of community rights over land and its resources
- Gradual weakening of political dependence of communities vis-à-vis the state (transition to democracy)
- Failure of state owned logging companies of the 70's
- Growing demands of communities to obtain the full benefits of their forests

# Other contributing factors



- Decentralization policies (since 1982)
- Lawsuits against the renewal of forest concessions
- New forest policies, toward 'economies of scale'
- 1986, Forestry Law recognizes communities' rights to obtain logging permits
- 1992 'neo-liberal' reform of Agrarian Law

# A gross balance



- 80 % of forests, owned by agrarian communities
- *Circa* 8 000 forest communities in the country
- Hundreds (?) of communities with effective control of their forest
- Since 1996, state programs supporting community forest enterprises

# Five types of forest communities (Bray et al)



- Potential producers (no forest activities)
- Stumpage communities
- Roundwood communities
- Sawmill communities
- Finished products communities



# Some achievements



- In community forests, deforestation rates similar to those in natural protected areas
- In 2003, 25 certified projects (6 in average in Brazil, Guatemala, Honduras, Germany, Canada and the USA)
- Vertical integration: between 1986 and 1997
  - Income from stumpage decreased 50 %
  - Income from sawnwood increased in 50 % (Antinori, 2000)

# Main challenges



- International competition
- Migration
- Social conflicts
  - Within communities (corruption / transparency)
  - Between neighboring communities
- Ongoing tension between conservation and development policies
- Doubts about the continuation of public policies supporting community forestry

# Three Regulatory tensions



- Federal *vs* state control
  - Growing interest by state governments in forest regulation
  - The temptation of forest bans.
- Community control *vs* local government
  - Decentralization of two different kinds
    - Political representation *vs* property rights
- De/regulation *vs* old fashioned bureaucracies
  - Can we control the pendulum?

# Out of the paradox



- Community forestry in Mexico, a new experience (less than three decades)
- Based on an age/old property system