Conflictos postelectorales en Oaxaca: Antes y despues de de UC

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Tabla I: Discriminación contra mujeres y residentes suburbanos en municipios de *Usos y costumbres*

Categoria de Derecho Individual	Casos Donde se Cumpe	Casos Donde No se Cumple
Mujeres Participan	74.2 porciento	17.9 porciento
Agencias Participan	74.4 porciento	21.1 porciento
Proceso Libre de Intervención Partidario	67.9 porciento	20.8 porciento
Sufragio Secreto	11.2 porciento	80.6 porciento

Fuente: Velasquez et. al. 1997 codificado por autor y Viridiana Rios Contreras. Información es para 411 de los 412 municipios de usos y costumbres, pero faltan datos (entre 5 y 15 porciento) por cada renglón.

Tabla II: Comparación de conflictividad y otros elementos en municipios UC y no UC antes y despues del reconocimiento de UC

Caracteristica	Municipalities with *Usos y Costumbres* Elections N=418		Municipalities with Party-based Elections N=152		Promedio Oaxaca
	Antes 1989-1995	Despues 1998-2004	Antes 1989-1995	Despues 1998-2004	1989-2004
Conflictos	83	177	146	75	241
Población	3,900	4,500	21,600	23,700	15,200 (conflictivo y no)
Marginación	0.763	0.947	0.109	0.055	0.346 (conflictivo y no)
Grado de Conflicto	1.0	1.3	1.8	1.8	1.5

Fuente: Banco de datos de Eisenstadt (2004), *Cortejando a la democracia en Mexico* e INEGI/CONASUPO

Resultado de analisis estadistico

- Municipios UC no indigenas - conflicto
  226 munis UC minoria indigena (criterio INEGI linguistica)
- Oposición fuerte (Congreso) – conflicto
- Mayor nivel educativo - conflicto
- Mayor marginación - conflicto
- Conflictos previos + conflicto
- Existencia de agencias + conflicto
- Niegan voto en agencias - conflicto

Fuente: Eisenstadt y Rios (2008) manuscrito.

Conclusiones Empiricas y Normativas

- UC no aumenta conflictos en munis de mayoria indigena
- Los conflictos tambien aumentan donde hay mas agencias
- De acuerdo a estudios por Benton (2008), participantes en UC votan menos en otras elecciones – puede encerar comunidades
- Hay que buscar balance entre individual y colectivo – defender derechos de ciudadanos

Difference between the highest and the lowest value taken by the independent variable.

Coeficientes Estadisticos

Increase	Coef.	Std. Err.	z	P>|z|	Predicted probability of increase in conflict (DV=1)
UC	0.2737	0.4196	0.65	0.514	Not Significant
Indigenous UC* **	**-0.6394**	**0.2008**	**-3.18**	**0.001**	**-0.1060**
Opposition Vote **	**11.3802**	**4.9207**	**2.31**	**0.021**	**0.1608**
Opposition Vote^2 **	**-31.0470**	**13.4861**	**-2.30**	**0.021**	**-0.2009**
Schooling **	**-2.4024**	**0.8070**	**-2.98**	**0.003**	**-0.0654**
Poverty **	**2.6099**	**1.0939**	**2.39**	**0.017**	**0.2238**
Population	0.0795	0.0837	0.95	0.342	Not Significant
Migration	-8.3407	14.5602	-0.57	0.567	Not Significant
Religion Dispersion	0.1723	0.4639	0.37	0.710	Not Significant
Ethnic Dispersion	0.0854	0.2441	0.35	0.726	Not Significant
Agrarian Conflicts	-0.0037	0.0023	-1.61	0.107	Not Significant
Previous Conflicts **	**0.3899**	**0.1991**	**1.96**	**0.050**	**0.2760**
No Parties	0.1054	0.1930	0.55	0.585	Not Significant
**No Vote Hamlets?* **	**-0.4189**	**0.2225**	**-1.88**	**0.060**	**-0.1043**
Hamlets in UC **	**0.2086**	**0.0660**	**3.16**	**0.002**	**0.7995**
**Secret Vote?* **	**-0.5972**	**0.3595**	**-1.66**	**0.097**	**-0.1016**
Secret Vote?x Indigenous UC **	**1.4611**	**0.4939**	**2.96**	**0.003**	**0.6627**
Constant	-1.1818	1.2359	-0.96	0.339	Not Significant

Descriptivos del Probit

- Reference Category is “0” equals non-increasing post-electoral conflict (equal or decreasing)
- Number of observations = 505
- LR chi2(16) = 66.32
- Prob > chi2 = 0.0000
- Pseudo R2 = 0.1291
- This N accounts for 100 percent of municipalities under parties and 88.66 percent of the 413 UC regime municipalities. The rest were incomplete, especially for the “No Parties” variable.

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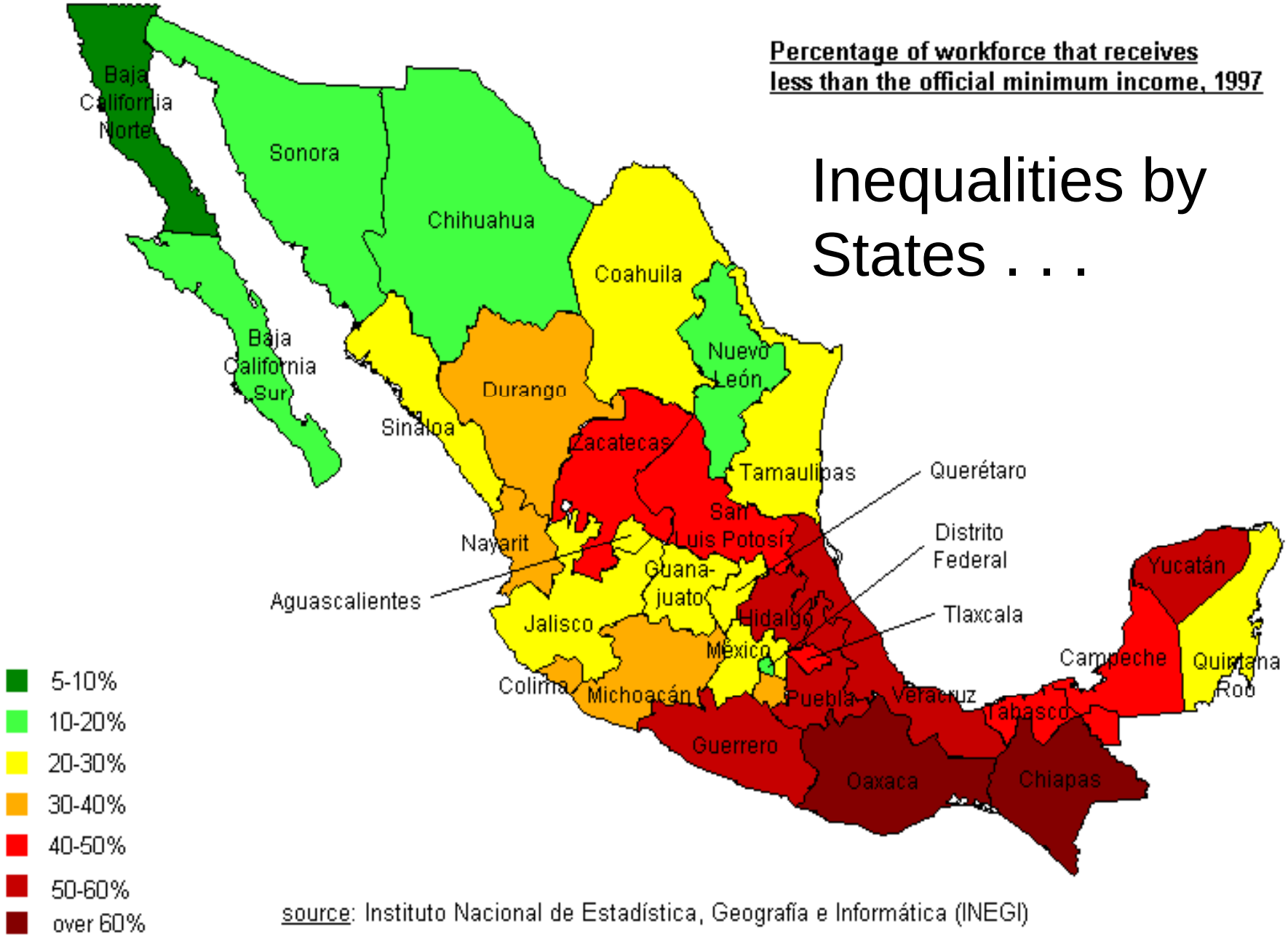
- Municipality
- Characteristics
- Municipalities with *Usos y Costumbres* Elections N=418
- Municipalities with Party-based Elections N=152
- **All Oaxaca Average (**
- **Before**

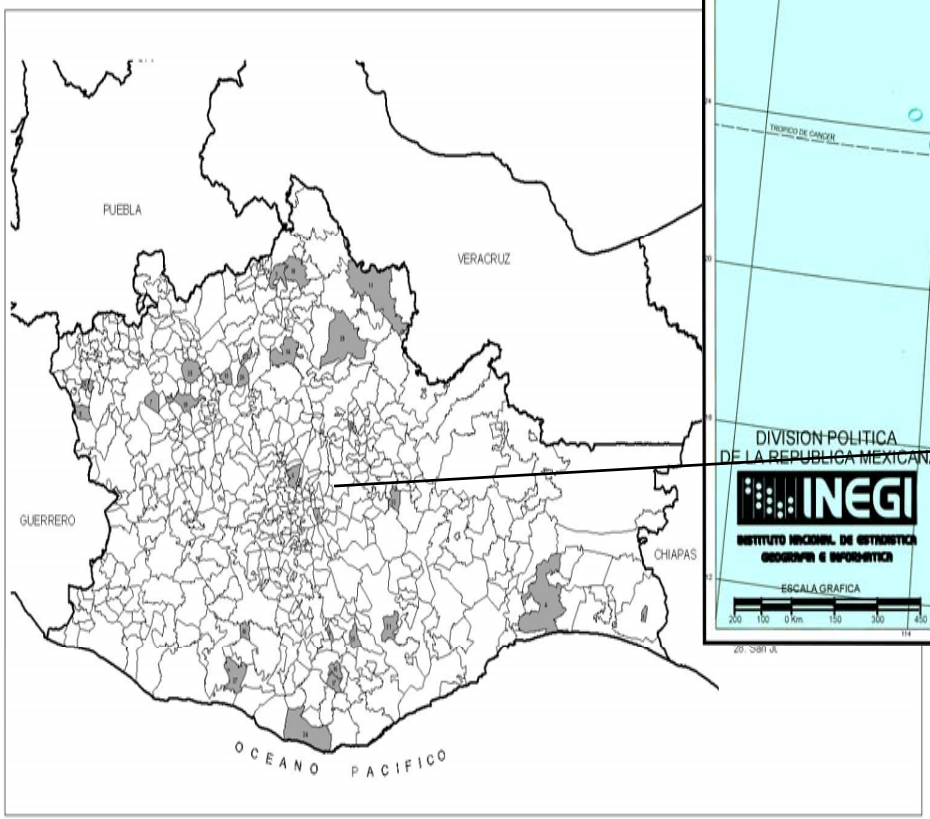
Inequalities by States . . .

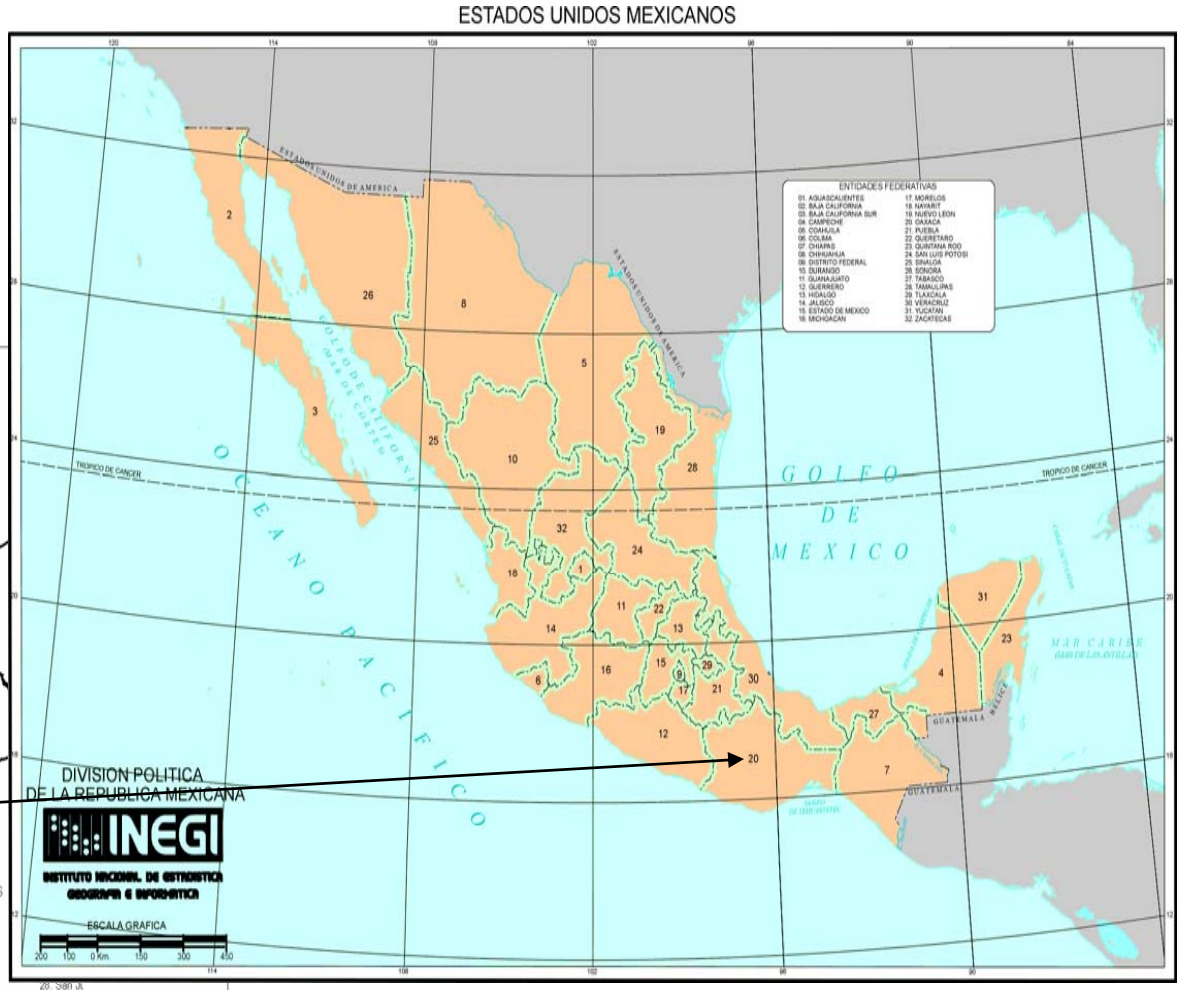


source: Instituto Nacional de Estadística, Geografía e Informática (INEGI)

www.worldpolicy.org/.../ mexico/maps-mex.html, **May 4, 2006**

Usos y Costumbres in Oaxaca





AU-Oaxaca Project, 2007-2009

- We are training dozens of lawyers and police investigators on new criminal code being reformed at state and federal levels
- We are assessing the “overlap” between customary law norms and state positive law in a range of areas through workshops, a survey of some 400 municipalities, and sponsorship of nine thesis projects and an ongoing two-year academic workshop and conferences (including one at AU in winter 2009)

So what is *usos y costumbres*?

UC Voting in Tataltepec de Valdés 2004

Image Source:
http://www.usosycostumbres.org/actualizacion_2004/p_e_2004/MENU.HTM

UC Voting in Santiago Xanica 2004

Image Source:
http://www.usosycostumbres.org/actualizacion_2004/p_e_2004/MENU.HTM

UC Voting in Santiago Ixtayutla, 2004

Image Source:
http://www.usosycostumbres.org/actualizacion_2004/p_e_2004/MENU.HTM

UC voting in Asuncion Tlacolulita, where women are excluded

Image Source:
http://www.usosycostumbres.org/actualizacion_2004/p_e_2004/MENU.HTM

Does Multiculturalism violate Federal Law?

In a word, yes.

The federal electoral court has ruled several times against discriminatory practices (although they are still awaiting a definitive case of gender discrimination).

Is *Usos y Costumbres* Sustainable?

Perhaps in revised form.

Beyond legal/constitutional issues, *usos y costumbres* is in jeopardy as immigrants go to US and alter local economies by hiring people to fulfill their *cargos*.

Researchers (myself and colleagues at University of Oaxaca with USAID grant) are assessing how pervasive these changes are as a first step in understanding whether UC is economically viable.

Mr. Danielson's Involvement?

- Wrote a seminar paper with my data from earlier survey I conducted which we are hashing into a journal article
- Spent a month in Oaxaca on project in 2007 (funded by my AU funds) and another month in 2008
- Presented paper at 2007 conference in Montreal, and hopefully 2009 conference in Rio
- Conducts most of day-to-day administration and liasons with AU officials

How to Get Involved in Research

- Do well in class and express interest (whether formal opportunities exist, or “need to be created”)
- Apply yourself to RAships and show initiative, resourcefulness, discipline, and versatility
- Be a “problem solver” for the professor you work with and inquire about conduct of research
- Be flexible in your research interests/agenda
- Find common cause with faculty and make them show you how it’s done in detail by asking good questions