

Struggle and Resilience of Migrant Indigenous Communities in Irregular Settlements in Mexico

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Cover image: Members of La Esperanza community painting murals at the local elementary school (Image shared by the La Esperanza community)

Note: Authors are listed alphabetically with the faculty mentor listed last.

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Executive Summary

Rural-to-urban migration in Mexico has historically included Indigenous groups that often face different challenges than non-Indigenous citizens. Two of these migrant Indigenous communities in the urban area of Monterrey face a common challenge that has gone beyond racism, classism and language discrimination. Lomas Modelo and La Esperanza are precariously housed in legally unrecognized settlements. This lack of legal recognition creates difficulties for residents obtaining basic services or identity documents, which brings further problems. To address this situation, communities themselves, NGOs, public offices and firms have developed programs to face both the “irregular” land condition and its consequences.

Our main goal was to gain insights from those interventions. We carried out participant observation between March and July 2021 in Monterrey and Villa de Juárez, Nuevo León, and conducted 17 interviews with 22 people including community members and key actors linked with the most relevant programs. The result is a comprehensive map of these complex circumstances that allowed us to learn particular lessons from each actor’s successes and shortcomings. Despite the despair most of the interviewees expressed concerning the resolution of the housing conditions, we established a course of action with 10 new specific recommendations for the communities, NGOs, policy designers and other competent authorities, as well as suggestions on interculturality and gender. These actionable insights are shaped for Lomas Modelo and La Esperanza, but could apply for any community sharing similar circumstances and working on the UN sustainable development goals (SDGs): 1. No Poverty, 3. Reduced Inequalities and 4. Sustainable Cities and Communities.

Housing and Migrant Indigenous People in Urban Areas

With the rapid emergence of thriving factories in Monterrey, Mexico, people from southern states saw Nuevo León as a land of opportunity. Many Indigenous people migrated north. They have been at the core of the economic growth of the Monterrey Metropolitan Area (MMA). These migrant communities face a number of challenges in their transition from a rural to an urban lifestyle. Many have had to build their own simple — and often precarious — housing units. They also face racism, poverty and discrimination. The Otomíes in Lomas Modelo, Monterrey, and the Mixtecas at La Esperanza, Villa de Juárez, are two migrant Indigenous communities living in informal or “irregular” settlements in the MMA, meaning that they do not formally own all or part of the land they live on. This makes them particularly vulnerable.

In Mexico, there are 68 Indigenous groups, each with their own language and different variations (a total of 364 linguistic variants). Data collected by the National Institute of Statistics and Geography show that around 25.7 million (21.5% of the Mexican population) identify as Indigenous and of those, 7.2 million speak one of the native languages. According to the 2017 National Survey on Discrimination, 75.6 per cent of the Indigenous population perceive that they are undervalued by most people, and 24 per cent report having experienced at least one situation of discrimination in the last five years. Almost half (49%) felt that their rights were rarely or not all respected. This is the general environment that residents of Lomas Modelo and La Esperanza faced when they first left Santiago de Mexquititlán, in the central state of Querétaro, and San Andrés de la Montaña, in the southwestern state Oaxaca, their respective homes.



Figure 1. Map of the Monterrey Metropolitan Area (MMA) of Nuevo Leon (illustrator: José Antonio Borbolla)

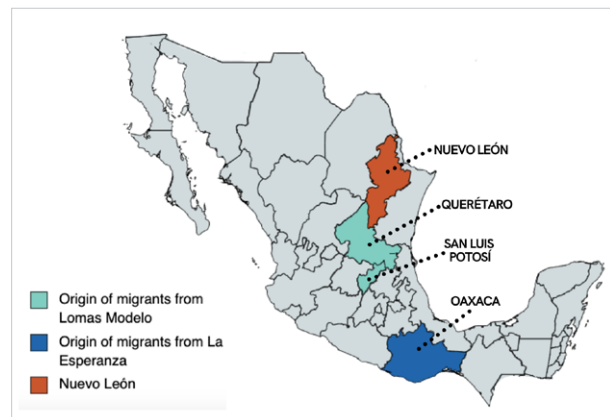


Figure 2. Map of Mexico: Querétaro, Oaxaca and Nuevo León.

As the National Survey of Household Income and Expenditure of 2018 reported, 7 out of 10 Indigenous language speakers live in poverty, almost twice as many as Spanish speakers (74.9 versus 39.4%). For people living in extreme poverty, the figure is six times higher (35.6 versus 5.6%). Around 80 per cent of the Indigenous population lack access to social security, almost 67 per cent lack basic services, almost 40 per cent lack access to food and 32 per cent lack access to quality housing. Monterrey and Villa de Juárez are two municipalities of a city with extreme income distribution inequality.

To respond to the difficulties the Otomíes and Mixtecas face, the neighbourhoods have

developed different alternatives to improve their quality of life. Fomento Metropolitano de Monterrey (the Metropolitan Development Agency of Monterrey, FOMERREY), Secretaría de Desarrollo Social (Secretariat of Social Development, SEDESOL) and many nongovernmental organizations (NGOs) have also implemented different programs to address the irregular housing and the abuses of power these communities struggle with as consequences of their ethnicity and socioeconomic status.

Our research team carried out participant observation between March and July 2021 in Monterrey and Villa de Juárez, in Nuevo León state, and conducted 17 interviews with 22 people including community members and key actors linked with the most relevant programs. We wanted to understand the housing situation and its consequences in order to establish actionable insights for all the actors involved — particularly policymakers — and communities sharing similar conditions.

Marginalization

LOMAS MODELO

Lomas Modelo is a neighbourhood in the municipality of Monterrey, Nuevo León, located between the Cerro del Topo Chico and the Sierra de las Mitras natural reserves. Made up mainly of a migrant Otomí Indigenous population, most of its members migrated north from the states of Querétaro and San Luis Potosí in search of better economic opportunities. In the city, they were met with the jarring reality of multidimensional poverty, social rejection and violence.

Most of them built a life in irregular settlements in Lomas Modelo where, over time, they constructed houses made with foraged materials but basic services such as running water, electricity, gas and storm drainage



Figure 3. Map of Lomas Modelo

were difficult to access.¹ Because government attempts to regulate and provide basic services were unsuccessful, community members resorted to installing clandestine water and electricity intakes as well as sewer systems.

Lomas Modelo residents perceive the authorities' failure to provide basic services as a deliberate denial of their most basic needs. As one resident noted, "Maybe they think that because we are Indigenous they do not give us access to water, pavement, stairs ... but there I felt the marginalization ... that we have no right to that because we are Indigenous."² Until 2019, not a single street was paved in the area.

All aspects of people's lives — from health to education and work — are touched by poverty. A considerable part of the population suffers from diabetes, malnutrition, obesity and the consequences of addiction to industrial solvent inhalation and alcoholism, such as cirrhosis and neurological affects. Many residents of Lomas Modelo work as informal domestic workers and bricklayers. Other residents work as craftspeople and street vendors — also in the informal economy. Many of the residents are unable to finish their basic studies for reasons ranging from economic inability to teenage pregnancy. According to the National Institute of Statistics and Geography, in 2010

1 For the purposes of this study, we understand *irregular settlements* as the land where the communities have settled and have not been able to regularize in legal terms, meaning that the land is not available for legal ownership, which hinders the possibility of accessing basic services such as gas, water and drainage through the government.

2 All interviews were conducted in Spanish and translated by the authors. To preserve the anonymity of our sources, they are not identified.



Figure 4. Precarious living conditions in Lomas Modelo: a) houses in Lomas Modelo are built on a hill, so the only way to get to them is via very steep and rough terrain; b) the houses are built with blocks, aluminum sheets and cardboard; c) water pipeline and path down to the main street in Lomas Modelo.

only 13.7 per cent of the residents over the age of 15 completed a basic level of education (elementary school and middle school).

Even when they go to school, children face the constant presence and use of drugs as well as racism, discrimination for speaking their mother tongue (*Utomí* or *Hñähñu*), robberies, a fear of kidnapping between home and school and the looming pressure to stop their studies to provide another source of income for their families. The situation has worsened during the COVID-19 pandemic because economic pressures on families have played a more prominent role in the school dropout rate. Children feel discouraged from taking online classes because of different personal circumstances and lack of digital connectivity (because they lack access to basic services such as electricity and therefore Internet connection).

LA ESPERANZA

Located in Villa de Juárez, Nuevo León, La Esperanza is a neighbourhood characterized by its migrant and Indigenous Mixteca residents, most of whom, in their search for a better quality of life, migrated north from the southern Mexican town of San Andrés Montaña, Oaxaca.

Because La Esperanza is situated close to high-voltage towers, it is considered a high-risk area and the land is recognized as uninhabitable by law. This not only blocks the residents' access to basic services such as clean water, drainage, electricity and gas, but also hinders certain legal processes and formalities necessary to request and demand access to such services. As in Lomas, the members of La Esperanza have also resorted to illegally connecting to water, drainage, gas and electricity.

Members of the community have spent the last decade making numerous attempts to

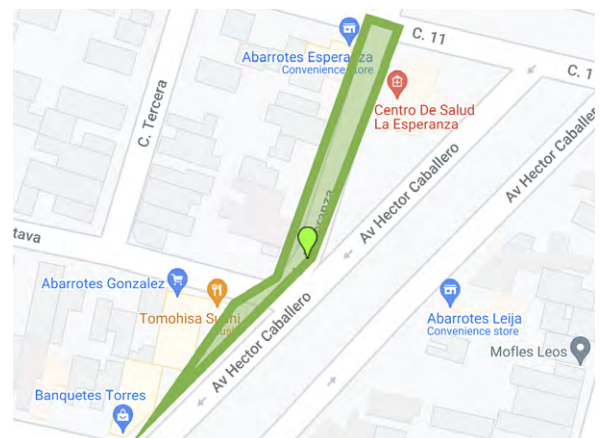


Figure 5. Map of La Esperanza

regularize the land and gain access to basic services which were invariably met with inconsistent and inadequate responses from the authorities. This has placed them in a legal limbo — they're constantly waiting for the regularization of the land while also facing the ever-present threat of sudden relocation.

In addition to the stress this brings to their lives, they constantly face socioeconomic hardships. The livelihood of La Esperanza is completely dependent on residents' day-to-day sales. Most community members are craftspeople and street vendors by trade, specializing in *alebrijes* (folk art sculptures), artisanal objects and furniture woven

out of palm. Most of them speak Mixteco, their native language, and some speak Spanish. This language barrier poses a number of challenges when it comes to selling their crafts. Not only can it be difficult to communicate with potential clients but a lack of Spanish also makes them a target for discrimination when they are selling on the streets.

Different Communities, Shared Struggles

POVERTY AND VULNERABILITY

According to the National Council for the Evaluation of Social Development Policy (CONEVAL),

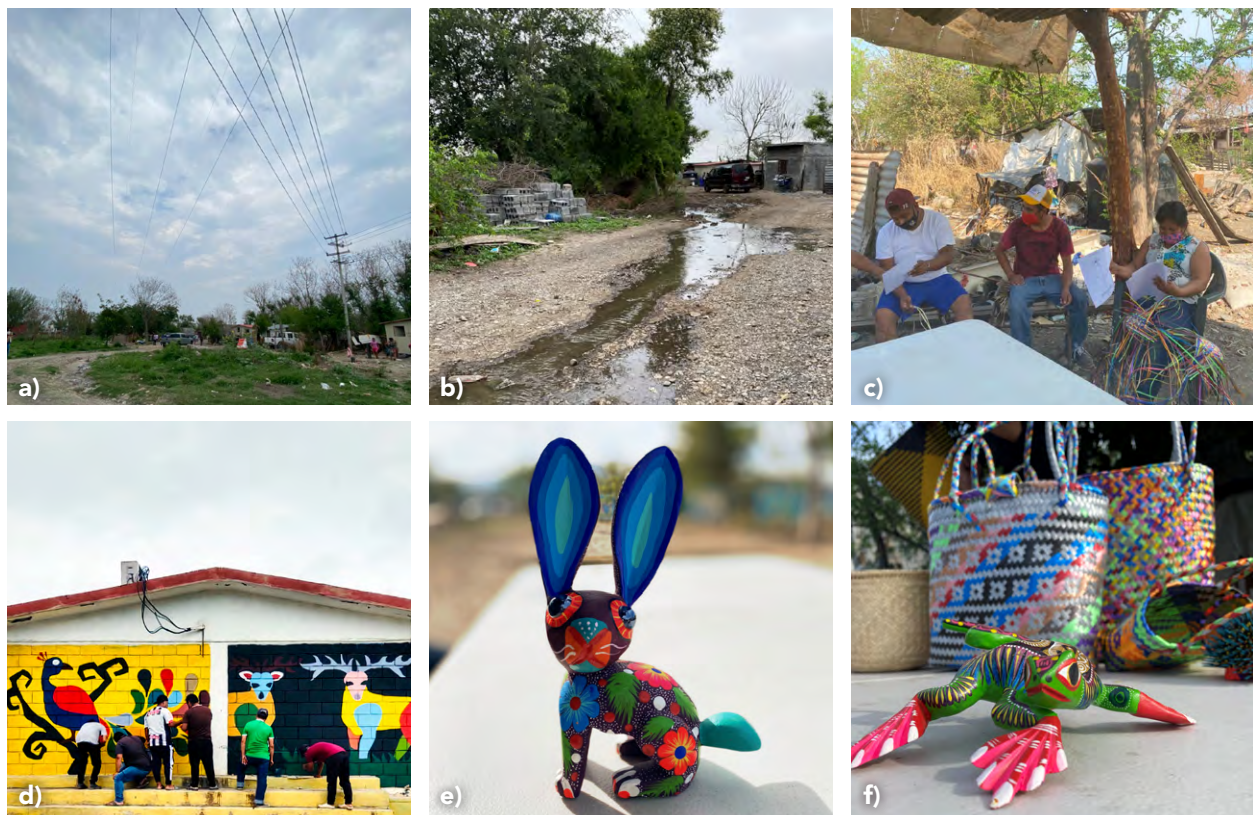


Figure 6. La Esperanza: **a)** The cables that oversee the community are from the high-voltage towers that make it illegal to own the land and live there; **b)** Small floods are a constant problem from the lack of proper sewage in La Esperanza. According to the community, floods happen almost twice every week. The health hazard cannot be formally addressed by the government because of the land's irregular status; **c)** The La Esperanza community often holds meetings to reach communal consensus and create alternatives for themselves. The man on the left is weaving the handles of a purse, the man in the centre prepares the material for furniture and the woman on the right weaves a basket while meeting with an NGO; **d)** La Esperanza often reflects their culture, tradition, and worldview through painted murals in public places, such as in this case, an elementary school; **e)** & **f)** This community has many *artesanos* and *artesanass* (craftsmen and craftswomen) who rely on their work to make a living. They make baskets, purses, furniture, jewellery and *alebrijes*.

the word *poverty* describes populations whose income is insufficient to purchase the goods and services they require to meet their food and non-food needs. These populations lack access to at least one of these rights: proper basic education, health services, social security, quality of housing and access to food.

Both Lomas Modelo and La Esperanza find themselves in exceptionally precarious conditions, exacerbated by their irregular condition. Their economic situation, lack of access to basic services and social security, impossibility of carrying out legal processes and their marginalization all perpetuate their poverty. This is also the case of 69.5 per cent of the Indigenous population in Mexico — around 8.4 million people.

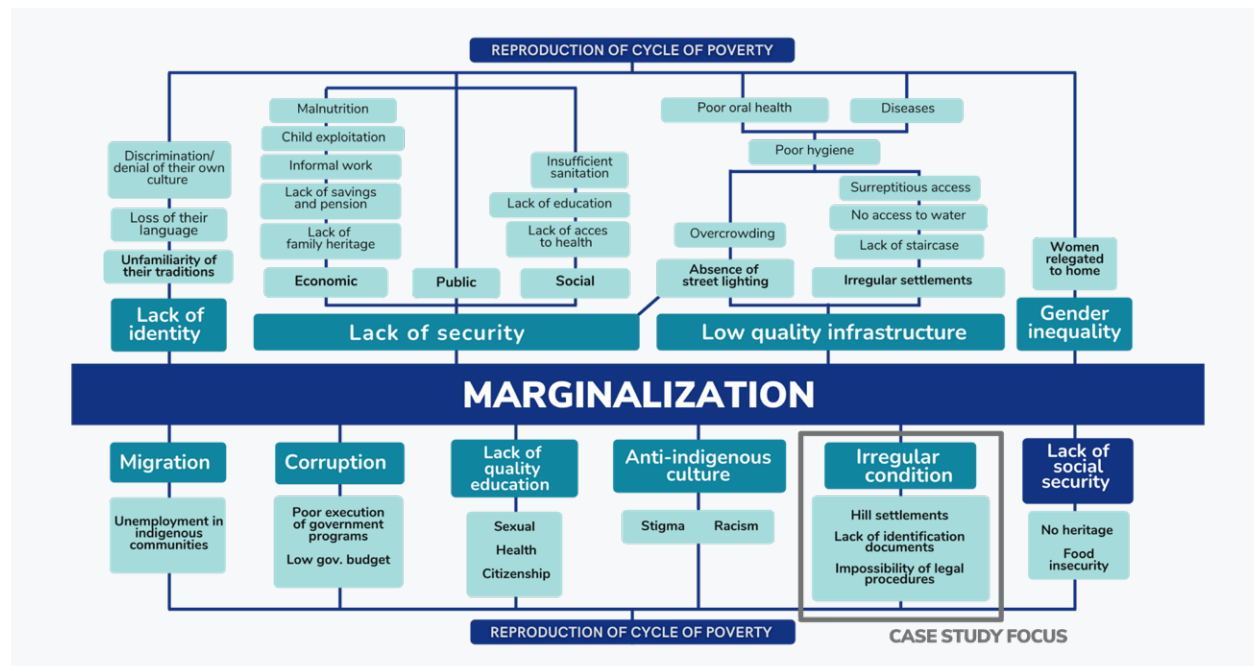
IRREGULAR SETTLEMENTS

Both communities have a significant number of housing units in irregular settlements. In La Esperanza, residents arrived over the course of a decade and chose to build their homes next to a kindergarten and elementary school.

Community members explained how they were drawn to this area because the land there — characterized by an abundance of trees and bushes — reminded them of their home community. They didn't know at the time that they were settling under high-voltage towers, which would make it very difficult for them to formally regularize the land.

In Lomas Modelo by contrast, the first residents settled during the 1970s in response to promises from a political party that gifted them land in exchange for their votes and loyalty. They were promised properties where they could settle and build their lives. Unfortunately, this turned out to be more of a curse than a blessing. People found out years later that the land had other official owners and they have been in a legal dispute to regularize them ever since.

What does living in an irregular settlement entail? In simple terms, residents cannot acquire a permanent residence or address in the eyes of the law. They are unable to obtain proof of residence, which is a requirement for



Note: The main problem is located in the centre (marginalization). At the bottom, the roots of the main problem are broken down by area (migration, corruption, etc.) that contribute to cause marginalization and at the top are the effects or consequences. Both the roots and the effects end up contributing to the reproduction of the cycle of poverty.

Figure 7. Issues both communities face

almost every legal procedure: obtaining official identification, applying for jobs, requesting aid from the government, participating in cultural and governmental programs and so on. As a woman from La Esperanza explains, “That’s what we struggle with. Sometimes we want to enter cultural programs and so on but we can’t because we don’t have proof of address. So we struggle a lot with that. That’s why we want to regularize because that will solve all the problems.”

ACCESS TO BASIC SERVICES

At most, the communities can only request that basic services will be regularized, but because of land’s lack of legal status, the government is not obliged to satisfy their demands. The lack of basic services negatively permeates every aspect of life. Both communities have made multiple attempts to regularize the land and acquire access to basic services, resorting to illegal connections when legal access is not possible.³ While Lomas Modelo has had more relatively successful attempts at regularizing the land and access to services than La Esperanza (whose needs have not been met at all), both communities live with the consequences and impact of not having access to water, electricity, drains or gas.

Residents of La Esperanza do not know when the municipality will supply water and they often go weeks or months without a regular supply, which in turn prevents them from doing basic everyday tasks such as showering or washing the children’s school uniforms. As a member of La Esperanza explained, “We struggled a lot at the beginning with water because sometimes they supplied us with water by pipe, but sometimes it came every week and sometimes not for three weeks. And since the children are in school, yes, we struggled a lot for their uniforms, for bathing. We struggled a lot, and then with the electricity ... we cannot have — well, any electrical appliance that draws a lot of electricity because it will not work.”

La Esperanza has also struggled with an improper sewage and drainage system, which

caused a black water stream that ran through the neighbourhood. The sewage caused a number of health concerns for the inhabitants, especially children. The unregulated electricity connections have also proven to be dangerous because they have caused house fires.

In the last few years, half of the housing units in Lomas Modelo were finally regularized thanks to community organization strategies, the technical support of NGOs and the involvement of FOMERREY. However, their access to basic services has been strongly influenced by the involvement of politicians and political parties looking to secure their votes in the local elections. It has been largely a clientelistic trade-off: “we pave the roads and provide safer land while you provide votes.” Access to basic services remains uncertain and unstable, and is linked to external factors such as upcoming elections and drawn-out and unreliable government processes.

Conversely, in the case of la Esperanza, whose members have opted to not be linked to any political party, improvements in access to basic services are largely thanks to NGO lobbying.

LABOUR CONDITIONS

Although both of these communities have different approaches and attitudes toward their current situation and how to resolve it, they face similar difficulties. When it comes to making a living, members of both communities struggle to make ends meet, relying on day-to-day work to be able to afford their basic needs. Members whose livelihood depends on the production and sale of handicrafts are often subject to external conditions, from the weather to the interference of authorities. They also face mistreatment and attitudes of contempt such as customers haggling for handicrafts. Their work is uncertain and unstable. One resident told us “I went to sell my cell phone because we had no money ... it was raining last week and we couldn’t go to sell [handicrafts]. I already sold my cell phone.”

3 For the purposes of this case study, we consider basic services to be access to water, gas and electricity.

The authorities often abuse their power and intimidate vendors, forcing them to move from public places and preventing them from selling their handicrafts. Community members believe this is motivated by prejudice — when confiscating the merchandise, authorities often act arbitrarily and make it difficult to reclaim the handicrafts. So not only were vendors unable to sell their handicrafts, but now they also have to start over and remake them, which can take days or weeks. If they cannot sell, they are unable to make ends meet, which keeps them in a cycle of poverty. Three women from La Esperanza describe these difficulties:

Woman 1: For example, the authorities, so to speak. We go to a place and they intimidate us just because they are in uniform. They tell us something and we feel that because they are wearing that uniform we can't respond to them like this. We felt that fear, but they can use it against me and so...

Interviewer: And is that very common in the centre? To have your merchandise taken away?

Woman 1 and Woman 2: Yes, yes, yes.

Woman 2: They take everything from us if we put our things in a little place and the merchant authorities come and, without asking, they take them all away.

Interviewer: And can you get them back?

Woman 1: Well, depending ... sometimes we recover it ... When it [the taken package] has things like the most expensive pieces, we do have to recover it, pay for it. But many times what happens is that when they take things away from us — since they don't give us time to count them — well ... we kind of have in mind how many things we have and later we notice missing pieces. But when you go and claim what they collected ... What can you do?

Both communities have been exposed to economic violence, especially those members

who are informally employed or street vendors. Even those who are formally employed are subject to exploitation. As an expert who works with Indigenous communities put it,

They are construction workers; they are bricklayers; they are all informal workers. Obviously they do not have any type of labour benefit. There is a lot of exploitation involved ... Even the formal workers who work in OXXOs and 7/11 [popular convenience stores] — they are super violated. They are forced to work days of up to 16 hours in a row. They are also fired overnight without any kind of justification, so there is cultural violence, economic violence, institutional violence in education — it's strong.

With the COVID-19 pandemic, members of both communities experienced increased difficulties in their labour opportunities. Because so many depended on street vending to make ends meet, most did not have the means to transfer into a work-from-home setting. Because of the lockdown, selling became more difficult when most of their potential buyers were quarantining at home.

Reshaping Opportunities: Past and Present Public Policies

Context

Mexico has a federal system, which means that states are granted certain sovereignty to make their own laws, create their institutions and manage funding as they see fit. While governors and other policymakers work at the state level, their sovereignty has limitations and they must abide by national regulations in certain matters. (In Nuevo León, the governor stays in office for six years.)

Within states, municipalities have their own government that also enjoys sovereignty to some

extent but they too have to abide by both state-level and national-level regulations. The state of Nuevo León is composed of 51 municipalities and each one has a municipal president whose administration lasts three years. Abiding by state laws while looking to make their cities a better place for their citizens, mayors oversee any public institution that works at a state level. They are also in charge of land tenure regulation and land administration services.

The government, at both the state and municipal level, is familiar with the hardships migrant Indigenous communities face upon arrival and that persist throughout their settlement in the city. Different administrations have carried out several initiatives to target some of these hardships. However the design of such initiatives often lacks precise knowledge of people’s struggles and only further discriminates against migrant Indigenous communities through institutional obstacles.

Fomento Metropolitano de Monterrey (FOMERREY)

FOMERREY is a state-level governmental institution tasked with solving land tenure through regularization, allocation and certification processes. In theory, any person can go to its offices and request to start the legalization process. However, to start the process an applicant must provide their national identification card, Unique Population Registry Key and a marital status certificate. Here is where the problems start. To have a national identification card one must provide certain documents and requirements: (1) a birth certificate that shows the individual is 18 years old or older, (2) proof of residency and (3) a photo ID. (See Figure 8 for the detailed process to regularize lots.)

Challenge 1: Birth Certificate

The first required document poses a problem that trickles down into the other two documents.

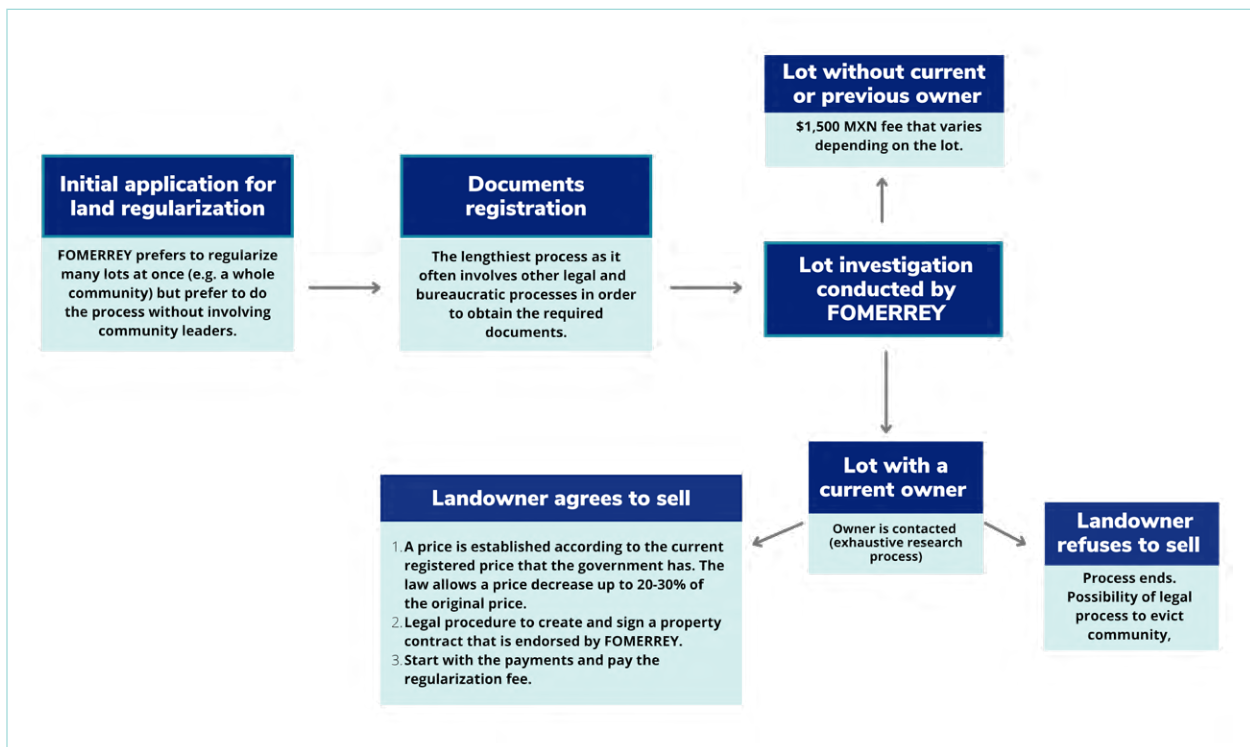


Figure 8. FOMERREY’s process for land regularization

In most Indigenous communities, babies are not registered as soon as they are born, and sometimes not registered at all. If the community follows customs and traditions it does not abide by the central government and will have no use for this document.

Rural Indigenous communities are not always near a city with a civil registry office, so if people want to register their child, transportation costs come into play. Indigenous people also have a strong sense of community — personal hardships are considered communal problems and thus require communal solutions. For example, in some communities, it is standard practice for a family member to give a baby to another family member experiencing infertility problems. However, if the child grows and decides to go back to their biological parents, they have the right to do so. Civil registry makes this communal practice overly complicated because both sets of parents (biological and adoptive) might have registered the child, creating two certificates that might be used interchangeably throughout the child’s life. This situation requires a lengthy and expensive judicial process to overturn one of the birth certificates.

Indigenous communities have made efforts to formalize their identification documents but authorities’ neglect has made this process complicated. In Lomas Modelo, many residents were registered with their birth name, that is, a first name and two family names or surnames. In this community the two last names were the two first names of the maternal and paternal grandfathers. The civil registry in urban areas does not accept this practice so people had to change their names. However, members who stayed in the home community and went to civil registries in more rural areas were allowed to keep their original names. This created a problem regarding who was related to whom. For those who registered in the city, they had to overturn their certificate and reregister. Many registries reregistered them — commonly with typos that led to problems further down the road.

Nuevo León’s civil registry has different processes depending on the age of the individual who needs registration (Table 1 details the process based on age restrictions). Currently, individuals who face this problem are adults, meaning that the main challenge to obtaining a birth certificate might be socioeconomic. Because the costs of a judicial proceeding and the transportation expenses to get to it are too costly and not necessarily a priority, Indigenous communities lack an incentive to register and the bureaucratic challenges act as a deterrent. This trickles down into other aspects and directly affects regularization processes.

Table 1. Process of registration based on age restrictions

| Age of individual being registered | Requirements | Duration of the process |
|------------------------------------|--|---|
| Under 7 years of age | <ul style="list-style-type: none"> • Certificate of live birth • Parent’s marriage certificate and two witnesses • If the parents are not married, both of them have to attend to register the child. | Waiting time to be assisted and registration process (1–4 hours) |
| Above 7 years of age | <ul style="list-style-type: none"> • A judicial proceeding is needed. • A lawyer is needed to handle the case. | Unclear whether the process takes months or years (depends on the influx of cases and other factors such as government transitions, holidays and varying bureaucratic obstacles). |

Challenge 2: Proof of Residency

The proof of residency is commonly a bill for any basic service including Internet access or telephone services. Given that most communities living in irregular settlements also access basic services illegally or through communal agreements, there are no bills proving residency.

To address this hindrance, the government created the role of a “neighbourhood judge” (*juez/jueza de barrio*) as a link between the government and communities who struggle with the legal process. This position is voluntary and the community elects the person. The neighbourhood judge issues living certificates that have a certain validity for these procedures but several challenges still arise. Obtaining a certificate from the judge can take weeks, and receiving such certificates is often dependent on the judge’s personal time management or even mood at the time of the request. The community of Lomas Modelo lacks a neighbourhood judge of their own and has to rely on one designated by the neighbouring community with whom they have constant conflicts.

The last mayor changed the regulations so that individuals can go to the city council and obtain the certificate themselves. However, public transportation costs in Monterrey are almost twice as high as the ones in Mexico City while the minimum wage is the same. And very few residents in Lomas Modelo or La Esperanza receive a minimum wage, given that only a few participate in the formal economy, so going to city council isn’t feasible. In both communities most residents’ income depends on their sales so communities often rely on the neighbourhood judge regardless of the inconveniences.

Challenge 3: Photo ID

Photo ID poses the biggest challenge because it encompasses the two previous ones. Acceptable photo IDs include a passport, professional certificate, driver’s license, Mexican military service card, public service credential, school records that are no older than 10 years, rightsholder credential or work ID. Each one of these documents presents its own challenges. To obtain most of them the individual needs (1) proof of residency and (2) to be a part of the formal workforce or enrolled in school. The most viable photo ID would be the educational card, but those seeking to regularize their lots are not in school and have no formal education.

Table 2. Challenges that the documents present

| Photo ID | | Possible obstacles |
|------------------------------|-------------------------------|---|
| Formal workforce credentials | Work ID | Most members of the community are not part of the formal workforce. |
| | Public service credential | No member of the community is a public servant. |
| | Rightsholder credential | Rightsholder credentials are restricted to those in the formal workforce. |
| Other | Passport | A birth certificate is needed. Also, a passport is not a priority document. |
| | Mexican military service card | The members of the community claimed to have done military service. This is also mostly restricted to men since traditionally military service was mandatory for men. |
| | School records | Must be in school or have received a formal education less than 10 years ago. |
| | Driver’s license | A birth certificate is needed along with proof of residency. Most members of the communities use public transportation. |

Possible Outcomes of the Regularization Process

Given that the government provides some alternative identification that operates with varying degrees of efficacy, someone might be able to overcome these challenges and have the necessary documentation. In the best-case scenario, the lots do not have a previous owner and don’t breach the National Law of Human Settlements, Land Management and Urban Development and the property is valued and a cost for regularization is determined. The approximate average value our source declared was MXN 1,500 (92 CAN dollars), around 10.5 times the minimum daily wage. However, this

value varies depending on the settlement area. Because a lot of communities are near the city centre where the price of properties tends to be higher, paying the fee can be a significant challenge. The process takes at least a year.

If the communities comply with the documentation but then a landowner is found, the process becomes much more complicated. First, FOMERREY has to contact the owner. If they cannot be contacted, the process stops and the resident has to continue living in irregular conditions. If the owner is contacted, the public agency explains the situation and makes clear that they can sell the land to the individuals living on it. However, officers of FOMERREY insist that the process of regularization is a lengthy and costly process for the institution, so they advise the residents to regularize as a community — that is, several lots at once — rather than individually. This poses its own challenges. If the community is settled in a large area, there is probably more than one owner, which is the case of Lomas Modelo where half of the community is regularized and half is not because of prior land ownership.

With each owner a new process has to be started. If the owner refuses to sell, a court order can be issued to move the people from the territory. If the owner decides to sell, FOMERREY acts as an intermediary between the community and the seller. A price has to be negotiated but cannot be below 20 per cent of the market price. These prices are often high and increase if land is near places with high demand. Sometimes, a payment plan is put in place and becomes part of the legal agreements, enabling the communities to buy the lots.

NGO Labour and Sociocultural Capital

NGOs play a more prominent role than public agencies when it comes to both communities'

social development. Civil society organizations have mediated relations between Indigenous communities and government agencies such as FOMERREY, the Commission of Human Rights in Nuevo León and the water and sewer agencies. Even if the results have not fulfilled the communities' demands, this support makes it more difficult for public agencies to ignore communities' petitions.

NGO employees' expertise has been key to handling the consequences of living in unregulated settlements. Social promoters have guided community members through the bureaucratic system, providing translation services or helping them avoid ethnic discrimination. Leaders from organizations working for Indigenous people's rights and promoting interculturality have also shown Lomas Modelo and La Esperanza residents how to formally make collective demands as a political tactic to gain the authorities' attention.

However, one interviewee asked "Why do they have to wait for some association to come and make the call when they had already reported it many times before? It is something that surprises me a lot — that the voice of a person or on behalf of the community has no value compared to an association." Their comment suggests that communities are still strongly dependent on NGOs to address public agencies and see their demands responded to. The staff working on community development agreed and said "imagine if it were the community alone [dealing with the regularization issue] — it would surely have all the obstacles in the world."

Nonpermanent Mobile Infrastructure

One significant innovation for La Esperanza residents has been the creation of nonpermanent mobile infrastructure. Noting the difference between movable and immovable assets, the local chapter of a Latin American organization dedicated to building emergency housing saw an opportunity to build mobile housing units.

The “floating” or mobile houses could be qualified as movable assets and therefore do not put the community in conflict with the law or with public agencies. As a local manager explained, “The intention is that any situation that may arise does not generate a problem. Even the issue of parks and those projects that are more fixed [water towers] is the same thing. We build them in such a way that they do not generate a problem with the municipality.”

This interviewee also told us that the promotion of autonomy is key in these projects’ development. In building these assets, their approach involves the community’s active participation during the construction so that they can dismantle or move the structures if any situation — such as their final regularization — arises.

Funding and Loans

As in many Indigenous communities throughout the country, community decisions are made in an open assembly that builds dialogue and consensus. This has made the collaboration between the La Esperanza community and other social actors relatively smooth, and it works as an alternative to their explicit nonpartisan posture and skeptical view of governmental interventions.

Recently, the local chapter of a nonprofit business organization obtained the necessary funds that would enable the community to relocate and buy lots, avoiding the never-ending and unsatisfactory processes through FOMERREY. They decided to replicate FOMERREY’s low-interest loan system so that La Esperanza residents could finally own their land. Despite the fund’s existence and plans for its further delivery, the local chapter does not currently have the required legal status to be able to receive donations from abroad. The organization working on emergency housing has offered to work as a bridge to

SYSTEM OF *USOS Y COSTUMBRES* (CUSTOMS AND TRADITIONS)

Customs and traditions (*usos y costumbres*) are related to each community’s conception of reality. In Mexico, a legal basis supports these regimes, but they are commonly understood in opposition to the political and economic order of industrialized societies. *Usos y costumbres* are transmitted through socialization generation after generation.

In La Esperanza, each adult member participates in an open deliberation process, but in other communities of Mexico only men could participate in the dialogue. Another common element of Mixtecas’ customs and traditions is *tequio*. *Tequio* is a service related to the collective work every person does for the benefit of the community itself, and it is unpaid. People are socialized to have solidarity at the centre of their personal and collective values, which differs from urban values in Monterrey.

Tequio has been adapted to the current *usos y costumbres* of La Esperanza in Juárez, which makes it very easy for residents to collaborate with nonprofit organizations.

receive the funding, but the local chapter is still discussing the possibility. To help residents deal with their precarious situation in the meantime, three local civil associations and a chapter from an international institution have committed to rehabilitating public spaces, community building and providing public services and long-term relationships of trust.⁴

4 They have also deployed upskilling workshops, sex education and substance-abuse-prevention programs and linked their beneficiaries to other NGOs providing complementary aid, but these are considered common strategies of nonprofit organizations.

Rehabilitating Public Spaces

Lomas Modelo was built over some of the many rocky hills that are part of the Monterrey landscape. The foundation of its social life has flourished thanks to the constant interventions directed by the community and the local organizations that have created space for community deliberation. The built infrastructure includes a sports field and a multipurpose hall, which were constructed in partnership with a local cement company. Recently, the years of communitarian lobby work led to the construction of a long staircase, since going up and down the steep hill was dangerous and accidents were common. This intervention was influenced and made possible by the local election campaign and the clientelistic trade-off we previously mentioned.

Interviewees in Lomas Modelo declared that at the beginning, the labour of cleaning, yard work and wall painting would not last long, but as these tasks were completed over the course of years, and more community members participated in the process, the spaces' value become more respected. By contrast, La Esperanza occupies a smaller area over flat land and natural soil. There, the organization committed to building emergency housing has improved green spaces and added mobile and nonpermanent units.

These new spaces depict the communities' identity. The walls of the sports field in Lomas Modelo have Otomí allegories painted on them and the multipurpose hall show posters of past events concerning Otomí customs and traditions. In La Esperanza, the walls of the neighbouring school were painted with Mixteca *alebrijes* in exchange for water supply and as a strategy to raise awareness of the community's existence to its students.

Community Building

Some romantic notions about Indigenous communities hold that they are solidarity driven, peaceful and always in agreement concerning

their interests but this does not reflect the complex dynamics of their internal interactions. The larger size of Lomas Modelo compared to La Esperanza makes its organization a greater challenge. (La Esperanza decided to maintain the traditional structure they used in their hometown in Oaxaca, which has proven to be a valuable resource for networking.)

In Lomas Modelo, the social fabric was damaged in the 1990s and 2000s, but around 2010 a couple of citizen groups attempted to recreate internal support networks. Following the creation of public spaces, they programmed film festivals, school support programs, sports tournaments, and workshops concerning child development, recycling, music and community management. They also organized clean-up brigades and community celebrations for Christmas, Mother's Day and Children's Day. Eventually, these two groups constituted themselves as formal NGOs.

One of the organizations has managed to implement a climbing program for the children of Lomas Modelo in the local mountains. According to their website, they "use rock climbing and education to empower and build the skills of at-risk youth in underdeveloped areas of Monterrey, Mexico, in order to give them the tools to pursue promising and positive lives." They also direct activities for the children because, as one of the employees working there since its foundation claims,

One of the biggest problems we face is that children are used to always being in a state of competition, right? Because the system has forced them to do that. Survival ... So we focus a lot of the games on cooperation, on camaraderie. And we also have a volunteer program for academic accompaniment. All of this happens on weekends in the climbing areas.

The formal Community Committee better addresses the public administration and a requirement for receiving resources from the Secretariat of Social Development of Nuevo León (SEDESOL NL) via the Community Centres for

Indigenous People program. Residents choose a president, a vice-president, a secretary and spokespeople and report communal needs. At the time of our interviews, the committee was in the process of formalizing and had only women of different ages as members.

In Lomas Modelo, social promoters affirmed that there is still a dependency on them as decision makers and conflict managers, even if some leaders have emerged from the long work of the community. There are also issues with limiting beneficiaries of social programs to Indigenous people. Public agencies such as the SEDESOL have financed NGOs' intervention through programs aimed at reaching only Indigenous people as an instrument of positive discrimination. But Lomas Modelo still has a significant proportion of *Mestizos* or non-Indigenous people who often feel resentment at not receiving the public aid that Indigenous communities do. Local leaders declared that this dynamic has perpetuated discrimination against Indigenous people by their neighbours who verbally and physically attack them.

The local staff of the Latin American NGO concerned with emergency housing in La Esperanza declared that it was very easy to work with La Esperanza given its traditional deliberation system.

It is very important to involve the community. In fact, a collaboration agreement is signed with the neighbours. To begin, there is a recovery fee. This recovery fee is divided into two parts: the monetary fee, which is 5 per cent of the total cost of the house, and there is a separate fee that we call community hours. So, community chores are usually what you are going to do for your community or to improve the community. And there, we are going to count those hours for you ... The contract even says that if one fee or the other is not paid, the housing continues to belong to our organization. That is also why we are trying to push for this type of thing to be done and then the community is involved in the whole process.

Providing Public Services

In the beginning of the COVID-19 crisis in 2020, members of La Esperanza found themselves in desperate need of appealing to their allies. Using a collaboration agreement, the nonprofit institution specialized in emergency housing installed water towers and a basic pressure-supply system. The water towers comply with the requirements to be qualified as movable assets.

Long-term Relationships

Community members concluded that the long-term relationship with social promoters and NGOs has reinvigorated their Indigenous identities and languages, and removed self-censorship, a previous result of discrimination. Beyond upskilling programs, communities declared that their long-term relationship with social promoters has encouraged them to address public agencies to advocate for their rights.

After seven years of operation, in what has been called one of the organization's biggest successes, fathers in the community agreed to participate in programs for preventing domestic violence. Previously, only mothers agreed to attend these workshops. A female social promoter and long-term employee of a local association declared that the results are promising:

It was very difficult for us to work with the fathers. The fathers did not want to be involved in the program — it was always the mothers. So we started to work with moms in different programs: addiction prevention, that is, how to work with your children on prevention, teenage pregnancy prevention, domestic violence ... And now ... we decided, if you really want to improve the kids' conditions you have to get into the most difficult part which is the fathers. Now we have a program on domestic violence with them which is really great. We are really enjoying it a lot.

The consistent long-term relationships between civil society organizations and residents are a key element in effective prevention-culture programs.

The Path to Regularization: Achievements and Failures

Self-determination, autonomy and self-government are Indigenous people's political rights through which communities participate in the political life of the state. They are derived from Indigenous people's political, economic and social structures, as well as their cultures, spiritual traditions, history and philosophy. This right is specified in Articles 3 and 4 of the United Nations Declaration on the Rights of Indigenous People. However, historical discrimination has violated these rights. Even today many government institutions and authorities require Indigenous communities to be affiliated with a political party to receive what they are entitled to by law.

Although La Esperanza runs its own form of community government, they have to meet inefficient government requirements or support a political party in order to achieve a basic standard of living. As many neighbourhood judges mentioned, if they do not support and actively participate in political activities, they will not be issued any official letters or documents. As a social inspector who has been working with these communities for more than 10 years commented, the local judge uses her relatively little power in favour of her own interests. She tells residents to behave well because the "lawyer" from a specific political party is coming, so they have to support them because otherwise the official letter that they requested will not be issued.

One interviewee role-played how the dynamics look.

If I do not comply as a neighbourhood judge, there is always the threat that they [the government] will take my 12,000 pesos from me, that is, comply or take away 12,000 pesos [approximately CAN 740]. They say

to me "If your people do not comply with me, if your people do not vote for me, I will go over you." They ask us to secure 300 votes in the community, "and if you don't get them, I will withdraw the pink card [an economic support provided by the state to women] from you and all your people.

The government and political parties play a fundamental role in the regularization process — not necessarily to resolve it efficiently, but through illicit practices, corruption and abuse of power. Government agencies have had to resort to informal and illicit practices in response to the tedious, obsolete and inefficient processes that they themselves carry out. They secretly recommend turning to illegal alternatives since their own institution cannot solve anything for residents. As one interviewee put it, "in order to access their basic rights, their only alternative is to be part of the corruption."

There are several institutional obstacles and bureaucratic processes that have complicated the regularization of the land. La Esperanza has been going through its regularization process for more than 10 years without obtaining any response so far. As an NGO social promoter commented, "the government does not offer any possibility so people accommodate where they can. They pile up, which results in overcrowded places, where it provokes violence and many other negative things."

The change of administration in state governmental institutions every six years also represents a great obstacle in the process, since each incoming administration seeks to distance themselves from the last administration in an effort to gain recognition for their own programs, which results in previous successful programs being discarded. For example, FOMERREY had an affiliated program with a Mexican company selling building materials. This home-improvement program offered a financing scheme for materials to build homes. Beneficiaries could request some of the materials from this private firm until they

were paid. However, “the next administration arrived and knocked the program down.” The time to train new personnel represents at least one year of not having operations.

The Lomas Modelo community perceives that the authorities do not really protect them as a consequence of their irregularity. “The police do not go up [the hill where the community is settled] because they throw stones at them and it is a dangerous area as it is a stairway full of stones. If there was the infrastructure and there were steps, they could do their walks.” However, just as there have been various failures and errors in this process, there are also successes to highlight. Successful NGOs have had a comprehensive approach where they promote autonomy and independence. To reach any alternative or solution, they carry out a reliable negotiation without paternalism.

Resiliency: Lessons Learned

Actors: Government Institutions and Political Parties

Although the government is supposed to recognize individuals and their fundamental rights, it is largely limited by its field of action and legal capacity. External agents, instead of providing people’s stability and support, exacerbate their insecurities and problems through prolonged waits and racism. They are involved in a conflict between what is legal in terms of regulation and what is legal for human rights. At the same time, in exchange for votes, the politicians or political campaign members carry out work such as paving streets, putting public lighting in high-crime areas or regularizing the land, even though these are basic rights that should be granted by the government.

Most public workers have a meritocratic narrative of poverty such as “they have to get ahead,” “they are poor because they want to be” and “they have to be taught to fish.” This

meritocratic narrative goes along with clientelistic practices and appears even in the attitudes and beliefs of public officials. As one said,

The more you belittle Indigenous people and the more you are part of their pitiful process, the more poverty you induce in them. The people of the Indigenous communities have already learned to be opportunistic just like the people who are like us. They want to manage us — they want to induce us to do different things. They are the same as all Mexicans.

Such officials rarely consider the structural barriers that put Indigenous residents at a disadvantage.

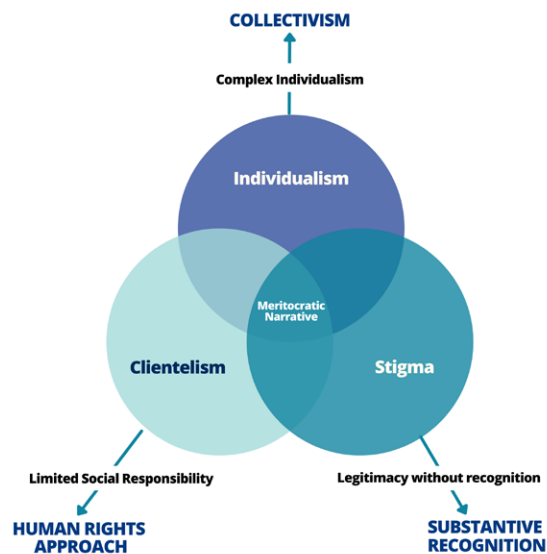


Figure 9. Meritocratic narrative of poverty

In the government agent’s speech there is also a very marked difference between an Indigenous person and a Mestizo person. In comments like “just like the people who are like us” racism and discrimination for being “Indigenous” also play an active role in the regularization process. For example, by law, Indigenous communities have the right to an interpreter when carrying out legal procedures in case they can’t speak Spanish, but more often than not, they don’t have access to translators, even though the government is obligated to supply them.

And because they don't know how to read or write in Spanish, they are subject to abuse by authorities. Commonly, they have been made (or tricked) to sign documents they do not understand. Even though there are government institutions that offer them alternatives, such as for adults wanting to continue their education, application processes don't work. One NGO staff member described it like this:

I'll give you an example [*role-playing*]

Social Intervenor: How many times have you gone to the INEA (National Institute for Adult Education) to learn [how to write]?

Community member: Six times.

SI: And what happened?

CM: All six times I failed.

SI: Why?

CM: Because they gave me a book and told me to fill it out and I said "well, I don't know how to write because I don't know the letters" and they told me "if you don't fill it out, you can't pass the admission exam."

So there is a lack of sensitivity in which we could make a complaint to human rights, because it is not fulfilling its objectives ... Why do you want to go there and here looking for your rights to be respected? Better go to clean windshields, wherever you can, and in this way, you get rid of facing these injustices.

As one social promoter commented, the problem is that "not even the bureaucracies themselves identify that it is a question of racism. The processes are so normalized, and it is not that they consciously evaluate [them] 'he is an Indigenous person so I am going to discriminate against him,' but it is very automatic" and this ends up having negative repercussions.

Although the "State Indigenous Law" that represents residents came into effect nine years ago, the legislation is still not implemented. After so long, this law has not yet been translated into regulations. The

legal basis already exists but in the absence of follow-up, this legal limbo continues.

Actors: NGOs and Social Promoters

The support of NGOs and social promoters is essential for the political recognition of Indigenous communities: someone has to start — someone has to take the first step. Governmental institutions pay attention to the communities only if they are supported by an association (whose work in communities, and as intermediaries in the government, is crucial). But cross-cutting cooperation between organizations that work with communities is also of utmost importance, since not all of them work on interculturality, and conflicts have arisen between the community-development models that each organization adopts.

Despite the fact that NGOs work on various issues and areas, they do not often get involved with regularization. According to a social promoter, the NGOs indicate to staff not to "mess with" regularization, since it is a political issue. So all the actors pass the work to each other, which means there is no progress in regularization.

The prolonged presence of NGOs creates a base of security for Indigenous residents. When an NGO leaves, it creates a feeling of resentment within the community — a feeling that they were only taken advantage of, or that NGOs are no longer interested. This feeling of rejection has had a lasting impact on the communities who close themselves off from external support.

Actors: Communities

Although the NGOs' work has been crucial in neighbourhood processes, the communities' cooperation mechanisms arose from the lack of solutions and response from the government. For example, residents paved their streets by themselves and painted murals to reflect their culture for a primary school in exchange

for clandestine access to water. These collaborations strengthened community ties but they also generated a bigger network. Strong community links lead to the implementation of more projects, which in turn results in more people and organizations trying to join. Consistency over time is fundamental for success in social work with communities.

Actionable Insights: Possible Lines of Action

During the interviews, many possible solutions were mentioned from the perspective of each actor or sector. Here are the proposals:

1. **Don't regularize the lands but offer social interest housing.**

Interviewees claim there are a lot of houses in the city outskirts that are uninhabited and could be used. However, public officers stated that many of these houses cannot be assigned since they still have a legal owner, so instead they propose improving property control and administration through legal reforms. These houses also still need to be paid for since they were acquired through debt. Social promoters agree that members of the communities would also need a steady well-paid job to purchase these houses.

2. **"It is not necessary that Indigenous communities know their rights, but that business people, politicians, public officers, the people in general know those rights and respect them" (NGO staff).**

The organizations addressing issues of human rights, interculturality and education in these communities have historically helped their beneficiaries to understand and demand their rights but it seems that no one has done the same with government and enterprise workers. The alternative is to *train public officials to be aware of racist dynamics* from an intercultural perspective. This could lead to less power-abuse

cases and address the language barrier that often prevents proper attention to these communities.

3. **Instrumentalize the Indigenous Rights Law in the state of Nuevo León in local laws and regulations.**

Even if there is a legislative foundation to promote attention toward Indigenous communities in the state, it has not been applied as public policy because of the lack of specific measures established in regulations and manuals. Municipal administrations and executive powers of the state of Nuevo León have to include these rights in each administration's development plan.

4. **Rethink processes, requirements and bureaucracies.**

Communities' shared experiences illustrate the need to create more direct and efficient processes. These innovations should have a human rights focus and include an intercultural perspective.

5. **Include men in communitarian organization.**

Gendered division of labour in some Indigenous communities of Monterrey means that women are active members of NGOs. They take part in local deliberation processes, take responsibility for dealing with red tape or participate in the workshops and training that NGOs provide. Within this logic, the absence of men in workshops against domestic violence has limited their success. After many years of sustained participation, the organization promoting addiction prevention through mountain climbing finally managed to have the first fathers participating. They claim this delivers actionable insights and expect to good results.

In some communities keeping customs and traditions may be more important than changing gender relations but it remains part of a broader discussion. While we have focused on ethnicity and socioeconomic status at the community level, we acknowledge that gender is a relevant dimension in intracommunity dynamics.

6. Strengthen health programs in the communities.

One of the biggest concerns of NGOs and members of the communities is health. Despite poverty and high prices for nutritious food, health education programs could be implemented to address physical conditions but also psychological trauma and physical and nutrition education. A stronger prevention, attention and monitoring scheme would safeguard the health of the population since public health remains insufficient or unreliable. This scheme should be especially directed to elderly people, pregnant women, babies, children and people looking for addiction rehabilitation and recovery.

7. Consolidate formal communitarian businesses.

A social promoter with a long career in community development for Indigenous people suggested that formalizing certain Indigenous communities' artisanal activity could lead to support from other levels of government, not only the ones related to social development. For example, if they were to be registered as a cooperative, chambers of commerce and labour-promotion agencies could support them in addressing their issues.

8. Align interests with relevant companies in the city to improve intersectoral plans of action.

Given the importance of the private sector in the city and the state, some actors proposed including companies in the advocacy strategies for the respect of Indigenous rights in the city as well as key actors in future regularization attempts. They claim that businesses' lobbying capacity surpasses that of NGOs.

9. Focus on intercultural approaches rather than Indigenous-aimed programs.

Because socioeconomic inequalities are particularly strong in Mexico, interventions focused exclusively on Indigenous people may strengthen the perceptions of difference and

A NOTE ON GENDER

In La Esperanza, even if women are part of the communitarian assemblies, they have not been elected as *vocero* (chief) and whether their customs and traditions allow it or not remains an open question. In Lomas Modelo, one of the social promoters is highly concerned with gender issues such as domestic violence, women working as informal domestic workers, unhealthy sex education, teenage pregnancy, economic violence, obstetric violence and deals with the System for Integral Family Development which is in charge of managing parents' custody.

Because this study was mostly concerned with irregular housing conditions and its consequences in urban Indigenous communities, many questions about gender dynamics remain unexplored but they remain of utmost importance.

even create discord among non-Indigenous citizens who do not receive the same public aid. But if intercultural values are at the centre, Indigenous citizens could still receive the delivered programs, which could be developed in tandem with programs for non-Indigenous neighbours. This approach has the potential to strengthen the social fabric.

10. Community organization must be proactive rather than reactive.

We expected that communitarian organization would be a key to social development in these neighbourhoods, but it has to be instrumentalized. Individual social promoters have taken the initiative to address very complex issues. With time and sustained involvement, they have gained people's trust and helped them to achieve their goals. We also heard how collective responses to problems have historically reacted to crises, and have not been proactive to face "smaller" existing problems that have been

normalized. One of the social promoters who holds a position as a public officer suggested that if communities do not stop reacting to crises, and therefore normalizing “smaller” existing problems, it is highly likely that their resilience with contemporary issues such as climate crisis and water change will drastically decrease.

Conclusion

Many of the social promoters linked to Lomas Modelo and La Esperanza despaired when they talked about the problems of Indigenous communities in Mexico living in poverty, especially those whose housing situation places them in a legal limbo. Even so, meaningful improvements have been made even in these hardest-to-reach populations who face complex problems.

The sum of efforts coming from the communities themselves, NGOs, private firms and the government results in a long-term intervention that has prioritized needs and reshaped community building and

cooperation culture while transforming the material conditions residents live in, especially concerning housing and land owning, basic services and strategic infrastructure.

Without ignoring major discrimination and structural violence, collective action from the studied communities can represent an important source of best practices for communities, NGOs and government agencies sharing the same problems or looking to address similar issues. Community building, innovative nonpermanent mobile infrastructure, interinstitutional efforts, long-term bonding and other mechanisms have proven to be effective to deal with both communities’ issues.

Although interviewees from all the sectors and communities often felt like there was nothing else to do to change the irregular situation of the land, they still proposed 10 ideas for change. Lomas Modelo and La Esperanza, just as all the actors around them, are resilient which has enabled them to continue working for their collective welfare.

Research Team



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Giovanna Alexandra Villalobos Díaz is a BA student of international relations at Tecnológico de Monterrey with a specialization in social development. Her interest in social justice and structural inequality has led her to various endeavours alongside NGOs such as implementing a methodological tool to identify police violence in detained youth, creating materials for the preservation of Indigenous languages in Monterrey, and cofounding an NGO that fights gender-based violence with information. Her recent research focuses on clientelism, political participation of women, violence against women and underrepresentation of minorities in institutions.



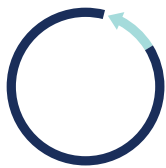
Lucía Tarriba Villa is a BA student in international relations at Tecnológico de Monterrey, focusing on social development with a minor in public law. She has worked for Tec de Monterrey's office for leadership and inclusion, participating in the creation and implementation of various projects ranging from the inclusion of autistic students to the creation of social media campaigns for the Centre for the Recognition of Human Dignity. Lucía also worked and travelled with the nonprofit Up with People before starting her bachelor's degree, where she discovered a passion for the protection of human rights.



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Reach Alliance

The Reach Alliance began in 2015 at the University of Toronto as the Reach Project, a student-led, faculty-mentored multidisciplinary research initiative. The Reach Alliance has since scaled to include the University of Oxford’s Saïd Business School and Blavatnik School of Government, the University College London and Tecnológico de Monterrey. Reach’s unique approach uncovers how and why certain programs are successful (or not) in getting to some of the world’s hardest-to-reach populations. Research teams, comprised of top students and faculty from across disciplines, spend twelve months investigating each case study. Once the data collection process is complete, teams write case reports that are published and disseminated across the Reach Alliance’s diverse network of policymakers, practitioners, academics and business leaders.

Inspired by the United Nations’ call to eliminate global poverty by 2030 as part of a set of Sustainable Development Goals (SDGs), our mission is to pursue the full achievement of the SDGs by equipping and empowering the next generation of global leaders to create knowledge and inspire action on reaching the hardest to reach.

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