The Beast that Feeds on the Blood of the People: Neoliberalism, Globalization, and the Robbery of Indigenous Landholdings in Mexico

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On January 3, 1992, Article 27 of the Mexican Constitution was modified. This was a motion that would reverse gains made by indigenous land reformists in the first decades of the century. The law of January 6, 1915, called for restitution of communal lands. The 1920s brought the establishment of *ejidos*, "individual, inalienable and intransferrable plots of land (except via inheritance), which were distinct from indivisible common lands that economically and socially benefited the entire community."¹ Because of a high demand for land, *ejidos* were distributed in remote reaches of Mexico, creating new concentrations of population with its "three basic parts: the population center, the common areas and the individual plots. Therefore, even though there was private property, the communal areas which have always been essential in the structure of the community both economically and socially, continued to exist."² Before the 1992 modification to Article 27, the law guaranteed ownership of the land, communal or *ejidal*, and "ensured an economic, social, political and cultural means of survival for indigenous peoples (stated in Article 17 of the Universal Declaration of Human Rights and Article 2 of Convention of 169 of the ILO [International Labor Organization])."³ Under current law, owners of *ejidos* are able to transfer the rights of their plots between members of the *ejido* community; they can then relinquish use of *ejidal* and communal lands to the state or to other third parties, many of them transnational corporations (TNCs). Corrupt *caciques* (local political bosses), ranchers, and *Partido Revolucionario Institucional* (PRI) officials, in cahoots with big enterprise, often co-opt or overpower communal landowners, forcing the indigenous people off their land.⁴

These changes are part of Mexico's long tradition of oppressing her indigenous peoples and of a more recent trend away from a model of state-developmentalism and towards one of free trade and neoliberalism, which is "characterized by the deregulation of the economy, trade liberalization, the dismantling of the public sector, and the predominance of the financial sector of the economy over production and commerce."⁵ In an effort to ameliorate the economic crisis of the 1980s, Mexico, under President Miguel de la Madrid (1982-1988), made the first steps toward economic liberalization through privatization. This process would unfold rapidly under President Carlos Salinas (1988-1994).⁶ Foreign money rushed in, in form of both corporate investments and international government bailouts. "The February 1995 Clinton White House bailout of the collapsing Mexican economy . . . stipulated that Mexico's export petroleum revenues were to be deposited in the New York branch of the U.S. Federal Reserve System."⁷ Among the many changes created by Mexico's privatization and neoliberal reform was the end to subsidies for Mexican *campesino* food-producers.⁸ The North American Free Trade Agreement (NAFTA)—signed by Mexico in 1992 and implemented by the three signatory nations in 1994—serves as a symbol and example of this reordering of Mexico's economic (and social) system. In preparation for NAFTA compliance, Mexico amended Article 27, opening up *ejidal* lands—seen as an obstacle to free trade—to competition; furthermore, the government created strong
incentives for farmers to produce crops for export. Farmers who, for example, previously had grown corn and beans for domestic sale and for subsistence now had to produce coffee for export due to economic reasons. Land once able to sustain a people has been reaped dry: “Between 17% and 25% of the Huichol people [from the northern part of Jalisco] work in the production of food. Local production, however, is insufficient and all the communities suffer from nutritional deficiencies.”

It is not only domestic agriculture policy that has had profound effects on Mexico’s indigenous:

The continued use of export subsidies and other forms of domestic support of big agribusiness in the US and EU allows massive dumping of underpriced agri-food products in developing countries. At the same time access to markets in the South is secured through the Structural Adjustment Programs (SAPs) imposed by the IMF and World Bank which have forced small farmers and peasants away from food self-sufficiency and sustainable agriculture.

More than anything else this reveals the logic of agricultural restructuring under the WTO [World Trade Organization]. The systematic destruction of local capacity for food self-sufficiency and sustainable agriculture through the consolidation of the power of agri-food TNCs. The conversion of land use to non-traditional agri-exports creates a paradoxical situation of increased dependency on TNCs for access to markets and distribution, and inputs—including seed—while importing heavily subsidized agricultural products that are the same as the traditional crops originally displaced.

Greenfield writes that “the WTO is fundamentally opposed to a sustainable agriculture which guarantees food security, fairer redistribution, and ecological protection, precisely because such practices restrict the profit-maximization drive and expansion of agri-food TNCs.”

_Ejidatarios_ who lose their land to these corporations are often forced to work for miserably low wages in the very farms and factories that buy them out. Those who are fortunate enough to keep their land cannot compete with the large TNCs that have moved in next door. Faced with this unfamiliar and unfair competition, these _campesinos_, too, are ultimately left with no choice but to sell their land and to work for the corporations. Many of those displaced are driven to migrate to urban centers to seek a means of survival.

U.S. companies play a major role in the restructuring of land ownership and use in Mexico. In the municipalities of Las Choapas and Agua Dulce in the state of Veracruz and in Huimanguillo in the state of Tabasco, the establishment of eucalyptus plantations has proved devastating to _campesinos_, who

leased their land to American paper companies for at least seven years. They later had to either extend the lease agreement for an additional period of 21 years or become members of the companies, in which their land is surrendered as capital and they are excluded from participation and access to finances. Furthermore, the harvesting of eucalyptus as the only crop results in the deterioration of the soils, and is likely to have a significant impact on the Chimalapas and Uxpanapa ecosystems, and other forests in the isthmus.
Nowhere in Mexico is capitalism’s violent dislocation of traditional modes of existence clearer than in the state of Chiapas, which lies in the Southeast of Mexico.

[The petroleum boom reminded the country that there was a Southeast (82% of Pemex’s petrochemical plants are in the Southeast; in 1990 two-thirds of public investment in the southeast was in energy). Chiapas’s experience of exploitation goes back for centuries. In times past, wood, fruits, animals, and men went to the metropolis through the veins of exploitation, just as they do today. Like the banana republics, but at the peak of neoliberalism, . . . the Southeast continues to export raw materials, just as it did 500 years ago.]

Chiapas, which provides Mexico and foreign companies with so many riches, is Mexico’s poorest state. Only a third of homes have electricity, although 55% of national hydroelectric energy and 20% of Mexico’s total electricity come from the state. Of every 100 children, 72% do not attend school past the first grade. Of 16,058 classrooms in Chiapas in 1989, only 96 were in indigenous zones. Furthermore, many children are forced to work to help support the family.

In the area of the Ejército Zapatista de Liberación Nacional (EZLN) insurrection, only 667 individuals own 817,400 acres of land, whereas there are only 1.5 million acres of communally owned property in the region. EZLN Subcomandante Marcos compares Mexican and foreign corporate and governmental interests to a voracious beast, writing that

Chiapas loses blood through many veins: Through oil and gas ducts, electric lines, railways, through bank accounts, trucks, vans, boats and planes, through clandestine paths, gaps, and forest trails. This land continues to pay tribute to the imperialists: petroleum, electricity, cattle, money, coffee, banana, honey, cacao, tobacco, sugar, soy melon, sorghum, mamay, mango, tamarind, avocado, and Chiapaneco blood flows as a result of the thousand teeth sunk into the throat of the Mexican Southeast.

Despite the enormous quantities of beef and fruits that Chiapas produces, 54% of Chiapanecos suffer from malnutrition (in the highlands and forest regions, 80%). An average diet consists of corn, tortillas, beans, and coffee.

But Chiapas is not the only region whose land and people suffer grotesque exploitation. The Nahua Indians of Tepoztlán, Morelos, face a struggle for water rights as wealthy residents of Mexico City build luxurious second homes. In 1995, here in Zapata’s state, the national KS Corporation, with the support of Morelos governor and former chief of Mexican national security Jorge Carillo Olea, “announced construction of the Club Tepozteco, a half-billion dollar, 600-acre tract, to be located on communal lands granted to the residents of Tepoztlán as the fruit of Zapata’s revolution.”

Here, too, U.S. companies play a dark role: Florida-based Golden Bear Corporation was to design the golf course and GTE Data Systems was to be a major investor. But the Tepoztecos, infuriated by the proposed development—which was to include the allocation of 30 times the amount of water supplied to the townspeople to watering the greens—resisted successfully, although they would pay with their blood. Demonstrators, many of them children, were met with police bullets and tear gas, their leader, Marcos Omedo, shot to death. This gory incident embarrassed investors enough that they put a halt to the project.

Only two years later, however, Tepoztecos expressed outrage over the Quinta Piedra, “a 115-acre hacienda.
owned by the brother-in-law of reviled former president Carlos Salinas, and built on what the campesinos claim is illegally obtained ejido land."

The familiar scenario is replayed in the forests of the sierra town of Tepetixtla, Guerrero, where, in 1995, the governor signed a five-year, $10 million agreement with U.S. timber company Boise Cascade.

Under provisions of the reformed Article 27 of the Mexican Constitution, which opened agriculture to private ownership in preparation for anticipated NAFTA-driven foreign investment. Boise entered into "association" with 24 forestry ejidos that share the sierra with the OCSS [Campestno Organization of the Southern Sierra].

Ross writes that the "harvest plan casts the Boise operation as typical transnational rip and run." The Isthmus of Tehuantepec, located in Southern Mexico in the states of Veracruz and Oaxaca, is yet another site of destruction. The Proposed Isthmus Megaproject would result in "the construction of a four-lane highway and dual tracks for a freight-carrying 'bullet train' used primarily to transport commercial goods, and owned primarily by transnational capital." The Megaproject would lead to the development of 146 industrial projects, including chemical and petrochemical industries, refineries, forestry, shrimp farms, textile factories, mining, and expansion of the tourist infrastructure. Already, more than 2,400 families that relied on fishing for income and survival have lost their livelihoods due to contamination of water in the Isthmus region.

The transisthmus commercial corridor has been described as "the axis of Mexico's globalization." It is designed to compete with the Panama Canal and "to bring Asian Tiger exports through Mexico for distribution to prime consumer markets on the U.S. east coast. Midwest and Southern U.S. distribution would be handled through the developing intercoastal canal system which connects the United States and Mexico." Miguel Angel García, an organizer/activist in the region, describes the corridor as a "death sentence for the Chimilapas, and Mexico cannot breath [sic] without this forest, I think that's an issue that involves human rights."

On the Isthmus, as in Chiapas and throughout the country, Mexico has failed to abide by its own promises and legislation. In 1991, Mexico incorporated rights contained in Convention 169 of the ILO into Article 4 of its Constitution and into some states' laws. The modification includes "respect for [indigenous peoples'] legal practices and customs in penal and agrarian process." Despite the ambitiousness of the proposed Megaproject, "the indigenous communities have yet to be consulted, informed or invited to analyze its impact as stipulated in Articles 6 and 7 of Convention 169 of the ILO." To the detriment of indigenous communities, Article 4 of the Constitution contains no provision to enforce compliance with the law.

Furthermore, the Agrarian Ministry and the Agrarian Attorney exhibit extreme anti-indigenous bias when called upon to resolve conflict. Their offices do not properly document property seizures; often they delay investigations of property invasion, displacement, or pending land distributions—to the advantage of corporations and the disadvantage of ejidatarios. In many cases, indigenous communities suffer unfathomable bureaucratic delays, sometimes waiting between 20 to 80 years to be granted the land they have requested. Large landowners, in contrast, have been immediately compensated for the sale or rent of their land—or, in Chiapas, for its indemnization following uprisings of the EZLN. "These cases provide evidence that
there is one government for the powerful groups and another one for the indigenous communities, violating Article 19, Convention 169 of the ILO.\textsuperscript{33}

In some cases, the government’s clear failure to honor its indigenous peoples’ rights leads to sheer incompetence: it is not uncommon that the same plot of land be allotted to two different communities. This, in turn, has caused deep interethnic disputes, often violent. In the 1950s, for example, the Chiapas government, allied with the Ministry of Agrarian Reform

promoted the colonization and invasion of Zoque communal lands by Tzotzil and Tzeltal communities from the more mountainous regions of Chiapas, in order to facilitate the exploitation of the forest and its use for cattle ranching. This action went against Article 3 and Article 28 of the Chiapas and Oaxaca state constitutions, respectively, and took place despite the fact that 160,000 hectares of the Chimalapas communal lands were located within Chiapas rather than Oaxaca.

Both the Chiapas and federal governments have obstructed campesinos’ agrarian reconciliation efforts with repression and threats, enabling cattle ranchers and lumber interests to proceed with land invasions. The Comisión Nacional de Derechos Humanos (CNDH) has denounced such brutal exploitation, but at the time of a joint organizational Report on the Rights of Indigenous People in Mexico to the International Labor Organization (ILO), none of the seven cases before the CNDH had been resolved satisfactorily.\textsuperscript{34} Furthermore, under the pretext of combating the EZLN and Guerrero’s Ejército Popular Revolucionario (EPR), soldiers, state police, and paramilitary groups have stepped up intimidation and violence against indigenous people.\textsuperscript{35}

In another example of government hypocrisy, the Zedillo Administration failed to comply with the San Andrés Agreements on Indigenous Rights and Culture, which were signed by the government and the EZLN of February 16, 1996. The accords were supposed to have provided for constitutional reforms and new legislation that would recognize the self-determination of indigenous peoples “in a context of autonomy which would ensure national unity.”\textsuperscript{36} The Commission of Concordance and Peace (COCUPA), as is typical of Mexican agencies, is far from impartial. On November 4, 1998, the EZLN responded to a letter from COCUPA regarding negotiations:

Through the national press we take note of your letter directed to us. The frivolity with which you noted our denunciations is regrettable, but it now gives us an indication of your interest and real willingness regarding the search for peace. . . .

The absence of a mediatory body (a product of the “pointed” behavior of the Zedillo-Labastida-Orive trio) makes it impossible to define a stable and reliable channel for the exchange of official communication. In addition, the growing aggressiveness of the military towards the indigenous communities, and towards members of national and civil society who approach the conflict zone, makes it enormously difficult to turn to them to exchange messages with the Cocupa.\textsuperscript{37}

In forcing indigenous people from their land through racist legislation and hollow promises, destroying the ecosystems with unsustainable farming methods and toxins, and offering precious little in the way of health and education, the Mexican government is
perpetrating "indirect genocide," as the Report on the Rights of Indigenous Peoples in Mexico alleges. 38 Loss of land and of freedom to keep alive traditional practices and languages will bring about the demise of their cultures. And if this is "indirect genocide," violence committed or condoned by the government is surely "direct" genocide.

Mexico, in response to criticism of its flagrant human rights violations, raises the sovereignty flag, "a politically expedient method for Mexico to deflect criticism, sidetrack debate, and raise the political stakes for countries that do speak out on the country's human rights record." 39 In rebuttal to this sovereignty argument, Human Rights Watch observes that a yawning gap exists, however, between receiving orders from abroad and acknowledging criticism or even suggestions on issues related to internationally recognized human rights standards. It is the province of all people and governments to support the protection and promotion of human rights in any country, and Mexico's compliance or failure to comply with international human rights standards is a matter of public interest both within and outside Mexico's borders... Raising human rights concerns abroad becomes even more necessary when countries increasingly integrate their economies, coordinate cross-border initiatives such as anti-narcotics measures, and agree to cross-border training of military personnel, as have Mexico and the United States. 40

In discussions of U.S. policy on Mexico, however, issues of human rights are grossly overshadowed by those of trade, immigration, and drugs, 41 although the issues are, of course, interrelated. Deputy Assistant Secretary of State under the Clinton Administration Steve Coffey met with Mexican human rights organizations, but the State Department has "tread lightly on human rights in Mexico, failing to take public or even private positions on key human rights issues, such as the arbitrary expulsion of U.S. citizens from Mexico." 42

Although the U.S. has failed to take a public stance on human rights issues in Mexico, the message it sends with financial and military aid is loud and clear. In 1998, Mexico received an estimated U.S.$1 million in International Military Education and Training (IMET) for 190 Mexican students—more money than any other Latin American or Caribbean country. Another U.S.$5 million is estimated to have been spent that year on International Narcotics Control (INC) initiatives in Mexico. Another approximately U.S.$20 million was spent by the Pentagon on Mexico-related training. This was supposedly to fund counternarcotics measures only, including U.S. military training of 829 Mexican police officers. On December 14 and 15, 1997, U.S.-trained Mexican soldiers in Jalisco participated in the arbitrary detention and torture of some twenty people, one of whom was killed. 43 The United States, in not making Mexico's development of a plan to secure human rights for its citizens a condition of U.S. training, acts irresponsibly, at the very least:

United States support of Mexico's army in these roles may have undermined the civilian institutions that should undergird any democratic society, and although training was ostensibly to fight drug traffic, the distinction between counterinsurgency and counternarcotics in Mexico can, at times, be theoretical at best. Mexico's Guerrero state, for instance, produces drugs and has a guerrilla presence. Soldiers working on one issue cannot realistically be expected not to engage in the other. The responsibility engendered
by U.S. training, funding, and equipping of Mexican officials made promoting and protecting human rights there a necessity, not an option.\textsuperscript{44}

When asked by Human Rights Watch to comment on the U.S.'s failure to monitor Mexican soldiers after training, one U.S. State Department official said, "That is the policy because it is not practical to follow each and every one of them. At the same time, the fact is that the Mexican government would never stand for it."\textsuperscript{45}

It is ironic that Mexico should claim sovereignty in its unwillingness to address human rights issues when pressured by the international community. With economic globalization fully entrenched, all countries—not just Mexico—are becoming less and less autonomous.

[A]uthoritarian and democratic governments alike . . . are adhering to [commercialization initiatives] and redirecting state power more comprehensively in favour of TNCs and against working people.

As a report by Global Trade Watch concludes: "[H]armonisation moves decision-making away from accessible, accountable state and national governance fora to international bodies that are largely inaccessible to citizens and generally operate without accountability to those who must live with their decisions."

In this sense harmonisation not only brings national laws and regulations into line with multilateral trade rules, it also detaches them from democratic pressures on national governments, locking them into a set of obligations and rules which are constantly redefining standards in accordance with the interests of private industry, especially TNCs.\textsuperscript{46}

Under neoliberalism, or "harmonization of trade laws," as Greenfield calls it, private corporations and the state must be complicit in controlling the people's democratic impulses.

The state in developing countries is not a victim of this process, and does not become powerless as a result. There is a contradictory process of ensuring that the state is "effective" in repressing social and labour movements and all forms of opposition from below, while restricting state power so that it cannot act against the interests of transnational capital.\textsuperscript{47}

Thus, the state is both a partner and a tool of TNCs; as the corporations gain power (such as property and mobility rights), the states lose autonomy, forced to operate in a diminished "political space from which to impose democratic priorities on capital."\textsuperscript{48}

In short, the current form of globalized free trade, with its attendant neoliberal reform measures, is necessarily incompatible with democracy. For example, small farmers and agricultural workers (such as those in Mexico) who have become dependent on non-traditional agro-exports need access to overseas markets, "which requires further compliance with multilateral trade and investment agreements by national governments and even greater dependency on TNCs which have monopolized control over inputs, markets and increasing
control over seed." It is not difficult to see how TNCs, almost in full control of the livelihood of indigenous Mexican farmers, could act to suppress any democratic efforts on the farmers’ part. The globally entrenched economic system leaves countries’ autonomy at risk in another fashion:

The WTO [World Trade Organization] relies on the threat of trade sanctions, and these sanctions are only effective in the national and sub-national economies if countries are dependent on exports. Democratic systems of food self-sufficiency and sustainable agriculture would prevent the threat of sanctions from having their full effect, and would thereby weaken the ability of the WTO to exercise leverage over national governments to allow unrestrained exploitation by TNCs.

In such a scenario, the sovereignty of developing countries, such as Mexico, would be undermined by transglobal forces. To the extent that the U.S. is a—if not the—major world power, its sovereignty is less at risk in such a situation. “[D]eveloping countries would have to give up their right to regulate transnational corporations . . . under the threat of sanctions being placed on their exports.”

Although this is certainly a horrifying prospect for Mexico, it should be noted that the U.S. has not taken advantage of such an opportunity to showcase human rights violations committed by its Southern neighbor. It seems, therefore, that locking nations into dependency and thereby creating a fear of trade sanctions is more a destructive co-optive tool than a productive means to apply pressure for democratic reform. If the U.S. and the WTO were to exert pressure on Mexico, vis-à-vis human rights, in the form of sanctions, the U.S., of course, would be risking cutting itself off from a valuable supply of cheap labor. Such action by the U.S. would jeopardize U.S. corporations’ ability to take advantage of low-wage workers in Mexico, although it is important to note that immigration of Mexican workers to the U.S., also an important source of cheap labor, would continue. All that would be bad for profits—the motivating force behind free trade and neoliberal reform. Indeed, the Clinton Administration prided itself for promoting democracy in Latin America. “Its policy towards Mexico, however, exemplifies the ambiguities and contradictions that plague the Administration’s new stance. Washington is making democratic procedures a condition for preferential treatment in most of the world. China and Mexico, however, remain the exceptions.”

The absence of accountability is as great a threat to democratic movements as are the waning of states’ autonomy and major world powers’ reluctance to require democratic reform as a condition of financial assistance. With corporations becoming as or more powerful than nations, citizens of the world may soon have no one to whom to address their concerns. And if their concern is the domain of a TNC, they will have no constitution and scant legal precedent to protect their rights. Only impeccably organized efforts to secure human rights will be able to combat these daunting obstacles. The struggle for rights worldwide should focus not only on the negative effects of free trade, but on the flaws in the global economic system itself. In analyzing the world’s trade system, activists can point to weaknesses that could shake even a capitalist’s faith. “The WTO,” for example, “has come to symbolise the instability, uncertainty, inequality, imbalances and destructiveness of the globalization process.” One of capitalism’s main tenets is accumulation. The manner in and pace at which land is being exploited, however, is rapidly exhausting the planet’s resources. Capitalism, by its nature, must continue to grow. It has,
however, reached a stage so destructive to the earth’s people and to the earth itself that it is no longer able to sustain itself without grave repercussions.

Free trade, despite its many threats to democracy, brings with it possibilities for true democratic reform. Land rights and human rights activists must use globalization as an opportunity to highlight the increasing interconnectedness of everyone and everything on this planet. Ross writes that the “emerging constellation of struggles over the land, the environment and human rights is now a powerful engine of social change in Mexico.” The U.S., with its contradictory and hypocritical foreign policy, is a major driving force behind global economic integration. “Given that the position of numerous international actors regarding the promotion of democracy in Mexico hinges on U.S. policy, that policy may have to be modified. In the past, the costs of overlooking Mexico’s authoritarian regime were almost insignificant, but North American integration has heightened those costs.” The dearest of these costs is social unrest. The bullet train of free trade will not tear through the jungle without creating a stir. Citizens of the world must demand that the U.S. and other global powers—including the WTO, IMF, and TNCs—implement measures to ensure globalization of democracy and human rights.

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2 Ibid.
3 Ibid, 11.
4 Ibid.
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10 PRODH, 16.
11 Greenfield, 3.
12 Ibid, 7.
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15 PRODH, 15.
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17 Subcomandante Marcos, 1.
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21 Ibid, 32.
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26 Ross, 35.
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29 PRODH, 8.
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36 PRODH, 6.
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41 HRW: Systemic Injustice.
43 HRW: Systemic Injustice, 3.
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46 Greenfield, 7-8.
48 Roberts, Chris and Gregory Albo, “The World Economy and the MAI” (forthcoming), as quoted by Greenfield, 10.
49 Greenfield, 3.
50 Ibid.
51 Ibid, 8.
52 Dresser, 28.
53 Greenfield, 9.
54 Ross, 35.
55 Dresser, 28.