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QUESTIONING THE STATUS OF LAND AS COMMODITY IN MAYA QUINTANA ROO AND BELIZE

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IN THIS CHAPTER we discuss positioning land as a commodity in the Maya world. How would we define land? How would we account for “the Maya”?¹ What is at stake in labeling land a commodity, and what do we trade off if we refuse to do so? With these questions in mind, we use this opportunity to respond to the identification of land as solely (or even primarily) a commodity for contemporary Maya communities.

Liberal and neoliberal governance practices that dominate the current global socioeconomic sphere give primacy to the status of land as a resource for exploitation. Privileging land as an economic commodity ignores how people relate to the places within which they make their lives. Maya, like many indigenous communities, have been coerced into the liberal framework that situates the value of land in its commodification. Thus, we argue that for Maya people, the relationship to and reliance upon land form a complex “meshwork” (Ingold 2000) of obligations manifested by the symbolic importance of the intertwined histories, economics, mythologies, emotions, memories, and political tensions that underwrite Maya experiences and identities today. To understand land as a commodity is to situate it in a very particular social sphere. This is not to say that land is never positioned as a commodity to Maya; the sociopolitical framework within which they operate often configures it as such. Nonetheless, we argue that land—more pointedly, landscape—plays an equally important role as the foundation for a uniquely Maya identity.

Scholars have raised critical questions about the bond between people and their lands. Many moved from thinking about land primarily as an entity for exploitation toward one where land becomes *landscape*, imbued with social meaning and histories that form the basis for group identity.² Landscape is compelling analytically because it complicates the divide between the physical and the social, as well as between the past and the present. Still, spatial or land-oriented research in many fields primarily concerns itself with settlement, subsistence, or conservation questions. Such orientation can reduce land to a physical resource upon which communities depend and make their living economically. Landscapes are too often imagined as the environments and elements of the natural world that people simply exploit across vast geographical expanses. Even as the aesthetic of landscape invokes the vistas for which the original term was coined, it also becomes a good, useful only inasmuch as it is consumable. Bender (1993: 3) reminded us, however, that landscapes are constantly engaged with, reworked, appropriated, and contested. They take on new value systems, new meaning, and they cannot be diminished to their commodity value alone. In this sense, the value of landscapes is not “a static property of things or people but a precipitate of sociohistorically locatable practices” (Agha 2007: 190). Since the 1990s there has been a growing effort to characterize land with an eye toward its social elements: How does land become valuable? In other words, how does valuing physical land create social landscapes that are central to the lives of communities across time and space?

From an ecological perspective, landscape refers to the mosaic of interacting and overlapping ecosystems. Landscapes are generally geographically bounded, although the boundaries are often arbitrary, diffuse, and spatially heterogeneous. Although socially oriented definitions of landscape take precedence in this chapter, it is useful to consider the physical reality of the landscape, because as a social assemblage it cannot be divorced from its complex ecological realities. Monica Goigel Turner, Robert Gardner, and Robert O’Neill (2001) argue that landscape ecology was essentially the marriage of the geographer’s ecological approaches and the ecologist’s functional approaches, which demonstrated how varied elements of physical land influence the spatial and temporal organization of particular ecologies. They emphasize that landscapes exist at multiple scales and are necessarily diverse. The idea that landscapes are the combination of diverse components that unite them is a useful one. When applied to socially constituted interactions with the land, the landscape approach keeps us from reducing land to a single form—a tradable commodity, for instance—and al-

lowing for the sedimentation of environment- and human-driven actions, shifting meanings, and mutual obligations that emerge throughout time and across particular historically contingent spaces. We can think about landscapes as spaces that are not synonymous with natural environments, that constitute worlds of cultural production, that are the arena for all of a community's activities, and that are dynamic constructions where processes of behavioral change across space and over time necessarily result in an ever-changing dialectic between people and land (Anschuetz, Wilshusen, and Scheick 2001). Through their daily activities, beliefs, and values, communities transform physical spaces into meaningful places. While the ideas of "natural" and "community" could be easily repudiated here, this framework captures the comprehensive approaches to landscape that have emerged in the humanistic social sciences.

Thus, in this chapter we respond to the identification of land as solely (or even primarily) a commodity for Maya communities. Liberal and neoliberal governance practices that dominate the current global socioeconomic sphere give primacy to the status of land as a resource for exploitation. Privileging land simply as a commodity to be bought and sold ignores how people might actually relate to the places within which they make their lives—the landscapes that they come from. Maya people, like many indigenous communities today, are now implicated in a framework that structures land first as a commodity and second as an important source of identity. Maya landscapes combine the symbolic importance of the intertwined histories, economics, memories, emotions, and political tensions that underwrite Maya experiences and identities today. In this chapter we acknowledge the potential for land to serve as an economic commodity to Maya living on the Yucatán Peninsula or in Belize, but we also recognize that the sociopolitical framework within which Maya operate often configures land as such, regardless of any other potentially desirable socializations. Land plays an equally important role as the foundation for a uniquely Maya identity, as it does a commodity in the present-day liberal economy (or the colonial period economy, for that matter; see Kazanjian 2016: 218–22).

Finally, it is important to note that although we focus primarily on how Maya relate to land as both a physical and a symbolic entity, we recognize that central to that concern is a more poignant question about the nature of indigeneity in contemporary Mesoamerica. Although we do not attempt to tackle such a large question here, we do hope, through the use of comparative examples, to show that the relationship to land among Maya communities in Mexico and Belize is critical to the maintenance of an indigenous identity. In identifying Maya people

as indigenous, we actively assert a historical relationship to a particular physical space even where what it means to be “Maya” may be hotly contested (c.f. Gabbert 2004). Equally, we appreciate that “indigenous” may not always be the term used politically by Maya communities (Castañeda 2004b), but we do believe that it is important to understand the potential role of the oscillation between the adherence to and rupture with such an identity in the political, public sphere.

We emphasize the importance of continued place-making practices through which landscapes are constituted: laboring for land, or home, has been and continues to be a principle of Maya life throughout the Yucatán Peninsula. In what follows, we outline some of the ways in which a landscape approach might complicate the status of land as a commodity. We demonstrate how land can always be assigned a value beyond commodity and how sometimes that very noncommodity value (e.g., importance to identity) finds itself commoditized. We begin with a brief comparative overview of the turn toward a landscape framing in the American Southwest and Australia. We then consider how a similar approach might transform ways of thinking about Maya relationships to land, past and present, by representing classic ideas of Mayaness and land in a Maya world rising out of Yucatán and Quintana Roo. We close by offering a case study of the complicated intersections of land as a symbol of identity with land as a for-profit property in Belize.

COMPARATIVE LANDS

THE AMERICAN SOUTHWEST

The American Southwest provides some of the most innovative research for broadening the scope of how we approach the idea of land and indigenous communities. Severin Fowles (2010) provides a strong case for the development of an approach to landscape within southwestern archaeology that we believe proves useful. He makes the case that the newly favored status of landscape in southwestern archaeology is a result of the recent recognition by academics of southwestern peoples’ long-standing, meaningful relationship with the physical geography that creates and maintains vast cultural landscapes. Quite unlike practices in the Yucatán, archaeologists and anthropologists of the Southwest are increasingly incorporating indigenous philosophical contributions as intellectual epistemologies in their own right rather than simply as “ethnographic data” available for comparative purposes. Citing such influential scholars as Al-

fonso Ortíz (1969) and J. P. Harrington (1916), Fowles concedes that much important early landscape scholarship rose out of southwestern ethnography and early twentieth-century collaborations with southwestern indigenous communities (especially Pueblo peoples and Navajo). This scholarship often focuses on the reconstruction of precolonial landscapes and the formation of those landscapes, or sacred geographies, as understood through Native cosmologies (Fowles 2010: 456).

Usefully, Fowles's review also delimits the growing discomfort with approaches that rest upon assumptions regarding the universality of spatial perception: spatial perceptions are not inherent but learned. For example, Keith Basso's (1996) now-classic work, *Wisdom Sits in Places*, outlines the deeply rooted ties between place, identity, landscape, and morality among Western Apache. Employing such an approach allows for the idea that the land and the people cocreate one another. Fowles further notes that southwestern Native peoples employ experiential, subjective, and sensuous relationships to space, and they clearly use (and have used) abstract and cartographic representations of physical places throughout time. In other words, customary Western and non-Western spatial modes are compatible among Native peoples—a regretful dichotomy that often emerges from the literature. We argue a similar case in Quintana Roo and Belize, where understanding land as property does not necessarily negate its simultaneously important role as a symbol of identity, belonging, and cultural survival (Farriss 1984). We, as archaeologists throughout the historically Maya region, must wrestle with how to represent arguments about contemporary Maya relationships to land in a scholarly arena where such considerations have been radically under-represented and reductive.

Earlier, Basso (1986) introduced the notion of “senses of place” to describe how people constitute their landscapes, dwell within them, and fashion themselves through those landscapes and vice versa. This concern with dwelling is similarly the central focus of Tim Ingold's (1993, 2000) landmark works on landscape. Basso argues that extensive knowledge of cultural places is the necessary condition for wisdom in Western Apache cultures. He asserts that it is the acquisition of knowledge around important places and natural surroundings that creates the internal landscape—the “moral imagination—that most deeply influences their vital sense of place and . . . their unshakable sense of self” (Basso 1986: 86). This sense of place takes on complicated meanings when it becomes the nexus of conflict and contestation, especially between indigenous communities and the states within which they are now compelled to operate.

As a closing example, T. J. Ferguson and Roger Anyon (2001) note that Hopi and Zuni cultural landscapes are rooted in ancient migrations that remain central to community life. The fragmentation of cultural landscapes due to the mosaics created by the scattered intervals of private and federally owned lands across the reservation system means that Hopi and Zuni only maintain control of some of their places. Relying on Susanne Kuchler (1993), Ferguson and Anyon argue that Westerners inscribe landscapes with named places to represent memories, whereas non-European landscapes like those maintained by Hopi and Zuni are in themselves memory (Ferguson and Anyon 2001: 103). These landscapes have historical and moral dimensions and have the power to project the past onto the present world. Following from this work, Ferguson and Chip Colwell-Chanthaphonh (2006) propose that cultural landscapes are history and that sites within it are monuments. Looking at the San Pedro Valley in Arizona as a place with vast geographical areas, considerable time depths, and multiple communities who lay claim to the spaces, they argue that for the Native communities in this region—Tohono O’odham, Hopi, Zuni, and Western Apache—the past takes form through the land; human action cannot be divorced from the land because it is through the land that the trajectories and ruptures of history are manifest (Ferguson and Colwell-Chanthaphonh 2006: 28–31). Although not all communities can claim such deep histories to their place, it is hard to deny the centrality of place making to cultural community construction.

AUSTRALIA

As it does in southwestern indigenous cultures, cosmology plays a central role in the lives of Aboriginal Australians (what Povinelli [2006] calls “gerontology”). For many indigenous peoples in Australia, the relationship between Jukurrpa (Dreamtime) and Ngurra (Country) provides the laws for how to exist in this world. Although a great number of ethnographic studies have been produced about indigenous Australians, a similarly rich body of recent research has risen out of the concern for how contact with Euro-Australians has changed traditional lifeways and reorganized social and political landscapes. Providing a useful bridge between the research we’ve presented coming out of the American Southwest, these more recent landscape studies in Australia provide a view of the ways that the recent past (rather than the deep ancestral past) continues to

play into the indigenous model of land as being.³ Cultural geography has been an especially influential sphere for highlighting the alternate modes of incorporating land into life that many indigenous Australians subscribe to. Richard Baker (1999: 31) made the case that recognizing indigenous knowledge systems as equally valid and important to the Australian intellectual sphere would be the first step in combating the national “cult of forgetfulness” that attempts to write indigenous peoples out of the very landscapes that they cultivated and shaped over generations. Although still ultimately focused on the indigenous underpinnings of postcontact European landscapes, Baker introduced an interactive model of cultural landscape construction that attempted to give credit to the indigenous assertion that land is life without relegating indigenous peoples to the past by divorcing them from “modern” postcontact landscapes in Australia. This is a divorcing we encounter all too often in Yucatán.

How, then, does colonial history become part of Aboriginal history? As Minoru Hokari asks, “Is it possible to consider Aboriginal Dreaming landscape and Colonial history in the same dimensions? . . . Can space-based Aboriginal world views assimilate the time-oriented Colonial history?” (2002: 156). Ultimately, using sustained conversations with an Aboriginal elder, he draws similar conclusions to those that scholars of the American Southwest offer: the colonial past becomes landscape, or, put better, “history is landscape” (2002: 166). Further, Denis Byrne (2003) emphasizes that European policies toward Aboriginal peoples had real consequences for both the physical and social landscapes. He argues that the racial segregation and violence, as well as the legacy of the British cadastral system in New South Wales, produced “nervous landscapes” (borrowing from Taussig 1992), spatial orders that maintain boundaries while quite literally removing Aboriginal communities from the visible landscape.⁴ This notion of nervous landscapes, then, plays interestingly with the notion that history is landscape; and in fact the very erasure of Aboriginal peoples from the landscape illustrates how history becomes landscape. Arguing that it is the affective dimensions of homelands that illustrate such a transformation, Amanda Kearney (2009) sets out what she calls an emotional geography that encompasses the affective state of consciousness that is invoked when engaging with homelands. Kearney offers another perspective on Country through her work with Yanyuwa that highlights the ways that present attachments to particular places articulate heritage across time and space, bringing the past into the present and rendering lands more than potential possessions for trade and exchange. With these

examples we can begin to grapple with how people may be participants in a system forced on them while maintaining important elements of another, prior system that comes to assemble identity and political relations.

As a final comparative example, the concept *terra nullius* has played an important role in Australian-Aboriginal land conflicts during colonization and into the present. *Terra nullius* is at its most basic the assertion that the land was empty or being used unproductively and thus available for the taking by settler Europeans. This principle, like its Spanish imperial twin, *terrenos baldíos*, which we see in the Maya context, was the basis for a century's worth of dispossession and divorcing of Aboriginal peoples from the landscapes that were the core of their identities. One of the most important ways of disrupting the connection to land, outside of outright removal or murder, was the prohibition of slash-and-burn agriculture, most obviously encountered in Western Australia. Although most historical ecologists do not consider indigenous Australians to have been formal agriculturalists, they were actively cultivating particular plant species and "crops" through the use of targeted burning. Although this was for many years described in ethnographic research as a mode of subsistence, later works (e.g., Bird, Bird, and Parker 2005) began to show how the practice of burning was, in fact, the exercise of rights over land and the assertion of the special bond between individuals and particular features of or parcels in the landscape. Here, to burn was to be indigenous. We see similar connections in southern Belize to the cutting and burning of land as a way of defining control of that terrain so that control might not be shifted to government or other peoples.

SUMMARY

We have reviewed the fields of indigenous scholarship that most influenced developing landscape theory not only to recount the direction of scholarship around indigenous epistemologies but also to consider how such scholarship can help us think about the Yucatecan and Belizean Maya contexts. In outlining some of the critiques of Western scholarship's readings of indigenous relationships to land, we have drawn special attention to three prominent ideas that have emerged in such literature. First, we considered the notion that "history is in the land" and how history and place-based memory are closely linked to ancestral and sacred landscapes or cosmologies. Second, we recounted how land is considered a mode of being, a "land is life, country is self" model. Finally, we considered a third orientation that deals less with land per se and more with

understandings of relationships to places and the rights to particular practices, especially as they have transformed indigenous lives throughout the process of colonialism.

CONSIDERING THE STATES OF YUCATÁN AND QUINTANA ROO, MEXICO

Yucatán and Quintana Roo present a compelling, albeit difficult case because of the relatively long-standing autonomy of both the peninsula and its internal populations from the rest of Mexico. Moreover, there are important differences between the circumstances of Yucatec Maya from other Maya communities in the states of Chiapas and Tabasco, as well as Guatemala, Belize, Honduras, and El Salvador.⁵ Studies dealing with indigenous relationships to land in Yucatán have not reached beyond the impact of the privatization of lands or the development of the *ejido* system. Milpa agriculture is one of the only exceptions.

Milpa-making, or a process of swidden or slash-and-burn agriculture, requires a keen knowledge of weather patterns and bush slashing, drying, and burning techniques. The Yucatán Peninsula is a flat limestone plate with a high variation in soil type and depth. The central and southeastern regions exhibit even more difficult conditions, as the soil depth is often less than 6 inches, and the rainfall is highly variable. Most of the additional water supply comes from cenotes, karstic sinkholes that have maintained sacred and ritual status over millennia.⁶ Milpa fields are generally only planted for a maximum of two seasons and are then left to lie fallow for as many as five years before they are eligible for replanting. Maize, beans, and squash seeds, among other crops, are then mixed together and planted by hand (Ewell and Merrill-Sands 1987).

Milpa agriculture has historically been central to the lives of a vast majority of lowland Maya. Still, even where milpa takes priority in the analysis and presentation of Maya lifeways, it does so under the rubric of subsistence agriculture (Gann 1918; Ewell and Merrill-Sands 1987). Robert Redfield and Alfonso Villa Rojas's classic account of Maya life in the village of Chan Kom presents milpa-making as an inescapable way of life: "To live is to 'make milpa'; there is no other way" (1967 [1962, 1950, 1934]: 32). Nevertheless, the explanation offered for why to live is to make milpa is one that is overwhelmingly economic. If a man does not make milpa, he is unlikely to find work elsewhere. They acknowledge that the milpa system relies on the intergenerational transference of a vast body of

knowledge but that such knowledge is used primarily for ensuring successful subsistence practice. Redfield and Villa Rojas go on to note, “Agricultural toil is arduous, but so inevitable and little questioned that there is small bitterness in its ardors; and it is so interwoven with non-practical customs, that it is also, in a sense, *prayer*” (1967 [1962, 1950, 1934]: 33, our emphasis). Despite this compelling acknowledgment that there may be more to milpa-making than simply subsistence, they footnote this comment by saying that this “aspect of agricultural life will not be described in this chapter, although to set out separately the practical techniques does some injustice to the facts” (1967 [1962, 1950, 1934]: 33). This is all to say that while it has long been recognized that the bond between Maya communities and their lands extends far beyond participation in a liberal economy, such an acknowledgment seems to have very little intellectual credence among Maya scholars (see, however, Alicia Re Cruz’s [1996] important study on the cultivation of life between Chan Kom and the budding tourist town of Cancun).

Part of the unwillingness to entertain the notion that land operates as more than just a commodity for Maya communities is, perhaps, the complicated history of dispossession, *reducción* (the founding of mission towns that forcibly relocated indigenous peoples into consolidated tribute-paying communities), and the rise of hacienda systems throughout the region (see Meyers, this volume). Following initial colonization of the peninsula, the viceroyalty of New Spain considered Yucatán as the least promising agricultural region of its territories; it was unfit to grow European crops like wheat and barley, although it readily provided corn, sometimes cotton, and beeswax (see Bianco, Alexander, and Rayson, this volume). It was not until the late eighteenth century, when a few creole cattle ranchers in the area began to create larger estates that included maize production, that the hacienda system emerged (Gabbert 2004: 13–15). Following independence from Spain, however, massive land privatization began to dispossess Maya farmers from their communally held lands, which had been largely secured under Spanish rule. These lands were declared *terrenos baldíos* by the state, effectively stripping indigenous claims to these lands. The commercial agriculture that grew out of this process centered on the cultivation of maize and sugarcane (see Mathews and Gust, this volume). Maya peasantry were often compelled to rent their lands or forced to tend the large haciendas rather than their own milpas, sometimes requiring workers to move great distances from their homes (Gabbert 2004: 40–45). By the 1870s, the hacienda system, rapidly expanding in scale and now producing the lucrative henequen crop (see Meyers, this volume), gradually transformed Maya-speaking persons throughout

Yucatán into debt peons, foreshadowing their positioning in scholarship and social policy as traditional or folk peasants rather than indigenous peoples. We argue that this transformation from indigenous subject to debt peon (or in many cases de facto slave) propagated the notion that land is for Maya, like other proletariats of the liberal state, a commodity, property to be exploited, traded, and mobilized for the accumulation of wealth and status (see Mathews and Gust, this volume).

The Caste War (1847–1901) and the Mexican Revolution (1910–1920) led to the re-creation of the *ejido* system, which released peasants from their bondage to patron haciendas following their expropriation and extended the boundaries of communally owned lands surrounding villages and small towns. This moment of repossession (Eiss 2010) put power over lands back into the hands of Maya peasantry and set the foundations for a reassociation with lands that had been severed for several decades. We might otherwise characterize this return to a common lands system as an attempt to alienate land *from* commodity interchange. The *ejido* remains a powerful organizing principle for Maya campesinos (field tenders), providing many Maya families with the space within which to carry out traditional farming and subsistence practices. However, the modification of Article 27 of the Mexican Constitution by Carlos Salinas in 1992, which allowed for the conversion of *ejido* lands into private property, and the 1994 signing of the North American Free Trade Agreement (NAFTA) shortly thereafter have once again opened the doors to privatization and commodification of communal landholdings (Cornelius and Myhre 1998; Snyder and Torres 1998). These communities continue to struggle with the dual role of land as commodity and as symbol of existence (Re Cruz 1996).

One of the important contributions of landscape theory that we might point to here is the concept of “the spaces in between.” This is especially important for the southern-central regions of the Yucatán Peninsula within which we work. We raise the spaces in between because our conversation around milpa farms, *terrenos baldíos*, haciendas, and *ejidos* are all connected by the *monte*, or the forest regions permeating the topographical landscapes of the peninsula. These are the spaces within which we might point to the long Maya connection to the land and the coeval socialization of Maya peoples and the landscape itself. The *monte*, like the milpa, forms the nexus of life for many Maya for whom it is a sacred place, a place of refuge, the giver of sustenance in times when the milpa does not provide sufficient resources, and a place of great power and often mystique. Moreover, the process of shaping the *monte* through burning and regrowth is a means of asserting ownership over these regions by many Maya communities.

SOUTHERN BELIZE AND THE MAYA HOMELAND CASE STUDY

The history of landscape and its deep meaning for Maya people can also be seen in recent developments within southern Belize. During the last thirty years there has been a dramatic push among Maya to create a permanent homeland through which they might continue to connect themselves to land and embed, through formal control, this construct of landscape and heritage. The conflict over land in southern Belize goes back into the nineteenth century, as the British continued to define their territory while trying to identify ways to deal with the people already living there (whether endorsed officially by the Crown or not). With the arrival of a formal British government, the initial question was what to do with Maya people still living in the region and how to “pacify” or “settle” them. While a discussion of the development of the reservation system in southern Belize is beyond the scope of this chapter, it is important to recognize the fact that the British Honduras government developed and instituted the concept of defined reservations for Maya in the mid-nineteenth century. The reservations were structured within an *alcalde* system, in which Maya villagers were to settle and work the land while the land remained in Crown hands. As was true of the Australian case illustrated above, mobility was a major factor working against Maya communities, and the need to control such mobility was critical to British policy making around the Maya reservation systems. This last detail may be the most important, for it frames the relationship among Maya, the Belizean government, and the land. What is lost in all of this history is the significance of land in southern Belize for Maya people living there. As Halperin (2014) insists, movement is as much a process of place making and establishment as long-term sedentism. It is important to keep this in mind as we consider the arguments provided for the establishment of a Maya homeland and the resistance to it among Belizean citizens and government.

The contrast between the embedded meanings of land as “commodity” and land as “landscape” is most evident in southern Belize. The reservation system, which is more than a century old, has kept the concept of land as a commodity in the forefront of ongoing discussions and actions about the use and future of the land in the region. In the 1970s the questions of land began to move to the forefront for both Maya peoples and the Belizean government. The government began actively to attempt to commodify and privatize the land. There was even

a proposal in 1974 to abolish the reservation system and allow free access to the land as a commodity to be privately bought and sold (the land was initially to be given in parcels to Maya that they could sell). This proposal, in the end, was never implemented. Although the land was never actually communally owned or controlled by Maya, they were able to exert some pressure on the government to acknowledge the position of Maya communities in discussing the future of the land and its control or ownership. It was clear that this 1974 proposal was structured to take the land out of communal control, put it into the hands of individuals, and allow for the eventual purchase of the land by private individuals and companies that would control its future use and development.

At the same time, the creation of the Toledo Maya Cultural Council (TMCC), with early leaders such as Primitivo Coc and Diego Bol, brought a more formal collective framework for Maya peoples of the region. The TMCC was created in 1978 explicitly to represent the varied Maya groups of the region, to push for clear representation of a unified Maya voice, and to advocate for the preservation of a Maya cultural system and their associated land.

In 1996 the TMCC, headed by Julian Cho, filed a claim against the Belizean government that sought to give title to traditional lands and resources within the Toledo District to Maya people and communities. In addition, the claim challenged the constitutionality of the government to grant concessions for logging or access to other resources on these lands. This was a direct challenge to the action of the Belize Ministry of Natural Resources, which had granted logging concessions for 500,000 acres of rainforest to two Malaysian companies.

This claim languished in the courts, as the attorney general for Belize never brought the case forward into the courts. In the meantime, the TMCC submitted a petition to the Inter-American Commission on Human Rights. The petition requested that the commission either mediate a resolution or find that the government of Belize was in violation of human rights. When mediation failed, the commission issued a final report in 2004 that clearly stated that the government had violated human rights laws and that indigenous peoples have collective property rights over traditional lands and resources.

When this report brought no response from the government, Maya people were again forced to reenter the Belize legal system when they filed a grievance in 2007. That year, they won a landmark legal case when the Supreme Court of Belize affirmed their rights to control traditional lands, including the resources on and below those lands. This decision was based upon both the Constitution of Belize and relevant international law. This decision provided the basis for the



FIGURE 10.1. Cristina Coc (*right*) and Maya leaders in a Belize courtroom to hear the ruling on their land claim (photo courtesy of Cristina Coc).

potential creation and permanent indigenous Maya control of a large swath of land within southern Belize.

A few months after the Supreme Court handed down this decision, the people of Belize went to the polls and elected a new national government. Many Maya people, represented by the Maya Leaders Alliance (MLA) and the Toledo Alcaldes Association (TAA), both modern descendant organizations of the original Toledo Maya Cultural Council, hoped that this new government would affirm the legal decision and would work to implement this decision. However, it rapidly became clear that the Belizean government would not agree with this decision and would appeal.

A second land case was heard at the beginning of 2010. During this case, the government argued that the Kekchi Maya and Mopan Maya of southern Belize were relatively recent immigrants into Belize and therefore did not deserve this land any more than any other group of the country. Belize, according to this argument, was empty during the seventeenth and eighteenth centuries and is therefore an entire country of recent immigrants. But the MLA disagreed. Cristina Coc (figure 10.1), then the head of the MLA, stated in a television interview:

We have known from the outset that the government does not agree with us. We knew that they would fight us to the highest courts. I mean the prime minister said that a few times publicly. So we anticipated coming back to the Court of Appeals. We're here to continue to defend our right to life, our right to those lands and resources that we call our home. We're here to continue to express our disappointment with how the government has violated our rights, with how the government has refused to respect and to recognize us as a people. Maya people are not asking for special rights. There is nothing special about Belizeans having a right to property and property of any kind. Maya people are Belizeans, and they have a right to property, and they are describing what kind of property they have, what kind of property they hold, and their rights need to be respected. (Channel 5 Belize, March 17, 2011)

On June 28, 2010, the chief justice of the Supreme Court in Belize, Dr. Abdulai Conteh, affirmed the traditional land rights of Maya people of southern Belize: "Maya customary land rights constitute property, which like other property interests in Belize, are protected by the Constitution. In particular, the customary land rights of Maya people of southern Belize have been recognized and affirmed by the October 18, 2007 judgment of the Supreme Court in the Maya Land Rights case."⁷ The MLA had won a second legal victory.

Since the original 1996 claim had a major impact upon logging within the proposed Maya homeland in southern Belize, this 2010 decision is directly relevant to recent petroleum concessions on this land granted by the government of Belize to an energy company from the United States, U.S. Capital Energy. But even now, this dispute has not been resolved, nor is it moving toward a mediated solution. Rather, the Belizean government has appealed this 2010 decision with hearings in 2011. And there is still one last court of appeal possible: the Appeals Court of the Caribbean Court of Justice, which in 2001 replaced the Privy Council of the United Kingdom as the court of last appeal.

SUMMARY

It is almost too easy to connect the concept of land as commodity to the government of Belize, and it might even be overly trite to say that the indigenous peoples of Belize (the MLA and TAA) have identified it as a landscape with meaning and cultural significance. However, this dichotomous contrast continues to play out. For the past fifty years, there has been an ongoing battle and debate in

Belize about whether Maya should be given a formal Maya homeland that is collectively owned and controlled. Even as this cultural and legal debate continues in Belize, the government has sold a variety of commodity leases, including logging concessions in the 1990s and, recently, oil concessions that have brought large amounts of funds into government coffers and great wealth to some non-Maya individuals.

On the other side, Maya see the cultural significance of this land—it is a place that they have made home for generations. Understanding the nature of these landscapes and the meanings embedded onto and within the landscape is not an easy task for researchers and people outside of Maya communities. It is part of a system of knowledge that exists culturally but cannot be described or explained in a structured context. So where can we turn for these meanings to begin to understand the nature and extent of these cultural systems?

Within southern Belize, there are two contexts from which we can begin to understand some of the meaning related to the landscape. The first context is Maya people as they talk about land and landscape. For example, leader Julian Cho wrote the following: “It is the philosophy of Mayas that land cannot be bought or sold. The land is sacred. For example, can we buy air? clouds? rain? sunshine? In the same way land cannot be sold” (Cho and Nystrom 1997). A second context that helps us understand the meaning of landscape includes an interesting and unique resource, *The Maya Atlas*, a community atlas created by Maya people of southern Belize in conjunction with the geography department of the University of California, Berkeley, and published in 1997. The compilers of *The Maya Atlas* state:

Land use locations, areas, and geographic extent used by people in the village were then mapped and crosschecked by on-the-ground field mapping and interview/questionnaires with members of each household. Maya communities use an intricate system of names for their local lands which allow them to pinpoint with a great deal of accuracy, locations and areas where they farm, hunt, fish, collect medicinal and food plants and firewood, as well as where their culturally important caves and waterfalls are situated, and where their ancient ruins are found. Most of this information is not found on Belize’s 1:50,000 map series. Finally, Mayas do not want anything extravagant, neither do we want anything hurtful to the real interests of non-Mayas. We want our rights determined and recognized. We want a settlement based upon justice. We want a full opportunity of making a future not only for ourselves but also for our children. It is in having a small portion of this country and this world that we call our home that will guarantee that

our culture can survive in the next century. We want this done in such a way that in the future we shall be able to live and work with all the people as our brothers and sisters and fellow citizens of this global village.⁸

The Maya people of southern Belize continue the struggle to gain control over the land and resources that were and are traditionally theirs. For Maya, this is a struggle for self-determination, cultural identity, and economic sustainability.

CONCLUSIONS

In terms of commodities, interpretive frameworks in anthropology and other social sciences have tended to focus on value as the economic worth of pure goods that can be bought or sold. Such an interpretive framework structures our thinking and understanding of both modern and past societies. The universality of such a maximization/minimization model has been questioned over the past half century. With this chapter about land and Maya communities we continue this questioning, seeking to remind our readers that land's value lies not only in its potential for commodification but in its deep ties to the spirit, history, and lifeways of Maya people.

The recent history of land in the Yucatán and Belize clearly indicates that it has a growing economic value in the twenty-first century. There are also a series of stakeholders (often non-Maya) and economic forces that are pushing governments, businesses, NGOs, organizations, and individuals to sell off communal lands, thereby privatizing and creating an economic commodity out of this land. We have discussed such forces as NAFTA and tourism in the Yucatán and lumber and oil development in Belize. We have also argued that land is one of the most powerful entities of community, communal identity, and connectivity to one another and to place. Within the Yucatán and Belize, organizations have been developed within which land is communally owned and maintained. In Mexico, the Mexican Revolution and the Caste War set the stage for the creation of communal land systems such as the current *ejidos*. In southern Belize, the long-standing reservation system created communally owned lands for the various villages within which a Maya homeland is now requested. Regionally based Maya NGOs are now pushing for the creation of this Maya homeland in Belize.

Land should be seen as a commodity—it is definable, it is finite, and it is important for human existence. However, viewing it in purely economic form



FIGURE 10.2. Children's visit to Tela, an important cultural and natural heritage site for members of the Tihosuco community (photo by Richard M. Leventhal).

obscures how people place themselves and their identities within it. Land contains more than a people's economic life; it also contains their spiritual and communal life. Within land and landscape are history and the relationships of a people within and among themselves, to others, and to the supernatural entities that structure the world around them and around all of us. The forces of privatization are moving swiftly and strongly in both the Yucatán and Belize because the economic value of land is increasing exponentially with the rapid growth of tourism development in the past two decades. Land and tourism development in Yucatán and land connected to oil and timber in Belize are strong forces in the twenty-first century. But such forces should undergird the notion that the sources of identity, ways of knowing, and social and political power are all wrapped up in what land *is* for these communities. Writing it off as commodity cannot encapsulate its mottled textures.

As a final note, both authors of this chapter are currently working in Mexico on the Tihosuco Heritage Preservation and Community Development Project (figure 10.2). It is interesting to note that Mayan language and communal lands

are both perceived by Maya people in Tihosuco as being two of the most important factors for the future of this Maya community. At the same time, in the twenty-first century, these are two of the most fragile parts of the Maya culture and two of the most embattled, internally and externally. But as we have found with this Tihosuco community project, it is fruitless for us, as outsiders, to constructively dictate the nature of what cultural heritage is, what is valuable archaeologically, or what ought to be preserved and how. Similarly, it is impossible for us as outsiders to argue that Maya should not put their cultural identity on the future survival and continuity of communal land and Mayan language—symbols that continue to hold deep cultural meaning and identity for the Maya of the past, for Maya of today, and for Maya communities to come.

NOTES

1. Following from John Comaroff and Jean Comaroff (1992), for the remainder of the chapter we have chosen to refer to these communities as “Maya,” read plural, rather than the potentially objectifying referent “the Maya” in an attempt to minimize the anthropologist’s gaze where possible. Similarly, we do not employ “Mayan” as a modifier except when referring to the language groups because of its long history of such use.
2. Although some research has attempted to refine landscape into a stronger theory by modifying it with typifiers like “cultural,” “social,” “emotional,” we reject that notion here because the argument that we lay out relies upon the condition that people can relate to land only through sociocultural frameworks; thus, all landscapes and all abstractions of land are equally cultural and have equally important implications because of this.
3. Although we should note that work on the Pueblo Revolt in the Southwest has had a similar, albeit less widespread, effect. See, for instance, Preucel (2007), Wilcox (2009), and Liebmann (2012).
4. The cadastral system can be loosely described as the divvying up of land into owned and transferable properties, often indicated by property lines or fences.
5. We use Yucatec Maya here to refer to Maya living on the Mexican side of the Yucatán Peninsula. There are arguably important differences in lifestyle choices between Maya communities in the state of Yucatán and those of Quintana Roo, which we like to acknowledge but which will not take precedence in this analysis. We also believe this conversation extends to Maya communities in

Campeche, but we have less experience in that area of the peninsula, and it is therefore not the focus of this case study.

6. Cenotes have more recently come into the commodity market as prime tourist destinations where pristine waters and exaggerated myths are used to create the “authentic” Maya experience for curious tourists.
7. Supreme Court of Belize, Judgment, 2010, 19, ii, https://law2.arizona.edu/ipl/outreach/maya_belize/documents/Claim%20366%20of%202008.pdf.
8. <http://oldweb.geog.berkeley.edu/ProjectsResources/MayanAtlas/MayaAtlas/mayahome.htm>.

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