

SOCIAL CAPITAL FORMATION IN MEXICAN *EJIDOS* **Land decisions after the article 27 constitutional reform**

LA FORMACIÓN DE CAPITAL SOCIAL EN LOS EJIDOS MEXICANOS
Decisiones sobre las tierras tras el artículo 27 de la reforma constitucional

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ABSTRACT

The Mexican ejidos are complex land-based structures developed by the post-revolutionary state formation (1915-1992). The success of some *ejidos* was based on trust ties. With the economic liberalization of the country and the changes to the national legal system in the early 1990s (specifically Article 27 reform in 1992), the state structures that ran the *ejidos* were reorganized, and individual land tenure strategies reappeared. In La Antigua (Veracruz), a majority of the ejidatarios (71%) reacted to this situation by adopting the dominio pleno (full domain) land tenure regime. In analyzing these features and their connections with diachronic social capital, this paper discusses the role of the national structures and institutions across generations and the destruction of trust in the *ejidos*. Specific *ejido* histories help to compare pre-*ejido* land strategies with the post-Article 27 reform strategies in effect today. It will be concluded that inefficient coordination of the micro, meso and macro levels of the state creates distrust and encourages individual action.

KEYWORDS

La Antigua; Coleman; land; State; trust; Veracruz; Woolcock.

RESUMEN

Los *ejidos* mexicanos son complejas estructuras de propiedad colectiva de la tierra, desarrolladas por el Estado post-revolucionario (1915-1992). El éxito de algunos de estos *ejidos* ha estado basado en los lazos de confianza entre los campesinos. A principios de los noventa, la liberalización económica y la reforma del Artículo 27 Constitucional en 1992, favorecieron una reorganización de las estructuras del Estado que dirigían el ejido y la reaparición de estrategias individuales de tenencia de la tierra. El ejido de La Antigua (Veracruz) presenta la particularidad de que un 71% de los ejidatarios reaccionaron antes este escenario adoptando el régimen de dominio pleno de tenencia de la tierra. Este trabajo tiene como objetivo analizar la conexión entre esta situación y i) el capital social diacrónico existente en este ejido y ii) el papel de las estructuras e instituciones nacionales en la generación o destrucción de la confianza en los *ejidos*. El análisis de historias particulares de este ejido ayuda a comparar las estrategias anteriores a la formación ejidal con las devenidas tras la reforma del Artículo 27. Se llega a la conclusión de que la ineficiente coordinación de los niveles micro, meso y macro del Estado, ha generado desconfianza y hecho que los ejidatarios actúen de manera individualista.

PALABRAS CLAVE

La Antigua; Coleman; Confianza; Estado; Tierra; Veracruz; Woolcock.

INTRODUCTION

The *ejido* and the land are paradigmatic elements in Mexican history and are also important research topics in national social sciences. Emerging from the Mexican Revolution (1910-1920), the *ejido* is a social land tenure structure legalized and legitimized by the Article 27 of the 1917 Constitution. In 1992, the Article 27 was reformed, marking the end of agrarian reform and establishing a new disentanglement of rural land.

Twenty years after the constitutional reform, Mexico has experienced dynamic economic, social and political changes which have shaped a free market state. The reform has allowed social scientists to analyze changing social relations in rural areas. As the countryside's icon of the post-revolutionary state, the first step of this analysis should be to examine the *ejido* structure.

A review of the recent literature on the effects of the Article 27 Constitutional Reform shows a thematically varied corpus. Some of the literature emphasizes the negative impact of the reform's operational instrument, the PROCEDE (the Program for the Certification of *Ejido* Land Rights and the Titling of Urban House Plots) on the *ejidos* (Hernández-Santos, et. al 2006). On the other hand, many studies mention the positive externalities of the program, such as the settling of boundaries or conflict resolution (Luers, et al. 2006). Nevertheless, these studies seem to confuse the PROCEDE function with the counter-reform objectives. As such, PROCEDE might not be the cause of the reform's negative effects but merely the instrument by which they occur. The effects of Article 27 reform may be the result of a range of actions not taken and policies poorly adapted to small farmers' realities.

Another side of the debate, seen mainly in international scholarship, discusses other effects of counter-reform on the *ejidatarios*. Some findings prove that PROCEDE allowed the extension of *ejido* properties by the subtraction of land from national areas, thus developing other forms of de facto land tenure, use and distribution (Haenn 2006). In other *ejidos*, land titling produced a new power structure, favoring those *ejidatarios* with land titles and disadvantaging those land users who formerly had security of tenure (such as the *mancomuneros*) (Leónard 2001).

However, this paper does not aim to discuss PROCEDE but rather land decisions made regarding the *ejido* at La Antigua (Veracruz) after the reform of Article 27. These decisions were directly influenced by former La Antigua social structures in which non-existing trust ties played an important role. The objective of the paper is to show, through the analysis of a set of land conflict examples, the role played by the (missing) social capital. The models of Coleman and Woolcock have been used to highlight how the links between macro and meso political factors allowed the configuration of social capital in the La Antigua *ejido*. Furthermore, a selection of concepts from Ostrom's framework to analyze the 'commons' are referred to, as they complement the analysis of failures of governance in the La Antigua *ejido*.

It is held that there is no general explanation for the maintenance of the *ejido* structures in Mexico: while some *ejidos* have been strengthened by the reform process, others

have not (Leónard 2001). The La Antigua case is closer to this latter type and the weak social capital seems to be fundamental to the decline of the *ejido* structure. The effects of the reform on the La Antigua *ejido* structures are dependent on its locational, historical, social and market links and conditions, as well as the efficient coordination of local state bodies (Gertz 2008; Herreros, 2008).

The histories of particular *ejidos*, which constitute diverse experiences of state authority along with the quality of interpersonal relations within communities, contribute to the consequences of the land counter-reform of 1992 (Haenn 2006). These “interpersonal relations,” based on cooperation and trust, play an important role in what has been conceived as *social capital*. The trust factor, which constitutes the core of this paper, is understood as a feature generated over time that allows cooperation. In La Antigua, conflicts have been common and have created “diachronic distrust.”

In La Antigua, prior to the agrarian reform, land use was based on individual interests rather than communal ones. With the call of the revolutionary land reform (1921), peasants from other areas went to La Antigua and became *ejidatarios*, which created a degree of disunity in personal relationships. After the agrarian reform, the *ejido* structure was state-led, as was social capital, meaning that vertical structures, acting as reliable bodies in solving land dispute, were more important than horizontal ones. This situation prevailed until late 1980s. This is the context in which land decisions were made concerning *dominio pleno*.

This paper is structured in four sections. The first section introduces the concept of social capital and the theoretical aspects applied to the La Antigua case. The second section explains the agrarian reform and *ejido* formation in Mexico and La Antigua, focusing on the *ejido* structure. The third section discusses the forms of current social capital in La Antigua through a review of historical conflicts (1921-1989) and the analysis of Coleman (1988) and Woolcock’s (2000) models. The last section documents the land decisions made by the *ejidatarios* after the Article 27 reform as a response not only to the legal framework but also to the history of their particular *ejido*. To further augment this section, the paper explores data from the land decisions made by the *ejidatarios* after the Article 27 reform.

The intention of this paper is to demonstrate that in La Antigua, the existence of the current social capital structure is based on a combination of factors such as the national, local or economic context. The vertical organization of the post-revolutionary state had important consequences in some *ejidos*. To understand places like La Antigua, it is important to explore its history and its relations with other institutions at different levels of the state hierarchy. The existence of trust at micro, meso and macro levels is essential to knit a strong and healthy social fabric. These elements need to be taken into account in order to propose practical actions to improve living conditions in rural areas.

METHODOLOGY

The methodology used in this paper began with a review of two local *ejido* archives (the Agrarian National Archive and the Veracruz State Historical Registry) in order to unders-

tand the La Antigua case, from the time of the *ejido*'s formation immediately after the Mexican Revolution to the Article 27 Constitutional Reform in 1992.

La Antigua was selected as case study because it is the only municipality of the five in the Municipality of La Antigua (La Antigua, José Cardel, El Modelo, Salmoral and Nicolás Blanco) to have chosen a system of land tenure rather than the *ejido*, namely, the *dominio pleno*. The records of its formation and the social dynamics derived from it could only be tracked by a review of the historical records available for the pertinent time period.

As a result of the historiographical fieldwork in the La Antigua agrarian archives (1890-1989), a *historical conflicts review* was undertaken. The documentary analysis of land tenure and land use among the ejidatarios and other actors shows the controversy that has surrounded La Antigua's social relations from the creation of the *ejido* (1921) until before the reform of the Article 27. The review is intended to show that trust does not emerge from conflictive situations and that without state-led *ejido* structures to bond local society, people tend to act based on their individual interests rather than on community interests.

After a thorough review of the documents, two legal cases were chosen as especially interesting to highlight the historical land conflicts: Natividad Espinoza vs. the Particular Administrative Committee (Comité Particular Administrativo or CPA, using its Spanish acronym), which took place in 1926 and Patricio García Escoto, Vicente García Escoto y Maximino Méndez Pérez vs. *Ejido* Authorities, which took place in 1989.

The documentary information was augmented with multiple field stays (Summer 2008, Winter 2009, Spring 2010). During these periods, field trips, ecological characterizations and interviews with local and municipal authorities and key informants were carried out. The interviews were intended to support the historical hypotheses and to check local perceptions of trust and cooperation factors.

The information obtained through these interviews was used to characterize the social capital in the area according to the models proposed by Coleman (1988) and Woolcock (2000), as is described in the following paragraphs. The results are compared with the lessons obtained from Ostrom's analysis of 'commons' (Ostrom 1990).

The authors are aware of the limits of relying on mainly documentary primary sources to support most of the facts and findings of this paper; these sources only present two land conflict cases in full, although many more partial cases could be found. Nonetheless, the data, the hypotheses and the outcomes were evaluated and contrasted with the opinions and views of key informants and interviewees. The dangerous situation of Mexico (with gunshots and armed bands generally impatient with researchers asking questions) prevented the development of other potentially fruitful analysis tools such as workshops and focus groups.

A BRIEFING OF LA ANTIGUA

La Antigua is an ancient village located on the Sotavento plains 28 km northwest of the port of Veracruz and 90 km from Xalapa, the capital of Veracruz. Its location has been

strategic since the 16th Century, when the capital of Veracruz was founded in Villa Rica de la Vera Cruz (1519), now known as San Juan de Ulúa. In 1524, the capital was moved to the village of La Antigua, an appropriate location that offered protection from pirates and easy berthing for ships. At this time, these two places monopolized trading activities between the mainland and overseas territories. Although the military population mingled with the civilian population, La Antigua was not a place where family-based Spanish society developed: it was a military base charged with facilitating the import and export of goods from Spain to New Spain and vice versa. Later, craftsmen and merchants from Andalusia, Extremadura and Castilla arrived.

In 1600, the capital was moved back to San Juan de Ulúa. To differentiate between the two sites, the place located in the Sotavento plains was called La Antigua Vera Cruz (Blázquez 2000: 58). From then on, the village was the capital of the municipality. Nevertheless, in 1925 it passed to San Francisco de las Peñas, currently known as Ciudad Cardel.

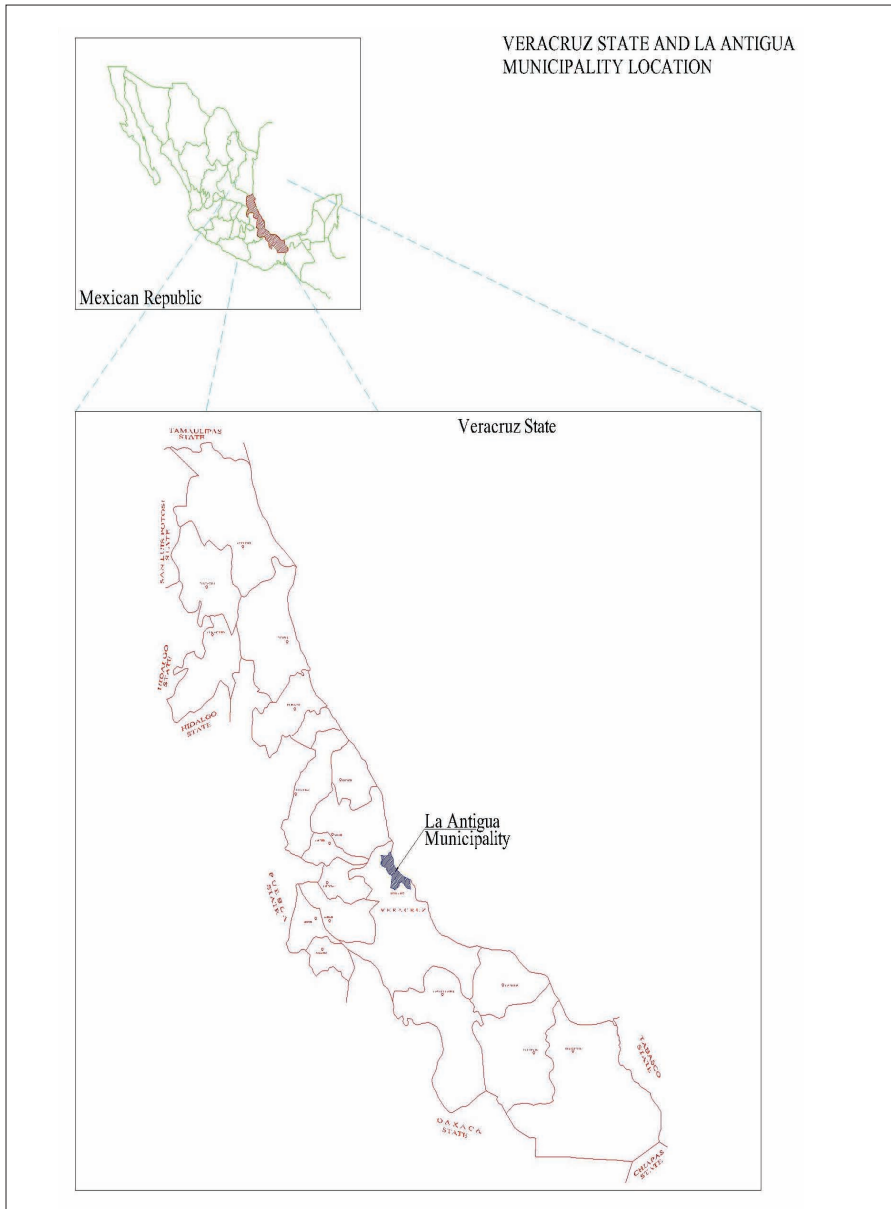
La Antigua is a population center of 988 inhabitants (INEGI 2010). The *ejido* area has a warm humid climate with summer rains (1,100-1,300 mm/year) and an average temperature of 24-26°C (INEGI 2009). The typical vegetation is savanna and natural grassland and is generally used for livestock pasturage. The dominant soil type is Vertisol, and when irrigated, it can sustain cotton, wheat, sorghum and rice crops. Currently the area is used to grow and harvest sugar cane (Gómez, et al. 2010; FAO 2006).

The village of La Antigua is located near the main highway, which links the north of the country with the south by the Gulf of Mexico and the La Antigua River. A railroad that was key to the 19th century sugar cane trade, transporting sugar from the local *haciendas* to the coast,¹ crosses the river.

La Antigua's location has retained its strategic advantages to this day. Its location, natural resources and its proximity to the Veracruz port explains the current land pressures kept up by the city of Veracruz.

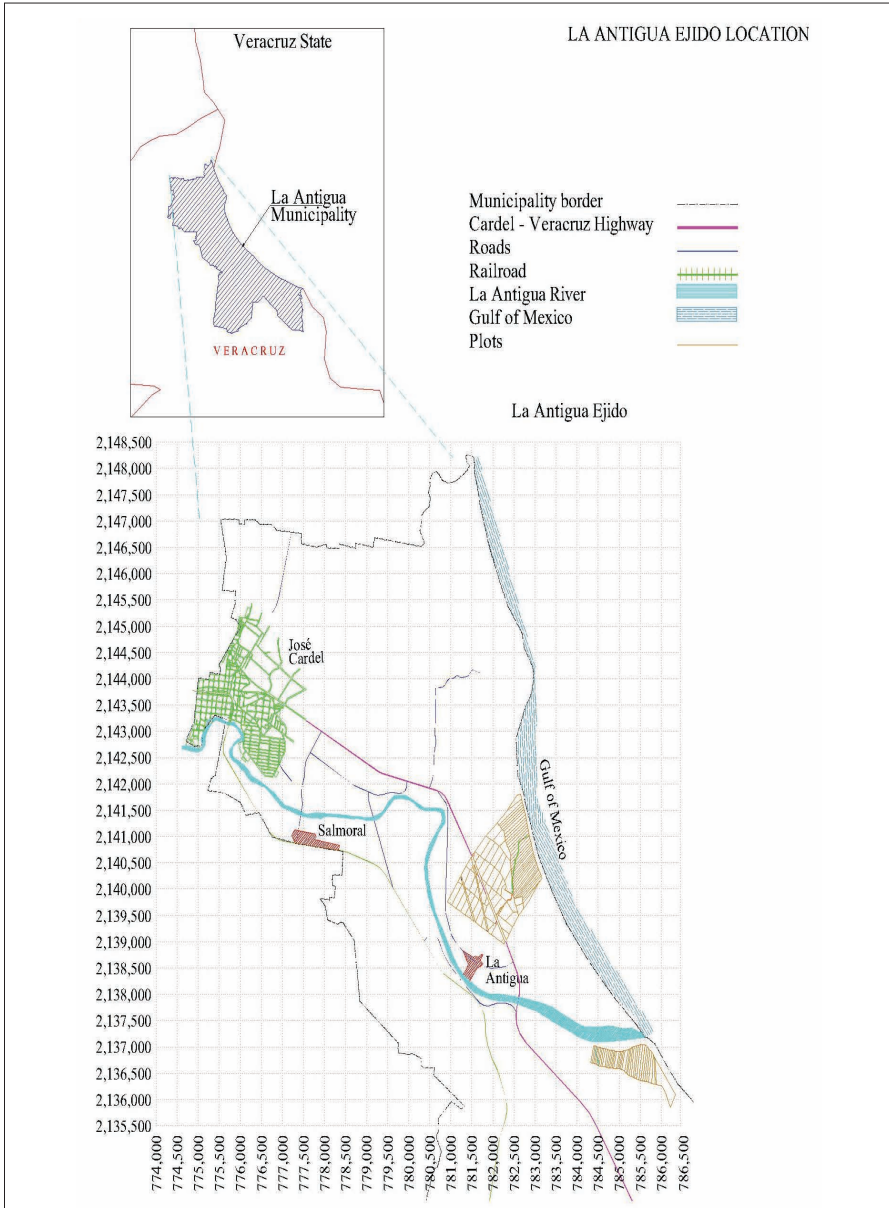
¹ A Spanish property system, particularly from Andalusia, which was exported to America in the 16th century. The aim of the haciendas was agricultural production by hoarding large amounts of land. The haciendas included houses, churches and even entire villages. For more detail on the Mexican haciendas and their influence on pre- and post-revolutionary Mexico, see Tortolero, 2003.

Map No. 1
The state of Veracruz and the location of La Antigua



Source: José Feliciano Esteban Luna, P. Eng. (2011), based on RAN, PROCEDE, Anexo técnico del Acta de Asamblea General de Ejidatarios 1990 y 1999.

Map No. 1
Continuation



Source: José Feliciano Esteban Luna, P. Eng. (2011), based on RAN, PROCEDE, Anexo técnico del Acta de Asamblea General de Ejidatarios 1990 y 1999.

THE SOCIAL CAPITAL FRAMEWORK FOR THE LA ANTIGUA CASE

For the purpose of this paper, social capital will be defined as the social relations (social norms, information channels, obligations and expectations) both vertical and horizontal that help facilitate the generation of better living conditions through trust ties and cooperation. Social capital has broad implications and includes decisions made by local actors.

Despite some controversies (Poder 2011; Corrochano 2005; Robinson et al. 2002; Portes 2000), since the end of the 1980s there has been a consensus in sociological studies that social capital facilitates productive activity (Winters et al. 2002; Moyano 2008, 2010). Today it is maintained that it also facilitates income generation, development and better living conditions. One of the bases of social capital lies in the extensive reliability and trust that may be fostered between individuals in a group. Accordingly, it is possible to analyze three forms of social capital which lead to the development of reliability and trust: 1) obligations and expectations, 2) information channels and 3) social norms (Coleman 1988).

The obligations and expectations form can be explained with the following example: if A does something for B and B feels an obligation to reciprocate, an expectation is established in A and an obligation on the part of B. This obligation can be conceived as a credit slip held by A for the performance of B. If A has many of these credit slips for a number of people with relations, these credit slips constitute a large body of credit which can be appealed to if necessary. This situation changes if A has deposited trust in B and B does not consider him- or herself to be "indebted" to A. This example corresponds to a societal structure in which "people are always doing things for themselves and each other." This form of social capital depends on the reliability of the social environment: debts will be re-paid because they imply a real scope of obligations (Coleman 1988:102).

The second form introduced is the information channels, real and potential, that are inherent in social relations. Information channels provide a basis for action; however, obtaining information is expensive and therefore demands attention. Hence, there are some types of relationships that only serve to provide information and do not generate credit slips (Coleman 1988:104).

The third form is the social norms that can provide effective rewards in a community, for example, a type of rule in which individuals ought to forget self-interest and act in the interest of the community. This norm is reinforced by social support, status, honor and so forth and might be considered as the social capital that builds young nations (but which often dissipates as they grow). In some cases, the rules are internalized; in others, they are upheld through external rewards for selfless actions (Coleman 1988: 104-105).

Almost twenty years after this framework was established, Woolcock (2000) expanded the meaning of trust, defining it not only as a resource of individuals but also of

groups and institutions, thus facilitating the resolution of cooperation dilemmas in order to achieve development. Individuals, groups and institutions are repositories of social capital through their willingness to cooperate and to achieve the cooperation of other actors or with each other (Moyano, et al. 2010:7).

Woolcock's model analyzes the different dimensions of social capital at the micro level (inter and intra-community), meso level (inter-group and inter-community) and macro level (institutional and inter-organizational). It emphasizes the following aspects: 1) rules of reciprocity as the basis of trust; 2) cooperation ties between individuals; 3) associative networks as forms of participation and structuring of civil society and 4) the synergy, credibility and efficiency of institutions as elements for the implementation of development initiatives and the implementation of public policies in a territory (Moyano, et al. 2010: 8, 17).

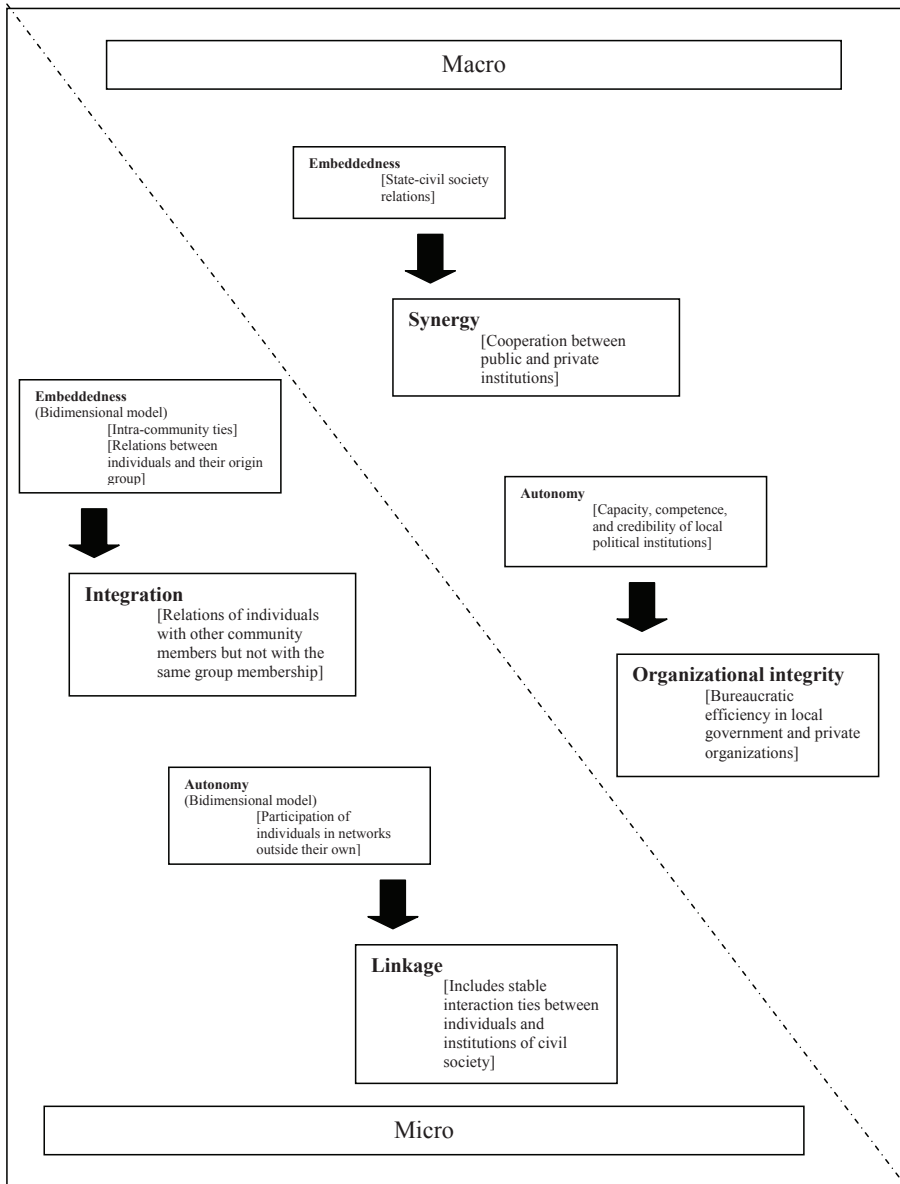
Woolcock's model also goes beyond the model presented by Coleman. For Coleman (1988), social capital was an element within a community structure but with no established relationship with other levels of the social system. Woolcock summarizes the *bidimensional model* and establishes micro or macro levels with connectivity levels: within the groups (bonding, embeddedness), between the groups (bridging, autonomy) and relational (linking, synergy). Intragroup connectivity reflects relationships between the members of a relatively homogeneous group; intergroup connectivity is generated through relationships between heterogeneous groups, while relational connectivity concerns the interaction of individuals or groups with institutions (public or private) (Moyano, et al. 2010:18). Woolcock's model would be represented in this way (Figure No. 1).

This model helps to deepen the understanding of the context of *ejido* formation and structure, not only at the La Antigua level (town) but also at the national level, taking agrarian reform into account. It also analyzes the *ejido* structure at the meso level and its relation to social capital. The La Antigua *ejido* (micro level) is also part of a wider bureaucratic land reform structure, a crucial element of the post-revolutionary state (macro level). Nonetheless, the state sphere, somehow autonomous in its decision making (meso level), acted as a hinge in Mexican agrarian reform.

Although the well-formed national structure was always linked to an official political party (the Institutional Revolutionary Party, PRI), the micro (*ejido*) and the macro (post-revolutionary state) levels were not tied strongly enough through trust: the meso factor was missing. Once the bureaucratic agencies responsible for shepherding the agrarian reform (together with the *ejido* structure) began to decrease their presence, the La Antigua *ejido* structures were unable to function by themselves.

To understand these statements, it is necessary to understand agrarian reform and *ejido* formation in Mexico and in La Antigua and to try to locate them at the micro, meso and macro levels.

Figure No. 1
Woolcock's Model



Source: Author's elaboration based on Woolcock, 2000 and Moyano, 2010.

Agrarian reform and ejido formation in Mexico and La Antigua

In the late 19th and early 20th Centuries, Mexico was under Porfirio Diaz's regime, known as the *Porfiriato* (1877-1911). Aside from its economical, political and social features, this period was characterized by land property concentration. The Mexican Revolution (1910-1920) overthrew Diaz's regime and ultimately generated a new state: the post-revolutionary state.

Due to the land-based wealth generation, the post-revolutionary state made the land a political flag, accepting peasants' land claims and making land distribution and restitution a state priority. The new state created an alliance with the peasant population that was institutionalized in the 1917 Constitution, which established the President of the Republic as the ultimate authority in the power structure. Through Article 27, the 1917 Constitution established land reform as the subordination of private property (the hacienda) to the public benefit. It also recognized the distribution of social property organized in a system of community representatives: the *ejido*. While in the 19th Century, the *ejido* referred to communal lands surrounding towns, mainly at their exit points (used collectively to raise cattle, collect wood or be leased by the municipality to obtain revenues), in post-revolutionary Mexico, the *ejido* referred to an endowment of land to a community established in a population center (Rentería 2011). Nonetheless, in the new *ejido* land structure, the full domain of land and other resources such as water were property of the nation.

Article 27 became the basis of the Mexican state's relations with the rural sector. Agrarian reform established land distribution and land tenure as its political paradigm. Accordingly, administrative and political machinery developed, organizing and controlling land reform through the *ejido*, with the President of the Republic at the top of the agrarian structure (See Figure No. 2).

To create an *ejido*, a group of peasants had to be organized in a Local Agrarian Committee in order to start a land endowment or land restitution application. The application passed to the State Agricultural Committee, which reviewed the feasibility and the possible availability of land within a radius of seven kilometers around the *ejido*. The Mixed Agrarian Commission prepared a case recommendation to be sent to the governor, and, if accepted, a provisional ruling (*resolución provisional*) was granted; if the application was rejected, it passed directly to the President of the Republic. The final resolution was passed at the national level. The National Agrarian Commission (later the Agrarian Reform Ministry) reviewed the studies made by the various lower levels of government and made a final recommendation. An Advisory Council reviewed the data and made the proposal to the President of the Republic. Finally, the land endowment or restitution was established by a presidential resolution published in the Official Journal of the Federation (*Diario Oficial de la Federación*) (Walsh 1980).

The *ejido* was conferred with legal status and its properties were inalienable, non-lapsable, indefeasible, and untransferable (inalienables, imprescriptibles, inembargables, intransmisibles). In no way could the *ejido* be negated, transferred, leased, mortgaged or encumbered. Any such transactions, arrangements or contracts so executed would

be considered a violation of the law and would acquire a non-existent character (LFRA 1971: Art. 52).

Each *ejido* was divided into a human settlement area, a common-use area and a plotted area. The *ejido* exploitation had to be collective (except in particular cases) and had to benefit all its members, the ejidatarios. The ejidatarios possessed some land, forest and water rights as established by the internal rules of each *ejido*. Each ejidatario had the right to a proportional use of the *ejido* common property. The domain of the common land and the individual plot was indicated in an agrarian rights certificate (*certificado de derechos agrarios*).

The ejidatario could assign family members or any other person as heirs of his/her rights. The inheritance was recognized by the *ejido* authorities, who endowed the heir with the ejidatario social status. The ejidatario had to work the land in person or with his/her family. If an individual's agrarian activity ceased for more than two consecutive years, his/her rights and status would be revoked. The same situation emerged if the ejidatario stopped paying fees or stopped rendering services to the community (Del Rey 2005: 162). Thus, ejidatario status was not only a legal title but also a social role closely related to community life.

Below is a representation of the agrarian administrative structure after Mexican agrarian reform.

In the figure above, the micro level is essentially defined by the peasant organization, with the *ejido* structure at the top. Until 1992, the *ejido* acted as the basis of the corporate post-revolutionary model in rural areas. Inside the *ejido* a power struggle existed at the transitional phase between the micro with the meso level, as well as where the bases interacted with state bureaucracy. The *ejido* managed the maintenance of its own stability but also coped with state as the base of the post-revolutionary pyramid structure.

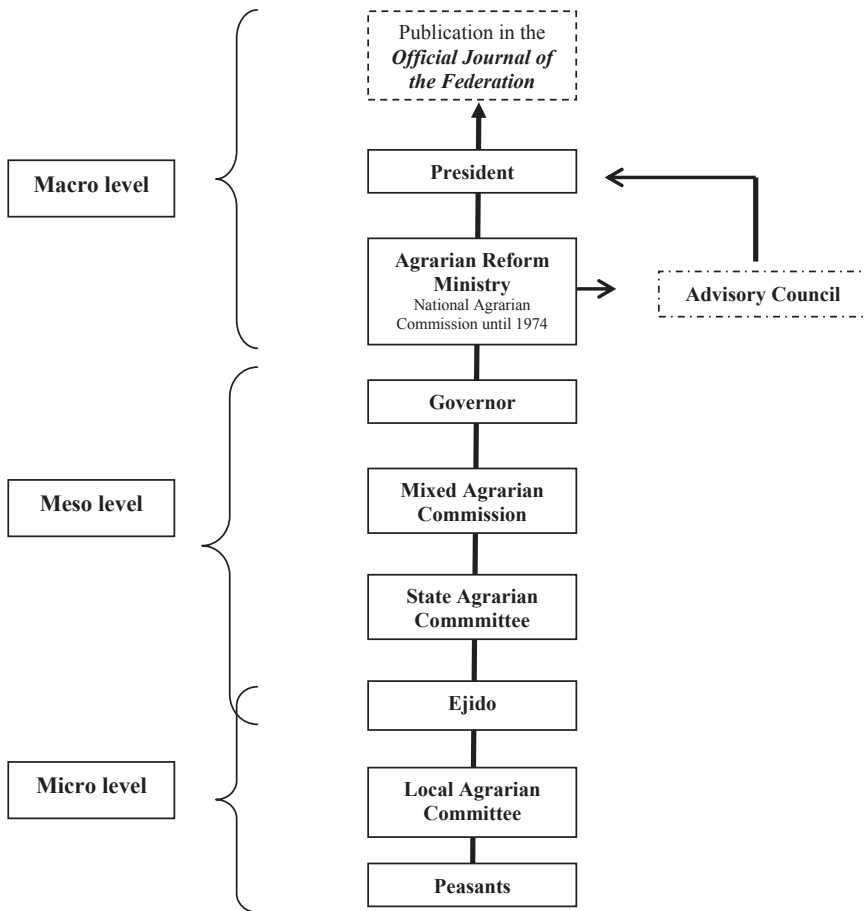
With the reform of Article 27 in 1992, an "institutional transformation" began (PA 2011). It established the Attorney Agrarian Office (*Procuraduría Agraria*) as a decentralized public body with legal status and its own patrimony. Furthermore, the National Agrarian Registry (*Registro Agrario Nacional*) transformed into a decentralized agency, the Agrarian Reform Ministry. From this agency, agrarian courts (*Tribunales Agrarios*) were established as federal agencies endowed with full jurisdiction and autonomy to pronounce land decisions all over the country.

The agrarian process in La Antigua is part of this macro structure, as with all *ejidos*, and is closely related to the meso and micro levels. The agrarian archives attest to the type of social relations common among the ejidatarios in the context of *ejido* integration.

La Antigua ejido formation

In 1881, the village of La Antigua was still the head of the La Antigua municipality. The mayor proposed to modify the use of 439 hectares of land reserved as *ejido* to follow the disentailment law of 1856, the Lerdo Law (*Ley Lerdo*). The proposal was rejected by

Figure No.2
Agrarian Reform process in Mexico
(1917-1992)



Source: Author's elaboration based on Walsh (1980) and Woolcock (2000).

other local authorities: the request went against Article 8 of the Lerdo Law, which excluded *ejido* lands from disentanglement.

Nevertheless, in 1895 the mayor of La Antigua sold 125 hectares of the *ejido* to a single person. The proposal was accepted by the Veracruz government and no local resistance was registered to this transaction or to the next one in 1902 (314 hectares) (Exp.5099-*Ejido* La Antigua, Foja 4).

In the middle of the Mexican Revolution (1910-1920), the promulgation of the January 6, 1915 law set off an abundance of land endowment and restitution applications. Less than a month later, a group of La Antigua residents signed a land application addressed to the Veracruz governor. The land endowments were rejected due to conflicts between the applicants, but the restitution process was reinforced. The explanation given was the revolutionary objective of the time: to ensure agricultural production inside the country.

On January 10, 1920, the restitution was approved, and on January 27, the presidential resolution was published in the *Gaceta Oficial del Estado de Veracruz* (*Gaceta Oficial* 1920: 2-3). On July 17, 1921, in the presence of a peasant committee, the La Antigua authorities and a representative of the state executive, the land restitution delivery was made. The act stated that land should be enjoyed “by the community” and managed by an *ejido* body, the Board of *Ejido* Use (*Junta de Aprovechamiento de Ejidos*) until its subdivision (Exp. 57/Restitución and Dotación, Foja 4).

Despite the peaceful appearance of the La Antigua agrarian process, land remained a source of conflict. Land tenure, possession, boundaries, rights and use were only some of the disputed issues, and they created an atmosphere of distrust in the town. This will be analyzed in the historical conflicts review in the next section, which covers the period from the *ejido* formation in 1921 until late 1980s.

In a troubled political and social context such as that of post-revolutionary Mexico, the creation of trust-based social capital was complicated. Land conflicts existed among *ejidatarios* against the government or *ejidatarios* against non *ejidatarios*, generating a lack of confidence within and outside the community. In this paper, this type of situation has been called *diachronic distrust*, or distrust that is formed over time.

Nevertheless, the role played by the institutions at the macro and meso levels has been crucial for the generation of trust in La Antigua. As will be shown, effectively solving agrarian conflicts was dependent on this.

SOCIAL CAPITAL AND TRUST STRUCTURES IN LA ANTIGUA. A HISTORICAL CONFLICTS REVIEW (1921-1989)

Some scholars have already related local history to the development of trust and social capital with the state (Herreros, 2008). In Mexico, the existence of reliable institutions during the construction of the post-revolutionary state was complex. Both state and national governments disputed each other’s legitimacy and even legality and both tried to

impose their own standards on the other. In the constitution of the La Antigua *ejido*, ideology also played an important role. The revolutionary discourse in the restitution and endowment application process was quite clear and was backed by the political leaders of the time. The *ejido* construction united a dispersed rural population after the revolutionary conflict, when things were less communal and more individualistic.

Land conflicts and disputes were present in La Antigua, as were disagreements about the obligations inside the *ejido*. Since 1921, regardless of the constitutional dispositions towards land reform, former owners did not renounce their properties. In this context, the revolutionary Veracruz governor ordered the mayor of La Antigua to provide local residents with “the needed guarantees to enjoy the restituted land.” In this unsteady political situation at the regional and state level, governors used the legal framework to achieve their own political goals (Ginzberg 2000, 1998, 1997).

In addition, conflicts constantly arose from petitioners’ disagreements with the municipal authorities. The *ejidatarios* simultaneously approached different bodies (local, state or national) in order to achieve their goals, showing their distrust in the local and state authorities and their trust in the revolutionary-national authorities.

However, land conflicts took place not only between *ejidatarios* and non *ejidatarios* but also among the La Antigua *ejidatarios* themselves and local, municipal and even state authorities, possibly because not all the *ejido* conformers were La Antigua natives or even customary residents. This gave the La Antigua *ejido* conformation an operative function.

The *Natividad Espinoza vs. the Particular Administrative Committee* (1926) case shows the *ejidatarios*’ disagreement with local, municipal and state governments. It also shows the *ejidatarios*’ unwillingness to comply with the recently created laws. Natividad Espinoza requested that the Agrarian National Confederation (*Confederación Nacional Agraria* or CNA, using its Spanish acronym) intervene in the decisions of the CPA *ejido* authorities. He stated that he was one of the twenty natives in the original one hundred person application for *ejido* restitution. He complained about “an attempt to take away my rights as *ejidatario*” because local authorities had tried to terminate his access to the plot allocated to him during the restitution process in order to give it to somebody else, someone who was not native to La Antigua (Exp. 5099, Foja 74).

The situation was resolved by the can, and Espinoza maintained possession of the plot under dispute. Afterwards, he submitted a new complaint. As a fisherman, he fished on the *ejido* lands and he needed to know where he should put up a fence for the animals that drove his fish to the Veracruz port. He paid fees to have animals on the *ejido* lands and in one area he had built a wire fence where his fishery was located. Nonetheless, three *sembradores* (agricultural producers) were using his fence. Thus, he asked that if they did not pay any fees for the use of the area, and if the use of the border of the plot was as vague as he considered it to be, he could pay an extra quota per year and remove the *sembradores* from the plot. Once he removed them, he proposed paying an extra fee that would be “helpful for the town” (Exp. 5099, Foja 74).

Espinoza was interested in having full use of the zone to extend his fishing preserve because “in the rainy season, these plots are useless; they serve only during the dry season” (Exp. 5099, Foja 74). These could be identified as individual goals in conflict with the communal use goals of the *ejidos*.

Espinoza’s neighbors also had complaints about him. According to them, Espinoza’s animals caused damage to the *ejido*. The accusation was backed up by the *ejido* authorities and Espinoza appealed with a complaint to the CNA against La Antigua’s local authorities (Exp. 5099, Foja 113 y 114). One of his arguments was that because he was one of the native people of La Antigua who struggled for the land restitution, the land in dispute should be leased to him (Exp. 5099, Foja 119). As the process continued, Espinoza gained the CNA’s support. Thus La Antigua residents wrote another letter to the CNA, this time requesting an order of rectification. According to them, as *ejidatarios*, they had organized a communal meeting at which Espinoza rejected the terms of the lease agreement, and for that reason, it had been awarded to another person (Exp. 5099, Foja 122). Although the above represents all the information available about this case, it is useful to exemplify the fact that in La Antigua, despite living in an *ejido* structure, *ejidatarios* did not consider themselves a community and that some of the *ejidatarios* did not respect *ejido* authority, appealing instead to state and national bodies.

The second case presented, that of *Patricio García Escoto, Vicente García Escoto y Maximino Méndez Pérez vs. Ejido Authorities* (1989), shows the state of social cohesion in the village before Article 27 reform and how some residents continued to prioritize their individual goals over communal ones.

In 1989, the *ejido* authorities and their functions were more defined than in the late 1920s: the Assembly was the main decision making body, while the President, the Treasurer and the Secretary implemented its decisions. By then, only a few people in La Antigua worked on the communal tasks (*faenas*), and not all of them accepted the authority of the Assembly, which had agreed to allow common *ejido* lands to be used for the grazing of 11 out of 70 *ejidatarios*’ livestock. Those *ejidatarios* had to pay a monthly fee per animal in order to allow the *ejido* authorities to build a fence to keep their livestock there. *Ejidatarios* who owned sheep or goats grazing on that land had to remove them to prevent damage to the pine reforestation efforts undertaken some time before (Exp. 57/ Restitución y Dotación, Foja 30).

The *ejido* authorities and the complaining *ejidatarios* went to the common land area, where there were “more than 50 cattle grazing.” The fence was in “dreadful condition,” and the pine trees had been damaged by small livestock paths. *Ejido* authorities complained that they had not been able to repair the fence because not all beneficiaries of the Assembly agreement had paid their fees. Furthermore, not all of La Antigua *ejidatarios* had completed the agreed tasks, particularly the complainers. They stated that “several of the 11 *ejidatarios* who use the community lands, have reported fewer cattle than the number they really introduced to graze” (Exp. 57/Restitución y Dotación, Foja 30).

Only 7 of the 11 common land beneficiaries attended a subsequent meeting on the subject, when it was agreed that they had to pay a fee to repair the fence. The *ejidatarios*

Vincente and Maximino Pérez Méndez agreed to remove their sheep and goats but never carried out their promise, arguing that they were told at the Agrarian Delegation that the Assembly agreements had no effect. Therefore, the La Antigua ejidatarios requested the intervention of the State Agrarian Officer to end the conflict (Exp. 57/Restitución y Dotación, Foja 30).

These examples, analyzed through Coleman and Woolcock's models of the social capital approach, underline the existence of some of the categories they describe in the formation and development of the La Antigua *ejido*.

First of all, the *obligations and expectations* form was present in the 1989 case. In this case, the ejidatarios who did not own cattle yielded their common land use rights to the cattle owners in order to benefit the entire *ejido*. Nonetheless, the cattle owners (a minority) did not respect Assembly agreements with the purpose of serving individual interests. According to Coleman, the cattle owners assumed they did not have a credit slip held by the non-cattle ejidatarios; therefore, they did not consider themselves as "indebted" to the non-cattle ejidatarios, thus creating a lack of trust in the social environment. A question arises as to how the cattle-owning ejidatarios knew where to obtain information or whom to confront regarding the Assembly's decisions. Did they have another *information channel* outside the *ejido* to advise them? It appears that the *social norms* were not strong enough in La Antigua. There was no social punishment when cattle-owning ejidatarios did not respect the *ejido* rules or the Assembly's decisions. As stated by Ostrom (1990) and Dietz et al. (2003), the lack of sanctions for violations of commons governance prevents rules compliance.

Coleman's model allows for an analysis of two elements of the La Antigua *ejido*: *embeddedness* and *autonomy*. Embeddedness refers to intracommunity ties, such as relations between neighbors, the *ejido* ties or fluent communication with the *ejido* authorities. As the cases here prove, both sets of actors were hostile. The second element, *autonomy*, is the individuals' participation in networks outside their own, which was limited to the *ejido* authorities who were part of the agrarian structure. Thus, if the base of the model was not reliable, the full structure was fragile. On the other hand, the *integration* and *linkage* elements are difficult to establish using the historical archive review, but could be analyzed using other historical methodologies such as oral history.

It is also possible to apply the elements of Woolcock's model to La Antigua. Moving from the macro to the micro level, the *embeddedness* element (state-civil society relations) may have been present in the *ejido* but only in the early stages of its formation. After the Mexican Revolution an *ejido* was formed by a so-called civil society that organized to create it. Afterwards, this structure was quickly co-opted by the post-revolutionary state structures such as the National Peasant Confederation (CNC, using its Spanish acronym). *Synergy* (cooperation between public and private institutions) was absent due to frequent disputes among agencies (as seen in the 1926 and 1989 cases). *Autonomy* (capacity, competence and credibility of local political institutions) is linked with the revolutionary ideological heritage that leads to the final element in Woolcock's macro level: *organizational integrity* (bureaucratic efficiency in local government and private organi-

zations). This element could be seen during the first period of the revolutionary agrarian reform.

During the La Antigua restitution, the bureaucratic process was relatively efficient, needing only six years (1915-1921) for completion. The Revolutionary process and the discourse of its success influenced the efficiency of land reform. Nonetheless, the ejidatarios' sense of the context made them direct their requests towards state and national agencies simultaneously.

At the micro level, the *embeddedness* (intra-community ties) element is complicated to establish because the ejidatarios has had disputes and disagreements from the time of *ejido's* formation until late 1980s. *Integration* (relations of individuals to other community members outside the membership group) is hard to define given the lack of data. This element is closely related to the *information channels*. In light of the strategies adopted to achieve ejidatarios' goals, they may have been informed by some other *ejido* members about strategies. Neither this element nor the *autonomy* (participation of individuals on networks outside their own) or the *linkage* elements (interaction between individuals and the institutions of civil society and their stable ties) are clearly explicated by the archival evidence.

The 1989 case, as an expression of the La Antigua *ejido* travesty since 1921, proves the weakened structure left since the formation of the *ejido*. In the next section, land data will show the ejidatarios' land strategies after the Article 27 Constitutional Reform.

LA ANTIGUA EJIDATARIOS LAND STRATEGIES AFTER THE ARTICLE 27 CONSTITUTIONAL REFORM

In 1992, Article 27 constitutional reform was based on issuing individual land titles and the legalization of land markets in agricultural plots, which produced good outcomes in equity and efficiency in the rural sector. The main purpose of the reform was to enhance security in land tenure and land transfers by creating a system for formal transfers and registration. Greater security was expected to foster agricultural growth through higher incentives and opportunities for investment (Bouquet 2009: 1390).

Some researchers have proven that the ejidatarios do not prioritize private property (Perramond 2008; Nujten 2003). This has been linked to the fact they have been able to cope with the changes caused by the reform of Article 27. Some ejidatarios may still strive to retain some of their ejidatario privileges, but they can still conduct de facto privatization within the inalienable *ejido* regime (Haenn 2006: 141-144).

The full domain of any of ejidatarios' properties (plot or common land) could be perceived by ejidatarios as more control over their land, decision-making processes and community participation. In Calakmul (Campeche), residents claimed that private owner status annulled the requirement of their attendance at village assemblies (Haenn 2006: 144).

According to data collected at the Agrarian Archives by the Veracruz General Treasury, there were 40 ejidatarios in the La Antigua *ejido* in 1960 (Expediente No. 2242). In 1993, La Antigua ejidatarios applied to the Attorney Agrarian Office to be incorporated in the PROCEDE. In 1996, PROCEDE documented that the full area of the *ejido* covered 404 hectares: the plotted land covered 373 hectares and the common land, 15 hectares. In La Antigua, 28 ejidatarios remained, but in the PROCEDE process 7 more were accepted, as well as 4 *posesionarios*. Ultimately, there were 35 ejidatarios, each of whom was awarded 2.56% of the common lands (00-38-55.260 has).

This represents an important element: of 35 ejidatarios, 25 applied to adopt dominio pleno ownership. From 1998 to 2004, 71% of La Antigua ejidatarios were authorized by the *Ejido* Assembly to adopt partial or full domain of their *ejido* lands, for a total of approximately 52% of the *ejido* land (Gracia 2008: 104).

That 71% of the ejidatarios were not interested in being part of the *ejido* totally or partially is also remarkable. In the entire La Antigua municipality, only one other *ejido*, Playa Oriente (next to La Antigua), has adopted dominio pleno ownership. In La Antigua, the ejidatarios' intentions in their adoption of dominio pleno was to sell their land in the urban expansion. This is demonstrated by the fact that no land has been contributed to any corporation or trading company (*sociedad mercantil*) (RAN 2008: 45). The stated objectives of the reform (agricultural growth), however, were not achieved.

The fact that the *ejido* applied to the PROCEDE body could also be an attempt at conflict resolution. According to the *historical conflict review*, the ejidatarios in La Antigua have had a tendency to look to external bodies to solve their land conflicts, developing trust in the state authorities rather than in the *ejido* authorities. The historical review shows that the emergence of conflictive situations between individual ejidatarios and between the ejidatarios and *ejido* authorities, as well as the *ejido* authorities' distrust of the local or municipal authorities when appealing to the governor's decision making has continued to the present day.

In 2009, a municipal agent from La Antigua sought permission for a change of land use on a rural property inside the La Antigua village in order to build an assembly and dance hall. The municipal agent said: "This plot was given to us by the governor" (Field work, Summer 2009). This statement establishes what lies behind local social capital: seeking the maximum authority to obtain a benefit. There are no decision-making bodies that outrank the governor, whose decisions are unquestionable.

Another example of the governor's importance came with the territorial dispute between La Antigua and the municipality of Veracruz. Of this, the mayor of La Antigua said: "[Veracruz] also wanted to take away our Bicentennial Clock, which is something that the governor gave us the privilege of having here in La Antigua" (Fuerza Informativa Azteca 2009). This statement notes the fragility of the municipal and local authorities' control, which continues to shelter under state authorities.

Other information given by the PROCEDE displayed that La Antigua village is not part of the *ejido* area (Acta de Asamblea de Delimitación, Destino y Asignación de Tierras Ejidales 1996). This is confirmed by the fact that once PROCEDE ended the measure-

ment and certification of plotted and common lands, no titling of the human settlement area was undertaken. La Antigua only received certifications regarding the *nucleo agrario* (INEGI 2006: 153).

CONCLUSIONS

In Mexico, agrarian reform created a vertical and pyramid-shaped bureaucratic structure in which the ejido played a key role. Through the ejido, the post-revolutionary state (headed by the *Partido Revolucionario Institucional* or PRI) organized rural areas, gathering a hitherto scattered population to more efficiently manage ejidatarios' demands. The post-revolutionary ejido was, initially, a highly democratic, autonomous and participatory organ, but its link to the state-party structure converted it into a corporate institution. As such, the ejido lost many of its theoretical features and served politically as a controlling structure which, under certain circumstances and arrangements, was an efficient body in managing peasants' requests.

The *Partido Revolucionario Institucional* or PRI created a state structure in which every institution sustained the political system. The relevance of the ejido was fundamental at the micro, meso and macro levels: it was the social base of the micro and macro levels as well as the joint connecting the micro with the meso level in rural areas. In this context and in contradiction with its importance in the macro system, in some *ejidos*, as in the cases analyzed at the La Antigua ejido, national and state institutions had more authority in instances of conflict resolution than the ejido governance itself. Trust was placed in the vertical structures and not in local authorities. Trust, as an element generated inside the micro structures but also established by the micro level relations with the macro and meso levels, was not reinforced in all those levels in a dynamic way through short-range networks or by sharing common goals.

An understanding of local history is essential to understanding the creation, development and destruction of trust in rural areas. The importance of returning to classical scholars, such as Coleman, who propose the use of history in the analysis of social capital is essential for this area of study. For example, in La Antigua, ejidatario status did not have the importance that it has in some other *ejidos*, most likely because not all ejidatarios' ancestors are native to La Antigua and the title does not have a direct effect on the community structure.

In La Antigua, due to the troubled period after the Mexican Revolution, national institutions were the only bodies in which the ejidatarios could place their trust.

Analyzed through the lens of Woolcock's work, this situation generated a lack of synergy among local, state and national authorities. Thus, the ejidatarios approached several of these agencies simultaneously and generated confusion among the ejidatarios about the competence of each body. The historical conflicts review (1921-1989) documents how the ejidatarios constantly questioned the ejido authorities and relied on other state or national authorities. In this context, intra-ejido trust-building was difficult,

causing depreciation in social capital. As Ostrom (1990) highlights, the lack of interaction between local and national governance in La Antigua strengthened national structures and weakened *ejido* ones. The heterogeneous interests of actors and time horizons also contributed to this scenario. Local governance was not accepted by many of the *ejidatarios* and effective sanctions were not available.

The application of public policy in rural areas requires knowledge of the diachronic conditions locally and regionally. It also requires an understanding of the quality or at least the existence of coordination at the micro, meso and macro levels, for in a state, the inefficient coordination of those levels creates distrust and encourages individualistic action.

Since the 1980s, the reforms of the state-led institutions to liberalize land ownership laws in 1992 and the political change of 2000 (among other elements) have caused the post-revolutionary network to stop functioning as it had before. In a changing environment, the La Antigua *ejidatarios* have acted as they did before the presence of the *ejido*: individually. Currently, Mexican rural areas with similar characteristics are undergoing a painful transition through unfinished adaptation processes. In this context, do we have a dysfunctional rural society in the absence of the state-led *ejido* model and the PRI machinery? Most likely only in *ejidos* with a weak social capital fabric, in which trust ties are not present.

At the birth of the La Antigua *ejido*, there were conflicts, which this paper has interpreted as a form of distrust. Formally, the *ejido* could structure its community through a well-defined set of internal rules and internal governance, but in practice the *ejido* was fractured due to the constant conflicts between the *ejidatarios* themselves and the *ejidatarios* and the authorities, as well as the uncoordinated action of national and state bodies. The social structure of La Antigua was finally battered in 1993 when the *ejido* applied for *dominio pleno*, adopted by more than 50% of the *ejidatarios*. Thus, former *ejidatarios* went back to a land tenure system historically known to them: private property. Private property is a well-known state of affairs in La Antigua: the village itself is under a regime of private property ownership and is not part of the *ejido* endowment. Private property titling adopted by some *ejidatarios* after the PROCEDE program allowed them to disassociate completely from the *ejido* structure.

In La Antigua, Woolcock's concept of embeddedness produced by social ties, cultural practices and political contexts was produced on a temporary basis, which endured until the *dominio pleno* option emerged. It is significant that of the entire municipality of La Antigua, only La Antigua and Playa Oriente adopted this land tenure regime. Furthermore, it is important to take into account that in the case of La Antigua, the decision to change to *dominio pleno* was influenced, among other factors, by the location of the *ejido*.

Originally the autonomy element was structured around the *ejido* authorities who were the link between the *ejido* and the exterior, yet since the 1990s, the change in the agrarian structure has brought with it the possibility of individual relations with state bodies. Therefore, is it better to direct new, more individual strategies in places such as La Antigua rather than pursuing the communal way? It seems clear that the creation of

social capital and trust ties should include efficient governance systems in which the ejidatarios participate in their development processes.

La Antigua is one of the oldest villages in the history of Mexico. For that reason, researching it is not an easy task. The archives consulted contain information about the history of many more ejidatarios, and had time and funding allowed, many more cases and dates could have been analyzed. Additionally, some elements discussed in this paper, such as the *integration* and *linkage* of Woolcock's social capital model, require more empirical information. This could be obtained by oral histories establishing the types of relations that existed among the La Antigua ejidatarios and with other ejidatarios from different *ejidos*, as well as their interactions with different institutions outside the ejido or state structure. Areas for future research include quantitative assessments of the area's social capital; a greater depth and breadth of primary sources is also sought. Furthermore, a zone comparison with areas with different social capital levels could be of high interest.

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