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Francisco Guevara-Hernández¹, Nils M. McCune², Heriberto Gómez-Castro¹, René Pinto-Ruiz¹, Francisco J. Medina-Jonapá¹, Adalberto Hernández-López¹ and Carlos Tejeda-Cruz³

Conflicting Regulatory Systems for Natural Resources Management in Southern Mexico:

An ethnographic case study

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¹ Professor in the Faculty of Agronomical Sciences at the Autonomous University of Chiapas. Carretera Ocozocoautla –Villaflores km. 84.5, Apdo. Postal 78, C.P. 30470 Villaflores, Chiapas, Mexico. Tel. +965 6521477. Contact: Francisco.Guevara@unach.mx

² PhD Researcher in Agricultural Economics at Ghent University (Belgium) and Guest researcher at the Faculty of Agronomical Sciences, Autonomous University of Chiapas

³ Professor in the Faculty of Medicine, Veterinary and Animal Production at the Autonomous University of Chiapas

ABSTRACT: This paper explores and analyses the social back-stage aspects of a small indigenous community of Oaxaca. It particularly addresses individual actions and behaviour in relation to use of local natural resources. The present analysis uses two main governance systems of rural Mexico as its main entry points. The first is a top-down system implemented by the State and basically composed of 'should be' laws. The second is a system practiced by many rural entities, called usos y costumbres (or customary law), based on practices of daily political and social life of the community. This is often called 'practical justice' or 'it is socially done'. The analysis attempts to understand how these ruling mechanisms –ostensibly aimed at ensuring social order–also serve as resources in the decision-making of a range of local actors. Local conflicts of interests and dilemmas are highlighted in the case study here presented. Bottlenecks, confrontations and consequences for individuals, community social life and local development are pointed out. Furthermore, an attempt is made to unwrap some of the reasons of why certain management practices and local sanctions constitute sensitive issues, most of the time locally hidden. By using the concepts of force-field, as proposed by Nuijten (2003 & 2005), and front-and-back social stages (Murphy 1981 & 1990, following Goffman 1959 & 1966), the analysis is linked to discussions of political power perspectives. The methods used were participatory workshops and semi-structured interviews. Local verbal expressions, personal statements and certain observed patterns of social behaviour are also taken into consideration as evidence. The paper illustrates that in El Oro, Oaxaca, environmental management is a key site where the local system of governance through custom comes into conflict with the top-down power of the federal Mexican state. Top-down political power over natural resources is creating permanent and dangerous forcefields in which the community as social congregation and the locals as individuals struggle in a game in which they have become automatically enmeshed and about which they know little. The citizens protect themselves through careful management of back-stage issues. Participatory methods have been useful in accessing front-stage aspects and ethnographic approach has been extremely useful in bringing to light some of these hidden or back-stage areas which need to be taken into consideration at any local development intervention.

Introduction

In the Mexican context, small and remote communities can be seen as both political and natural congregations. However, they are also social entities in which internal and external forces are constantly interacting (Guevara-Hernández 2007). The dynamics of these interactions and the forces behind them translate into the concrete actions of local social actors and thereby construct and shape what can be called 'community life' (Long 2001; Hickey and Mohan 2004). Thus one can consider the decisions, conflicts, behaviour and progress of community actors as manifestations of the interacting internal and external forces within daily life (Hunter 1953; Hunter 1978). In other words, actions implemented by individuals and organisations define their role in community society (Long and Long 1992). In such situations, governance systems represent the regulating frameworks within which shared codes, values and relations mediate power relations. The way actors shape and re-shape local structures through the routines of daily life is a crucial element for understanding social phenomena (Giddens 1979; Nuijten 2003; Mosse 2004).

Oaxaca is one of the most culturally diverse states of Mexico, with several ethnic groups with their own language and strong indigenous traditions that inform social values and identities. It is also an area that has been especially targeted for development work, in part because of the deep poverty that exists there as a

result of less governmental services and infrastructure than in more politically connected states (Vargas-Mendoza et al. 2006). Nevertheless, the immediate precedent for rural development in Oaxaca is the governance system of usos y costumbres (U&C) or traditional customary law. Oaxaca is the only state in Mexico that recognises indigenous custom-based local law, which is not incorporated into the hierarchical governance system of national, state, and municipal jurisprudence. This sub-municipal governance system is highly important in rural Mexico, but widely overlooked and/or misunderstood by governmental and nongovernmental development programs (Fox 2007). In a sense, the highly local system of autonomous decision-making offers a democratizing alternative to the clientelism of national political parties and certain development programs. At the same time, local U&C law has at times been restricted in terms of wider municipal relevance, by municipal leaders preventing communities governed by U&C law from participating in municipal elections (Fox 2007). Internally, gender dynamics and other issues of social equality (such as locally dominant families) remain unresolved in the U&C model. Still, community-level government is the most important organizational form in rural Oaxaca, and other organisations and movements must conform to its pace and impatience, if they are to have any social impact (Guevara-Hernández 2007).

In that sense, it is important to mention that several Mexican communities are still ruled under the two parallel governance systems -the national jurisprudential framework composed of laws and rules, as backed by the constitution, and the system of *usos y costumbres*, related to local traditions of community self-regulation, justice management and administration of natural resources.

There is an interesting theoretical approach to study small societies and associated social facts, which builds on the work of Goffman (who himself built on Durkheim 1954). This approach has resulted in useful unwrapping of complex webs of local facts, ideas and visions. It is based on the assumption that social life has both 'staged' and clandestine regions. This social demarcation is actually a heuristic dichotomy, logically proposed as a framework to look at what is and is not normally said, seen, heard and done. Sometimes it goes against any logic just to persuade agents to talk about socially unacceptable facts or business. This is to say, there are secret or hidden elements, and the researcher needs some insight into these secret regions in order to develop a wider perspective and build stories with two sides. The idea stems from the work of Goffman (1959) & 1966) but was applied to the study of communities in Liberia and Sierra Leone by Murphy (1980; 1981 & 1990). Murphy shows how organisational means are deployed by social actors to distance themselves from and manoeuvre around constraints imposed by institutional structures and norms. Public language and events are manifestations of facts in the memory of people, to show what they want to portray in terms of unity or cohesion. Public display - as in a public meeting to discuss development interventions – serve to recall shared concerns

and positions within a community, and to 'act out' social codes of concerning values of cooperation.

But there is more than can be accessed through participating in these kinds of public events. Secret (back-stage) regions are accessed only through talking to people once the trust has been built. What is mostly manifested in public is the repetition and validation of social codes, but the same values do not come to the fore necessarily when the same people are talked to in confidence and/or in private. Many times secrets only come out when close communication or observations are conducted regarding certain unclear or illogical public facts. Information is teased out uncomfortably. In public, pleasantries are exchanged, validating local norms and values through unwritten rules and cultural acceptance. This happens especially in public meetings or informal talks in the presence of others. Nevertheless, this social image has another face - secret, private, hidden, and shaped by intense conflict, local pride or acute tension. Both public and secret regions represent aspects of the social diversity of communities or any other type of small-scale social organisation. To access these hidden regions demands much skill in observation and communication, as well as good functional grasp of the composition of local groups, and the nature of prevailing institutions and norms, and of the way externalities affect the social system (Guevara-Hernández 2007).

Many researchers have conducted studies on power relations from different perspectives and angles, depending on their scientific disciplines (see Govers 2006; van der Haar 2001). However, many have relied on conventional research methods for approaching communities and inhabitants, in some cases relying mainly on sociometric methods. In several cases, the local actors have been considered as static elements in their analyses. Or in other cases they are just looked as sources of information to be trawled by researchers' nets (Pretty 1995; Pretty et al. 1995). This actually risks missing what is truly dynamic about the local situation. Here, much stress will be placed on customary rules, known as usos y costumbres practiced in an indigenous community. They constitute a regulatory system validated in daily political life in small communities of Mexico, as a main institutional and relational structure ruling rural lives and ensuring social order. They are not readily studied through formal techniques oriented to front-stage information. Here, usos y costumbres will be analysed not only from the way they are publicly presented but in terms of the hidden side, the backstage from which they draw much of their functionality, just as Murphy (1990) describes elders organising two-part meetings - a public event to allow women and youth to let off steam, and a closed session in which the real deals are done. The main concern will be to paint a two-sided portrait but drawing on local versions about how the power implicit in customary regulation is exercised and validated. The main repercussions on the local development of a community will be described.

Therefore, the objective of this paper is to explore and analyse the social front and back stages of a small indigenous community of Oaxaca in relation to the use

of local natural resources. This paper considers concrete evidence concerning contradictions, local dilemmas, conflicts and problems apparently rooted in the clash of ruling systems. It is to bring out some of this unpredictable complexity from a remote-indigenous community and its implication for development interventions. An attempt is made to describe how locals deal with both ruling frameworks in regard to use of common natural resources. The analyses of how a forest community is run and ruled focus on both visible institutions and overt self images (*front-stage* aspects) and on covert intrigue and conflict (*back-stage* aspects), as suggested by Murphy (1980; 1981 and 1990), Silverman (1965) and Wilson (1990). The case study stress will be placed both on *front* (public) and *back* (hidden) stage social action, and on the utility of the concept of force-fields (Nuijten 2003 & 2005). The paper particularly addresses the implications of community individual and collective actions on their local resources.

THE NATIONAL CONTEXT

The abandonment of the post-revolution social contract in Mexico in recent decades has generated enormous impacts upon all sectors of society, but perhaps most notably on the rural communities that contemplate the dubious irony of the centennial of their historic fight for "Homeland and Liberty." In the second decade of the twentieth century, a peasantry fed up with encroachments on their communal lands by landlord estates and corrupt national leadership, rose up in arms to suffer with the nation a violent and astounding transformation, which in 1917 would be enshrined in the first American constitution to codify agrarian reform and a redistributive central government (Morton 2010). The interpretation and enforcement of the Mexican Revolution's radical constitution remained a point of class-based contention for the next half century, as delay and emerging clientelism at distinct moments gave way to major efforts at land redistribution and nationalization of the petroleum industry. The consolidation of power in a seemingly progressive Institutional Revolutionary Party (PRI) created a state apparatus that used policies of consent when possible, and repression when necessary, to maintain strict control over radicalized sectors of society (Rosales-Esteva 2010).

In this context, southern states of Mexico have become among the most prolific sources of migrant workers to the metropolis and the United States (Wodon et al. 2003). No longer protected from the volatility of international markets, millions of Mexican farmers have found themselves unable to consistently sell their products at or above the cost of production, creating substantial need for off-farm income and increased susceptibility to push/pull factors of labour migration (Papademetriou, 2003). At the same time, the official end of agrarian reform that accompanied the changes to Article 27 of the Mexican Constitution in 1992 dashed lingering hopes for land for thousands of rural families, formalizing a long term decline in government support for rural agricultural communities.

The increased mobility of rural males left women as the heads of household

across Mexico, creating new conditions for gender relations even as it created much greater economic instability and huge implications for local governance and development. In the space of a generation, the rural *campesino* family has been replaced as an economic unit by the rural family of many occupations, as 92% of all income to rural families now comes from off-farm sources (De Grammont 2008). Additionally, stark social inequalities and violence related to the drug trade have terrorized whole regions in the first decade of the present century, with no solutions in sight. In such a context, empowerment in rural communities is a proposal that must be understood as only one process, taking place amidst many, sometimes conflicting, processes of social and familiar change in rural Mexico.

Interactions between rural communities and the federal government have a complex history, in which struggles for allegiance between political parties, national trends of paternalism and local traditions of patron-client relationships set the stage for economic reforms in the 1980s and 1990s that allowed market forces to play an increasingly prominent role in rural development. Networks of nongovernmental actors increasingly fill in the void as intermediaries in advising and consulting with agricultural communities about ecological conservation, productive innovations and economic pressures (Miraftab 1997). Local communities have not been consistently able to participate substantially and community responses to these strategies have not been documented systematically (Barsimantov 2010). Community self-governance in rural communities of Mexico, a central aspect of the post-revolution social order, has never been fully integrated into conservation strategies that unite international partners, federal environmental agencies and nongovernmental consultants (Walker et al. 2007).

TWO FRAMEWORKS FOR RESOURCE MANAGEMENT

Mexico's jurisprudential system consists of federal laws applicable at every lower administrative level: states, municipalities and small communities. A top-down system, it imposes a framework of normative laws which are often badly tuned to local situations, and whose implementation has historically been influenced by electoral and paternalistic politics (Rodríguez-Araujo 2010). Many environmental and rural policies run contrary to local strategies of resource use, as validated by custom-based local governance systems and practiced in thousands of rural communities (Nuijten 2003). In addition, national policies meant to foment land markets and increase specialization of the agricultural sector have met decided resistance from rural communities, who feel that their access to resources necessary for survival is under threat (Barnes 2009). The failure to develop national policy that corresponds with local perceptions of risks and environmental stewardship is a result of contradictory visions for the Mexican countryside (Crespo 2000). Equally, environmental policies are a source of conflict in places where natural resources are perceived as a state-led

administrative duty, meant to exclude people from their means of survival (Wilshusen et al. 2002). While federally created environmental laws are designed to protect against misuse of vulnerable natural resources, they are often a source of conflict at the local level (Richards 1997).

Common property systems were the major configuration for agriculture and forestry until the Spanish Conquest of what is now Mexico. As in much of the world, indigenous peoples maintain an understanding as land as territory, rather than property (Stavenhagen 2006). Rural communities in Latin America often share four elements of communities of practice, or *pueblo*: a) a relationship with a common territory, b) a sense of belonging, c) a common culture, and d) a collective project for the future (Barnes 2009; Carlsen 1999; van der Haar 2001). Traditional production systems in southern Mexico still maintain a strong tendency to manage agricultural lands as common goods (Chowdhury 2010). With waves of colonization of the Mexican countryside by the Spanish came various efforts at land enclosure and evolving forms of privatization. The high tide of liberalization was reached at the turn of the twentieth century under the presidency of Porfirio Diaz with the proliferation of the *hacienda*, a large ranch estate where work was performed by displaced farm families who earned wages. At that time, fewer than 11,000 haciendas held over 57% of national territory, while 15 million peasants (over 95% of rural families) were landless (De Ita 2006). The encroachment of haciendas into commonly-held lands comprised the major antagonizing factor of the outbreak of revolutionary fighting in southern Mexico (Womack 1969).

Mexico's Constitution of 1917, perhaps the most significant achievement of the revolutionary war, explicitly created three forms of peasant land tenure: social, collective, and small private property (Johnson and Nelson 2004). Collective land tenure was enshrined in the *ejido*, a form of inalienable local land sovereignty that was to be the basis for the top-down agrarian reforms that redistributed over half the nation's rural lands in the 1930s. The rise of the *ejido* in Mexico was the first widespread and institutional recognition of land's 'social function' and the use of natural resources (Barnes 2009). The 1917 Constitution entitled rural communities to a degree of self-regulation of land, water, forest and wildlife use, as described in Article 27 of the same document (Congreso de México 2006). This clause of the constitution recognises rural entities (*ejidos* and agrarian communities) as rightful social entities in regard to the use, management, and regulation of natural resources within the territory that each community encompasses (INI 2001).

Some have argued that the small scale of *ejidos* prevented their emergence as a productive, modern form of agriculture; however scholars have responded that *ejidos* historically met a high portion of the national demand for food, while receiving a disproportionately small amount of state support for irrigation, farm inputs, and extension programs (Haenn 2006; Heath 1992). Their long-term success was best described as uneven: more successful where politically connected *ejidos* were able to access state support and markets; less successful

where state power was more active in defence of landed interests and antagonistic toward peasant agriculture (Haenn 2006). As a political unit, *ejidos* were both the basis for self-rule by peasant communities and clients of the Mexican ruling political party (Parramond 2008). In areas where traditional political systems remained in place throughout the existence of the Mexican nation, communities were given the option of local governance based upon *usos y costumbres* (U&C), local codes and laws based on custom that are recognized by national, state, and municipal legal systems (Mason and Beard 2008). One of the purposes of the U&C system is to regulate common forest, soil and water resources based on local values and usage patterns, as sanctioned by tradition. It can also be considered a unifying mechanism with which people organise their expressions of collectivity and use of natural resources, as well as their political life and decision-making processes (Guevara-Hernández 2007).

While land reform remained an official government policy, ejidos and agrarian communities were absorbed into what has been described as a corporativist political system (Parramond 2008). Land access, state farm credit, and other necessities for rural communities were often doled out as favours for political allegiance. The possibility, albeit remote, of receiving land gave hope to rural land-poor families and kept them within the system. During the period of land reform, official public policy frowned upon, co-opted or repressed independent organizing in the countryside. However, the gradual adoption of a neoliberal framework by the Mexican government offered a vision qualitatively more hopeless for the peasants (Haenn 2006). Structural adjustment policies in Mexico began with the debt crisis of 1982 and constitutional reforms in 1992 officially ended land reform, while creating the legal mechanisms to reintroduce land markets to the countryside. Official support for the countryside has largely shifted from productive subsidies and price controls to cash payments and poverty relief programs since 1984. These moves have been widely interpreted by peasant organizations as efforts to concentrate land tenure and alienate rural communities from their land (Rodríguez-Araujo 2010).

In the 1990s, and especially after thousands of devastating fires swept across the country in 1998, federally protected areas and many other forests were created in diversity-rich regions throughout rural Mexico (Martínez and Rodríguez 2008). While the fires were attributed to a particularly long dry season, international bodies and neighbouring countries accused the Mexican government of having inadequate policies on fire prevention (Sosa 1998). The national government declared that the main cause of fires was human agricultural and forest activities, and it launched two programmes: the Programme for National Reforestation and the Program for Productive Conversion of Slash-and-Burn Areas,'1 national fast-track programmes to green the territory through communitarian forest nurseries and at the same time replace the use of fire with green manure and cover crop technologies.

¹ Programa Nacional de Reforestación (PRONARE) and the Programa de Reconversión Productiva de las Áreas de Roza-Tumba-Quema

Nongovernmental actors became a key mediator between state resources and local communities, and to a large degree currently determine the level of community participation in reforestation, conservation or productive conversion projects, due to their proximity to both the communities and the administration of projects by governmental agencies (Miraftab 1997). The extension work and technological transfers of these NGOs were expected to contribute to permanent settlements and increased on-farm incomes in traditional farming systems (Guevara-Hernández et al. 2000), but interactions between communities and outside agencies have often led to mistrust, as many well-intentioned programs have evaporated once funding sources ran dry, and others have failed to adequately engage communities or promote a sense of self-development (Walker et al. 2007; Mason and Beard 2008).

In this context, El Oro community was intervened and impositions and conflicts emerged since the common forest was put at stake by national and local interest framed within two ruling mechanisms, the local and the national.

METHODOLOGY

Field work was undertaken during 2003-2007 in an isolated indigenous community called El Oro, located in the Mixteca region of Oaxaca State in the south of Mexico. This community belongs to the municipality of Santo Domingo Nuxaá, within the district of Nochixtlán. The municipality and El Oro itself are ruled by the U&C system. El Oro is one of the five most important *Agencias de Policía* (i.e. agencies under municipal control). The community presents different development interventions.



Figure 1. Localization of Oaxaca and El Oro

(Source: Guevara-Hernández, 2007)

Participatory methods were used in organising participatory workshops to bridge the gap between researchers and local but also ethnographic methods (workshops, focus groups, semi-structured interviews, informal talks and personal observations) to figure out deeper evidences of the community life and the clash of the both governmental systems. Local verbal expressions, personal statements and certain observed patterns of social behaviour are also taken into consideration as evidences. These methods were also adopted in the hope of developing a new and viable perspective on how to conduct action-oriented research through joint generation and validation of information, as suggested by Alemán (1998), Guzmán et al. (1996) and Ricks (2003). Thus, researchers sought to involve locals in reflection on local facts in relation to the U&C system. Five workshops were conducted, in which all the locals were invited to participate through door-to-door invitations. Participants were generally people from the various sectors of the community, including those with duties in the local governance system, women, elders and children. Workshop attendance averaged between 25 and 50 people. Semi- structured interviews were applied to 50 people (head of families) to find out individual perceptions on community life in relation to the use and management on common forest. The information here presented is analysed as a case study from an ethnographic perspective, both collectively and individually by taking into account power issues and the confrontation of facts to the both regulatory systems.

FINDINGS

During the field work, particularly at the moment of the participatory workshops, locals from El Oro talked openly about certain problems in the community, the *front-stage*. However, while searching for the *back-stage*, inhabitants felt uncomfortable in talking about any 'legal situation'.

In public, they mentioned low agricultural productivity, lack of economic opportunities and difficulties over water supply as the main local problems. But, once the researcher-facilitators asked about possible causes of the problems, participants clammed up and ceased communicating. For instance, when the issue of the best way to manage the forest was mentioned, the workshop facilitator had to make use of illustrative games and integration dynamics in order to keep them participating. However, locals tried to turn the dynamics towards community history when they felt discussions were leading to certain sensitive points. The message was clear, in public the residents were trying to disguise certain issues, as seems normal in many other communities, to judge by the African cases described by Murphy (1981 & 1990). Therefore, alternative methods and tools to probe hidden or secret information were necessary.

The fact is that during a workshop on causes of the declining fertility of soils, Adolfo (54) commented: 'Yes, we no longer have good soils to continue producing but we also need more water to irrigate our vegetables in the home gardens. We have less water than other years, our brooks are getting dry and the rainy season is

shorter. Since we do not have enough water for production we have to migrate and work outside the community more often'.

When the workshop facilitator raised a question for the rest of the participants in relation to causes, Adolfo himself replied: 'We should better discuss our history from the community foundation onward, and we will get to know more and find the reason, probably we have settled in the wrong place... what do the other people say?'. There followed a total silence, for more than three minutes, during which time people turned their heads to look at each other. This attitude made the workshop facilitators think there was local tension in relation to talking in public about the environmental causes of the community's problems.

Sarahí (31) is a single mother and the person who prepared our meals during our stays in the community. She has a little place to sell food and sodas. There, she normally supplies food for the *topiles* (policemen) and for visitors. Since her place is a public space, there were some opportunities to approach people informally and chat to them later on. She also became an important key informant.

Once, while having dinner, Sarahí nervously asked if, during the workshop, the authorities had mentioned something about the sanction they had got regarding misuse of the forest. The research team was surprised because nothing had been mentioned about that. She also added: 'the authorities got a fine due to other people's fault'. Despite our insistence that she might talk more about it, she refused. She seemed to be very afraid and asked us to keep that information secret. Next day, back in the workshop, one of the participants, Tito (33), spontaneously brought the issue out: 'Yes, we have all those problems in the community, but to me, the most important is the economic sanction we received from the government. I think we must not pay because it was not our fault'... He added: '... but I think our lack of projects depends on the fact that the municipality and the government officers are watching us closely and at the same time blocking our access to federal support'.

Apparently, a penalty was imposed on the community due to illegal extraction of wood, as sanctioned by the federal laws on environment and the forest management. This fine provided an entry point for looking deeper into the community problems through alternative research methods; but it was also the first and the last time any person talked about the issue in public. In the workshops thereafter Tito never brought the issue out again. Sometimes, while giving his opinion, some people watched him carefully, as if they were waiting for the moment in which he might break an internal agreement.

Tito⁴ was the only person who dared to raise in public the possible causes of a

⁴ It was strange that Tito brought the issue out because he is the son of one of the oldest leaders in the community – the one who apparently holds a hidden type of power. His father is Tito Lopez Sr., and has some unclear relation to an illegal wood buyer locally called 'the Spanish man'. The reason why Tito talked, and therefore affected somehow his own father, was never clear. However, there are two assumptions. The first is that Tito is not in direct line to inherit

local problem. Nevertheless, the statement was clear: there was something hidden regarding a fine imposed in relation to forest management. Sarahí and Tito were thus our initial key informants in accessing the *back-stage* of community politics. Sarahí signalled 'there is something more happening' and Tito was brave enough to bring it out in public. During the following workshops, consciously or not, people were trying to avoid talking about this sort of problem.

In private and far from other people, Tito was willing to talk more on the matter. He provided valuable information, but also names about other possible informants open to talk. He even suggested Sarahí. Because according to him, she could overhear many conversations in her place and would probably have more information.

Later, the research-facilitators interviewed another eleven people in the community in addition to Tito and Sarahí, in order to probe the hidden aspects of El Oro. However, only seven were willing to talk about the federal sanction and its details. The seven interviewed talked under the condition of anonymity because of possible actions that might be taken against them.

The forest: legal implications

The state of Oaxaca and the municipality of Santo Domingo Nuxaá are, by law, in charge of the administration of the natural resources in their territory (Art. 2nd, 27 and 73 of the Mexican Constitution). This means that El Oro also depends on the management decisions made by the municipal council for common goods (*Concejo Municipal de Bienes Comunales*). However, by the Mexican Constitution (also articles 2nd, 27, 73 and 123) and associated laws⁵, El Oro also has the right to decide internally who, how and when to use the resources, as stated in constitutional article 27. Jurisprudentially, the constitution represents the last word but does not clearly indicate the limits on each of the stakeholders. Therefore, the constitution and laws can easily be misinterpreted, or used according to each party's interests and interpretation, creating a force-field, and leading to local conflicts, as suggested by Bourdieu (1985) and Nuijten (2003 & 2005). However, locals do not know details about this external legal framework, and in daily life they continue to apply their own norms and rules.

Nevertheless, to avoid conflicts between community and the municipality the parties seem to use a pragmatic strategy. They respect each other's autonomy to

his father's status and power, privileges, etc. This will be his oldest brother Alabán. The second assumption has to do with local leaderships. In several interactions with Tito, he showed himself to be very committed to the community, with high potential to become an effective leader

⁵ These include the Sustainable Forest Management law, the Agrarian law, Sustainable Rural Development law, and the General Law for Ecological Equilibrium and Environment Protection, among others.

a certain degree. However, the municipality and the community have different ways to use, manage, distribute or offer concessions on their forests. The fact is that not all municipalities or communities respect such agreements, and therefore conflicts or tensions are easily created as forced-fields. Mexico is full of stories like this.

Furthermore, administratively the municipalities are in charge of delivering federal resources through specific programmes and projects to the communities under their territorial demarcation. This represents a potential 'hidden political weapon' in terms of power to push community into accepting municipal interests. At the same time, communities can block and/or interfere in municipal and federal projects by mobilising their population against municipal authorities, federal programmes and projects implemented in their territories and beyond (See Guevara-Hernández 2007).

The source of a conflict

Apparently, there is an externally-related factor in the problem concerning the forest in El Oro. This is the way the political and economic interests at municipality level interact with local business interests (and one businessman in particular). This affects relations between municipality and community, and demands caution in the way El Oro approaches the municipality in regard to its own local demands or concerns. According to the people interviewed, the municipality of Nuxaá has been trying to make more decisions than allowed, specifically in relation to the use of the 4,500-5,000 ha of forest in El Oro. Informants said the current municipal authority of Nuxaá wants to take advantage of its political position and federal competence.

The original forest of Nuxaá was composed of 14,500 ha, excluding El Oro's forest. However, Nuxaá has overexploited its forest over the last century and cannot satisfy local commercial demands for wood. Accordingly to the Environmental federal law, Nuxaá requires to keep intact -for conservation purposes- an additional 800 ha. However, there is a high demand for timber and charcoal in Nuxaá then exerts pressure over El Oro's forest.

Inhabitants believe that the current high demand is focused by the role of an external partner. According to them, the municipal authorities negotiate, 'undersell' and concession Nuxaá's forest resources to a 'Spanish man'. This individual, they said, has been running a large company to extract wood from communities throughout Oaxaca, Chiapas and Guerrero States. The Spanish man has also been pushing Nuxaá authorities to use their political power, and force the El Oro authorities to make a deal with him.

Informants consistently repeated that the 'Spanish man' has been trying to 'buy consciousness' from the authorities, at both municipal and community levels. 'He has also been getting our wood illegally and for lower prices than in 1982 or 1983. He has cheated on some individuals and used his money and political connections

to protect himself, one anonymous informant said. However, some locals have also been trying to convince the rest to negotiate with 'the Spaniard'. They have raised the issue in the monthly meetings of the Community Assembly (VA) and have at times used the argument of a possible sawmill in the community as a source of jobs. So far, those inhabitants have failed because the community's collective decision has been in favour of retaining freedom over their own use of the forest. Nevertheless, apparently some locals have individually negotiated deals amounting to illegal extraction. Among inhabitants mentioned to be involved in such practices are Tito López López Sr. (68) and Aarón López Sánchez (75), two of the oldest persons and former community leaders.

Locals said that since the early 1980's Nuxaá started to put pressure on community authorities to persuade the VA to accept 'the Spaniard's' propositions, basically the setting up of a sawmill in El Oro. The communal area and other surrounding communities would be the source of tree supply. Many inhabitants were against the idea, mainly because they have developed a certain environmental awareness since the intervention of an NGO: *AMEXTRA*, now *Misión Integral*. In addition, some locals do not like people being 'bought' or manipulated into a hidden deal solely because of money reasons. They say these people have been opportunistically taking advantage of the situation. According to them, history has repeated itself for more than twenty years, which indicates there is an historical force-field as kind of obsession on the part of the municipal authorities of Nuxaá, but also some kind of entrenched social resistance by inhabitants.

According to the people interviewed, things took a turn for the worse when, in 1998, federal inspectors from the national agency for the environment protection (PROFEPA) came together with the municipal chiefs, represented by the *Concejo Municipal de Bienes Comunales* of Nuxaá to inform locals about a federal economic sanction to be imposed due to forest mis-management. The fine was about US\$ 5,000. It was some weeks later when the local authorities of El Oro got to know more about the issues behind the sanction.

Since the community does not have resources to pay lawyers, and because of the confidence the agency enjoys in matters related to forestry, facilitators from *Misión Integral* were asked to attend the inquiry in Oaxaca City. Some lawyers provided copies of laws related to the use and management of forests. The laws on Ecological Equilibrium and the Environment Protection and Sustainable Development of Forests were studied by the facilitators of *Misión Integral*. Later, the agency gave detailed explanations and spelled out the implications of both laws to the locals. It was at this point that El Oro inhabitants realised two important things.

First, the law obliges the municipality to ensure the sustainable management of the forests under its entire geographical jurisdiction. Second, the sanctions must only be imposed when a person or group is apprehended while committing an infraction. Therefore, it was first demanded that the municipality name the locals who were caught in the action in question, because the laws are clear in that respect. Among other things, articles 170 to 175 of the law on ecological equilibrium and environment protection and articles 160 to 167 of the law on sustainable development of forests (based on the 20 and 21 of the Mexican Constitution) state that in order to impose fines, forest primary goods (wood) must be confiscated from people flagrantly engaged in the transgressive act⁶.

Federal inspectors and municipal officers showed pictures of people downing trees in the urban area designated for public use in El Oro, but none from the communal forest. Inhabitants believe the penalty was illegal and a juridical invention. First, the photos were made in a place where the community was installing a water supply. Second, trees were cut to do the work and not extracted for commercial sale. According to them, the trees are allowed to be cut according to local rules, and the plan to do so was locally approved that year by the VA. Informants agreed that inhabitants were not breaking any rule at all. However, inspectors and municipal agents argued that people from El Oro broke the law and must pay. Officers accused the locals without real proof, and then implicated the three persons who happened to be the strongest opponents of the idea of a sawmill. One of them was Tito Jr.

The next implications for the community were the rejection of proposals to access federal funds managed by the municipality. That implied the denial of federal support (in cash or material terms) for forest or agriculture related projects administered by municipal officers. Inhabitants also commented that they had seen reduced funds coming from the State of Oaxaca supposed to be used for different local projects. Besides, the reputation of the community went down in the *Mixteca* Region and the state in general, with certain economic and environmental implications. Timber buyers were recommended to avoid any contact with El Oro. This situation caused some local reactions from citizens, who then deliberately and openly abused wood extraction rules in acts of civil disobedience. The timber was sold in the community to a person with a furniture factory in Oaxaca City. According to local versions, this was done just to remind the officers and municipal authorities that the inhabitants can do what they want on their territory. Municipal and federal agents were powerless to act. The fact is that in El Oro the forest had begun to take on the role of shock absorber of a wider conflict over sovereignty, and its regeneration capacity was reduced by the actions taken. The relevance and importance of the forest nursery founded in 2000 (by *Misión Integral*) is now increased.

In relation to the fine and the accusations against three inhabitants, the locals were even more convinced that this intervention was probably supported by bribes from the 'Spanish man' in the hope of provoking an internal division of people in El Oro. According to one of the informants: 'the situation could allow

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⁶ See the laws for the Ecological Equilibrium and Environment Protection at: http://www.cddhcu.gob.mx/leyinfo/doc/148.doc and for Sustainable Forest Development at: http://www.cddhcu.gob.mx/levinfo/pdf/259.pdf (accessed on 15th Mar 2011).

him to act in the middle of an internal conflict and raise again the idea on the sawmill'. However, the threat against the locals remains real, since illegal wood extraction is a federal criminal act punishable by up to 15 years imprisonment. Tito and the other two can still be taken to jail. The NGO, *Misión Integral*, helped them to gain temporary legal protection against possible arrest. In 2003 and in 2006, new municipal officers offered the option to pay the fine instead of jail, promising that the charges would be changed or dropped if opinion swung towards the establishment of a sawmill in El Oro. In 2008, the three have refused all offers from municipal officers and the El Oro authorities remain highly sympathetic to and supportive of the accused.

Those we interviewed recognised Tito's capacities and his encouragement to fight against the accusation levelled at all three accused. According to these accounts, he went on his own to the main public library in Oaxaca City and read all the possible laws just in order to make notes and learn about his rights. This would allow him to take on the defence of all three if and when it might prove necessary. His father, however, always refused to give any interview to these researchers.

Local rights over the commons

The complexity of the conflict increases when considering the status of the forest and its local management strategies. On the one hand, all locals are allowed to extract wood according to an annual collective agreement that the local authorities approve, as endorsed by the VA every year. According to the terms of this agreement, who extracts wood and how is decided, whether for own use or commercial reasons. The trees are mainly used for timber or to make charcoal. The commercialisation of timber and charcoal is normally done in Oaxaca City, Nuxaá or Nochixtlán. In the period 2003-2008 the maximum number of trees allowed per *comunero* (a person with valid rights) was up to 10 trees per month. The areas where trees can be cut are identified by the Executive Committee of the Community (MABC). The identification is made on the basis of the forest extraction history, but it does not take into account technical management issues. Inhabitants said that 25 years ago the number of trees allocated to each family was based on needs (assuming eight members per average family). They could not say how many trees were actually allowed to be cut. At that time, some locals also started to extract more than needed. This forced the authorities and the VA to change the rules. It was at this time that some families manifestly became wealthier than others, but the amount of water coming through the brooks started to diminish. Later on, 20 trees per month were allowed, but since 2003 -due to water problems - the number was reduced to only 15 in 2003-2005 and in 2008 it diminished in 10 trees per family. It was anyhow alleged that some locals 'steal trees' from unutilised areas -these are normally the areas ready to be used the following year. Sarahí was explicit: 'Those people [stealers] normally cover themselves by the darkness of night and extract the wood in complicity with buyers. They normally do not act alone'.

Nowadays, many local people complain in private that 10 trees are not enough to sustain their families and therefore they are forced to migrate to gain income outside the community. Some inhabitants never come back, settling permanently in, e.g., Mexico City, the boundary cities in the North, or the U.S.A.

In El Oro, technical studies on the forest have never been conducted and locals have no information on its carrying capacity. Compared with 25 years ago, the local population has doubled and the pressure on the forest has increased accordingly. However, inhabitants seem to lack more precise views on the dynamics of forest change.

When talking individually and in private to some of them about local problems, it was agreed that water availability, soil degradation and forest mass reduction were the most important issues. Some causes were recognised to be rooted locally, but with external forces playing an important role. Some people also said that the U&C system (customary law) is no longer working as might have been hoped since locals can no longer meet their basic needs from the subsistence resource base. They strongly criticise the passive attitude taken by some current local authorities (2003-2008) in the face of these local resource problems. Finally they also agreed that they had been seriously affected by the conflict involving the municipality and 'the Spaniard'.

More opinions and questions

Informants mentioned that Tito's father is a powerful person who has been manipulating people, leaders and certain authorities to some extent in order to defend his own interests. However, inhabitants in general never openly talk about him. Many times references to him were made in a very respectful and polite manner. The only person who dares talking about him was Tito, his second son. He also claimed that authorities did not act upon some of his father's manipulations. Apparently, years before, some people proposed to expel his father from the community, reflecting his actions in the past. However, the proposal was rejected by the VA. People in favour of Tito's father offered different reasons: that he is a progressive man with a good vision for the development of the community. Others agreed he has many contacts at state offices and private companies. Furthermore, he is the oldest grandson of one of the founder's of the community. He has also occupied all the cargos (duties) at the U&C. These historical, political and cultural aspects seem to make him highly respected in the community, and almost being untouchable. Thus people prefer to allow the man 'do his thing,' according to the son, Tito.

One of the oldest informants in El Oro mentioned, between laughs, 'he is like me, too old to act more than we did already. What he really wants is just to get the attention of people and give an idea of [the] power around him; hopefully, like me, he will leave this life soon'.

Tito added: 'One of our main problems in El Oro is that our current authorities do not take the U&C seriously. In order to properly function, the internal norms must be applied without exceptions...'

'The U&C provides those people with a certain power that they actually use for their own personal interests. They even sometimes try to control the VA before or during our meetings'...

Abel (42) said: 'The authorities give too much room for manoeuvre to the oldest leaders, rather than just giving them a voice to advise us. We should not let them affect us as they do; they have the same rights as we have. This means that something is going wrong with the equality of our norms'.

Sarahí spoke: 'The system [U&C] may be our only remnant of cultural tradition, but what should we think when sometimes our 'community' is making wrong decisions? By making wrong consultations they let themselves be convinced by external influences'.

Tito turned to talk again about the problem with the federal institutions and the municipally. '[On the contrary], so far the local authorities have not been able to address the community's problem regarding the federal sanction, which definitely has to do with a conspiracy by 'the Spaniard' and the municipality against us. As inhabitants, we have struggled for so long with marginalization while some others are continuing illegally to overexploit our forest. There has not been effective representation and defence of our interest to the outside. For instance, it is well known that PRONARE⁷ has resources for projects on reforestation, not only for pines but fruit trees as well. But such resources have never arrived because Nuxaá decides which communities deserve them'.

Nevertheless, talking to some youngsters in the community, it was obvious that they were aware of the situation, but at the same time unsure about the future. They accepted the idea of the possible extinction of the forest. This idea has grown over time and some young people mentioned that 'the forest nursery is not monitoring the care given to the trees properly'. They also said: 'we know in advance that the forest will decline up to some point and then we will be forced to leave the community; only the elderly will probably remain'. When they were asked why they do not act in order to keep the forest in good condition, one of them replied: 'You know what? We are too young; the older ones do not listen to us at all. At this moment we just aspire to be "topiles" [policemen]. At this moment, we are only allowed to provide our service to the community and that is it'.

Indeed, most of above arguments were related to the persons in charge of the MABC and their capacities, rather than the system itself. Despite the fact that the system has been socially constructed, the youngsters were the only ones who criticised the way it works and the roles played by some locals in it. In the version of the young a wish is expressed to change the direction of local

⁷ PRONARE: *Programa Nacional de Reforestación* (National Programme for Reforestation) depending on the Ministry for the Environment and Natural Resources (SEMARNAT).

governance and leadership. This could be considered part of the process of transformation in which the inhabitants, their structures, and local dynamics, will become engaged in coming years.

On the other hand, in order to face local difficulties created as force-fields by daily practices of the ruling systems, three main coping strategies were identified: migration, illegal wood extraction, and participation in local projects.

Migration

Out-migration (national and international) has played an important role for decades, but especially in the *Mixteca* region (Nagengast and Kearney 1990; Ventura 2010). Since inhabitants do not have many options locally, so they have sought for alternative strategies outside. Some have migrated temporarily to different cities in Mexico or abroad (mainly to Canada and the U.S.A.), where they have spent various periods ranging from a few months up to two or three years. This emigration is often temporary, because as soon as they are appointed to a duty by the VA they are obliged to come back and perform it⁸.

When they were asked about reasons to emigrate, Abelardo (47) mentioned: 'Sometimes we feel like we cannot do so much for our future in the community because we need to satisfy our daily needs'. Israel (64) explained: 'We must attend our family needs in the short term, whatever is coming later will be attended when it happens'.

Teenagers also mentioned about their dreams of living in a city elsewhere, where better things are waiting to be discovered. Thus, some are anxiously waiting for the moment to finish the elementary school and migrate to find a job. They said they want to work until they are appointed for a *cargo*. Thus migration has become an escape strategy locally assimilated.

Illegal wood extraction

Another strategy has been illegal involvement in wood extraction. Timber is sold underground and provides extra income. Only a few interviewed replied to the questions related to this issue: 'You know? It is very difficult to answer but I will tell you what I have seen and even done myself. Please make sure not to mention my name because I do not want to get in trouble.... Once, I really needed some money, because the maize and wheat harvests were scarce, my family was in real hunger, and to make things worse, we also had a very sick son. I had to borrow some cash from someone but it was not enough, I did what is, obviously, illegal; and I am sure you know what I mean'. He clearly stated the situation was a way out to overcome extreme hunger and health problems.

⁸ According to the U&C system, a man has to fulfill his appointed duties; otherwise he will lose rights gained in the community.

Therefore it can be said that on the one hand, cutting trees illegally seems to be morally accepted when it is practiced by individuals under difficult situations or hard pressure. On the other hand it is socially condemned when the individual's act has been driven only by economic aspirations. The fact is that both types of situations have been placed beyond the local regulations concerning management of the commons. These facts are normally denied, since they are socially condemned in public because of the public moral code in the community. Thus it is not surprising that a part of the population continues taking the risks of cutting trees illegally. The forest will provide them with wood until symptoms of degradation and collapse force them to look for other strategies.

Apparently some people have also tried to forget the demand from the government and the legal status of the community by 'just letting the things happen'. Adolfo commented: 'the government will get tired of waiting for our payment, we will never pay something we [as locals] didn't deserve [referring to the fine] and [in any case], these are our resources and we decide what to do with them. We understand laws are important but they need to be applied in a fair way, for all, not for some. If they want to take us to jail, they will get us, and then, for sure they shall also get to know more about our people'. This was definitely understood as a threat to the federal and municipal officers.

Participation in local projects

The last escape strategy identified seems to be involvement in local development projects launched by Misión Integral's facilitators. Locals agreed that those projects have brought some moral and economic support, as well as teaching them about small investments. Blanca (48) mentioned that 'since the beginning with AMEXTRA [the previous name of the NGO] we thought of the possibilities to get something new for our families but for the community too. In the very beginning we thought it was just an initiative for men, but when they [the facilitators] asked us to get involved we were quite happy'. Elda (44) added: 'At least we do not need to buy many vegetables anymore'. Hortencia (37) commented that 'our husbands have been learning more about the forest and the ways its use can be improved. Besides, we have started also to get fruits from our lands'. Eufrosina (42) also mentioned: 'Now we cannot say we are rich but at least we are trying new things and most important, our voices are somehow counting'... They also agree that new information and knowledge are being brought to the community. Tito clearly expressed the view that 'they [the NGO facilitators] are opening our eyes in many senses, but unfortunately our current community authorities do not take them seriously'.

Some of the NGO facilitators shared more information. Azalea (29) said: 'this has been a very difficult community but at the same time it is a very original one. They have many important aspects in their daily life that need to be brought out and reflected on in order to show and make them aware of their own potentialities. Unfortunately, it is a very long process with very small steps because of the limited

financial support we have. That is actually not enough locally to operate all the projects needed...' Carlos (30) added: 'there is also certain inertia manifested in mechanical facts and attitudes which need to be analysed by the people themselves; especially their feeling of inferiority and the paternalistic attitudes shown to them because of the fact of being indigenous. We try our best with them in the identification of new ideas and things that could be jointly done...' Raúl (32) also mentioned: 'El Oro is just only one of our target communities in this area; the others normally face similar problems'.

The fact is that an important sector of the community approves the efforts made so far by the NGO facilitators. Apparently, more than technologies, the ideas and collective and reflective exercises are very important in making the people aware of their potentialities and the way they can mobilise themselves to make better use of local resources and to face local problems.

During the long conversations with different informants, important insights emerged for keeping the conflicts hidden from foreigners. Most informants mentioned the feelings of guilt and shame they have. But some more were highlighted:

Cultural acceptance

Most interviewees felt they cannot do much about the conflict over wood logging since 'the Spaniard' has a lot of money and contacts. They said they feel intimidated and prefer to keep a distance between themselves and any powerful person. Someone said 'only God will punish him'. Another person mentioned: 'this is the life God demanded us to live because he put us in this place'. This feeling was deeply rooted in many inhabitants' minds, and also came out when talking about other problems. Some interviewees made statements like 'we only have one life and it is much easier to let the things happen because they cannot be forced anyway. This is our destiny and the Lord commanded us to live like this'.

Looking at the origins of this attitude, and cultural acceptance of such a situation, authors like Bonfil-Batalla (1990), Dalton (1990) and De Mente (1998) mention the role played by religion and landlordism in Mexico during the Spanish ascendancy (1510-1810). Religious teaching was seen as a way of making people passive and accepting of their poverty, on the basis of the belief that it was God's will and that acceptance would be rewarded with paradise after death.

According to Humboldt (1811 [1990]), writing about the *Mixteca* region, *Dominicos* (Dominic friars) were in charge of spreading and imposing the Catholicism among this ethnic group during the XVIth Century. The introduction of Catholicism, by force, came with the imposition of a package of values and associated behaviours (De León 2001). The result of this process was that indigenous populations and marginalised *mestizo* (mixed blood) groups came to accept the presence and control exercised by landlords and the Catholic Church (Gurría 1973). Both landlords and Church imposed a regime of punishment on

the population as a way of reinforcing domination and control. The *Mixtecos* were also forced to do away with most of their traditions. Local religious ideas and language in particular, were a target for the *Dominicos* and almost disappeared (Belmar 1905). Local populations suffered many injustices and were treated at times more as slaves than serfs (Ortíz and Ortíz 2001).

Historically, El Oro moved out from a Catholic place, the municipality of Santo Domingo Nuxaá, and they looked for their own territory to settle. They associated Catholicism with many centuries of oppression and embraced the protestant religion as a sign of freedom. They were actually expelled from the municipality for their religious beliefs. Beneath the fines imposed for alleged infringements of forest conservation laws it is not hard to detect an older, deeper struggle between municipality and community rooted in religion and competing claims over religious discipline and freedom of worship.

A lacking of information

Certain people did not even realise the conflict they have been struggling with, in relation to the forest, is a legal, political and economic conflict. Because locals do not know many details about the laws imposed over them they also felt themselves powerless, to the extent that they also fear arbitrary repercussions. Therefore some of the hidden talks in which they engaged only caused confusion and distortion of information.

Some of them think the reason why the authorities do not dare to openly discuss the matter in the monthly meetings of the VA is that 'our local authorities felt trapped between two walls'. One informant said: 'they [the VA] seem to be afraid of acting against the economic interest of the "Spanish man" and the municipal authorities; they feel weak. At the same time, they are also afraid to discuss because it may open a local bottle of conflicts. They can easily make the people angry; they are actually afraid of causing a big mess locally and make the conflict worse, which could lead to external police interventions'.

Some of those interviewed mentioned that they would like to organise a meeting with a small group to discuss possible solutions but they are afraid of making the authorities feel disrespected. They are also afraid some people could make use of the situation and place the establishment of the sawmill back on the agenda.

On the issue of federal sanction many inhabitants do not understand how federal law can demand an amount of money they do not have, and even worse, for something that never happened. Somebody said: 'if the government does not provide us [with] economic opportunities how is it possible that they are asking money from us? That is ridiculous'. Another person added: 'we are just using our only resource, the forest, under our own logic and knowledge. The forest is the only one source of income we have here, and it is for surviving. We do not know about laws, we do not understand about external rules, we only know and understand we need to eat, we feel it [hunger] as something impossible to avoid'.

They could easily identify a bottleneck when expressing the thought that 'the government throughout all its complicated laws wants money that we do not have. We do not have money because the government does not provide us [with] better opportunities; we have to look for them outside our own communities, in the cities or even across the borders exposing our family security and our own lives'.

Comments also made clear that locals would like to know more about these laws, but especially the ones that might benefit them via legal actions to demand their rights. An informant mentioned 'we have seen on the TV that we as indigenous people have rights, but we do not even know which rights they are talking about. Besides, nobody comes here to the community and explains to us about the Mexican Constitution and laws regarding our own development. Outsiders normally come here to study us or to run projects that we do not know if they will stop next year or after election periods. The only ones coming frequently to the community over a long time are these guys from Misión Integral. They support our nursery and the small working groups and sometimes they bring us some information we need'.

There were also less fatalist perceptions in the community on how to respond to local problems. One of the most progressive persons mentioned: 'maybe we as residents should play more active roles, but we need more knowledge and information, local validation and recognition. Most important, we need the space for manoeuvre and not be limited by the mechanics of our traditional systems or the state's laws'. Other people were even more active in thinking of how to prepare themselves for the coming years. Somebody said: 'we need and want to act, but we are not allowed to do so as community. Maybe we need to wait until more conscious people are ready to take over the powerful positions in our community; hopefully that will not be too late. In the meantime we can only work as small groups on specific productive concerns and projects with the guys of Misión Integral.

A matter of shyness

Many women, youth and elderly were very shy to talk about problems in public, especially to outsiders. Women hardly talked to the males of the research team. *'In our culture it is seen as a weakness to talk openly in public about our problems'*, a woman told to the females involved in the research team.

According to an old man '[talking about problems in public] makes the community vulnerable because important information can be taken out of here or misunderstood'. Jorge (58), the chief of the community, put it clearly - 'asking the people to talk openly would make them feel embarrassed'. He meant that locals are not used to talk in public so openly. Later on he further explained 'you had probably realised when you came along to the community for the first time; active participation in the workshops was a serious and difficult issue. No matter the strategy to invite the people to come, participate and talk, they always need to be personally asked. It is part of our culture'.

This was also the experience of the research team during the first workshops. In the beginning it was difficult to make youth and women talk in the presence of elderly. The presence of foreigners prevents women from talking too. It led us to see how in El Oro, participation is both culturally and socially constructed, framed and codified in terms of gender, age and social status (power positions).

Shame or pride about the local public image

There is also the wish of locals to have an impeccable external image for the community. No matter the difference in personal beliefs and interests, they always stress this point. They like to please visitors while visiting them in their public buildings and homes. They try to show as much as possible all the good things of the community by making efforts to offer a good drink, a seat or a bed. Hospitality for them is a very high and shared value. An informant stressed *'it is for us very important to show all of you that we are nice people and make on you a very good impression of how we are, how we live'*. He also pointed out *'we would not like to hear somewhere out there that you felt our community is not a nice one. We would feel very ashamed. But despite all our problems we feel very proud of our community and of ourselves as well'*.

Indeed, the public image of the community was always a point of pride for the inhabitants. They liked to be referred to their origins, especially if they go to the city and someone asks them about their community. They like to hear that people positively recognise their home community. Once, when they were asked about how the conflict with the municipal and federal officers and 'the Spanish man' was affecting them personally, they replied automatically that there are rumours and lies being spread, affecting the community. One said 'it is so sad because some people in the city [Oaxaca] have started talking about our community as one with conflictive people. They are calling us thieves who steal the forest while this is totally false. Besides, they are hesitant to buy our charcoal and other products'.

FINAL ANALYSIS AND REMARKS

El Oro has been shaped since its origins by the different daily practices and relationships among the local people. However, the forest seems to be the main natural resource which integrates the community as a social and productive entity, but which also serves as one of the main causes of local conflicts and dilemmas affecting internal and external actors.

There are definitely certain force-fields which emerge out of the local interactions and conflictive situations. These force-fields are expanded or limited by the tensions generated by different situations and the means adopted to cope with these moments. No matter if those tensions are rooted in economic or political factors, force-fields change according to people's actions and local social feelings, as suggested by Bourdieu (1985), Nuijten (2003 & 2005), and Nuijten *et*

al. (2005). Furthermore, quite a few of these force-fields are internal to the community and the overall mosaic of local practices, mostly framed by the local governance system and the use and administration of local resources.

Nevertheless, there are also externally-related actions impinging on community life. For instance, the issue of economic interest in the forest is actually played out in a political force-field which is not openly addressed by the community. Only some local people recognise it and have more or less got into that field in two manners. The first is by fighting against it and struggling with externally imposed conditions that affect social life in El Oro. The second is by aligning with the external interests focusing on the forest, thereby gaining economic benefits, but automatically also contributing to the internal conflicts as well.

In this case, political and economic power is exercised by the municipality and federal institutions but also through the influence enjoyed by 'the Spanish man', who seems to have enough money and connections to reach right to the top level of the government. This agrees with Lukes (1974) who holds a threedimensional view of power that goes beyond the human interactions and relations between individuals. He highlights the potential and latent problems that could emerge through the functioning of social forces and institutional practices. According to him, but also Perrés (1995), these types of problems are not clearly manifested in the short term since they are somehow deliberately skipped. In this case, the manifestations are driven by the jurisprudential resources tapped by official institutions and often exercised unconsciously through officers acting out an institutional requirement. El Oro has already struggled with and resisted the challenge imposed by externalities of power for more than 20 years; automatically this has created and affected certain internal aspects of social and political life. In short, it is the externalities that cause a good number of the local conflicts among the inhabitants.

The evidence showings certain citizens extracting wood illegally from the forest contributes to the longer-term radicalisation of the forest resource conflict. Even worse, water is no longer sufficient for domestic use, soils are infertile and difficult to improve, and the forest's potential is being drastically diminished despite local efforts at reforestation. These are some of the reasons for outmigration and disintegration of families. Some people also showed evidence of lost motivation and values such as solidarity and honesty. These issues are certainly turning into social problems somehow 'absorbed' by the forest issue, since the forest is the only substantial local resource capable of sustaining livelihoods beyond the peasant smallholding. Given that it appears reforestation efforts are less than the pressure for the forest to be cleared a common pool resource, from political and economic perspectives, is being put at permanent stake. Inhabitants do not want to air this issue publicly (it is too momentous and thus dangerous) so they prefer to keep it hidden from outsiders, and seek to struggle against malign forces in their own way.

However, certain social or cultural agreements are internally negotiated and

then hidden in reflection of a desire for things to move naturally without much apparent action by inside actors. Thus, the public image or *front-stage* of the community is maintained in as presentable a way as possible. Finally, federal legislation rules the overall national context, but is also placed over the community system as a rigid legal framework to be imposed at will by those who know how to use it as a resource. It is unfortunate, from the perspective of longer-term, sustainable development that this legal resource from above is interpreted and used according to the narrow requirements of certain economic or ecological interests. Conflict in El Oro manifests itself as disagreements among people, but in reality the varied issues and elements discussed above are what translate into conflict at the local level.

In El Oro environmental management is a key site where the local system of governance through custom comes into conflict with the top-down power of the federal Mexican state. Top-down political power over natural resources is creating permanent and dangerous force-fields in which the community as social congregation and the locals as individuals struggle in a game in which they have become automatically enmeshed and about which they know little. Their resistance and struggle is manifested in different forms – i.e. in illegal wood extraction. The force-field created by the political or institutional power seems to be a key cause of local conflicts and dilemmas relating to the management of local natural resources. Accelerated out-migration, abuse of certain activities such as livestock management, and slow social disintegration of community and family life seem to be among the issues arising.

This paper brings us to a basic methodological conclusion about participation, as a methodology of rural development. Standard methods of discursive participation are unlikely to lead to the frank discussion of key problems. Communities protect themselves through careful management of back-stage issues. Vital matters are regarded as community secrets. An ethnographic approach, it has been shown, is useful in bringing to light some of these hidden or *back-stage* areas. Building the trust was definitely the most important aspect of this ethnographic effort. Only after a long time of interaction, did residents feel confident enough to confide key information. Care has been taken to present this in suitably anonymous ways, and to show that what people may fear to be disreputable can be presented in a constructive light. Nevertheless, sensitive issues will always be complicated to grasp and present adequately. Extractive tools and methods have been scrupulously avoided. Flexibility and openness for gathering information were crucial throughout the research. Emphasis was placed on letting people talk and explore their own minds in an environment in which both interviewers and interviewed felt relaxed and secure.

Another important element was the making of binding agreements between interviewed and interviewer. Some interviewees demanded anonymity. It was then necessary to promise that nobody else would know her/his real names when the information was presented inside or outside the community. A worthwhile recommendation given by informants themselves was to never talk

about local and sensitive issues with more than one person at a same time. In this way, local values, fears and beliefs were respected.

In relation to the findings, the commons (communal natural resources) have been shown to be the shock absorber for cultural practices associated with the governance systems practised at community level. On the one hand, the top-down system and its federal laws imposed several restrictions and penalties. On the other hand, the U&C system stimulated certain culturally-rooted local practices that defined the manner and intensity of management of the natural resources.

In the context of legality, there was a bottleneck that causes a clash between the two ruling frameworks translated into local force-fields. The laws of the top-down system are *based on the individual* level of proper behaviour to ensure social order at the upper levels of society. This is focused on the individualisation of such rights. On the contrary, U&C is mostly based on *collectivism practised* in daily life in the community investigated. This is the *practical jurisprudence* proposed by Aristotle. Some consequences emergent from the force-fields observed at community level were massive emigration, illegal wood extraction, mis-management of soils and water (for the livestock and agricultural activities), increased use of chemicals (to maintain crop and animal production levels), and pollution of water and soils. These consequences may need urgent sociotechnical attention in the short term, but as a starting point to build new relations at the community level, based on trust and equitability.

The community investigated had a weak relation to the state and its federal institutions in general. Apparently, locals do not respect national laws, but at issue is the degree to which such laws are really known, useful and clear at the community level. In the case examined, inhabitants made decisions based on local priorities. Therefore, a clash between two perceptions of legality must be stressed. The closest connection of the community to the state is still through the municipality - the lowest level of the Mexican jurisprudential system. However, the roles assigned to and played by the municipality was as simple operators of federal policies or laws and administrators of governmental programmes. This perhaps represents a change to an earlier period when municipalities had a direct interest in the founding of new communities.

Although fear, conflicts and other sensitive issues were kept secret by the residents, the community have an important *back-stage* area that plays a crucial role in local political processes, particularly for the collective management of natural resources and the local development in general. The fact is that the use and management of common natural resources was not an isolated aspect, separate from the economic, cultural and political fields. Political power, ignorance and economic pressures and interests were key elements in understanding how common resources are used and disputed.

Definitely, the intimidatory character of federal laws, the routines imposed by U&C, and the lack of local productive opportunities and options have put natural

resources at risk and created dangerous social tensions. These tensions are also influenced by the needs and aspirations of many locals. It is not surprising, therefore, to find an apparent rise in illegal use of commons and the breaking of environmental laws is "normal" and "locally accepted".

In this line, some local values seem to be evolving too. One of them is related to the importance given to the family and the community. Mostly the elderly commented that in past times, community integration and respect for collective decisions were on at the top of the local scale of values. An old leader expressed the logic as 'if the community is good, the rest is too'. They supposed that they worked altogether in order to make an excellent place to live and provide them with necessities. Nowadays, some people feel that the most important area of social life is the family, with the community perhaps a poor second. One man mentioned that 'ensuring the family subsistence is the priority, no matter the personal implications to achieve it because the community can wait, but my family cannot'. It is this divergence of individual and collective perceptions concerning personal and community empowerment and development. In this sense, possible scenarios can be drawn on the base of these evidences: a) a stronger social confrontation between the municipality versus the community; b) a strengthening process of environment-related interventions through NGOs and/or governmental programmes; c) an internal unrest that force the changes in terms of a new leaderships under the U&C system that may lead the community to create alternative alliances to the outside.

A final comment may be in order to the function of laws. It does not seem that coercive laws to regulate individual acts are the best route to be followed in managing common property, as proposed by classic authors like Hardin (1968, 1998) and Hardin and Baden (1977) in a well-known neo-liberal theory of the fate (tragedy) of the commons. It can be agreed that there is first a need to carry out technical and social studies to figure out the real status of the natural resources (quality, quantity, carrying capacity, renovation rates, etc.) *vis a vis* actual local needs, processes and social phenomena. The best ways to act and stimulate a better use, management and conservation of the commons may then be to take the route of local engagement. This would imply not only consultation – apparently denied to El Oro so far – but also collective analysis, in which all the stakeholders devise ways to work together and to perform their duties properly, beyond the scope of rigid institutional frameworks. The system of U&C may yet acquire a new and useful role in providing a framework for collective management of environmental resources in rural Mexico.

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