Mexico: History of Forest Ownership and Government Regulation

(news from the other West)

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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


- 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 bureaucratic 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