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Land tenure and conflict in urban Mexico

Global Urban Research Centre Working Paper #11

By Melanie Lombard



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Executive Summary

In the context of the ‘urbanisation of poverty’, land for housing the poor is a key urban question in many cities, and land tenure in particular is seen as a critical issue. As well as contributing to insecurity at the household and neighbourhood level, insecure tenure has been seen as a serious threat to urban security more broadly, and land conflicts may have the potential to generate low intensity localised violence. Increasing levels of conflict and violence in cities are a pressing development concern. The lack of security provision in low-income areas, coupled with structural conditions of poverty and inequality, may result in increased levels of violence with members of urban poor communities being victims as much as perpetrators. In this context, land conflicts, particularly in conditions of tenure insecurity, may constitute a contributing factor. Yet despite the comprehensive work undertaken on urban conflict and violence from within urban studies and conflict studies, the linkages between urban land, conflict and violence are yet to be fully explored. This research explores linkages between land tenure and conflict in the context of urban growth in Mexico. Specifically, the research explores the relationship between land tenure and conflict, identifying causal factors in specific conflicts, and their effects on urban poor communities, within a comparative framework which allows an analysis of macro-scale as well as micro-scale factors. The research explores land conflict in the context of two cities within each of which two study zones and seven settlements were studied. Land issues and conflicts within these zones and settlements are framed within wider economic, political and social processes, including land reform, changes in housing policy, and increasing urban insecurity. This working paper details findings at the city and settlement level, and offers a comparative analysis of the cases under study. Findings suggest that macro-scale factors mentioned above combine with local conditions (competing claims, overlapping frameworks, power relations) to generate potential for conflict; and that it is this combination of factors, rather than insecure tenure per se, which may result in the potential for insecurity and violence relating to land conflict, which is most likely to significantly affect poorer neighbourhoods.

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1 Introduction: Urban growth, land tenure and conflict

In the context of the ‘urbanisation of poverty’, land for housing the poor is a key urban question in many cities (Satterthwaite 2009), and land tenure in particular is seen as a critical issue. Urban growth accompanied by rising land values in many cities has resulted in a security of tenure crisis. Land tenure legalisation has been widely promoted as a response to these concerns. However, additional pressures on local land markets may be exerted by factors such as economic liberalisation, formal growth patterns and increasing insecurity. As well as contributing to insecurity at the household and neighbourhood level, UN-Habitat (2007) identifies insecure tenure as a serious threat to urban security more broadly: the state’s inability to guarantee secure tenure at household level may translate into a generalised inability to address wider questions of urban conflict and violence. More generally it has been observed that, in contexts where violence is increasing, existing land-related conflicts may have greater potential to escalate, based on their latent potential to generate low intensity localised violence (Brown et al 2005).

Increasing levels of conflict and violence in cities are a pressing development concern. While both conflict and violence are both concerned with power, the former does not necessarily inflict harm, while the latter characteristically does (Moser 2004). Violence, defined as the intentional use of physical force or power resulting in injury or harm (WHO in Moser 2004), can be categorised as political, economic or social, depending on the primary motivating factor behind its use (Moser and McIlwaine 1999). Additionally, structural violence relates to the poverty and inequality stemming from political and economic systems, particularly neoliberalism (Springer 2011), which create ‘the conditions for the explosions of subjective violence’ (Zizek 2009, 31). Latin America is known for being the world’s most violent region, accounting for one in three homicides globally (UNODC 2013, 11), and urban violence is a particular concern there (Koonings and Kruijt 2007). However, the sensationalisation of violence by the media has contributed to the reproduction of fear and insecurity in Latin America, accompanied by the stigmatisation of urban poor communities (McIlwaine and Moser, 2007, 117). At the same time, while drug-related violence receives considerable media coverage, in many poor urban communities it is the everyday effects of structural violence that most affects people’s lives. The lack of security provision in low-income areas, coupled with structural conditions of poverty and inequality, may result in increased levels of violence with members of urban poor communities being victims as much as perpetrators. In this context, land conflicts, particularly in conditions of tenure insecurity, may constitute a contributing factor.

Despite the comprehensive work undertaken on urban conflict and violence from within urban studies and conflict studies, the linkages between urban land, conflict and violence are yet to be fully explored. Over the last decade, as a sub-field of the wider discipline of violence research, there has been extensive research into urban violence (Moser, 2004; Beall et al., 2011; Koonings and Kruijt, 2007; Rodgers, 2006; Davis, 2009). At the same time, a growing body of literature has dealt with land conflict (e.g. Simmons 2004; Deininger and Castagnini 2006; Lund et al. 2006; Bruce 2011; Omenya and Lubaale 2012; Obala and Mattingley 2014). However, sufficient consideration has not been given to disentangling and understanding the relationship between small-scale, localised land conflict and violence, particularly in the urban setting.

This research explores linkages between land tenure and conflict in the context of urban growth in Mexico. Specifically, the research explores the relationship between land tenure and conflict, identifying causal factors in specific conflicts, and their effects on urban poor communities, within a comparative framework which allows an analysis of macro-scale as well as micro-scale factors. A key potential factor under examination is the role of tenure-related policies; Mexico offers a context with one of the longest-running and most far-

reaching tenure regularisation programmes in the world, a unique ‘testing ground’ for exploring these issues. More recently, this policy has been affected by land reforms in the agrarian sector. At the same time, Mexico provides a context with high levels of urban insecurity. The rise in violent crime and drug-related violence in Mexico has led to increased perceptions of lawlessness, with official responses directly affecting the urban environment. Among others, these macro-scale factors – land policy and urban insecurity – are explored for their effects on local-level land conflict, and the consequences of this at the neighbourhood level.

This research takes a broad political economy approach to exploring the factors influencing vulnerability to land conflict in urban areas in Mexico, in a context of wider social, economic and political change. This approach is informed by the understanding that while land conflict is ‘a site-specific [phenomenon] deeply rooted in local histories and social relations, [it is also] connected to larger processes of material transformation, political power, and historical conjuncture’ (Simmons, 2004: 187). In other words, conflict over land cannot be understood without an appreciation of the influence of larger scale changes in relevant legal and governance frameworks accompanying social, political and economic transformation. The research explores land conflict in the context of urban growth through a series of case studies framed within wider processes, including **land reform**, **changes in housing policy**, and **increasing urban insecurity** in Mexico. The effects of these changes on urban expansion and particularly informal growth in this setting have so far been relatively underexplored, and this investigation also seeks to contribute to a growing body of research exploring their implications, alongside its contribution to the debates on land conflict mentioned above.

Employing qualitative methods within a political economy framework in this context, the research thus examines the existence and nature of linkages between land tenure and conflict; what other factors influence land conflict; and the effects of conflict on the urban poor. Specifically, it asks the following questions:

- What are the macro-scale causal factors in conflict over land tenure in Mexican cities?
- How is land tenure related to localised conflict at the neighbourhood (micro) scale?
- What are the effects of land conflict on urban poor communities?

This working paper details the findings of the research, and offers an analysis of the cases under study, in order to answer these questions. The next section presents some contextual background for the setting of Mexico, focusing on the specific macro-level factors of land reform, housing policy, and urban insecurity. Subsequent sections outline the case study cities and neighbourhoods in each city and present a brief account of the research findings, which are then analysed drawing on the framework outlined above. Findings suggest that macro-scale factors mentioned above combine with local conditions (competing claims, overlapping frameworks, power relations) to generate potential for conflict; and that it is this combination of factors, rather than insecure tenure per se, which may result in the potential for insecurity and violence relating to land conflict, which is most likely to significantly affect poorer neighbourhoods. The paper concludes with some suggestions for further research.

2 Background

2.1 Factors affecting urban land tenure in Mexico: land reform, housing policy, insecurity¹

In response to economic crises in the 1980s and 1990s and the imposition of the Washington Consensus across Latin America, Mexico has undergone reforms including economic restructuring, greater integration into world markets and limiting state intervention (Guarneros-Meza 2009). Emblematic of these processes were three events in 1994/1995: Mexico's signature of the North American Free Trade Agreement (NAFTA); its incorporation into the Organization for Economic Co-operation and Development (OECD); and its incorporation into the World Trade Organization (WTO) (Bayón and Saraví 2013, 3). However, despite now being considered an upper middle-income country, high levels of poverty and inequality persist in Mexico. In 2008, the proportion of the urban population living in extreme poverty was 11 per cent, while 40 per cent of Mexico's urban population was considered moderately poor (CONEVAL, 2010: 13). The crises of the 1980s and 1990s were accompanied by increasing income inequality, and a decline in living standards for much of the population. Some argue that processes of neoliberalisation adopted as a crisis response have been a causal factor in Mexico's uneven development (Meyers 2003; Ortiz Flores 2003; Arias Hernández 2007).

Income distribution in Mexico remains highly unequal: in 2004, the top 10 per cent of the population received 40 per cent of income, while the bottom 20 per cent of the population received three per cent (World Bank 2004). Despite a 10 per cent decline in poverty from 1993 to 2004, by 2009 47 per cent of the population was living in poverty, and 18.2 per cent in extreme poverty (CONEVAL 2010). There is evidence of declining overall income inequality since 1996: from 1996 to 2010, Mexico's Gini coefficient for the distribution of household income per capita fell from 0.547 to 0.475 (Lustig et al. 2013, 136). Accompanied by a reduction in urban income inequality, this suggests a broad tendency of increasing equality (Hamill 2005). However, the uneven effects of neoliberal policies across regions and sectors were illustrated by country-wide protests in 2007 at escalating food prices due to the removal of trade tariffs (Arias Hernández 2007). The disparity between the poverty rate of 21.1 per cent in Baja California Sur, Mexico's richest state, and that of 76.7 per cent in Chiapas, Mexico's poorest state (US Embassy 2010), points to wide variation in regional development patterns, with the north more urban and industrialised, and the south less developed and characterised by agriculture.

Mexico is a highly urbanised country, with 72 per cent of its population of 112 million living in urban areas (CONAPO 2012). From 1950 to 1980, rapid unplanned urbanisation occurred, mainly due to high levels of rural-urban migration accompanying industrialisation and economic growth. Faced with explosive urban growth, formal housing provision in Mexico has struggled to meet demand, leading to the prevalence of informal settlements. Urban inhabitants who cannot access land or housing via the formal market often do so in informal settlements known as *colonias populares*, which contain as much as 50 per cent of all housing in Mexico (CIDOC 2012 in Solana 2013, 1). From the 1940s, *colonias populares* have been formed on private land, through unlicensed subdivision or invasion; or on *ejidal* land, where illegal subdivision is more common than invasion. The legal characteristics of each form of property have a decisive influence on how a given neighbourhood develops, along with contextual political and legal factors such as different degrees and forms of tolerance from state institutions, and the variable application of different legal norms (Azuela 1989).

¹ This section draws on Lombard (2016).

Despite some claims that there was ‘conflict and controversy’ over use and development rights during the 1960s and 1970s (Davis and Rosan, 2004), what is remarkable about this process is how peacefully it occurred in the majority of cases. Indeed, it has been noted that ‘[c]ompared with many countries in Latin America, in Mexico the *ejido* has offered an important “safety valve”, such that urban development has proceeded in a relatively peaceful fashion’ (Austin 1994, 330). In Mexico, then, informal urbanisation on rural *ejidal* land at the urban periphery has been understood to have generally taken place ‘without causing significant conflicts’ (Assies and Duhau 2009, 379).

However, rather than suggesting that disputes were absent from these processes, this highlights how the corporatist political system which prevailed for much of the twentieth century has been tolerant of or even complicit in these processes. Jones and Varley (1999, 15) highlight the ‘extraordinary complexity of the problems that ... accrued over decades of illegal development around Mexico’s cities’, as illegal activities such as invasion, subdivision, sale of invaded land and sale of the same plots more than once were undertaken by landowners and squatters but also intermediaries. The state’s attempts to adjudicate between different interests, via regularisation where possible, rested on identifying the actors involved, and securing their cooperation.

However, the state’s role was far from neutral. Durand’s (1983) detailed ethnographic study of a neighbourhood developed informally on *ejidal* land to the south of Mexico City relates how struggles among the actors involved – *ejidatarios* and their representative bodies, settlers and associated social movements, and local and federal institutions – saw protest and violent repression giving way to negotiation and cooptation of representative organisations. Ultimately, the response of the party apparatus determined that of local institutions under the corporatist system, which tended to manipulate such situations in order to maintain social control (Durand, 1983). While democratisation has seen the decline of the corporatist system in Mexico, its increasing liberalisation has engendered specific pressures on urban growth patterns and land markets, relating to land reform, housing policy and urban insecurity.

Land reform

Ejidal land has been the most important source of land for development in Mexican cities (Austin 1994). An *ejido* is a collectively-owned farming community, a form of tenure established by the post-revolutionary Constitution of 1917, which redistributed land from large estates to peasant workers. By the 1990s, *ejidos* occupied more than 50 per cent of Mexico’s total land area (Assies and Duhau 2009). By the time of agrarian reforms in 1992, much *ejidal* land had already been sold informally for low-income housing, normally through subdivision and at low prices due to its lack of infrastructure. Prior to the reforms, *ejidal* lands were officially inalienable: *ejidatarios* enjoyed use rights without the right to dispose of or exchange the land. However, by the 1990s, it was estimated that perhaps half of urban land development had occurred illegally on *ejido* land (Austin 1994). In the most common form of land sales, settlers buy land from *ejidatarios* (directly or via intermediaries) in transactions which are ‘non-existent’ in law (Azuela and Duhau 1998, 159).

The establishment of the Commission for the Regularisation of Land Tenure (CORETT) in 1974, to legalise informal settlement on subdivisions of *ejidal* land in urban areas, institutionalised land tenure regularisation as a ‘core urban policy’ (Assies and Duhau 2009, 379). From 1974 to 2000, CORETT issued 2.2 million titles to low-income urban settlers who had illegally bought subdivided land (ibid). In many settlements, regularisation has been used to redirect demand-making towards pursuing settlement upgrading through official channels, fostering a paternalistic relationship between urban settlers and the state (Azuela and Duhau 1998).

The 1992 Agrarian Law aimed to modernise the *ejidal* system. The reforms gave *ejidatarios* the right to sell, rent, sharecrop or mortgage - although not to subdivide - their land parcels

(Austin 1994). In 1993 PROCEDE (the Ejidal Rights Certification Programme) was established to assign formal titles to *ejidatarios*. By 2005 it had issued formal titles to 96 per cent of all *ejidos* (Assies and Duhau 2009: 372), benefitting over 4.5 million individuals (Salazar 2012). However, the second stage of the process, converting *ejidal* land into private property via the issue of individual freehold titles (*dominio pleno*) to *ejidatarios* has been less popular. By 2006, *dominio pleno* had been sought for only 1.4 per cent of eligible *ejidal* land (Assies and Duhau 2009, 371). Because of this, informal sale of *ejido* land has persisted.

The 1992 Agrarian Law also established new channels of land tenure regularisation, challenging CORETT's dominance. The law makes provision for the *ejidal* assembly to regularise the illegal alienation of *ejido* land through recognising possession, as well as allowing for its legal alienation through the creation of reserve land for human settlement. In support of this process, *ejidatarios* have increasingly contracted third-party consultants to assist them with subdivision, in order to realise the market value of their land from private development companies who prefer to acquire the land informally and regularise via the *ejido*.

Housing policy

Meanwhile, changes to Mexican social housing policy since the 1990s have transformed the state from low-income housing provider to a 'simple individual mortgage financier', with the construction process dominated by private sector developers (such as Casas Homex and Casas Geo), supported by international finance (Puebla 2002 in Bayón and Saraví 2013, 6). The transition in Mexico's housing finance system which began in the 1990s has, it has been argued, transformed the dominant form of urban housing production from incremental, irregular, self-built housing, to one where 'housing is built on speculation by private-sector homebuilders and purchased with mortgages' (Monkkonen 2011, 2). Increasingly market-orientated policies have focused on providing finished housing as a product, and have tended to result in 'vast tracts of homogenous housing built by the private sector ... whose purchase is facilitated by 20- or 30-year loans provided through the banking sector and housing funds of private- and public-sector workers' (Wigle and Zarate 2008, 7). This production process resulted in 560,000 new houses in Mexico in 2014 (Picornell 2015), backed by the Federal Mortgage Society (*Sociedad Hipotecaria Federal*), producing huge profits for private developers (Wigle and Zarate 2008). As a result, formal residential development has played an increasingly significant role in shaping the growth of Mexican cities (Negrete Salas 2010).

An important underpinning of this housing policy shift has been the suggestion that the mortgage system is more efficient to meet housing need than the incremental housing development process. However, the bulk of housing finance is from provident funds (which Monkkonen defines as 'specialized financial institutions that both are lenders for housing and pension funds') based on mandatory contributions – such as INFONAVIT and FOVISSSTE² – which remain restricted in terms of both access, and the type of housing which they can be used to purchase (Monkkonen, 2011). The availability of mortgages has enabled households in the previously sidelined lower middle class to access housing, but they are unaffordable to those earning less than four minimum salaries (Boils Morales, 2008), meaning the poorest sectors of society continue to access land for housing through informal mechanisms. At the regional scale, the current system of mortgage lending based on salaried workers' contributions to provident funds means that cities and regions with greater levels of formal employment benefit disproportionately, such as the northern manufacturing centres, suggesting that the formal housing finance system may also reflect and reproduce regional disparities (Monkkonen, 2011).

² Government-sponsored public housing funds for public sector workers, based on contributions. INFONAVIT is the largest housing programme in Mexico, funding construction with salaried workers' contributions.

Finally, the resulting urban growth based on massive low- and middle-income housing developments is apparently formally planned but often entails problems relating to infrastructure deficits (transport and other basic services), poor quality of housing, and urban sprawl. Constructed by developers ‘driven exclusively by a market logic’, these massive complexes consist of thousands of standardised, low-quality houses, constructed on cheap peripheral land ‘increasingly distant from urban centers and even basic urban infrastructure’ (Moctezuma 2012 in Bayón and Saraví 2013, 6). The preference for single family dwellings in such developments has led to urban sprawl (Solana 2013), and there is evidence that such settlements can cause environmental damage as significant as informal, unplanned ones (Boils Morales 2008). The purchase of large tracts of land on the peri-urban fringe by formal private developers has inflated land values in areas where cheap land was previously available, and there are indications that speculation is increasingly significant as planning’s role becomes one of facilitating rather than strategically determining urban development. Such development patterns have arguably also reinforced the pervasive tendency towards urban fragmentation in Mexican cities (Bayón and Saraví 2013, 2), and more recently this type of development has been approached with increasing caution by central government. However, governments continue to struggle to meet demand for low-income housing, with the national housing deficit currently estimated to be around 9.7 million units (Picornell 2015).

Urban insecurity

Levels of urban insecurity relating to drug trafficking and organised crime remain a pressing concern in Mexico, despite some recent indications that the situation may be improving. During the administration of President Felipe Calderon (2006-2012), whose crackdown on the drugs cartels is often blamed for triggering the wave of violence, it has been estimated that there were 54,000 homicides related to drugs crime (Case 2013), compared with fewer than 7,000 from 2001 to 2005 (Justice in Mexico Project 2010). In 2012, Mexico’s homicide rate per 100,000 population was 21.5 (Heinle et al. 2015), compared to a global average of 6.2 (UNODC 2013). Currently, Mexico’s homicide rate is just above the average of 21.4 in the Americas; but it has experienced the largest increase in homicides in the Western hemisphere over the last decade (Heinle et al. 2015). Yet the number of homicides committed in Mexico in 2014 was 15,649 (SNSP 2015), representing a decline from the 2010 figure of 20,000 (UNODC 2011).

Central to this increase has been the role of drugs cartels, which seek to control territory in order to secure the flow of drugs from south to north via a hierarchical structure incorporating paramilitaries and street gangs, who in turn exert control over urban environments. Widespread fear and anxiety relating to drugs-related violence has derived from high-profile attacks at public events and in public spaces, as well as the use of kidnapping, ‘disappearances’ and mass graves by these organisations. The preference for public and symbolic violence is understood as an indication of the monopolistic behaviour of cartels seeking to control their markets, with more severe violence used to project the image of strength (Carpenter 2010, 409). The sensationalisation of violence by the media, along with allegations of cartel control of local media in some regions (Priest 2015), supports suggestions that ‘[t]he line that separates factual violence and its perception is increasingly hard to identify’ (Pansters and Castillo Berthier 2007).

Moreover, patterns of violence vary greatly by region and city. Generally, drug-related violence is considered to be concentrated in the north, with states like Chihuahua exhibiting high levels of crime and violence, particularly relating to ‘executions’ – murders apparently related to the drugs trade - as well as vehicle thefts (CIDAC 2009). Cities like Ciudad Juarez in Chihuahua have regularly been considered among the most dangerous in the world in recent years. However, more recently there has been a marked decline in levels of violence in Ciudad Juarez, although this is attributed to a ‘pact’ between the state and the cartels rather than their withdrawal from the city (Vulliamy 2015). On the one hand, levels of violence in some regions such as Michoacán remain alarming, and have resulted in a serious security

crisis as citizens' defence groups have clashed with cartels in the perceived absence of state forces (Heinle et al. 2015). On the other hand, in 2009, 18 out of 32 states in Mexico were still below the global average of intentional homicides (CIDAC 2009), suggesting a complex picture in terms of regional variation.

The high-profile and widespread nature of the violence has increased insecurity and fear in general, with specific effects on urban environments and populations in many cities. State intervention has seen the introduction of the army into the realm of public security, resulting in the consequent militarisation of urban space, and in human rights violations by the Mexican Army and Federal Police (Human Rights Watch 2015). Middle- and high-income groups have tended to retreat from the public realm into gated communities, accompanied by the increasing use of private security in a country which in 2003 already occupied third place worldwide for the purchase of security equipment (Pansters and Castillo Berthier 2007, 40). Fear and insecurity have led to internal movement and migration, particularly by middle class families from northern cities to the US and safer regions of Mexico (Mexodus 2011).

Such responses also demonstrate widespread public distrust of the forces of law and order. Police corruption is seen as endemic, and fragmentation and lack of professionalisation compound a general lack of confidence in the police force (CIDAC 2009). Meanwhile, lack of transparency and corruption dog the penal process, and levels of impunity of around 98 per cent (CIDAC 2009, 9) undermine the legitimacy of the justice system. While Mexico's relatively developed institutional structures suggest that it has the capacity to address the current violence, high levels of under-reporting of crime suggest a generalised mistrust of institutions (INEGI 2012).

However, while drug-related violence receives considerable media coverage, in many poor urban communities it is everyday economic and social violence and conflict which dominates people's lives in a more prosaic reality (Moser 2004). In the context of high levels of *narcoviolencia*, there is the potential for violence not linked to organised crime to rise, due to the increasing availability of weapons, and the trail of common crime that accompanies organised crime (Mexico Evalua 2010, 23). Certainly, alongside the high-profile and serious violence such as executions, extortion and kidnap, more prosaic violence persists: violent interpersonal crime is relatively common, and 25 per cent of total robberies are carried out with a weapon (Mexico Evalua 2010, 23). It is estimated that 12 per cent of total reported crimes in Mexico are incipient conflicts, between neighbourhoods, family members, business partners and colleagues; currently, the penal system has no way of dealing with these issues until action is taken (i.e. threats are fulfilled, violence escalates or a serious crime is committed) (CIDAC 2009, 15). In this setting, the prevailing climate of insecurity may generate a situation in which the authorities are loathe to intervene due to lack of capacity and fear of further violence, particularly in low-income neighbourhoods (Guarneros-Meza 2015). Certainly, when adjusted for 'the distorting effect of the drug war', figures suggest that persistent poverty and low levels of education are linked to the occurrence of violence, in common with other countries (IEP 2013, 5).

2.2 Methodology

Given the limited availability of data for analysing urban land conflict in Mexico, a nested case study approach using qualitative methods was applied, allowing for in-depth exploration and comparison of specific conflicts across two cities and 13 settlements. The criteria used for selecting the cities where research was carried out were based on size of urban area, administrative status, and levels of urban growth and inequality (see Table 1). The cities where research was carried out are both intermediate, with between ~500,000 and ~1,000,000 inhabitants in their metropolitan area (based on INEGI figures, 2010). As provincial capitals, they are representative of processes such as migration from the surrounding area, and negotiation between municipal, regional and federal tiers of government, which may have

implications for the development and resolution of land conflict. Both cities experienced an average of more than three per cent urban growth between censuses over the last 30 years. As cities from two diverse regions (north/central and central/south), different activities dominate the economies there, and the human development index (HDI) of each state reflects this. In Xalapa, the decline of small-scale agriculture in the surrounding rural areas, and the increase in agri-business, has led to high levels of informal growth. In Querétaro, the car manufacturing and aeronautics industries have been associated with the city's rapid growth through formal developments for middle- and high-income residents, even while informal peripheral growth persists. In both cities, these issues indirectly affect land markets. Finally, the cities have very different experiences of insecurity, with Querétaro enjoying an atmosphere of relative peace while Xalapa has experienced increasing insecurity, reflective of the security situations in their respective states.

City, State	Region	Population -municipal -metropolitan	Surface (km) -municipal -metropolitan	Average annual growth (pop'n by city, metro zone) -1990-2000 -2000-2010	Urban economy	HDI (state, 2010)	Insecurity (state, Peace Index score)
Querétaro, Querétaro	Central	801,940 1,097,028	683 2,053	3.1, 1.6 2.6, 1.8	Mining Automobile Aeronautics	0.760	1.69
Xalapa, Veracruz	Central/ South	457,928 666,535	125 867	3.5, 2.2 3.5, 2.9	Services Local govt Universities	0.713	2.15

Table 1: Comparison of case study cities

Sources: INEGI 2010, SEDESOL 2010, IEP 2013

The objective in both cities was to study zones where land conflict is currently occurring or has recently occurred in the context of urban growth. Conflicts were identified on the basis of their capacity to affect the community (i.e. beyond the household level). Two study zones were selected within the metropolitan area of each city, based on an initial review of local news media and interviews with local officials, civil society organisations and academics. Each study zone contained both informal and formal residential construction, including informal settlements, often in process of regularisation (*asentamientos irregulares*); low-income consolidated settlements with informal origins (*colonias populares*); low- and middle-income formal housing (*fraccionamientos de vivienda social, residencias de clase media*); and rural communities (*ejidos*). The selection of zones allowed an understanding of the effects of growth and the dynamics between settlements. This is particularly significant as the level of conflict within neighbourhoods varied, but the dynamics between them often exacerbated existing conflicts and sometimes generated new ones.

In both Xalapa and Querétaro, research was carried out in seven settlements, giving a total of 14 settlements. Of these 14 settlements, five were urban informal settlements (*colonias populares*), based on the informal sale of agricultural land; one was an area of invasion, based on the informal sale of agricultural land (*asentamiento irregular*); three were urban formal settlements (*fraccionamientos* or *residencias*), with two based on the legal sale of agricultural land converted into state property, and one where land was bought informally with support of a trade union; and five were rural settlements (*ejidos*) with constitutional origins.

In each study zone, individual or group semi-structured interviews were carried out with key informants resident in one of the settlements there during the period October 2011 to June 2012. In most cases, this included residents of informal settlements, consolidated *colonias*, middle income neighbourhoods and *ejidos*. Access was usually via residents' committees in irregular settlements, *colonias* and other neighbourhoods; the *ejidal* commission in rural areas; and/or intermediaries where necessary. Additionally, semi-structured interviews were

undertaken with officials from local, State and federal authorities, and information gathered from local media and academic sources. A total of 92 semi-structured interviews were undertaken relating to the 14 settlements, entailing contact with 103 residents (as some of the interviews were with more than one person) and 12 officials.

<i>City</i>	<i>No. interviews</i>	<i>No. people</i>	<i>No. settlements</i>	<i>No. official interviews</i>
Xalapa	52	59	7	6
Querétaro	40	54	7	6
Total	92	103	14	12

Table 2: Number and type of interviews carried out in Xalapa and Querétaro

The research was carried out in collaboration with local researchers from institutions including CIESAS-Golfo, the Universidad Veracruzana and the Instituto de Ecología in Xalapa, and the Urban Lab at the Tecnológico de Monterrey in Querétaro.

In the sections that follow, both cities are briefly introduced in terms of urban growth, policy interventions into land and housing, and insecurity. Each study zone is presented, and the urban settlements within it are outlined in terms of origins, services, socio-economic profile, and land, giving a total of nine settlements in the two cities³. Conflicts which came to light during the research are explored in terms of their current situation, causal factors, actors involved and outcomes. The discussion is based on interviews with key informants in each neighbourhood, supplemented by interviews with other residents and officials at city, state and federal level, as well as documentary and media evidence where relevant. A list of interviews with key informants is provided in Appendix 4⁴.

³ For reasons of space, the situation of the *ejidos* in each zone is dealt with only indirectly.

⁴ Pseudonyms are used for interviewees, for reasons of confidentiality and anonymity. Interviews were carried out in Spanish; translations are by the author.

3 Findings: Xalapa⁵

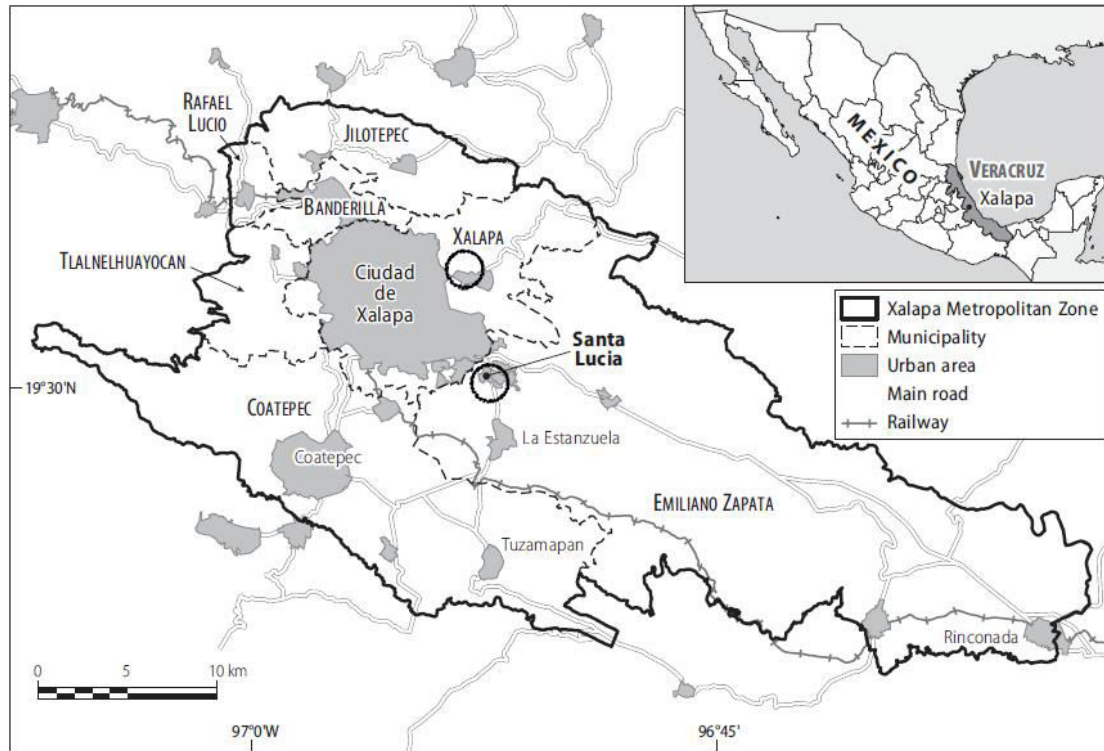


Figure 1: Xalapa Metropolitan Zone with (L-R) study zones 1 and 2 (containing Santa Lucia)

As the medium-sized capital of the State of Veracruz, Xalapa has experienced significant growth along with high levels of urban informal settlement. From 1980 to 2000, its population increased from 205,594 to 390,590 (Benítez et al. 2011), swelled by many ‘rural refugees of economic reform’ who were fleeing the effects of economic restructuring and commodity price fluctuations (Meyers 2003, 77). While the municipality of Xalapa has a current population of 457,928, the population of the Xalapa Metropolitan Zone (XMZ), which is comprised of seven municipalities, is 666,535 (SEDESOL 2010)⁶. With an economy based on commerce and service functions, downturns resulting from the economic reforms in the 1980s and 1990s contributed to the informalisation of the city’s economy and declining standards of living. Figures from 2008 showed that 76 per cent of Xalapa’s population earns five minimum salaries or less (Benítez et al. 2011). Land for housing may be delivered by the state, private actors or informal *ejidal* market, but in practice the latter remains the main source. It is estimated that 54 per cent of Xalapa’s surface area is occupied by informal settlements (Benítez et al. 2011), and most new development is still informal, accompanied latterly by expanses of middle-income housing development, often in peri-urban areas.

The introduction of planning mechanisms in response to the city’s rapid expansion saw the first Municipal Plan published in 1982, and in the 1990s the State Governor of Veracruz created a territorial reserve, acquiring *ejidal* land on the southeastern edge of Xalapa and distributing it among political organisations involved in an urban social movement. Urban planning, then, is still relatively new in Xalapa, and the Municipal Office of Urban Development (DGDU), which has responsibility for municipal planning, is under-resourced

⁵ Part of this section draws on Lombard (2009) and Lombard (2016).

⁶ The XMZ was officially defined in 2004 as part of a national initiative to identify metropolitan areas to increase planning and economic efficiency in urban conurbations. It contains the municipalities of Banderilla, Coatepec, Emiliano Zapata, Xalapa, Jilotepec, Rafael Lucio, and Tlalnahuayocan (SEDESOL, 2010); however, a metropolitan authority is yet to be formed.

(Lombard 2009). The Office of Urban Development's main workload involves administering requests for change of land use, and providing technical support for CORETT on the feasibility of regularisation. The Municipal Development Plan, produced by the Office of Urban Development, determines which land is viable for regularisation or development. Around 95 per cent of informal development in the municipality is on *ejidal* land, with the remaining five per cent on private land (Lombard 2009). For many decades, regularisation of informal settlements has thus been a critical policy for the municipal government, facilitating the incorporation of residents into the city's tax base (Meyers 2003); however, regularisation of land tenure does not always correlate strongly with provision of services such as water and electricity, which sometimes precede it (McLaughlin 2008), but may also be lacking after regularisation. At the local level, the Municipal Government sets official criteria for formal land subdivision, usually relating to plot size, dedicated areas for facilities, and service provision.

With regard to urban insecurity, Veracruz's position as a coastal state with strategic access to Mexico City and fertile terrain means it is 'vulnerable to drug trafficking and other illegal activities associated with it' (Guarneros-Meza 2015, 149). Heightened perceptions of insecurity in the state (Becerra and Meza 2014) have been exacerbated by a series of high-profile and grisly acts of violence; the presence of militarised police on the streets of the region's cities; and the unexplained murder of several investigative journalists, leading to claims that the state is one of the most dangerous in Mexico for journalists (CPJ 2015). The violence has been linked to allegations of high-level corruption and criminal infiltration of local and regional political structures (e.g. Rodríguez 2009), although these remain unsubstantiated.

In Xalapa, research was carried out in two study zones containing a total of seven settlements. In the section that follows, these two zones are outlined in terms of the neighbourhoods found within them, and the profiles of these neighbourhoods are presented along with instances of conflict found there. See Appendix 1 for a table comparing these neighbourhoods.

3.1 Xalapa Study Zone 1



Figure 2: Xalapa Study Zone 1 (L-R) Lomas de Santa Fe, Loma Bonita, Chiltoyac (adapted from Google Earth 2016)

Study Zone 1, in the north/northeast of Xalapa, incorporates two settlements:

- The semi-consolidated *colonia popular* Loma Bonita (regularisation in process);
- Adjacent to this, the new formal housing estate (*fraccionamiento*) of Lomas de Santa Fe. Nearby is the settlement of the *ejido* Chiltoyac, on whose land Loma Bonita was established.

*Loma Bonita*⁷



Figure 3: Aerial image of Loma Bonita (adapted from Google Earth 2016)

⁷ Based on interview with Carlos, community leader, 15 March 2012. See also Lombard (2009).

Colonia Loma Bonita originated in 1997, with the sale of *ejidal* land to a group of 11 people from seven different families originating from other municipalities in the central zone of Veracruz State. They bought the land from Agustin, an intermediary who had acquired it from the original *ejidatario* owner, at a cost of \$420MXN per month. Led by Don Carlos, the founders arrived and started building in 1998. They encountered land that was still covered in sugar cane crops, meaning they had to clear and demarcate their own plots, and mark out and clear streets. They also initiated the process of requesting services. In 2000, they managed to set up the existing water system and level the main streets, followed by the construction of a primary school later in the same year.

In terms of basic services, the neighbourhood now has a provisional water service constructed by residents (from a standpipe in Colonia Rotaria, 2.3 kilometres away), and a collective connection to the electricity network following the residents' purchase of a collective power mast in 2012. There is no sewerage, despite requests to the municipality, and residents use a collective septic tank. In terms of secondary services, there is a kindergarten, and the nearest primary and secondary schools are in the adjacent neighbourhood Ignacio Zaragoza. For health services, residents travel to the Gaston Melo clinic in the city centre (Diego Leno), or to the civil (free) hospital. There is also a clinic in the Colonia Revolucion, which is nearer than the city centre. Four bus lines serve the neighbourhood, charging \$6-8MXN to get to the city centre, which takes around an hour.

The total population is 126 (52 women, 56 men, 18 children), in 44 households, of which 17 live in the principal street Calle Jaime Cisneros, and 27 in the lower part of the neighbourhood. The most common forms of employment are agricultural labourer, builder, and employee in local businesses or domestic work, especially in the newer nearby formal development of Lomas de Santa Fe (see below). There is also a police officer, municipal worker and teacher. Average weekly incomes range from \$700-1000MXN weekly, with the upper end for high earners such as municipal workers and master builders.

The neighbourhood has a total of 118 plots, which all have owners. Of these, 18 plots are without construction, and 100 have some form of construction. Of these 100, there are 52 inhabited houses, and 48 uninhabited houses. The neighbourhood is seeking regularisation from CORETT, but documentation is required as proof of the original sale from the *ejidatario*. Some inhabitants don't have paperwork showing the original informal land sale (*cesion de derechos*), which must be signed by the Ejidal Commission to be valid. Those without documentation must pay \$500MXN each to the President of the Ejidal Commission and the widow of the original landowner, to reissue signed paperwork. Meanwhile, CORETT is waiting for official written notice from the Ejidal Commission to proceed with regularisation.



Figure 4: Main street in Loma Bonita (Melanie Lombard)

Conflict in Loma Bonita

The main issue relating to land tenure in Loma Bonita is the slow progress made with regularisation there, and the implications for service provision and habitation density. This issue appears to partially derive from irregularities with the original land sale, as the intermediary fraudulently sold many plots of land to two or sometimes three different buyers. The original landowner, an *ejidatario* from the Ejido Chiltoyac, sold the parcel of agricultural land to an intermediary or ‘*coyote*’ in 1998. The latter marked out a rough system of plots without any regard for the Municipal Government’s official criteria for subdivision. He then sold lots through public meetings in a nearby neighbourhood, Las Higueras. In such a process, residents usually buy and settle in groups, although transactions are with individuals. In this case, Agustín fraudulently sold some plots to more than one group.

Meanwhile, conflict arose as the fraudulent land sale came to light when more settlers arrived to take possession of their land, resulting in the same plots being contested by several claimants. This situation reached crisis point in 2000 when a second group of settlers, headed by a leader called Alberto, arrived to take possession of plots that were already settled by the first residents, and threatened them with violence, brandishing machetes. The situation was calmed by the intervention of community leaders from the Casa Blanca Democratic Association, who mediated between the two groups’ claims. Although a violent outcome was avoided, the issue arose again in 2007, when accusations relating to the fraudulent land sale led to the arrest and imprisonment of several people allegedly involved with the intermediary (who had long since disappeared): the original *ejidatario* owner, his mother, and Don Carlos, the local leader. All were subsequently freed when it was discovered that their accusers had forged signatures on documentation offered as evidence, although not until after Don Carlos had spent several months in prison.

However, at this time residents complained that organisational processes had ceased almost entirely, symbolised by the suspension of the neighbourhood’s weekly meetings some months previously. They linked this to the imprisonment of Don Carlos, the resident Block Leader, who had been accused of fraudulent land sale. Without a leader, and in relatively isolated circumstances, they had little recourse to other resources, as their direct channel to the authorities was unavailable. Ever since then, leadership in the neighbourhood has been unstable and social relations fragmented, affecting the process of petitioning for services. In this case, the stringent application of local-level regulations relating to semi-legal land transactions arguably led to the imprisonment of the neighbourhood’s Block Leader, with negative effects for the neighbourhood’s residents, who suffered from the organisational stagnation which resulted in terms of obtaining services, as well as the criminalisation of one of their residents.

*Lomas de Santa Fe*⁸

Figure 5: Aerial image of Lomas de Santa Fe (adapted from Google Earth 2016)

The formal *fraccionamiento* Lomas de Santa Fe was established in 2008, on land adjacent to Loma Bonita, and construction began in 2008-09. It was built by the developer Casas Homex, a nationwide company with three other developments in the Metropolitan Zone of Xalapa: Miradores (Emiliano Zapata); Dos Rios (Emiliano Zapata); and Colinas del Lago (Xalapa). The development was originally projected to include a total of around 3,200 dwellings, based on five different housing models ranging from two-bedroom apartments to maisonettes with three bedrooms. Construction has taken place in three phases: the initial construction of around 700 dwellings in 2009 was followed by 1,000 dwellings in 2012, with a further 1,500 to complete by mid-2013. At the time of the research, 1,800 houses had been completed, and 1,400 were still to complete. Of the completed houses, 900 were occupied, many of which were rented. Buyers tended to be teachers or other professionals who were eligible for housing mortgage credits from INFONAVIT or other similar entities, as part of Mexico's mortgage finance scheme via workers' provident funds.

In such formal housing developments, houses are supposed to be delivered as a finished product, with all basic services supplied (water, electricity, sewerage). However, at the time of the research the site was still under construction and had not undergone municipalisation (when the development is signed over to the municipal authorities), meaning that services were being provided in provisional form by the developer. Water was provided from an unknown source by tankers, with some respondents suggesting that this had been taken directly from a nearby untreated lake: quality was poor and the service unreliable, despite the developer's claim that it was costing the company \$2,000,000MXN per month. Electricity was provided via diesel generators, but residents complained that the service was unreliable, often subject to power cuts of several days, and did not include street lighting. According to the developer, this was costing the company \$5,170MXN weekly to run, plus the rental cost of the generator (\$1,000,000MXN). The sewerage system for the development was functioning. In terms of secondary services, the development had been planned with green areas, a commercial zone, and service areas for local infrastructure. Once municipalisation had occurred, these service areas were to be handed over to the local authority, which had

⁸ Based on interviews with Oscar and Rebeca, representatives of Homex, 19 and 20 March 2012.

requested their use for a primary school or kindergarten, given the high number of families in the development. The development is served by several bus lines, but many households also have a car. It is around 40 minutes from the centre of Xalapa by car, and an hour by bus.

The land, which was originally *ejidal* (belonging to the Ejido Sumidero), was apparently acquired by Homex via a deal with the former State Governor of Veracruz⁹. The details of this transaction are unclear, but appear to have caused some problems in the wider area (see below). In terms of land tenure, the land belongs to Homex while development is still ongoing, and the houses are the property of their owners. The vast majority of houses were acquired via housing credits, which allow public sector workers to access mortgage finance. Respondents estimated that 40 per cent of homeowners acquired their property via INFONAVIT credits, and 60 per cent via credits from FOVISSSTE. After municipalisation, responsibility for the development and ownership of the land is handed over to the residents, via transfer in the Register of Private Property under the Condominium Regulation.



Figure 6: Apartment blocks in Lomas de Santa Fe (Melanie Lombard)

Conflict in Lomas de Santa Fe

Delays with municipalisation have affected service provision, relating to the situation with land. As land tax is not paid directly to the local authority, this authority has little incentive to municipalise such developments; moreover, when municipalisation occurs, the local authority is responsible for the cost of connection to service networks, requiring investment in the neighbourhood. These delays in connection to formal networks have led to complaints from residents about the lack of municipal services, leading to repeated demonstrations by residents outside the central offices of Homex. The developer responded with a signed commitment to install services as soon as possible, but at the time of the research the issue was the subject of repeated clashes between residents and the developer.

In the summer of 2012 the conflict over service provision and municipalisation deepened, with residents complaining about the lack of consistent services from the developer and the lack of recognition from municipality, leading some to take direct action. In July 2012 local media reported that the provision of water in tankers to the neighbourhood had been cancelled due to outstanding debts to the water company on the part of the developer; the Municipality of Xalapa refused to intervene, saying that it was a legal problem between private parties (Socorro Chiu, personal communication, 26 July 2012). In September 2012, Baez Transport, which provided water in tankers to the development, emptied 13 water tankers in front of the

⁹ Fidel Herrera Beltrán, whose controversial administration (2004-2010) left the State of Veracruz the third most indebted in Mexico, and witnessed a vertiginous rise in insecurity, relating to increases in kidnapping, blackmail and disappearances (Calderón 2015), as well as homicides.

Homex company offices in Lomas de Santa Fe. This was in protest at the debt of \$6,000,000MXN that Homex had run up with the company over two years. Baez representatives also said that they would block any other companies attempting to supply water to the neighbourhood until the debt was cleared (ACP 2012a). By October 2012, complaints from residents (ACP 2012b) suggested that the development was suffering regular power cuts of several hours at a time, affecting the functioning of the water pump and hence also the water supply, with no response from Homex representatives. Recent reports suggest that municipalisation is only now about to occur, after a long period of negotiation between residents and the municipal authorities (Municipality of Xalapa 2016).

Because of these issues, in 2012 the Xalapa municipal authorities withdrew permission for the third stage of construction in the neighbourhood to go ahead; work was therefore suspended and the land abandoned (León 2012)¹⁰. Given its abandonment, the land was subsequently invaded by Antorcha Campesina¹¹. While the conflict over services in the neighbourhood appears to have been resolved, the long-term implications of the land invasion which has taken place next door, based on the conflict between the developer, the residents and the state, are not yet clear. The actions of Homex throughout the process, from land acquisition to municipalisation, have given rise to multiple complaints and suspicions on the part of the residents and observers. The delays in municipalisation and the failure to transfer the development to the residents, along with the abandonment of the land earmarked for the third stage of construction, have arguably facilitated the invasion of this plot, with potential effects for existing residents of the area including the fear of anti-social behaviour encouraged the invading organisation in support of political ends, and the resulting insecurity.

3.2 Xalapa Study Zone 2

Study Zone 2 is an area in the southeast of Xalapa, falling within the Xalapa Metropolitan Zone but outside the Municipality of Xalapa and just inside the boundaries of the municipality of Emiliano Zapata. It includes:

- Ollintonal, a consolidated *colonia popular* (regularised);
 - Perseverancia, a semi-consolidated *colonia popular* (regularisation in process);
 - Santa Lucia, an informal settlement (*asentamiento irregular*) where invasion has occurred.
- All of these neighbourhoods were founded on land belonging to the Ejido Estanzuela.

¹⁰ Two years later in 2014, the company was suspended from trading on the Mexican stock market and entered into debt restructuring measures; these were recently completed signalling the company's re-entry into trading (El Economista 2016).

¹¹ A national organisation which originated as an independent, pro-poor movement; since 1988 it has been affiliated with the PRI, and has been described as having 'paramilitary' tendencies (Snyder 2001).

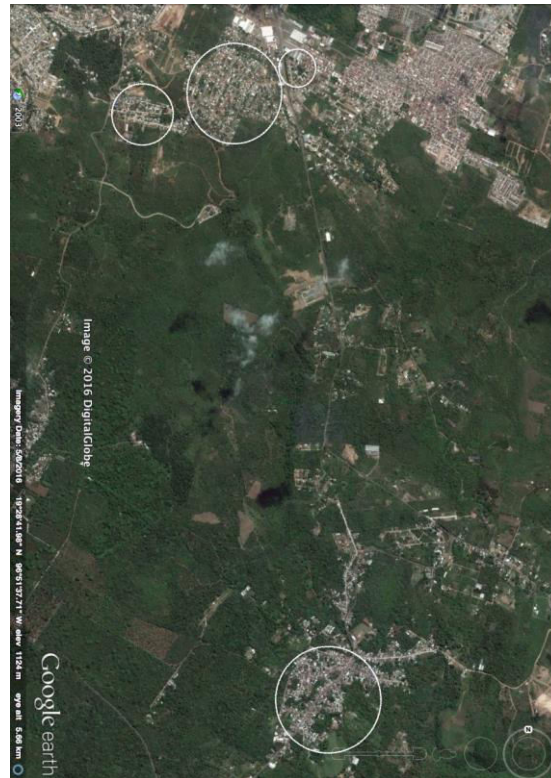


Figure 7: Study zone 2 in Xalapa, incorporating (clockwise) Perseverancia, Santa Lucia, Ollintonal, Estanzuela (adapted from Google Earth 2016)

*Perseverancia*¹²



Figure 8: Aerial image of Perseverancia (adapted from Google Earth 2016)

Colonia Perseverancia was established in 1993, on a plot of *ejidal* land belonging to the Ejido Estanzuela, which was subdivided by the *ejidatario* owner, who sold plots to individuals. Originally buyers paid around \$1,500MXN per plot in instalments; by 2001, plots were valued at \$25,000MXN, and at the time of the research, some plots were worth around \$100,000MXN. For basic services, it is connected to the federal electricity network (CFE)

¹² Based on interview with Rogelio, community leader, 26 March 2012, and with other residents.

and municipal sewerage system (apart from a section of the main street which is provisionally connected pending full connection). The water system in Perseverancia, which was set up and financed by residents using water from a spring in Murillo Vidal Avenue (about seven kilometres away by road), is managed by the Water Committee. In terms of secondary services, there is a kindergarten school but it is currently closed for administrative reasons. The nearest health service is outside the neighbourhood (the Chico clinic). There is a bus line with two routes, which take around 30 minutes to Xalapa city centre.

The neighbourhood has 801 inhabitants in 350 households. This reflects variation in household size, as well as the number of young families (there are 38 children under 2 in the neighbourhood) and single parents (of which there are significant numbers). The most common forms of employment are builders, agricultural labourers (coffee cutting and day labouring), and domestic service in central Xalapa. Additionally there are a few graduates and teachers. The average weekly wage is \$1,500MXN for male household heads, and some women earn the same amount.

There are a total of 421 plots, all of which have owners. However, around 50 of the lots are unoccupied or 'abandoned', with no visible sign of construction or habitation. The remaining 370 lots have some form of house, of which 310 are occupied, and 60 unoccupied, with construction apparently unfinished (i.e. in *obra negra*). In terms of land tenure, nearly all are owners, with very few renters: residents bought their land direct from the *ejidatario*, or from previous owners. In 2006 CORETT started regularisation proceedings; most residents collaborated in a group titling process, with individual titles delivered in 2010. However, some plots were fraudulently sold several times over, due to original owners abandoning the land which was then appropriated and resold by intermediaries. When CORETT intervened, it allocated these plots to those who were inhabiting them at the time, and redistributed uninhabited plots to those in need.



Figure 9: Main street in Perseverancia (Melanie Lombard)

Conflict in Perseverancia

The proximity of Perseverancia to the informal settlement of Santa Lucia (see below) causes some concerns around pollution and security. Lack of rubbish collection in Santa Lucia has led to dumping and consequent pollution in nearby Perseverancia, while intermittent water and electricity provision there mean that residents have set up 'pirate' connections from the supply of Perseverancia and other neighbourhoods, generating conflict within and between these settlements. For example, there was some suspicion among residents in Perseverancia that members of the Water Committee, which was charged with determining whether water from the neighbourhood system could be allocated to Santa Lucia, were bribed to secure a favourable outcome for residents of Santa Lucia. Residents in Perseverancia who live on

higher ground claim they are affected by the lower water pressure: sometimes without water for two months, they have resorted to using a pump, generating higher electricity costs. Meanwhile, controversy between the two neighbourhoods arose when illegal water outlets supplying Santa Lucia were closed off by the Municipal Agent from Perseverancia.

Insecurity was also seen as an issue. Residents suggested that the main effect of living next to Santa Lucia was the feeling of insecurity, made worse by the lack of street lighting there, affecting one of the access roads to Perseverancia. In particular, burglary was seen as a problem, linked to the 'new' status of the neighbourhood, and the subsequently 'unknown' nature of the people who live there: 'It's a rather conflictive neighbourhood, who knows where the people there came from, since they arrived here we've had robberies from houses, everything that comes with a new neighbourhood with unknown people'¹³. Research respondents contrasted the 'unknown' residents of Santa Lucia with the close-knit community in Perseverancia. Another resident of Perseverancia stated, 'We don't even know where those people are from, and when they started arriving and there were more people invading we had problems with them, because they came into our neighbourhood to steal gas tanks and other illegal things. That neighbourhood is not well settled, and while they're not OK we're not happy because we don't even know where the residents are from'¹⁴. The effect of the situation with the neighbouring irregular settlement is thus an increase in perceptions of insecurity and fear, although a few residents have contact Santa Lucia's inhabitants, through charitable activities and the church.

However, the heightened perceptions of insecurity in this case were not attributed solely to the incoming residents. Periodic evictions of illegal occupied plots in Santa Lucia were accompanied by the demolition of houses by the state using heavy machinery, and sometimes violence against residents, as suggested by the involvement of the Department of Public Security in the process. A resident of Perseverancia described how, 'You could hear shots, you could hear machinery demolishing houses, the police arrived to intervene ... Only a few months ago it sounded really awful, we were frightened to even go near'¹⁵. This suggests that conflict arising from state intervention has also contributed to perceptions of insecurity in the neighbourhood and surrounding areas. Moreover, it is suggestive of the problems that can arise from *ejidal* development under certain circumstances, as will be seen below. In terms of land tenure, Perseverancia's location next to Santa Lucia derives from its residents' need to access cheap, unserviced *ejidal* land in the absence of other options for housing.

¹³ Interview with resident 2, 26 March 2012.

¹⁴ Interview with resident 3, 28 March 2012.

¹⁵ Interview with resident 4, 1 April 2012.

*Santa Lucia*¹⁶

Figure 10: Aerial image of Santa Lucia (adapted from Google Earth 2016)

The informal settlement of Santa Lucia is located in the southeast of the Xalapa Metropolitan Zone, just inside the boundary of the municipality of Emiliano Zapata (see Figure 1), in an area adjacent to two large formal middle-income housing estates. The settlement originated in 1995, when *ejidatarios* from the *ejido* Estanzuela informally ‘sold’ 72 hectares of parcelled land adjacent to Xalapa’s urban fringe to individual purchasers via local ‘developers’ Banda Rivas and Company. The basis for the transaction was an agreement between the *ejidatarios* and the private company for the latter to act as a consultant and intermediary in the process of informal land sale to third parties, followed by subsequent regularisation by the *ejidal* authorities, an arrangement only possible following the 1992 agrarian reforms (see Section 2.1). The initial action involved part of the 72 hectares being subdivided into over 2,000 unserviced plots of around 160 square metres. Four hundred of these plots were then sold to individuals at a fixed cost of \$8,500MXN, forming the neighbourhood referred to here as Santa Lucia¹⁷.

These sales appear to have been made largely via a movement known as the Veracruz Housing Coalition, led by Banda Rivas director Hugo Banda, mainly to individual lower middle-income buyers such as public sector workers seeking affordable land for housing. Owing to the *ejidal* nature of the land, the sales were informal, although buyers received a transfer agreement in the form of a *cesión de derechos*, a document signed by the *ejidal* assembly in which the *ejidatario* concerned ceded his or her use rights pending regularisation, which nevertheless is not considered to have judicial weight. In December 1995, the sale of these plots came to the attention of SEDUVER, the Urban Development Department of the State of Veracruz. In October 1996, SEDUVER took the unusual step of lodging a complaint

¹⁶ Based on interviews with two anonymous residents, 28 March 2012. This section also draws on Lombard (2016).

¹⁷ The plot was initially divided into two areas, Santa Lucia I and II. The informal neighbourhood described in this study is Santa Lucia I, where these 400 plots are located, referred to here simply as ‘Santa Lucia’ to avoid confusion.

with the State Public Ministry (*Secretaría del Gobierno*) against the responsible parties – in this case, the *ejidatarios* who were still legally the owners of the land – for unauthorised subdivision and fraudulent sale of untitled *ejidal* land (Daniel Martí Capitanachi, personal communication, 11 July 2014). This led to the questioning and detention of several *ejidatarios*.

According to representatives of the *ejido*, the uncertainty generated by the legal case, and the subsequent delay in regularisation and service provision, made many buyers reluctant to invest in developing their plots. They also suggested that the delay was because the proceeds of the sales had not been passed on to the *ejidatarios* by the developer, leading them to obstruct the regularisation process. From 1996 to 2009, the majority of these plots remained uninhabited, although some buyers erected fencing around them to demonstrate possession. Apparently as a consequence of this lack of development, from around 2007 land invasions were observed on the site, coming to public attention in August 2009, when the local media began reporting on the ‘invasion’ of the land by Santa Lucia Civil Association (SLCA). The leaders of this organisation, political aspirants who claimed that they were appropriating the empty plots in response to the housing need of vulnerable urban populations, were in fact illegally selling these plots to their members.

Currently, around half of the plots there are inhabited, mainly by members of the SLCA, who are generally economically and socially vulnerable. Although weekly monetary collections are made by the association, services are poor, with no drainage, paving or rubbish collection, and only informally supplied water and electricity. In July 2000, the certification of the *ejido* via PROCEDE was agreed, but the plot of land on which Santa Lucia is located was excluded because of the legal dispute. At the same meeting in 2000 in which the *ejido* agreed to participate in PROCEDE, *ejido* members voted to recognise existing occupants of land belonging to Estanzuela, a move that was only possible due to the 1992 reforms. This suggests that the *ejido* had started the process of regularising informal land sales through recognising some individuals who had bought land in the original transactions in 1995 as *posesionarios*, although it was not possible to verify further details of this¹⁸.



Figure 11: Street in Santa Lucia (Melanie Lombard)

Conflict in Santa Lucia

In the case of Santa Lucia, the prevalence of contested land in and around the neighbourhood has led to intractable disputes, which have periodically escalated into conflicts and violent

¹⁸ Current records show 128 *avecindados*, 80 *posesionarios*, and 139 *ejidatarios* in the *ejido* (RAN 2014).

encounters between the members and leaders of groups occupying the land and the forces of law and order, as well as between occupier groups and those who claim original ownership of the land. This has led to a situation where, as one local news source put it, '[a]narchy and impunity reign' (Zavaleta, 2011b). The site has become known for high levels of social conflict between the different groups making claims to the land, which reflects and reproduces the uncertain living conditions. By 2010, over 100 criminal complaints had been made to the Veracruz Public Ministry about Santa Lucia, including several reports of violence to the Public Safety Department (Zavaleta, 2010). In 2010 and 2011, leaders of the SLCA were imprisoned for selling plots illegally (Zavaleta, 2011b); subsequently, in the last four years there have been several evictions by the State Government, such as the eviction of 14 plots in April 2011, and 15 in January 2012 (Zavaleta, 2011b, 2012). These evictions seem to have followed recognition of claims by the original buyers following their legal assignment as *poseisionarios* by the *ejido*.

However, on other occasions, evictions have been postponed due to armed resistance from the residents (Aguilar, 2012; Hernández, 2012). Original buyers have complained of intimidation and threats with machetes, stones and sticks when they have attempted to reclaim their land; resident SLCA members were reported to have attacked the association's leaders after a dispute (Aguilar, 2012; Zavaleta, 2011a); and aggression from the organisation towards its members is common. The situation has continued to deteriorate: in August 2014, reports emerged that Gabriel Nava Lopez, identified as one of the 'leaders' of Santa Lucia, had been 'executed' at his home in the neighbourhood by a group of armed men (Cancino 2014).

In this case, the informal land sale and related dispute led to delays in occupation and the land's subsequent invasion. The escalation of the conflict in both social and legal terms has led to the current intractable situation, in which several factors are salient. The current conflict in Santa Lucia centres on the competition between the rights and claims of three of the groups mentioned above – the members of the *ejido*; the original buyers of subdivided plots; and the current residents, members of the SLCA – which vary in terms of their strength, a situation which has been further exacerbated by the land reforms mentioned earlier. Among the diverse claims on the land, those of current residents are weakest, contributing to their insecurity. The claims of the original buyers, who acquired the land informally, are privileged over those of current occupiers of the site, despite the fact that, as a representative of the Agrarian Ombudsman pointed out, 'Their papers have no legal weight'¹⁹. Paradoxically, because undocumented occupiers are dependent on the SLCA to pursue their claims for regularisation, the organisation is able to maintain its control of the settlement through aggressive tactics, a central factor in the ongoing conflict. Residents thus suffer double insecurity of tenure, based on their fear of eviction by either the association or the state, accompanied by a fear of violence perpetrated by the association but also, in the case of official evictions, by the forces of law and order.

Meanwhile, the overlapping jurisdiction of urban, ejidal, municipal and State authorities in this peri-urban context has contributed to the lack of a legal resolution to this dispute. The lack of judicial clarity, conflicting claims to the land resulting from the land invasion, and overlapping legal competencies relating to regularisation, have led to a power vacuum of which the SLCA has taken advantage to consolidate its de facto control of the neighbourhood and its land market. Recent judicial proceedings represent a challenge to this status quo, but with potentially negative effects for the residents. At the same time, the increased role of intermediaries in the processes of regularisation via the *ejido* instigated by the 1992 reforms has shifted the power balance even further away from residents. Finally, the effects of heightened insecurity, both actual and perceptual, in Veracruz and Xalapa as the result of drugs trafficking in the area may have affected the neighbourhood. While substantiating causal linkages between drugs violence and land conflict is a difficult and sensitive task, the

¹⁹ Interview with State Official 1, 30 March 2012.

situation with Santa Lucia appears to concur with accounts which link impunity and lack of intervention by the authorities with the threat of further violence (Guarneros-Meza 2015). In the case of Santa Lucia, the reporting of the 2014 murder of a local leader as an ‘execution’ suggests that the dominant organisation there may now be imbricated in complex and dangerous wider networks, further increasing the potential for insecurity.

*Ollintonal*²⁰



Figure 12: Aerial image of Ollintonal (adapted from Google Earth 2016)

Ollintonal, a consolidated *colonia popular*, originated in 1993 with the sale of a plot of *ejidal* land measuring 2.25ha for \$200,000MXN, bought by a group of educational professionals who had formed a civil association to look for land for housing, to live in and as a form of inheritance for their children, with the support of Section 32 of the National Teachers’ Union (*Sindicato Nacional de Trabajadores de la Educación* or SNTE). One of the guiding ideas of the project was self-help, and the desire to construct a neighbourhood with a high standard of living, incorporating green areas and adequate housing. An *ejidataria* from the Ejido Estanzuela sold the plot of land to a founding member of the organisation, supported by the Ejidal Commission and the Municipality of Emiliano Zapata, which granted permission for construction and change of land use, and approved the plan of subdivision. The association also sought advice from the Agrarian Ombudsman, who promised that regularisation would occur quickly. When the land was first acquired and residents first arrived, in 1994/1995, it was still a coffee plantation, without any basic services; the residents initially retained some coffee plants which they harvested.

In terms of basic services, it is connected to the water network of the Municipality of Xalapa (administered by CMAS, the Municipal Commission for Water and Sanitation); it has official electricity and street lighting; and it is connected to the sewerage network of Emiliano Zapata. These services were obtained through the residents’ efforts to petition the municipal authorities, supported by a private consultant for the project of neighbourhood design and electrification. Street lighting was installed through the Municipality of Xalapa’s project ‘Mi Callejín’ in 2011. In terms of secondary services, there is a kindergarten and a secondary school nearby. As residents are nearly all educational professionals, most have state health insurance and use the ISSSTE (*Instituto de Seguridad y Servicios Sociales de los*

²⁰ Based on interview with Sergio, community leader and founder, 26 March 2012.

Trabajadores del Estado, or Institute for Social Security and Services for State Workers) Health Clinic in the centre of Xalapa. For transport, several bus routes serve the avenue beside the neighbourhood, although most residents have cars. Additional services include private security and street cleaning, and telephone, cable and internet.

The neighbourhood has a population of 52, in 20 households. The most common form of employment is teaching, although many residents are retired (around 15 in total). The average income is around \$5,000MXN monthly. Very few families have children living with them. The most common household structure is elderly couples, often with adult children who have moved away.

There are a total of 75 plots in the neighbourhood; each measures around 140 square metres. All plots are owned, but 40 have no construction, leaving 35 with construction. Of these, around five houses are uninhabited. The most common form of land tenure is individual ownership with titles, which were issued in 2008. This process was not undertaken by CORETT, who require at least 50 per cent occupation to regularise a neighbourhood; rather, residents opted for the mode of regularisation via the *ejidal* assembly, rather than via CORETT, on the advice of the Agrarian Ombudsman. They waited for the agricultural PROCEDURE programme to issue an official land title (*titulo parcelario*) to the original owner in 1995/96, which was converted into individual property (*dominio pleno*) in 1998 and then officially transferred to an individual resident who by 2011 had issued titles to most residents (at the time of the research, four residents still refused to pay for this process). Those who have titles currently pay land tax to the Municipality of Emiliano Zapata. Titling has generated some land sales.



Figure 13: Street and park in Ollintonal (Melanie Lombard)

Conflict in Ollintonal

Due to the length of time between land acquisition and the issue of formal titles, which entailed a period of insecure tenure, the neighbourhood association has fragmented, with many residents leaving or obtaining a mortgage credit from FOVISSSTE elsewhere, and selling their properties in the neighbourhood. Of the original 75 members of the association, around 30 are left. This also accounts for the low level of occupation in the neighbourhood, along with the fact that after so many years, many of the original associates have retired and passed their properties on to their sons or daughters. This social fragmentation can also be attributed to a conflict that arose over the process of land acquisition and regularisation.

At the point of the original land sale in 1993, the residents received a contract of sale signed by the *ejidal* commission, along with the undertaking of this authority to support regularisation. Additionally, the municipal authority of Emiliano Zapata authorised the

change of land use in order for the residents to begin construction. At that time the *ejido* Estanzuela had not undergone the PROCEDE programme because of internal resistance. This occurred in 1995/96, following which the residents lobbied for regularisation via *dominio pleno*. However, in 1997 (before *dominio pleno* was obtained) residents of Ollintonal were accused of illegal subdivision of *ejidal* land by the State Secretary for Housing (now Invienda). On this basis, six founding residents were issued with arrest warrants: two of them (the ex-president and treasurer of the association) were imprisoned for eight days and the others detained for several hours, including several pensioners. During this process the residents were also threatened with the eviction and demolition of their houses.

These actions appear to have been part of a campaign by the State Government to crack down on the illegal subdivision and resale of plots (as seen also in Loma Bonita and Santa Lucia). Eventually, after making representations on behalf of their neighbours and presenting documentary evidence of the approvals they had obtained from the Agrarian Ombudsman and the Municipality of Emiliano Zapata, as well as the intervention of the Teachers' Union on their behalf, all the residents who had been detained were offered a legal pardon by Gustavo Sanchez Guerrero, Director of the State Department of Justice. *Dominio pleno* was granted in around 1998, after which the property was formally transferred to a resident community leader in around 2008/09, who then issued titles to all residents in 2011.

As suggested above, the effects of the conflict over land in Ollintonal, and the state's actions there, include social fragmentation and an apparently diminished sense of community which have affected levels of habitation there. Some respondents suggested that the degree of action taken against the residents of Ollintonal, and the pressure and intimidation exercised towards them, may be explained by increasing land values in the area. The proximity of the neighbourhood to Xalapa means that the value of the land in the area has increased significantly. At the time of the land sale, several local companies interested in buying the plot approached the *ejidataria*, and had even tried to take the land without consent, but she decided to sell to the Ollintonal residents' association based on its social aims and her existing relationship with the residents. Other plots which were privately owned in the area were sold to large companies, and areas of *ejidal* land bought by transnational companies (such as Bimbo) have been expedited or awarded *dominio pleno* very quickly. In contrast, the residents of Ollintonal have been subject to delays and harassment. Finally, residents are also aware of land issues in Santa Lucia (see above), where they have witnessed evictions which are sometimes violent.

3.3 Xalapa summary

<i>Zone</i>	<i>Settlement</i>	<i>Year founded</i>	<i>Settlement category/ land tenure</i>	<i>Degree of conflict</i>	<i>Causal factors (macro/micro)</i>	<i>Actors</i>	<i>Outcomes</i>
1	Loma Bonita	1997	<i>Colonia popular</i> (consolidating low-income)	Medium	Dispute between <i>ejidatario</i> and settlers over alleged fraudulent land sale	Settlers <i>Ejidatarios</i> CORETT officials	Imprisonment of community leader Lack of leadership Lack of services Regularisation delays
1	Lomas de Santa Fe	2008	<i>Fraccionamiento</i> (formal middle-income)	Medium	Illegal granting of land permit Inadequate service provision	Homex Residents Municipal officials	Lack of recognition by municipal government Lack of official services Direct action by residents Suspension of project Land invasion
2	Perseverancia	1993	<i>Colonia popular</i> (consolidated low-income)	Low	Proximity of irregular settlement Actions of residents Actions of state Informal land sale	Residents Water Committee	Insecurity Poor services (water)
2	Santa Lucia	1995	<i>Asentamiento irregular</i> (low-income invasion)	High	Informal land sale/ permit Lack of regularisation Speculation	Residents <i>Ejidatarios</i> Santa Lucia Civil Association Original buyers	Land invasion Violent displacement Resistance Legal conflict
2	Ollintonal	1993	<i>Fraccionamiento</i> (formal with informal origins; middle-income)	Medium	Unclear process of land acquisition/ regularisation Political interests	Residents State officials	Imprisonment of residents Social fragmentation Low habitational density

Table 3: Summary of settlements and conflicts in two study zones in Xalapa

The above table summarises the five cases across the two zones discussed in Xalapa. In terms of the three factors mentioned earlier which may affect urban land tenure – land reform, housing policy, and insecurity – some observations can be drawn from this analysis. A common factor in both zones was the situation of *ejidal* land being acquired by different

actors through diverse mechanisms (directly from the *ejidatario* or via an intermediary; as a one-off transaction, or in installments; or through invasion). This underlines the importance of this land sub-market in Mexico, and also, in most cases, the dominance of informal land transactions within it (which were found in four out of the five neighbourhoods). Of these cases, Ollintonal is particularly interesting because of the way that residents attempted, in good faith, to acquire land informally with the aim of undergoing the legal process of *dominio pleno*, which led to them being accused of illegal subdivision based on the informal nature of the transaction. However, taking into account the fact that most of these settlements were founded after 1992 suggests that the agrarian reforms in that year did not have the desired effect of bringing an end to informal land markets; and in fact, the unintended consequences of these reforms' provisions for *ejido*-led regularisation may have been to disadvantage urban poor communities and *ejidatarios*, generating greater vulnerability to conflict.

At the same time, reforms to housing policy have led to the development of massive housing estates at the urban fringe, which generate their own internal problems due to a lack of coordination between developers and municipalities, resulting in delays to municipalisation and consequently the payment of land tax. These may have the potential to affect neighbouring communities, as seen in the outcome of land invasion in the case of Lomas de Santa Fe and its potential effects on neighbouring Loma Bonita, and also in the case of Santa Lucia and its adjacent settlements Perseverancia and Ollintonal. Such developments arguably affect land markets at the urban fringe, putting increased pressure on informal markets while generating internal conflicts with the potential to 'spill over' into the surrounding area. Finally, in the context of increasing urban insecurity, land conflict has both reflected and reproduced existing perceptions of heightened insecurity, seen most acutely in the case of Santa Lucia, where impunity apparently reigns, but also in the effects of this on nearby neighbourhoods.

4 Findings: Querétaro

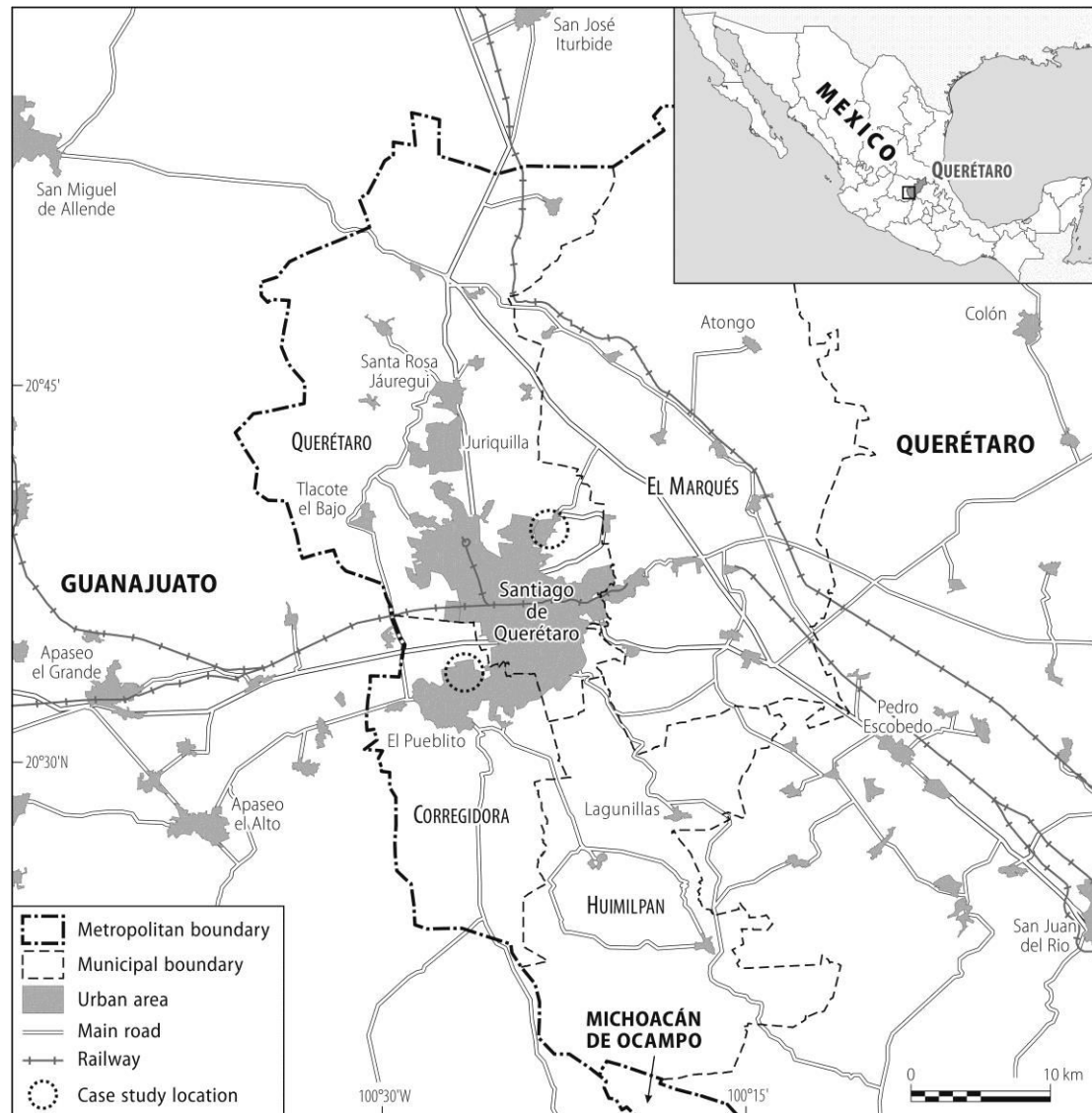


Figure 14: Querétaro Metropolitan Zone with (L-R) study zones 1 and 2

The provincial city of Santiago de Querétaro is located in the central region of Mexico. As the capital of Querétaro State, which is one of the smallest but most densely populated states in Mexico, it contains around half of the state's population. The municipality of Querétaro has a population of 801,940, with a surface area of 759.9 square kilometres (INEGI 2010). Its metropolitan area comprises four municipalities – Querétaro, El Marqués, Corregidora, Huimilpan – with a population of 1,097,028 (INEGI 2010). The state has one of the country's strongest economies, based mainly on agriculture, commerce, and industry (mining, chemicals, paper products, and machinery, including aeronautics), the latter attracting foreign investment. This is evidenced by the industrial parks in the north of Querétaro, such as El Marqués Industrial Park, constructed in 2003, which houses international as well as local tenants. The city's strategic position in the centre of the country and its motorway connection to Mexico City make it an important transit point. The GDP per capita of the metropolitan area is around \$13,100USD (Franco 2014), one of the highest in Mexico, but this is unevenly distributed across the municipalities of the metropolitan area. The municipality of Querétaro, which includes the city centre, has the highest population and the highest living standards in the metropolitan area.

The annual growth rate of Querétaro's metropolitan area is around 2.4 per cent, based on workers migrating from neighbouring states, and more recently, middle-class migration from northern states due to insecurity. From 1980 to 2009, the population of the Querétaro Metropolitan Zone tripled, from 324,000 to 1.36 million (Contreras 2011). Accompanying population growth, the surface area of the metropolitan zone grew 14 times its size from 1980 to 2009 (800 to 11,000 hectares), suggestive of the fact that the metropolitan zone of Querétaro has the fifth highest degree of urban sprawl in Mexico (OECD 2015, 67). As more modern developments are built on rural land at the edges of the city the inner city has gone through a process of devaluation and decline (Kunz 2009), although it was named a World Heritage Site in 1996. Formal growth in terms of gated communities for middle- and high-income residents has been commonplace since the 1990s, forming dormitory cities. Meanwhile, it was estimated in 2011 that there were around 860 irregular settlements in the Querétaro Metropolitan Zone (Oscar Mercado, personal communication, 22 November 2011). The supply of land for growth is often derived from peripheral *ejidos*, which come under pressure for development at the city's edge.

Administratively, each municipality is divided further into delegations, with the Municipality of Querétaro for example having seven delegations. The ongoing lack of a metropolitan authority led to the institutionalisation of a tier of metropolitan government in the 2011 State Law of Human Settlements. At the State level, there is a well-developed framework of institutions which regulate urban development in Querétaro, reflecting to some extent the planning education offered by local institutions, most notably the Tecnológico de Monterrey. The State Department of Urban Development and Public Works (DUDP) is responsible for strategic planning and monitoring. The State Development Plan 2010-15 had a central aim of urban and infrastructure planning for development, with the aim of modernising planning at the state and municipal level through updated legislation and the systematisation of planning processes, including land tenure regularisation. The State of Querétaro's Urban Code, passed in 2012, aimed to align local legislation with federal law on housing and urban development, clearly establishing the different roles and powers at state and municipal level. Among its most significant measures, it gives the state and municipality preference to acquire territorial reserves for housing, and powers to regulate the activities of large developers. Additionally, it established the office of the State Ombudsman for Environmental Protection and Urban Development, with the aim of fostering sustainable urban growth and mediating conflict in this area (see Appendix 3). The code was the result of a process of consultation with local political and social groups in the state.

The authorities' response to informal urban development is relatively progressive. There are at least four agencies which attend to regularisation processes in Querétaro: CORETT; the State Government (in conjunction with DUDP); the Municipality of Querétaro; and the State Housing Institute (IVEQ). While these agencies deal with different types of settlement depending on whether they originate on *ejidal* or other types of land, this situation has contributed to confusion over the division of powers and a lack of transparency. Because of this, the State Government sought to systematise the regularisation process, and in 2007, a coordinating agreement for the integrated urban development and regularisation of human settlements was signed by the municipality of Querétaro and CORETT (Municipality of Querétaro 2009). Within the State Department of Urban Development there is a dedicated team which maps urban informal settlements in the metropolitan area, based on information from municipalities, in collaboration with the Urban Lab research centre at the Tecnológico de Monterrey.

With regard to urban insecurity, Querétaro's high levels of migration and growth are partly due to its reputation for economic and political stability. The Municipality of Querétaro was governed by the PAN for 15 years from 1997 to 2012, when the party lost the municipality to the PRI. The State remains under the control of the PAN, and has some of the lowest rates of corruption and violence in the country. In the 2010 National Index of Corruption and Good

Government, Querétaro's score of 6.9 was below the national average of 10.3, and much lower than the highest scoring entity, Mexico City with 17.9 (Transparencia Mexicana 2010). According to the Mexico Peace Index 2013, Querétaro was the second most peaceful state in Mexico, with a homicide rate of 18 compared to the national average of 32.5 (IEP 2013). In contrast to many other areas, it has become more peaceful over the last decade, with declining rates of organised crime, incarceration, homicide and weapons crime (IEP 2013, 15). While violent crime is still an issue, 'Querétaro has been relatively untouched by drug related violence' (IEP 2015, 15). This has apparently contributed to its growth in recent years, with waves of migration from the north and western areas of Mexico where insecurity is perceived to be much worse.

4.1 Querétaro Study Zone 1

Study Zone 1 is an area to the southwest of the Querétaro Metropolitan Area, in the Municipality of Corregidora, which contains the following neighbourhoods:

- Jardines de la Corregidora – semi-consolidated *colonia popular* (regularisation in process);
 - Puerta Real – middle/high-income neighbourhood (*residencia*) adjacent to *colonia*.
- These developments are founded on land belonging to the Ejido Pueblito.

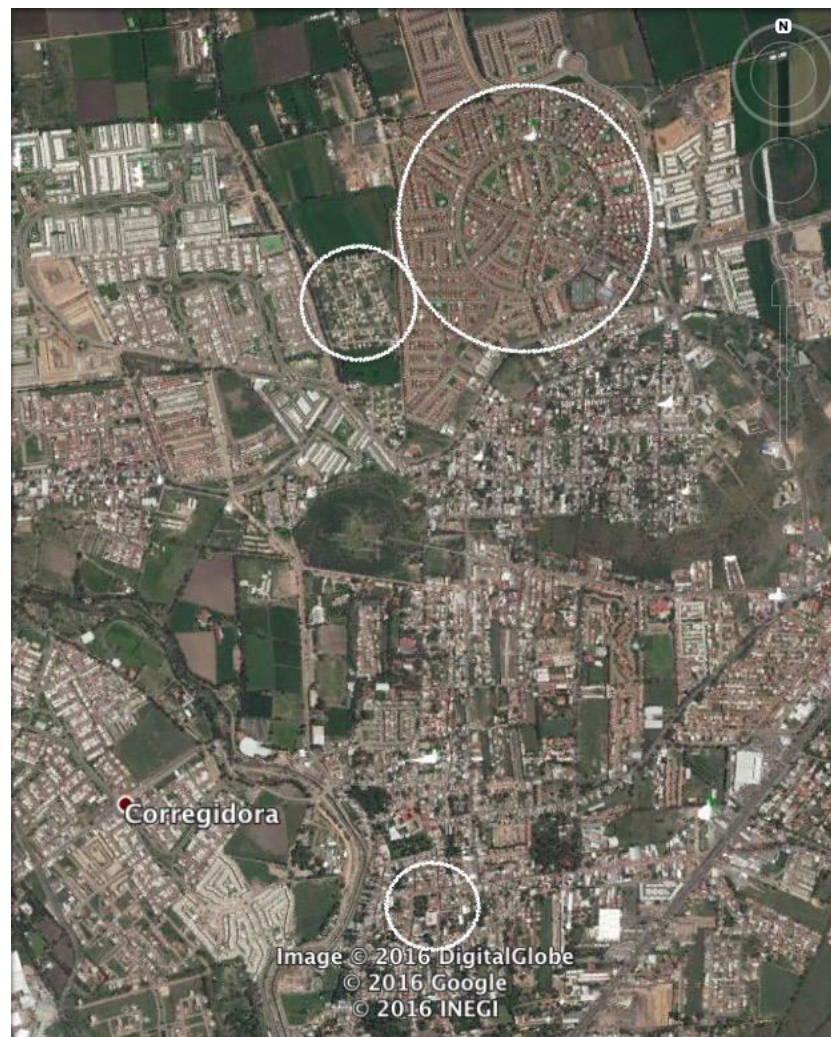


Figure 15: Study zone 1 in Querétaro, incorporating (clockwise from top left) Jardines de la Corregidora, Puerta Real, Ejido Pueblito (adapted from Google Earth 2016)

*Jardines de la Corregidora*²¹



Figure 16: Aerial image of Jardines de la Corregidora (adapted from Google Earth 2016)

Jardines de la Corregidora is a *colonia popular* in process of regularisation, in the Municipality of Corregidora. The neighbourhood was founded during 1995-1996, when an *ejidatario* from the Ejido Pueblito in the Municipality of Corregidora sold a plot of agricultural land measuring 8.26 hectares for \$70,000 MXN to three developers or ‘promoters’ who were part of a local urban social movement. In order to convert the land from agricultural into residential use, it was divided into 380 housing lots. In this process, the *ejidatario* kept back 1.26 hectares, in a process that is not unusual in informal urbanisation (Jones and Varley 1999). The end result was that the social developers sold 350 lots for \$5,000MXN each, while the *ejidatario* remained living in the neighbourhood.

The neighbourhood has some basic services. Electricity was installed by the Federal Electricity Commission in 2004. Drinking water is supplied by water tankers paid for by residents, and the installation of sewerage is currently being negotiated by the President of the Neighbourhood Committee. In terms of secondary services, the nearest school is five kilometres away in the neighbourhood of Emiliano Zapata, and the nearest health centre is two kilometres away. Several bus routes now stop nearby the entrance to the neighbourhood because of the newly-developed middle-income Paseos del Bosque estate, situated next to the neighbourhood. These routes started around three or four months prior to the time of the research, and take around 40 minutes to the centre of Querétaro (a journey of 20 minutes by car). Services that are still lacking include rubbish collection, street and pavement surfacing and construction, and a landline telephone service. The neighbourhood is situated next to a stream which occasionally floods, and which is highly polluted, apparently with waste water and sewage.

²¹ Based on interview with Vicente, community leader and founder, 11 April 2012.

There are around 80 households in the neighbourhood, with a total population of around 480 residents (an estimated average of 6 residents per household). The most common household structure is extended families of several generations, and children are estimated to make up 60 per cent of the total population. The most common types of employment are shopkeeper, other service provider, and itinerant vendor. The estimated average income is around \$1,500-1,800MXN per week. Additionally, there are four small grocery shops in the neighbourhood, and two commercial sheep pens.

All of the 350 lots sold by the developers have owners, but only 60 per cent have constructions, leaving around 40 per cent vacant, or around 140 lots. The majority of constructions are made with steel rods and concrete. The stated aim of the original developers was to provide social housing, through a process of buying, developing and regularising cheap *ejidal* land. As outlined above, although the sale of *ejidal* land for residential purposes was for a long time legally unrecognisable in Mexican law, the prospect of seeking legalisation through the Commission for the Regularisation of Land Tenure means residents usually have a good chance of obtaining secure tenure through legal titles. In Jardines de la Corregidora, residents have requested land tenure regularisation from CORETT. Four years ago, CORETT carried out a survey in the neighbourhood. However, since then progress has stalled due to conflict with the original landowner, who is still resident in the neighbourhood.



Figure 17: Street in Jardines de Corregidora (Melanie Lombard)

Conflict in Jardines de la Corregidora

At the time of the original land sale in the mid-1990s, the *ejidatario* expressed sympathy with the social objectives of the development. However, around five years ago, when nearby land was sold for formal, middle-income housing development, local land values increased dramatically. This apparently led to a change of heart for the *ejidatario*, who decided he wanted more money before he would give his consent to regularisation for the residents. Reports suggest that under pressure from formal developers to sell them the land (of which he was still legally the owner), he first tried to buy existing residents out, and then to charge an additional fee per plot, while also making threats to evict residents. Meanwhile, he also accused the original promoters from the social movement of fraud, taking the case to two tribunals: first to the Unitary Agricultural Tribunal, where it was thrown out due to the land having been urbanised; and then to the Ombudsman General, who referred him back to the agrarian institutional framework for resolving conflicts, given that the land still had *ejidal* status.

The conflict over land tenure in Jardines de la Corregidora is suggestive of the unintended consequences of interaction between different land sub-markets and policies, and the diverse forms of urban development that result. For example, the luxury housing development Puerta

Real, one of two large middle- to high-income estates developed over the last five years on a plot of land adjacent to the neighbourhood, has had tangible effects for residents of the *colonia*. The property developer paid around \$20,000,000MXN for the plot, which is being developed in stages, with over 1,000 houses planned, arranged in private gated 'streets' of 120 homes each (see below). Houses are purchased by residents at or near completion, with services already installed, although these are frequently provided by the developer on a temporary basis until the whole development is finished and transferred to the municipality (as outlined in the case of Lomas de Santa Fe, above). While there are benefits for the low-income neighbourhood from the proximity of this formal development, in terms of the changing image of the overall area, some services such as transport that can be shared, and employment opportunities, in general the residents of these two developments live entirely separate lives. Reinforcing the very different conditions in which they live, the neighbourhoods are totally segregated, separated by walls constructed by the developer of the formal settlement; most services available to the middle-income estates are not extended to the poorer *colonia*, and job creation is limited to construction and domestic service or cleaning. Finally, the effects of the speculation over land values caused by these new developments have led to the stalling of the neighbourhood's regularisation process, and ensuing social conflict.

Residents have identified lack of regularisation as a major problem in the neighbourhood. Due to the lack of legal titles, the residents find that some services are impossible to obtain. They have managed to meet some needs, investing in housing, the private supply of water, and street signage. However, as the neighbourhood is not legally recognised by the municipality, residents are unable to petition for formal service provision. This situation is further complicated due to the neighbourhood's unclear legal situation: the original landowner's claim to the land has deterred even private companies from providing services, for fear of legal redress. This situation in turn affects habitation density: in a vicious circle, the neighbourhood's informal status affects levels of occupation, which in turn affects the possibility of regularisation (for which CORETT stipulates a minimum of 80 per cent habitation). The situation has generated social division within the community, as some residents support the original landowner's position, while others support the current committee President who is involved in negotiations for regularisation and other services. This is compounded by the presence of political parties in the neighbourhood which further divides the community, and the regular intervention of local police in support of the *ejidatario*, due to family connections with him.

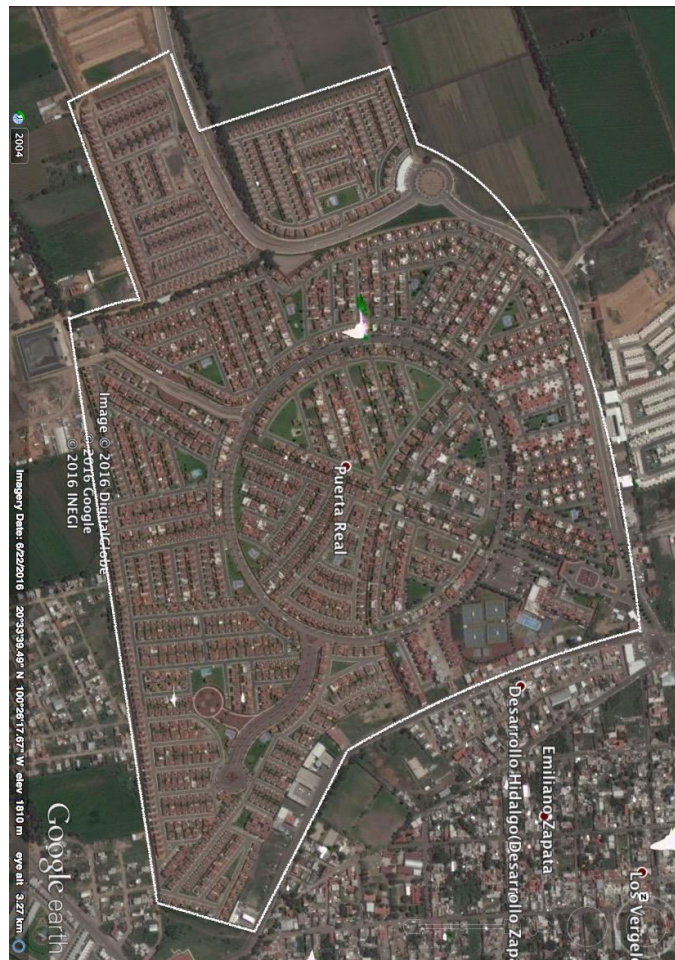
*Puerta Real*²²

Figure 18: Aerial image of Puerta Real (adapted from Google Earth 2016)

Puerta Real is a middle- to high-income gated neighbourhood (*residencia*) that was founded 2010, on land that was formerly agricultural, belonging to the Ejido Pueblito. It was built by Dinova Homes, a local developer with three similar developments in Querétaro. At the time of research, the development was still under construction, with an estimated 120 more villas planned. The neighbourhood is organised into ‘villas’ or gated streets, each with their own security guard. Each villas has 120 houses with a swimming pool in the middle. This layout means that residents have to pass through two levels of security checks – both the external gate and the street gate - to gain access to their homes. Residents who pay the monthly service charge (see below) are given a badge for their car which is renewed monthly, and allows them to drive in to the villa.

Residents acquire their houses as a finished product, with basic services such as water, electricity and telephone supplied. Electricity is provided by the Federal Commission of Electricity and is calculated and paid per ‘villa’. Water is provided by the State authority (Comision Estatal de Aguas Querétaro) and is calculated and paid in the same way. Residents also pay a service charge for the maintenance of public areas, which is collected by the caretaker for each villa. The municipality has no jurisdiction within the neighbourhood, as it is a private development, apart from in relation to the street connecting the neighbourhood to the public road. Residents do pay the municipality for refuse collection (\$4,000MXN/month), but the service is so irregular that some caretakers have proposed paying a private company to

²² Based on interview with Francisco, administrator of a villa, non-resident, 16 April 2012.

collect the rubbish instead. Services such as schools and healthcare are not available within the neighbourhood. Local transport (buses) pass by the entrance although do not enter; however, almost all resident households have a car, and most have two. It takes about 25 minutes by car to get to the city centre.

All of the existing houses in the estate are sold, although it was not clear what proportion were bought with a mortgage as opposed to being bought outright. The majority of residents are owner-occupiers, although it is estimated that between 10 and 20 per cent of residents rent. The price of houses varies from \$1,840,000MXN to \$2,900,000MXN. Not all houses are inhabited, as some are weekend houses for people who live in Mexico City. The level of habitation is around 80 per cent, and households have an average of four people, usually young families with parents aged between 25 and 50. Residents are usually professionals or executives, and in many households both husband and wife work. Income levels are relatively high, estimated at around \$30,000MXN/month. Around 30-40 per cent of the population are children (between 5-15 years). There are very few older people in the development.

The homeowners' assembly meets annually to discuss and take decisions on issues relating to the street, and is open to all residents in a villa. This is supplemented by a committee of representatives which meets monthly, comprised of a president, secretary, treasurer and spokespeople. Decisions taken in the assembly or committee are executed by the caretaker, who is employed by street assembly, and who also deals with day-to-day maintenance issues such as broken lights. The monthly service charge of \$850MXN covers the administrator's salary, public lighting, gardening and the swimming pool.



Figure 19: Villa in Puerta Real (Melanie Lombard)

Conflict in Puerta Real

Land conflict within the neighbourhood is not apparent, because of the formal production process which means that residents acquire housing rather than land. However, other issues have arisen due to the location of the development, which is next to a stream that also flows alongside Jardines de la Corregidora, meaning that some areas of the development are subject to flooding. Additionally, the nearby sewage treatment plant smells, which residents have complained about. This led to residents from Puerta Real and another five or six local neighbourhoods, including Pueblo Nuevo, getting together to make representations to the authorities. The location of the development on formerly *ejidal* land responds to the same logic as informal development; developers are looking for the cheapest location, which is still close enough to the city to be convenient for residents who work there.

The land acquisition appears to have been entirely formal. The Ejido Pueblito, on whose land the development is based, underwent PROCDE in 1998 and seven hectares of land were

expropriated in 2014 via *dominio pleno* (RAN 2016), at around the time that the development started. This suggests that the *ejidatario* landowner sold the land as private property. However, problems have occurred due to the proximate but segregated relationship between this neighbourhood and the adjacent informal neighbourhood of Jardines de la Corregidora. As mentioned above, these relate primarily to the effects on land values of the high-income development in this area, which is perceived to enjoy many of the advantages of a ‘rural’ environment while benefitting from its proximity to Querétaro. This in turn has had speculative effects on the informal land markets in the area, leading to the problems discussed earlier, relating to delays in regularisation for Jardines de la Corregidora. Additionally, the erection of a wall between these two neighbourhoods means that any interaction between residents is highly unlikely, other than the prospect of domestic or construction sector employment within the richer neighbourhood for the residents of the poorer one.

4.2 Querétaro Study Zone 2

Study Zone 2 is an area to the northeast of the Municipality of Querétaro, which contains the following neighbourhoods:

- Mujeres Independientes – consolidated *colonia popular* (regularisation nearly complete);
- Cinco Halcones – adjacent semi-consolidated *colonia popular* (regularisation in process).

These neighbourhoods were founded on landed belonging to the Ejido Menchaca and the Ejido San Jose El Alto respectively.

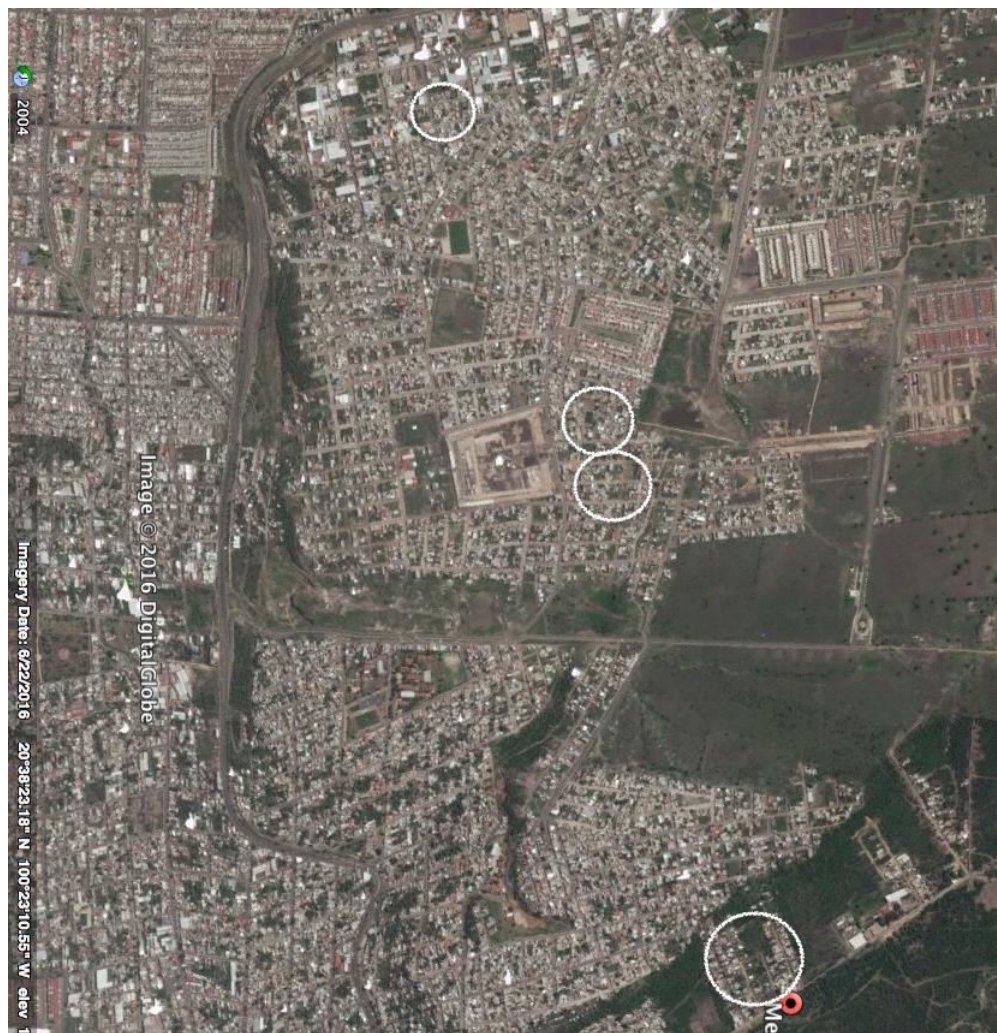


Figure 20: Study zone 2 in Querétaro, incorporating (L-R) Ejido San Jose El Alto, Mujeres Independientes, Cinco Halcones, Ejido Menchaca (adapted from Google Earth 2016).

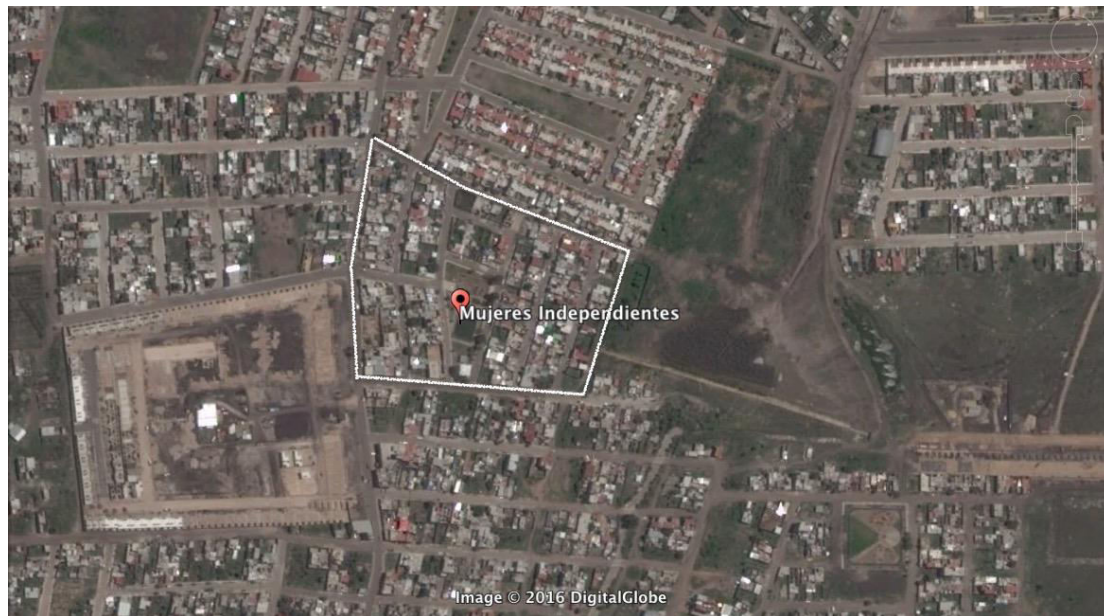
*Mujeres Independientes*²³

Figure 21: Aerial image of Mujeres Independientes (adapted from Google Earth 2016)

The neighbourhood originated with a land invasion in 1997 of around 500 people, mainly from female-headed households, organised into a movement called ‘Mujeres Independientes’. The leader of this movement organized a group of people in housing need to squat on land belonging to the Ejido Menchaca, and build shacks. Initially, the movement leader negotiated with the *ejidatario*, and with the support of the State Government, who acted as intermediary, the *ejidatario* gave permission for them to remain. In 1999, the sale of the land to the leader was negotiated with the landowner. According to some respondents, this was under pressure from representatives of the State Government, which also gave some financial support to the movement for this sale. However, it is alleged that the leader appropriated the money which the State Government gave the movement to buy the land, and instead sold plots to the movement’s members for \$7,000MXN, in monthly payments of \$250MXN.

The land that was invaded was agricultural, mainly comprising of abandoned cornfields. At the time the neighbourhood was established, there was no road in to the settlement, and residents had to arrive on foot from San Jose or Menchaca. There was no electricity and households had to use candles at night for lighting. Water was initially delivered via tanker (arranged by the movement leader), and sold at around \$10-12MXN per barrel, which would last about a day per household. In 2004, the neighbourhood procured some collective water tanks, which were initially situated on the football pitch and then in individual streets, and were filled by a municipal tanker; however, some residents refused to cooperate financially, meaning that their neighbours suffered from a lack of water. In 2006-07, each street was installed with a connection to the water network. Electricity was initially installed via a central connection to which households connected individually (with wires and posts that the residents themselves bought for \$500MXN each); however, in 2004 the bill wasn’t paid due to a court case involving the movement leader (see below), and the CFE cut off the electricity. Meanwhile, the neighbourhood was left with a collective bill of around \$40,000MXN (discounted to \$14,000MXN after petitions from the residents). Once this was paid, the CFE connected the neighbourhood to the network again.

²³ Based on interview with community representatives Ana, Maria and Milena, 12 April 2012.

As well as water and electricity, the neighbourhood has also had sewerage and road paving since around 2006. Residents constructed the pavements themselves (by household), finishing in 2007. At the time of the research, the neighbourhood still lacked public lighting, and residents were petitioning the municipality for this. The latter had requested titles for three service areas where this would be installed, and the neighbourhood committee was negotiating with CORETT over the cost of titling these areas (a total payment of \$10,740). At the time of the research, a third of the total amount had been collected from residents. The neighbourhood has various services and shops including a butcher, *tortilleria*, and hardware store. Very little support has been received from other organisations, apart from the State Governor's personalised shelter programme PAC (the Programa de Acción Comunitaria), founded by the Ex-Governor of the State of Querétaro, Paco Garrido. The neighbourhood is around an hour away from the city centre by bus.

Of the original 500 people involved in the land invasion, only around 50 remain resident in the neighbourhood, with the rest being more recent arrivals. The neighbourhood currently has around 572 residents in 143 households, giving an average household size of four residents. The most common occupations are builder for men, and cleaner for women. The average weekly income is around \$800MXN per week. There are 186 plots in the neighbourhood, measuring 120 square metres each, of which 157 have titles. The total surface area of the neighbourhood is 42,132 square metres (Municipio de Querétaro 2009). There are 29 unoccupied plots without construction, and 14 houses without occupation. The neighbourhood is currently undergoing a process of land tenure regularisation. CORETT visited the settlement in 2008, and offered titles to all those who could prove they lived there, at a cost of \$2,500MXN per household (\$3,500MXN for those with a small business or owning an empty plot).



Figure 22: Street in Mujeres Independientes (Melanie Lombard)

Conflict in Mujeres Independientes

The process of regularisation was initially delayed as the leader (to whom the land officially belonged following its sale from the original owner) didn't want to give her agreement. The initial issue of titles took two years, and some residents' requests are still being processed. Respondents suggested that the threshold for proof of occupation is quite low (one receipt of payment suffices), suggesting that CORETT have an interest in regularising the neighbourhood. However, some residents have not approached CORETT for an update on the process, because they fear that since they still owe money for their plots, they risk dispossession. There is also a general fear that residents risk displacement, based on events relating to the imprisonment of the movement leader (see below). Titles have helped to make residents feel more secure, but there is a generalised reluctance to take up legal cases related to the fear of dispossession.

Progress in the *colonia* has been complicated by legal action brought against the movement's leader, resulting in her imprisonment. As mentioned above, the illegal activities of the leader included appropriating the money from the State Government to buy the land, the sale of the same plot of land to several parties, and the fraudulent collection of money for services. When these activities came to light, a split occurred in the community, with some residents supporting the leader and some against her. In 1999, the latter faction reported her to the authorities, and she was imprisoned in 2001. Additionally, an injunction was taken out against Guillermina's daughter and brother, who collaborated with her on land sales, meaning they are no longer legally allowed to enter the neighbourhood.

The indirect consequences of this include the neighbourhood's outstanding debt to the CFE, which occurred while the leader was contesting the court case (and hence did not pay the bill), meaning the charge for the residents mounted considerably. Despite the injunction mentioned above, respondents suggested that members of the family had recently been seen offering lots for sale for \$120,000MXN, with papers dating from 1998 or 1999. Some respondents suggested that strong links must have existed between the movement's leadership and the state and municipal governments, due to the 'protection' of the initial land invasion by the state government, and its apparent support for the leader in her court case.

The direct consequences of this conflict include occasional instances of violent clashes between the different factions, allegedly due to the involvement of external groups such as *Antorcha Campesina* inflaming the situation. While this has not recently occurred, the neighbourhood still suffers from insecurity relating to its informal status leading to a lack of police presence (El Universal 2013), although this has recently been acknowledged and addressed to some extent by increasing police patrols in the area (La de Hoy 2015). Additionally, social divisions arising from the conflict around the leader's imprisonment remain, accompanying the generalised fear of dispossession that has delayed regularisation and caused people to leave.

*Cinco Halcones*²⁴



Figure 23: Aerial image of Cinco Halcones (adapted from Google Earth 2016)

²⁴ Based on interview with Julio, community leader, 25 April 2012.

Cinco Halcones, which is adjacent to Mujeres Independientes, was established in around 2000 on land belonging to the *ejido* San Jose El Alto, which had been cultivated with maize but was no longer viable. Around eight *ejidatarios* subdivided the land, which was denoted as common use land, and residents bought plots of 200 square metres individually and directly from the sellers, at a cost of around \$10,000-\$20,000MXN in monthly payments of around \$1,000MXN (with a sales document as proof of purchase until after payment had been completed). In some cases, buyers waited two years or more before occupying plots and beginning the construction process. The *colonia* is one of around 30 in the area that was formed in this way through the sales of land by the same *ejidatarios*. It currently has around 230 households containing around 1,200 inhabitants in total. The average size of households is two parents and three children, suggesting that there are over 700 children living in the settlement.

The *colonia* has been provisionally connected to the water network (via the programme Agua Cerca de Todos) since early 2012, and around 90 per cent of the neighbourhood has electricity. Sewerage will be installed later this year when two remaining streets, Pino and Jacarandas, are finished. Together these streets comprise 28 plots (of which 20 are inhabited). Obtaining water and sewerage services was part of a process of petitioning which the current committee has undertaken. The current committee is somewhat fragmented due to the domestic and work responsibilities of its members, and the level of commitment that it requires. However, members willingly cooperate with local government institutions to collect information about the situation of the *colonia* and have even mapped it out in support of formal connection to the water network, in collaboration with CEA, several months previously.

The most common forms of employment are builder, electrician, and carpenter. The average weekly income is around \$1,200MXN per week. There is a kindergarten and primary and secondary school in the Colonia Menchaca, about five minutes' walk away. Regarding health care, the majority of residents have access to Social Security (*Seguro Popular*), and use a health centre in San Jose El Alto, at around 15 minutes away. The neighbourhood is served by two direct bus lines (that enter the colonia) and various others that stop on the main road outside the colonia. The neighbourhood currently has diverse services including a hardware store, *tortilleria*, butcher, hairdresser, baker and even a car wash. There are around four Protestant churches in the *colonia*.

There are around 350-80 plots in the neighbourhood, which supposedly all have owners. Around 50 plots do not have any construction on them. Additionally, around 70-100 have some sort of construction but are not inhabited. This situation is apparently due to the lack of services in the neighbourhood; in turn, low levels of habitation generate vandalism, and drug addiction is also a problem. However, the increase in land values has seen plots prices rise to around \$80,000-\$100,000MXN, motivating some landowners to invest in constructing a house and obtaining a water connection. The majority of people living in the neighbourhood are owner-occupiers.

The neighbourhood receives some other support from municipal and state institutions, such as the State Government programme Soluciones, which has offered food support for adults aged over 60, and some housing material for around 40 to 50 households (water tanks, corrugated iron sheeting, flooring or fencing material). The elected President of the Soluciones programme (who is also the President of the Neighbourhood Committee) is responsible for distributing these benefits, which has led to accusations of bias. The municipality has also given some support in terms of housing material, but it requires residents to have titles, meaning that few have benefitted. However, the more individualised nature of this programme has led to it being perceived as fairer than Soluciones, as residents receive benefits directly from the municipality rather than via a committee.



Figure 24: Street in Cinco Halcones (Melanie Lombard)

Conflict in Cinco Halcones

The neighbourhood is currently undergoing the regularisation process, but this is proceeding slowly, apparently due to previous committee presidents' lack of interest, as well as delays on the part of the institutions involved. The residents are seeking titles in support of legal security and public works, and are in the process of compiling a dossier to support their application to CORETT. As the neighbourhood was formed on common use *ejidal* land, the *asamblea ejidal* had to give its consent to CORETT for regularisation to proceed. After five years of seeking regularisation via expropriation, involving activities such as a mapping exercise with SEDESOL four years ago, the residents became concerned about delays with the process. This appeared to be due to lack of coordination between CORETT and SEDESOL, as well as the residents' committee having to deal with various different institutions (including Conagua, CEA, Desarrollo Urbano, CORETT, SEDESOL, etc). The neighbourhood has also been collaborating with two other *colonias* in this process (Rancho Quemado and Jardines de San Jose).

Meanwhile, CORETT advised the residents that they could seek titles through regularisation via the *ejidal* assembly, which is quicker than expropriation as it takes place through direct payments to the *ejidatarios* (\$2,500MXN per plot plus \$2,580MXN for the cost of titling). The residents had been engaged in this process for two months at the time of the research, and were hoping to obtain titles within a year. The *ejidatarios* appear willing to cooperate and have already given consent for this to occur. In general relations with the *ejidatarios* are good, and the current President of the Ejido, Toño Gonzáles, is very willing to cooperate with the *colonia* president.

However, it is clear that the *colonia's* main problem relating to land tenure has been the continued delay in regularisation, due partly to the turnover of committee members but also delays within CORETT and institutional fragmentation with regard to responsibility for the process. Residents hoped that the new process, which was only possible under the 1992 reforms, would be more successful; but as has been shown with previous cases, this is not always unproblematic, as it depends on the goodwill and capacity of the *ejidal* assembly to approve it. Additional land tenure issues in the neighbourhood relate to occasional problems such as heads of households dying intestate, but these are usually resolved with documentary evidence from neighbours²⁵.

²⁵ There is also an area of high risk in the *colonia* where a fluvial drain has formed, which has necessitated inspection by Conagua, CEA and Agropecuario.

4.3 Querétaro summary

<i>Zone</i>	<i>Settlement</i>	<i>Year founded</i>	<i>Settlement category/ land tenure</i>	<i>Degree of conflict</i>	<i>Causal factors (macro/micro)</i>	<i>Actors</i>	<i>Outcomes</i>
1	Jardines de la Corregidora	1995-96	<i>Colonia popular</i> (informal urban)	High	Informal development Lack of regularisation	<i>Ejidatario</i> Residents Developers	Lack of services Social conflict
1	Puerta Real	2010	<i>Fraccionamiento</i> (formal urban)	Low	Formal development Increase in local land values Speculation	Developers	Conflict in neighbouring settlement (see above)
2	Mujeres Independientes	1997	<i>Colonia popular</i> (informal urban)	High	Historic land invasion Fraudulent land sale Imprisonment	Leader Residents State authorities	Social conflict
2	Cinco Halcones	2000	<i>Colonia popular</i> (informal urban)	Low	Low capacity of committee Institutional delays	Committee Residents Leader	Delays in regularisation Seeking regularisation via <i>ejido</i>

Table 4: Summary of settlements and conflicts in two study zones in Querétaro

The table above summarises the four cases across the two study areas in Querétaro. In general less *ejidal* land is available in Querétaro for urban growth purposes, due to historical sale of this land. For example, Menchaca is an *ejido* which has sold nearly all of its land and remains an *ejido* in institutional terms only, based on the continued existence of its *comisariado ejidal* and *asamblea*. That said, of the three *colonias* studied, all had originated on *ejidal* land, based on informal land sales and settlement processes (including, in the case of Mujeres Independientes, squatting) and all had sought regularisation via CORETT, although their progress in this respect varied, depending on diverse internal and external factors. Despite all three *colonias* being founded after the 1992 reforms took place, they are all based on informal processes of sale and regularisation, suggesting that in Querétaro as in Xalapa, the reforms have made little difference to the informal *ejidal* land market. Additionally, in Querétaro informal developments on *ejidal* land were characterised by a high degree of involvement by the *ejidatario*, particularly in the case of Jardines de la Corregidora, where he remained resident in the neighbourhood and was obstructing consolidation processes. This again suggests that the power balance between *ejidatarios* and settlers has consolidated in favour of the former, with ensuing potential for conflict.

The effects of housing policy on the informal land market are marked in Querétaro, which has experienced high levels of formal development in recent years, aimed at the middle- and high-income market. In the case of Jardines de la Corregidora this is particularly evident: the neighbourhood's location between two high-income developments has dramatically increased land values there, leading to the stalemate between the *ejidatario* (who aims to get a better price for his land despite having already sold it) and the residents, who are seeking regularisation. This form of speculation is likely to increase in areas where land is at a premium and middle- or high-income developments are found alongside older informal neighbourhoods. While there is little direct conflict between such neighbourhoods, the indirect effects on the informal neighbourhood of the presence of the higher income

neighbourhood are ultimately negative, in terms of segregation, speculation and ensuing conflict. Finally, urban insecurity was observed as less of a direct factor in land conflict, but has apparently been the cause of some incoming migration leading to further urban growth. This has occurred not only in high- and middle-income areas, but also in certain *colonias populares*. Additionally, there are suspicions that insecurity has increased in recent years, particularly in terms of violent assault and blackmail.

5 Analysis

In the penultimate section of this paper, the case study cities are analysed comparatively, allowing an understanding of the different factors and issues in each, while also drawing on all nine case study settlements outlined above, allowing a perspective across a diverse cross-section of settlement types (irregular settlements, informal neighbourhoods in various processes of consolidation, and formal developments for middle- and high-income residents), as well as on the dynamics between them in terms of land conflict. This analysis is structured according to the three research questions outlined in the introduction, namely:

- What are the macro-scale causal factors in conflict over land tenure in Mexican cities?
- How is land tenure related to localised conflict at the neighbourhood (micro) scale?
- What are the effects of land conflict on urban poor communities?

5.1 What are the macro-scale causal factors in conflict over land tenure in Mexican cities?

The initial literature review (Section 2) suggested three key tendencies affecting urban land tenure nationally in Mexico, that could be factors in conflict over land tenure in Mexican cities. These were land reform, formal development and urban insecurity. They are explored in turn here, and interrogated in terms of their direct potential for causing conflict over land tenure, as well as their indirect effects in terms of settlement consolidation, based on the findings presented above.

Land reform

The land reforms undertaken in 1992 aimed to bring clarity and transparency to the *ejidal* land market, by implementing mechanisms which enabled *ejidatarios* to convert their land into private property (through disincorporation from the *ejido*) as the basis for sale. It was anticipated that this would lead to a decline in informal land sales in this sector, as for the first time *ejidatarios* could legally sell their land. However, despite the land reforms, subdivision of *ejidal* land for residential purposes still frequently occurs through processes other than the legal mechanism of *domino pleno*, often in circumstances whose legality is unclear. Unauthorised subdivision by *ejidatarios* and/or intermediaries seems to still be very common – although here, the historical nature of this study must be taken into account, as processes involving land often relate to a period going back several decades – resulting a process of land acquisition whereby the buyers must still seek regularisation through some means. The 1992 reforms also introduced the process of regularisation via the *ejido*, through the recognition of possession on the part of buyers by the *ejidal* assembly, which was supposed to facilitate more expeditious processes of tenure formalisation (given CORETT's diminishing role). However, this may have had the unintended effect of encouraging informal sales, as well as potentially consolidating existing power relationships in favour of the *ejido*, disadvantaging the weakest parties who in this case are the low-income residents (see Salazar 2012, Lombard 2016). These two outcomes – the ongoing predominance of informal sales in the *ejidal* land market, and the power imbalance between different parties involved, was observed in both Xalapa and Querétaro.

Additional unintended effects of the land reform may have been to sanction the role of intermediaries or third parties in informal sales, which while common pre-reform (as in the case of Loma Bonita) seem to have increased further since the reforms (Santa Lucia, Ollintonal), as *ejidatarios* often employ them to advise on negotiating the new system. Meanwhile, some issues seem to continue as before, with little remedy being offered by the land reforms. In particular, the re-sale of plots (where a single plot is sold simultaneously to more than one party) was evident in nearly all of the neighbourhoods studied, and seems to be the basis for much conflict over land tenure. Interestingly, illegal land occupation or squatting is still significant in some cases either recently (Santa Lucia, Lomas de Santa Fe) or historically (Mujeres Independientes), which contrasts with suggestions in the literature that this process of land acquisition is rarely observed nowadays. However, occupation in the first two cases seems more related to the strategic or political aims of a specific movement, with the needs of the low-income residents (who are often members of the movement) secondary to this, suggesting a degree of manipulation by the movements involved. This may be suggestive of the changing nature of such movements and their leadership (see below). Where land invasion does still take place, especially in already unclear legal circumstances (Santa Lucia), it has generated conflict with the potential to turn violent. Finally, the role of the authorities in informal land transactions varies, but there are suggestions in some cases of clientelistic relationships determining outcomes, relating to both formal and informal processes of land acquisition (Lomas de Santa Fe, Santa Lucia).

Formal development

It is clear in Mexico that alongside the historic trend of informal urban growth for residential purposes, formal development is now a significant additional factor. In the formal housing sector, massive low-income housing developments have been increasingly common on the city periphery, built by private developers subsidised by government housing programmes such as INFONAVIT and FOVISSSTE (which offer subsidised mortgage credits to workers in the formal sector). While supposedly based on legal land transactions, many developments come into conflict with subsequent administrations, leading to problems with services (Lomas de Santa Fe). There is also some suggestion that until the payment of land tax (*predial*) is instigated, municipal involvement is likely to be minimal. More generally, this is suggestive of the highly politicised nature of planning in Mexico, and the possibility of land and planning permission being mobilised in support of clientelistic relationships, as mentioned above.

Particularly significantly, the increasing presence of formal development, in terms of both middle- and high-income neighbourhoods, has caused land values to increase sharply, particularly in peri-urban areas. This can have the effect of generating speculation as those with land to sell suddenly see their asset increase rapidly in value, meaning they may delay sale or investment in the land while waiting for the value to increase further. This process can drive prices beyond the means of the low-income residents who would previously have accessed this land via the informal market, meaning they may have to settle in locations even further from the city centre than would have previously been the case. It may also have the effect of 'infilling', as formal neighbourhoods sited on cheap peripheral or peri-urban land located far from the city centre may cause the expansion of the city towards them. In the most extreme case, an increase in land values caused by a formal development (Puerta Real) and ensuing speculation over land in the area, which took place after the informal sale of land for the development of a *colonia popular*, has led to a dispute between the landowner and residents (Jardines de la Corregidora), affecting the most vulnerable actors, namely the low-income residents. In another case, the landowner had to resist pressure to sell at a higher price in order to honour her commitment to settlers seeking to buy informally and regularise (Ollintonal).

Urban insecurity

While it is extremely difficult, not to mention sensitive, to attempt to draw a link between heightened insecurity and land conflict in Mexican cities, some evidence points to weak or indirect linkages. It can be said that in general, an increase in perception and actuality of urban insecurity exacerbates tensions over land-related issues in urban areas. Although Xalapa has experienced a greater rise in insecurity than Querétaro, both cities have experienced the effects of Mexico's wave of violence. In Xalapa, areas where informal land transactions have led to a legal vacuum due to competing claims have experienced a withdrawal of state security forces and a consequent perception of 'lawlessness' in the area (Santa Lucia). In Querétaro, the effects have related more to migration from affected regions, which has been witnessed in both low- and high-income neighbourhoods. In both cities, petty criminality remains a key concern for residents, especially in low-income neighbourhoods which tend to be less well-policed and more insecure. This includes many land-related actions such as the illegal appropriation of plots or their fraudulent 're-sale'. Additionally, fears of dispossession and displacement due to residents' insecure tenure were more apparent than might have been expected given the historically low levels of eviction in Mexico (discussed in Section 2); residents in several neighbourhoods expressed fears about eviction, either in terms of current (Mujeres Independientes, Santa Lucia) or past (Ollintonal) processes; such fears related to the potential actions of the state, as well as those of criminal gangs or individuals. These actions came accompanied by the threat of violence, and low-level aggression in support of this was common (Santa Lucia, Loma Bonita, Jardines de la Corregidora).

5.2 How is land tenure related to localised conflict at the neighbourhood scale?

Alongside the themes identified above as salient at national level, the research revealed the existence of some contextual factors which were more or less likely to generate conflict over land tenure in the two cities studied. These can be broadly characterised as competing claims; overlapping frameworks; and power relations. These factors vary widely across different contexts, and are not necessarily present everywhere. In this section, they are explored for their relevance in the two case study cities, Xalapa and Querétaro, which display some quite distinctive contextual conditions.

Competing claims

Competing claims to land are perhaps most acutely evident in peri-urban areas in Xalapa. In general, for decades lack of access to formal land and housing markets due to cost barriers has driven residents with low incomes to seek more affordable land for housing in the informal *ejidal* market, with the prospect of subsequent regularisation of land tenure in support of consolidation and formalisation of the neighbourhood. However, as the urban footprint expands, peri-urban areas which were once the preserve of informal neighbourhoods, industrial or agricultural uses become increasingly attractive to private developers. Competition over land may create market scarcity which causes land values to rise, generating speculation among existing landowners (who may keep an area of land empty while waiting for prices to rise further) and further fuelling competition. In Xalapa, the municipal and State authorities' lack of land reserves exacerbates this situation, which prices certain sectors out of the urban land market (thereby reproducing informality) while also causing low density sprawl as buyers seek cheaper land which is ever more peripheral. Local authorities claim they are unable to purchase land because of the costs involved and their limited financial capacity. In this already strained context, competing claims may sometimes erupt into conflict between the two parties involved. The potential for arbitration between these claims on the part of local authorities depends on their capacity; in Xalapa, this was less evident than in Querétaro (see also below).

Overlapping frameworks

Overlapping legal frameworks, for example pertaining to rural and municipal sectors, create a legal limbo into which informal settlements may fall. In Xalapa, this can be seen in the case of Santa Lucia, which was based on the sale of *ejidal* land, where conflict led to the suspension of PROCEDE for this area, while the rest of the *ejido* received certification. The land remains *ejidal* due to the conflict; the reticence of local institutions such as CORETT and the Agrarian Ombudsman to intervene, apparently based on the judicial complications and existing court judgements, has been accompanied by a reluctance on the part of the municipal state authorities to get involved in what is apparently a conflict over agrarian land. This is compounded by the settlement's location in the municipality of Emiliano Zapata, just outside the border of the municipality of Xalapa (although well within the Xalapa Metropolitan Zone). This can also be seen in the case of Jardines de la Corregidora, where the *ejidatario's* attempt to pursue a legal claim was rejected by both rural and municipal authorities.

Decentralisation can also be identified as a factor in this situation. While decentralisation has in theory led to greater capacity at the local level for urban development, this is highly contingent on local factors. In Xalapa, several factors hinder this. The lack of resources distributed to municipal governments for their planning function is widely attributed to the mismanagement of finances at the state level; as well as the tightening of the federal budget (e.g. the diminishing role of CORETT). The indiscriminate and often illegal granting of permits by political actors is bolstered by the municipal authority's lack of capacity to regulate development, leading to a failure to apply norms and regulations stringently. In both cities, suspicions that land transactions had involved political manipulation based on clientelistic relationships were evident in several cases (Lomas de Santa Fe, Santa Lucia, Mujeres Independientes), as mentioned above.

Power relations

However, the penalisation of certain areas and individuals relating to specific land transactions, particularly in the informal sector, is evidence of the uneven application of land regulations across different contexts. The longstanding employment of regularisation as a strategy to maintain social stability seemed in some cases to have been superseded by more punitive approach, particularly in Xalapa, where the State authorities used law and urban regulations against intermediaries, *ejidatarios* who had sold land, and settlers (Loma Bonita, Santa Lucia, Ollintonal). This may be evidence of the effects of the 1992 reforms relating to the power balance between parties to a land sale, which as mentioned above, seems to have consolidated in favour of the *ejido* and against low-income residents. It may also have related to the efforts of a specific administration period to regulate local land transactions.

The involvement of local social movements and political organisations can further inflame existing conflict situations, particularly through land invasion and organised squatting. In Querétaro as in Xalapa, the nature of leadership of the 'social movements' who acquire the land is a critical but often complicating factor. For example, in the case of Mujeres Independientes, the initial support for the movement leader from the State government, which facilitated the acquisition of the land, allowed the leader to consolidate her position and exploit the residents financially, resulting in her imprisonment and the factionalism that still affects the neighbourhood today. The exploitation by 'social movements' of vulnerable groups via mechanisms such as fraudulent resale of squatted land, fraudulent financial collections for services, and threats of violence if residents do not cooperate was evident in both cities (Mujeres Independientes, Santa Lucia). This suggests the need to rethink the framing of such movements, which may actually increase the vulnerability of low-income residents rather than ameliorate it.

However, power relations must also be contextualised by the different economic, social, and political context in each city. The planning authorities involved exhibit quite different

capacities to respond to conflict over land tenure. In Xalapa, where resources are constrained by a State budget deficit and relatively low tax returns, capacity to respond is limited, and tends to be more reactive. In Querétaro, where there is a more developed municipal and state planning framework, in terms of legislation and institutions, the greater strategic capacity (or moves towards this) can be seen in attempts to map and monitor levels of informal settlement in the city, and the instigation of an Urban Ombudsman to deal with local territorial and environmental conflicts (see Appendix 3). These differentiated capacities interact with factors outlined above to affect outcomes at the city level.

5.3 What are the effects of land conflict on urban poor communities?

This final section of the analysis focuses on the effects of land conflict on urban poor communities, which include uncertainty, social fragmentation, poor services, and insecurity. The discussion focuses on insecure tenure, and more general insecurity and violence, and considers the links between the two.

Insecure tenure

Low-income residents often suffer multiple and overlapping vulnerabilities, which may be legal, political, economic, and social. Residents' lack of titles and often insecure tenure, combined with their lack of access channels to local decision-makers, may constitute a double vulnerability to eviction and aggression by the state, as well as from other actors, including social movements, political parties and criminal actors. This may help to explain why, despite the fact that Mexico is often portrayed as having had a relatively peaceful process of informal settlement, findings revealed incidences of conflict over land tenure in many places, with many residents expressing fear of eviction. These fears are not always ill-founded: in the most extreme case of insecure tenure described here, Santa Lucia, eviction by the state based on legal proceedings by the original owners resulted in state forces carried out demolition by force using heavy machinery. In many cases, the residents' lack of political representation and an overall lack of clarity about institutional remit leads to a lack of clear delineation of responsibility for a given situation, which translates into uncertainty for the residents. Rather than the lack of titles per se, it may be this lack of institutional support that causes most anxiety among land claimants. In certain cases, these unclear lines of responsibility have also resulted in situations where residents have apparently unknowingly transgressed regulations, leading to their castigation (Ollintonal).

In many informal neighbourhoods, while the land is cheap due to lack of titles and services, the situation of insecure tenure prohibits full formal services in the neighbourhood, creating a cycle of vulnerability (Jardines de la Corregidora). This can also affect nearby neighbourhoods, as lack of services may lead to rubbish dumping, pirate connections (water/electricity), and insecurity (Santa Lucia, Perseverancia). At the same time, the condition of legal vulnerability due to insecure tenure may leave residents vulnerable to economic exploitation from individuals and groups involved in processes of land acquisition and settlement, compounding their existing economic vulnerability. The dimension of economic vulnerability for low-income residents derives primarily from their low or limited incomes; however, this may be further exacerbated by weekly contributions for services (whether formal or informal), one-off payments such as hiring machinery to level the streets, and other ad hoc requests which may come from the original *ejidatario* landowner (as in the case of Jardines de la Corregidora) or the social movement which has facilitated land acquisition (Mujeres Independientes). Often, such requests are bona fide, but there is also a generalised suspicion among residents that they involve exploitation, and that such payments end up in the pockets of those who make the request. This is supported by the slow progress made in some neighbourhoods, despite the weekly collections (Loma Bonita).

As a result, residents often find themselves ‘trapped’ in a neighbourhood where progress with acquiring services may be slow and living conditions may be suboptimal, but where they have already invested a considerable amount of their limited income (i.e. through their initial investment in their plot of land, the material used to build housing, weekly contributions to a leader/organisation and ad hoc contributions). This highlights the paradoxical situation of residents – the longer they stay in a neighbourhood without legal security, the greater the potential financial loss if they are evicted. As suggested above, insecure tenure does not seem to be a deterrent to investing in land and housing in the neighbourhoods studied; but it is clear that the situation leads to a sense of vulnerability which causes considerable anxiety and insecurity. For these reasons, insecure tenure could be considered both a characteristic and outcome of land conflict.

Insecurity and violence

In many of the neighbourhoods studied, insecurity was a recurrent theme in discussion with residents, with crimes such as robbery, mugging and sexual assault specifically mentioned (Lomas de Santa Fe, Loma Bonita, Perseverancia). Residents often linked this to the poor physical conditions in their neighbourhood, such as the lack of public lighting, road surfacing or abandoned housing, which was frequently a result of their insecure tenure. In daily life, this meant that residents modified their behaviour accordingly, for example not going out after dark because of the lack of public lighting, or not allowing their children to walk to school alone (Perseverancia). They also expressed a sense of ‘abandonment’ by the authorities in many cases, linked to the lack of clarity around institutional responsibility, but also the absence of the forces of law and order in their neighbourhood. While the topic of the wider increase in insecurity in Mexico was often not directly broached, it was apparent that residents were also concerned by this, which compounded the more longstanding issues mentioned above. In some cases, this led residents to adopt a strategy of ‘keeping their head down’ when issues arose (Ollintonal).

The condition of insecurity was in many cases accompanied by the threat of violence erupting over land issues. In several cases, violent conflict had arisen over the issue of land ownership and occupation, often between those who see themselves as the ‘original owners’ and those who bought the same land later (Loma Bonita, Santa Lucia, Perseverancia). The threat of violence may lead to fear, anxiety and mistrust among residents. Taking Santa Lucia again as an extreme example, a situation exists where residents fear eviction by the dominant organisation in the neighbourhood, based on their lack of titles, but also due to this organisation’s aggressive actions towards those who are not seen to be contributing financially. The other threat of eviction comes from the state, as mentioned above. Such evictions are often accompanied by violence, in terms of the demolition of houses, but also interpersonal violence. In Santa Lucia, the involvement of the Department of Public Security to carry out evictions suggests the escalation of the situation. The consequent effects on adjacent neighbourhoods is a heightened sense of insecurity and fear.

In this way, prevailing insecurity of tenure may contribute to social conflict, insecurity and violence. It is on the basis of residents’ uncertainty about tenure and their vulnerability to eviction that exploitation and manipulation by third parties often occurs. The use of aggressive tactics, intimidation and occasionally violence by certain organisations and individuals (Mujeres Independientes, Santa Lucia) foster this vicious circle of tenure insecurity and general insecurity. However, it should be noted that while the prevailing discourse (among residents and officials) is one of tenure insecurity, it is the use of violent tactics and practices that escalate this into more general insecurity. Such tactics and practices may emanate from third parties or organisations, but also from the state itself.

6 Conclusion

This paper set out to explore the linkages between land tenure and conflict in the context of urban growth in Mexico. It focused specifically on causal factors in conflict, and the effects of conflict on urban poor communities, via three research questions:

- What are the macro-scale causal factors in conflict over land tenure in Mexican cities?
- How is land tenure related to localised conflict at the neighbourhood (micro) scale?
- What are the effects of land conflict on urban poor communities?

It presented three macro-scale factors that have been presented in recent debates as potentially relevant in the Mexican context, namely land reform, changes in housing policy and increasing urban insecurity. Then, though a detailed presentation of the two case study cities of Xalapa and Querétaro, and nine case study neighbourhoods within them, it explored how these factors, along with micro-scale factors present at the city or neighbourhood level, linked land tenure to localised conflict, and examined the effects on the communities involved, with a focus primarily (although not exclusively) on neighbourhoods with informal origins. The selection of neighbourhoods was based on the identification of two study zones in each city, which tended to be areas of (both formal and informal) growth where conflict had been observed. This allowed observation of the dynamics between different types of neighbourhood and land transaction, which deepened the understanding of factors in land conflict, as well as the interconnectedness of land sub-markets.

It was found that in the two cities studied, all three macro-scale factors identified played a role in the generation or escalation of land conflict. In both cases, agrarian reforms in 1992, which aimed to address the longstanding and massive informal sale of *ejidal* land, did not seem to significantly affect the occurrence of informal land sales. In all of the low-income neighbourhoods (*colonias populares*) studied, the origin of the land acquisition was the informal sale of *ejidal* land by the *ejidatario* or an intermediary to low-income settlers, often accompanied by documentation as evidence of the transaction, but with no legal status. All of these neighbourhoods were founded after 1992. In most of these cases, residents had sought the regularisation of their land tenure via CORETT, with diverse outcomes depending on local factors. Delays in the process of regularisation were sometimes the cause and sometimes the consequence of conflict among the residents, or between residents and the landowner, as well as relating to the role of local authorities. In some cases, residents were aware of the possibility opened up by the land reforms of regularisation via recognition of possession by the *ejidal* assembly, and had pursued this option, although this seemed to generate an increased possibility of conflict due to the involvement of intermediaries, the potential for delay and (sometimes) a punitive or manipulative response from the authorities involved. This suggests that while it has long been recognised that the 'twilight legal terrain' of *ejidal* land markets is difficult to negotiate (Lombard 2009), regularisation may represent a causal factor in land conflict, despite often being posited as a solution to conflicts. In cases where conflict had arisen relating to regularisation, it was generally low-income settlers who were seen as having the weakest claims on the land, and were most likely to be dispossessed of their land.

The shift in policy resulting in mass housing for low- and middle-income residents was found to have generated problems of land value increase and consequent speculation in zones where this was occurring, with the potential to generate conflict within existing informal neighbourhoods. Additionally, the sometimes murky origins of the land transactions on which these formal developments were based seemed to contribute to delays in municipalisation and consequent internal conflict over services, which contributed to an overall sense of insecurity in certain areas. This has arguably been further exacerbated by the increase in insecurity in Mexico as a whole, and in particular, the effects that this has had on urban areas. While

establishing a robust causal relationship between this wider situation and the existence of land conflict has proved difficult, it can be observed that general fears about impunity and lawlessness can be seen to crystallise around certain neighbourhoods that are considered particularly unsafe because of the land conflicts that have unfolded there, and that in some cases, this seems to overlap with fears about wider insecurity and criminal activity.

Additional to these macro-scale factors which are common across both cities, contextual factors were observed which may affect neighbourhoods to a greater or lesser degree depending on the city context. In general, then, it can be observed that competing claims, overlapping frameworks and power relations may affect land conflict to some degree. The salience of these factors often depend on the capacity, in terms of both human and financial resources, of the local authorities (which may relate to both municipal and State level). Local cultures of clientelism, the effectiveness of decentralisation and the role of federal institutions in the local context may also affect this. Additionally, the changing role of the state in terms of housing provision, from construction to the facilitation of developments by private capital, suggests that the function of planning is now also subservient to this.

The effects of land conflict on urban poor communities can be observed throughout the discussion of the specific cases. In summary, the condition of insecure tenure (based often but not exclusively on lack of legal titles) constitutes a form of legal vulnerability that may overlap with and compound other existing vulnerabilities including political, economic and social. This loomed large in the minds and lives of most of the communities studied, despite the relative infrequency with which evictions take place in Mexico. This may also relate to the force which is leveraged against urban poor communities when such evictions do occur, which may in turn be part of an historical legacy of the corporatist system's maintenance of control through cooptation and coercion where necessary. Insecure tenure does seem to interact with and sometimes generate land conflict and occasionally violence, but the conditions within which this occurs are paramount. That is to say, insecure tenure in itself is not a cause of land conflict and violence; but combined with other factors, including the existing use of aggressive tactics by individuals or groups within a specific neighbourhoods, it may lead to or exacerbate conflict and ultimately violence. Thus although land conflict is often overlooked in such contexts in favour of a focus on wider issues of insecurity and urban violence, the disruptive and pervasive nature of small-scale conflicts can nevertheless be far-reaching and significant.

This study also suggests some topics relevant for further research in this area. This includes, firstly, the role of intermediaries and especially 'social movements' in land transactions and conflict, and in particular, how this has changed since the agrarian reforms. Similarly, the involvement of political actors in land transactions presents a fascinating field for investigation, although one which is particularly sensitive. As discussed above, much research has been carried out into how informal land transactions affect the development of informal neighbourhoods; however, the implications of the land transactions underpinning formal neighbourhoods are less well understood. Linked to this, the implications of the payment or non-payment of land tax, particularly relating to formal neighbourhoods, presents a challenge to future researchers. Finally, the question of squatting, for political or housing need purposes, seems to be a recurring one; and despite the relative inattention paid to this phenomenon by researchers on Latin American cities in recent years, it appears to still hold some salience. This in turn is linked to the phenomenon of eviction, the scale of its occurrence, and whether it is increasing. The promise of these areas of research suggest that this topic could occupy researchers for many years to come.

7 References

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Appendix 1: Comparative table of case study neighbourhoods in Xalapa

<i>Study zone code</i>	<i>Colonia</i>	<i>Year est.</i>	<i>Basic services (water, electricity, sewerage)</i>	<i>Secondary services (school, health, transport)</i>	<i>Time from city centre (bus)</i>	<i>Total pop'n</i>	<i>Hous ehold s</i>	<i>Employme nt</i>	<i>Average income (weekly MXN)</i>	<i>Total no. plots</i>	<i>No. plots with owner</i>	<i>No. unoccu pied plots</i>	<i>No. occupie d houses</i>	<i>No. unoccu pied houses</i>
X1B	Loma Bonita	1999	Water (informal) Electricity (provisional)	School – kinder, secondary (primary nearby) Health (centre) Bus (4 routes)	1h	126	44	Agricultural labour Builders Employees of Homex (cleaning/ security)	\$700-1000	118	118	18	52	48
X1A	Lomas de Santa Fe	2008	Water (private) Electricity (private) Sewerage	Schools – nearby Health – city centre Bus (many have cars)	40m	2,500	900	Teachers Other employees/ professionals	Not known	3,271	Homex owns land until transfer red	1,400	900	900
X2A	Ollintonal	1995	Water (CMAS) Electricity (CFE) Street lighting Sewerage	Schools (nearby) State health (centre) Bus (most have cars)	30m	52	20	Teaching Retired (15)	\$1,250	65	65	40	10	5
X2B	Perseverancia	1993	Water (provisional) Electricity Sewerage	Clinic (Chico) Bus (2 routes)	30m	801	360	Builders Agricultural labour Domestic	\$1,500	421	421	50	310	60
X2C	Santa Lucia	1995	Water (informal) Electricity (informal)	Not known	30m	Not known	Not known	Domestic service Builders Labourers	Not known	400	400	Not known	Not known	Not known

Appendix 2: Comparative table of case study neighbourhoods in Querétaro

<i>Study zone code</i>	<i>Colonia</i>	<i>Year est.</i>	<i>Basic services (water, electricity, sewerage)</i>	<i>Secondary services (school, health, transport)</i>	<i>Time from city centre (bus)</i>	<i>Total pop'n</i>	<i>Hous ehold s</i>	<i>Employe ment</i>	<i>Average income (weekly MXN)</i>	<i>Total no. plots</i>	<i>Total plots with owner</i>	<i>No. unoccu pied plots</i>	<i>No. occupie d houses</i>	<i>No. unoccu pied houses</i>
Q1A	Jardines de la Corregidora	1995-96	Water (private) Electricity (CFE) Sewerage (under negotiation)	School – 5km Health – 2km Bus (several serve new adjacent development)	40m	480	80	Shopkeepe r Service providers Itinerant vendor	\$1,500-1,800	350	350	160	155	35
Q1C	Puerta Real	2010	Water Electricity Sewerage	Not known	40m	Not known	Not know n	Profession al Executive	\$7,500	Not know n	All	Not known	Not known	Not known
Q2A	Mujeres Independientes	1997	Water Electricity Sewerage	Health (San Jose El Alto) Bus – 3 routes	45m-1h	572	143	Builder Cleaner	\$800	186	186 (157 with title)	29	143	14
Q2B	Cinco Halcones	2000	Water Electricity (90%) Sewerage in process	School – 5m Health – 15m Bus – 2 routes	45m-1h	1,200	230	Builder Electrician Carpenter	\$1,200	250	300	50	230	70

Appendix 3: Ombudsman for Protection of the Environment and Urban Development, Querétaro²⁶

Outline description

The Querétaro State Ombudsman for Protection of the Environment and Urban Development, established in 2012 in the revised Urban Code of Querétaro State, is a public body which regulates, defends and seeks to protect the environment, sustainable development, human settlements and population centres in the State. It does this through the management of complaints and petitions for legal action by residents of the State of Querétaro, in support of their participation in the regulation and protection of urban development in the State.

The Ombudsman is a legally constituted decentralised public body, supported by local urban observatories (see below), in its aim of regulating and protecting urban development in Querétaro. Its core functions are to channel citizen complaints about the violation of urban development and territorial planning laws at all three levels of government towards the appropriate authorities; to regulate and protect the environment; and in some cases, to apply corresponding sanctions. It seeks to ensure that urban development regulations ordered and regulated by the State are fulfilled and observed, through the indictment of citizen complaints relating to territorial and urban development issues to the competent authorities, and where necessary, reporting to the Public Prosecution Office contraventions of the State of Querétaro Penal Code, relating to crimes against Urban Development.

The Ombudsman will receive all complaints that are directed to it, undertake the corresponding investigation, and refer the information gathered to the competent authorities in order that they initiate appropriate sanctions. It may request that the relevant authorities, if necessary, take urgent measures to avoid danger to public health and safety. Additionally, if it corresponds to its competence, it will impose sanctions on the offender in the terms of the relevant law. If the facts that motivate a complaint may cause damage or loss, those involved can request from the Ombudsman the preparation of a technical report, with probative value in case of being presented in trial.

Irregular Settlements Identification Programme

The Ombudsman has six programmes, including the Irregular Settlements Identification Programme. The latter aims to identify sites where irregular settlements are being generated in the state, through the use of aerial and satellite photography, GIS, and inspection visits. The information collection will be directed to the relevant dependencies with the capacity for legal action, including those concerned with land tenure regularisation, such as CORETT.

Urban Observatories

The State and Municipal Executive powers promote the creation and functioning of urban observatories with the participation of society, academic research institutions, professional associations, business agencies, civil society organisations and government, for the study, investigation, organisation and dissemination of information and knowledge on the problems of cities and new models of urban policies and public management. Urban observatories are responsible for analysing the evolution of socio-spatial phenomena, urban public policies, and systematic and timely dissemination of results through indicators and GIS; as well as compiling information relating to urban development programmes; reports and other documentation on urban development in the public interest; public investment projects for urban development; and the evolution of urban phenomena and problems in the conurbations and metropolitan zones of the State and its municipalities. The urban observatory network is supported by state and municipal dependencies and bodies, who provide information on the urban development process, including the results of investigations and studies.

²⁶ Based on Querétaro State Government (2012).

Appendix 4: Table of interviews

<i>No</i>	<i>Neighbourhood</i>	<i>Interviewee pseudonym</i>	<i>Details</i>	<i>Date</i>	<i>City</i>	<i>Study Zone</i>
1	Loma Bonita	Carlos	Community leader	15 March 2012	Xalapa	1
2	Lomas de Santa Fe	Oscar Rebeca	Homex representatives	19/20 March 2012	Xalapa	1
3	Perseverancia	Rogelio	Community leader	26 March 2012	Xalapa	2
4	Santa Lucia	Two anonymous residents	Residents	28 March 2012	Xalapa	2
5	Ollintonal	Sergio	Community leader and founder	26 March 2012	Xalapa	2
6	Jardines de la Corregidora	Vicente Marta	Community leader and founder, resident	11 April 2012	Querétaro	1
7	Puerta Real	Francisco	Administrator, non-resident	16 April 2012	Querétaro	1
8	Mujeres Independientes	Ana Maria Milena	Community representatives	12 April 2012	Querétaro	2
9	Cinco Halcones	Julio	Community leader	25 April 2012	Querétaro	2

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