

# Migration, gender and land inheritance shift: wives, mothers and sisters in the absence of men in indigenous rural Oaxaca (Mexico)

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## **Bio Note**

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## **Abstract**

This paper studies the linkage between international male migration and changes on land inheritance patterns in rural Oaxaca (Mexico). Land inheritance is a long-term exchange between parents and male adult children in Oaxaca: sons are bequeathed with land as long as they provide for their parents (and their wives care for their in-laws) while daughters are excluded from the family patrimony. Drawing on theoretical sample and 37 in depth interviews, this paper argues that intergenerational solidarity based on the parent-son alliance through inheritance is breaking down due to the uncertainty of men's migration project along with the increase in the fallback position of wives, who may refuse to take care of elderly in-laws. Other alliances emerge instead: parents try to build new alliances with their daughters, bequeathing them agricultural and building plots. However, these new alliances and inheritance shifts are neither a heterogeneous process nor an automatic change and several family and social dimensions must be included to understand the different outcomes.

**Key words:** migration; gender; indigenous extended family; land inheritance; Oaxaca

## **Introduction**

It is estimated that in the last 50 years 800 million people have moved from the countryside to the city (De Villard and Dey de Pryck 2010) and these movements are predicted to increase due to agricultural liberalization policies which have been implemented in Latin America and also followed by the Mexican government since the 80's (Bartra 2005; Deere 2005). Almost half of the Mexican population which migrates to the United States is from rural communities (Albo and Diaz 2011) and 13.5% of them speak native language (COLEF 2012). Oaxacan migration to the U.S. is a small percentage of the overall flow of Mexican migrants representing only 5.4%. However it holds the highest percentage of Mexican indigenous migrants, mainly Zapotec and Mixtec men from poor rural areas (INEGI 2010).

These movements from rural Mexico have been conceptualized in both negative (dependence) and positive (development) terms in relation to the reduction of rural poverty in the Mexican sending areas (Massey 1988; Massey and Patrikios 1990). Since the late 80's, the increasing importance of international male migration to the United States, has driven similar discussions related to the impact of migration on gender dynamics and women left behind (Aysa and Masey 2004; Arias 2013; Ariza and Portes 2007; Boehm 2008; D'Aubutierre-Buznego 2001; Hirsch 2003; Hondagneu-Sotelo and Cranford 2006; Marroni 2009; Mummert 2012; Pauli, 2008; Parrado et al. 2005; Radel et al. 2012; Stephen 2007; Suarez and Zapata 2004). There is no consensus among researchers if male migration has a positive or negative impact on gender relations in sending areas: as pointed out by Sylvia Chant (2013), the debates on gender, migration and development has swung back and forth, from seeing women left behind as victims of male migration to conceptualizing migration as an opportunity for women's empowerment.

The question about how international male migration modifies gender inheritance patterns is part of this dependence/development debate. Previous research has shown that permanent and long-term migration has eroded the traditional elderly caregiving system based on inheritance and its foundations (extended family dynamics, patrilocal residence, men's inheritance and care provided by daughters-in-law) raising the question about who will care and provide for the elderly and who would inherit in rural

indigenous sending areas (Robichaux 2005; Arias 2009; Del Rey Poveda and Quesnel 2005). Some scholars have pointed out that the chances of elderly parents to live alone have increased (Kanaiaupuni 2000; Ramirez 2008). Others conclude that caregiving strategies are being diversified and persons involved in providing economic resources and care have multiplied. Although, these shifts have not changed gender inheritance patterns in some areas (Deere 2013; Almeida Monterde 2009; Arias 2009, 2012; Cordova-Plaza et al. 2008; Nava-Tablada 2000), while in others they have increased the probability of wives and daughters to become heirs (Almeida-Monterde 2012; Castañedo-Salgado 2002; Del Rey Poveda and Quesnel 2005; Hamilton 2002)..

In the next section, I explain the criteria for selecting the studied area and interviewed women left behind. The results of fieldwork and the main arguments are presented and developed in the third and the fourth section: I argue that daughters have become legitimated heirs in San Miguel el Grande due to: 1) the erosion of the traditional intergenerational cooperation between parents and their migrated sons and 2) the capacity of daughters to replace their brothers (and sisters in-law) in caring, providing for and representing their parents in the communal assembly. We conclude by examining the extent to which this paper reflects wider social processes in the indigenous areas of Oaxaca and suggesting points for further discussion and research.

## **Research methods**

Fieldwork was carried out during two research stays in Mexico and lasted a total of five months. San Miguel El Grande Mixtec community was selected in accordance with several criteria: rural area, high male migration to the USA, indigenous community ruled by *usos y costumbres*<sup>1</sup>, inclusion under the medium or high-marginality index and local implementation of federal programs such as *Oportunidades*<sup>2</sup>. This federal program covers over 40 per cent of the population of San Miguel el Grande; the beneficiaries are mainly women with sons and daughters in school (OEDRIUS 2013).

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<sup>1</sup> System of governance that is based on indigenous customary law.

<sup>2</sup> The main anti-poverty program of the Mexican federal government which provides monetary educational grants to more than 5 million families, with over 2.5 million families in rural areas and 1.5 indigenous families (SEDESOL 2013, 102).

However this community is not part of the *PROCEDE* land-titling program aimed to the privatization of the commons. This fact would enable us to understand if gender inheritance patterns are being modified on communal systems when there is not private land for women to own.

To select the qualitative sample several criteria were used: the position of women left behind within the household in relation with the migrated men (mother, sister, wife), place of residence (neolocality, patrilocality or matrilineal residence), marital status (single, married, separated, widow), migration experience (never migrated, have migrated, individual migration, family migration), the type of male migration (circular, permanent, unknown, documented-undocumented) and household life cycle (expansion, consolidation and dissolution). In our study, 18 wives of migrants were interviewed with regard to their roles as both spouses and daughters. To understand extended family dynamics, we included 13 mothers of migrants. Several in-depth interviews were conducted in order to understand how community, local labor market and state intervention interlink with male migration to enhance or diminish women's bargaining power. Indigenous community authorities (3), local program coordinators of *Oportunidades* (2), and the local heads of remittance institutions (1) were interviewed. In addition to conducting in-depth interviews, shared meals, *fiestas*, funeral rituals and agricultural work or *tequios* (community work) done with families gave the researchers access to day-to-day bargaining processes, which were recorded in a fieldwork log.

### **Male migration and the reconfiguration of traditional dynamics**

According to several social anthropologists, indigenous rural Oaxaca, as part of the Mesoamerican areas, has a distinguished domestic cycle characterized by periods of extended and nuclear family arrangements (Almeida-Monterde 2012; 2009; Arias 2009;2013; Córdova-Plaza 2008; Robichaux 2002; 2005). This developmental cycle of indigenous domestic groups is characterized by three phases: expansion cycle (married sons live with their parents), consolidation-fission cycle (married elder sons live apart but they maintain intergenerational cooperation) and dissolution cycle (parents bequeath the house to the youngest son after they die). The residence rules are virilocal for the sons and the cycle runs its course as older sons marry, reside with their parents, and then

move on to separate households near to their parental home built in transferred land by their parents. The cycle culminates in male *ultimogeniture* (youngest son) in the inheritance of the house in the replacement-dissolution phase. Daughters are not included in the family patrimonial transfers because they are supposed to be economically supported by their husbands.

San Miguel el Grande belongs to this cultural area and I found clear evidence of these family cycles and dynamics in the elder generations. As explained by elderly women, parents use to invest more financial and educational resources in men due to they have traditionally been charged as mediators between the family, community and the state:

“Sons had to study because they were to serve the community. And women did not have that right.” (Bibiana, mother of migrant, San Miguel el Grande, November 2012)

As long as daughters would become part of other families and they were expected to get economic and social protection through marriage, no investment was made on them. Young women commonly leave their parents’ home, *hacen fuego en otro hogar* (light a fire in another hearth) and move to their in-laws’ residence; “I come to my in-laws to be their daughter.” Hence daughters did not usually inherit, making marriage a crucial alliance in order for women to secure a house, arable land and access to community and traditional social protection systems. In Mixtec traditional indigenous systems young women have almost no socially legitimated alliances to survive except marriage. Once a woman moves in with her in-laws, a *stage of friction* begins between the newcomer wife and her mother-in-law. Young women are expected to obey their mothers-in-law and help them in caregiving tasks:

“Our son still has no home and he says: I’ll bring my wife here. And I said: well, here is your room. The woman comes here to cook, to prepare lunch, dinner, and coffee...” (Julia, mother of migrant, San Miguel el Grande, November 2012)

It is therefore not surprising that wives described the time they lived with their in-laws as, “a mess” or “I already went through it”.

In social discourse, the mother-son alliance gradually disappears to let the son fully cooperate with his spouse. But the mother-son alliance is strong due to the fact that wives have not an important role in economic matters: they have no information about

their husbands' earnings and are not legitimated to administrate them. Husbands give their wives only a little proportion of their income *fondo de gasto*, the amount they consider enough to cover daily family expenses. Married men have several economic obligations other than marriage: supporting extended family and fulfilling their community obligations. So the rest of their earnings are controlled by him to be spent, saved, given to their extended family or to fulfill their community obligations. Accordingly, wives try to build their own economic alliances.

Being a mother legitimizes the marriage and it is crucial for young wives to building their own social capital, family support and gain independence from their husbands' families. As long as marriage is characterized by the possibility of the husband's infidelity, abuse, desertion or alcoholism, none of which are socially sanctioned behaviors, wives try to have other sources of income in case of temporary or permanent abandonment. Hence, when the middle-aged wife becomes a mother-in-law, she usually controls their offspring's earnings and economic investment. These traditionally social dynamics are reproduced and modified simultaneously due to men's migration and others not structural and social changes in San Miguel el Grande.

### **Male migration and the expansion cycle: the multiple alliances of migrated men**

Men leave for the United States for the first time at an early age. A man's decision to migrate is generally supported by his parents (usually his mother), who acts as guarantor for her sons at rural banks or borrows from community members. So the first times the men migrate they are part of an extended family and send remittances to their parents, generally to their mothers, either directly or through other family members, mainly their sisters.

The mother-son alliance does not come to an end when the son gets married and migrates again. Typically, the son's wife (or partner) moves in with her in-laws, who are responsible for her room and board. During this period, the son still sends remittances to his extended families because the cultural assumption is that the mother and son's interests are similar, while the wife's interests are opposite to that of the

migrated men. Hence it is assumed that the mother-in-law should receive the remittances keeping them as savings, investments, or using them to help finance agricultural production and household maintenance. When they do not receive remittances, the mother-in-law monitors the wife's use of them, as a community leader pointed out:

“Sons get more trust from mothers ....If a wife receives remittances, she must be under control. If she wastes her husband's money, he sends it back to his mother.” (Aurelio, community leader, San Miguel el Grande, November 2012)

Despite this apparent lack of trust in young wives, various changes in the sending society have resulted in greater contributions to marriage and an increase in their fallback position.

### **Male migration and the consolidation cycle: neolocality and the increased fallback positions of wives**

Younger wives have attained more formal education than previous generations. The increase of years of schooling beyond compulsory education among younger generations and specifically among young women is due to several factors. San Miguel municipality has been selected to host higher education institutions, so enrollment in non-compulsory education has become more affordable for people living there. The community has encouraged the education of its younger generation by freeing students of any community work while they are studying. Additionally the implementation Mexico's *Oportunidades* program has also promoted higher levels of education for young women paying higher cash transfers to mothers for girls' enrollment. Young women generation has higher proficiency in formal reading and speaking in Spanish, making it easier for them to interact with remittance institutions and with government, if any documentation is needed.

The rules of community membership are being redefined in flexible gender terms; substitution citizenship and full citizenship are accepted. Men have several options to fulfill their community obligations while they are away, from coming back to exercise *cargos*, to paying someone to do it for them, to being temporarily replaced by their wives in the exercise of community obligations. This is an important point in terms of



the contribution of wives, as husbands can rely on them not to interrupt their migration and to save money and time.

Younger generations also have new economic opportunities. A significant number of women had a job while their husbands were away. Labor market options have increased for women, as remittances have been invested in small businesses – family grocery shops, restaurants, call centers, pharmacies or gas stations – where women can find low-wage employment. In fact, secondary statistical sources show a significant increase in the presence of women in the labor force in this Mixtec municipality – going from 15% in 1990 to 37% in 2010 (INEGI, 2010). Migration is an uncertain enterprise: husbands go into debt expecting not to be able to send remittances in the first months. Women access to paid work to deal with this issue, pressure to meet the running costs of their homes and the migration debt owed by their husbands. Remittances and economic contribution of wives lead to a noticeable decrease in extended family households and an increase in nuclear family structures by allowing an independent home to be built more quickly in which women are subjected to less control:

“Finally this house is mine and I do not care what my mother-in-law does.” (Verónica, wife of migrant, San Miguel el Grande, November 2012)

Living apart and taking on important community and family contributions increases the fallback position of women, the ability to survive outside the marriage and the political extended family, but do not automatically mean a significant increase in the female bargaining power within marriage.

### **Male migration and the dissolution cycle: the increasing conflict between marriage and extended family**

During important periods wives may become the main economic providers. And at the same time as marital abandonment is a social generalized fear they develop strategies to ensure that the migrant husband returns, building new discourses about marriage and cooperation. Wives try to convince their husbands that sharing economic responsibilities and having trust in each other (*confianza*) is a better option for the family than separating spheres of control and submitting to husbands' desire of wife to stay at home and just caring for the children (*respeto*).

Despite wives' greater economic and administrative contribution and their attempt to build new social values *cultural doxa* still dictates various female behaviors and services (attending to husbands during meals, asking permission to leave, avoiding being the subject of rumors, publicly obeying husbands, refraining from yelling or publicly chiding husbands, not threatening their manhood are not considered marital duties and failing to comply them may incur psychological or physical violence— that is culturally legitimized violence. Wives must show that their husbands are dominant main income providers and must avoid being the subject of rumors questioning their sexual loyalty. The paid work of women implies exposure to contact with unknown men while the husbands are away, potentially raising questions about their honor and ability to control his wife's sexuality.

Political family members exercise strict economic control over the behavior of wives even when they no longer live together. Wives who had separated from their husbands after years of physical and psychological abuse have been judged as women who had wasted remittances on their superfluous needs (clothes, makeup, perfume, etc.) or as women who were not able to meet their obligations as wives. Their mobility and sexual respectability is monitored by extended family and community. Information about inappropriate actions (real or not) can be transmitted directly through the men's extended family or through transnational migrant networks, which play an important role in reproducing gender ideology. Phone conversations maintained while the couple is separated usually focus on sexual control and infidelity; often wives have to explain the misunderstandings behind the gossip. In the wives' discourses, sexual rumors are important factors in men's deciding whether or not to abandon the wives and children. As related by a migrant wife in their twenties:

“People cannot see you talk to a man. If I were sitting with a man as we are right now people are going to say you are cheating on your husband.” (Laura, wife of migrant, San Miguel el Grande, November 2012)

However the increased fallback position of wives has aroused fears in laws. In their new and separated houses wives can refuse to take care of them when they became old. Fears are narrated through stories in which the wife manipulates her husband in order to avoid taking care of her in-laws in old age. Parents try to build other family alliances, giving rise to another interesting shift in the position of women; daughters have become

valuable to their parents. As pointed out by a mother in their sixties:

“My daughter-in-law can say awful things about me to my son. And my son is against me. What am I going to do? My daughters look after me, they care about me. Why not bequeath to them? These are the reasons why parents value their daughters now.” (Bibiana, mother of migrant, San Miguel el Grande, November 2012)

### **New extended family alliances: the importance of daughters**

The relationship between daughters and parents, and specifically between daughters and mothers, has changed substantially. Daughters live with their parents for a longer time and receive more economic support than in previous generations. Parents try to keep them closer and they offer their daughters rooms inside the house to build their marital home or give them plots on which to build nearby. When we asked women who they would turn to for help in a case of marital abuse, they said they would go to their parents and they explained that community authorities refuse to help them, arguing that such matters are family problems. This change in the status of daughters is symbolically represented by the refusal of parents to accept a daughter’s dowry, arguing that new marriages are modern marriages wherein daughters are no longer transferred. This gives the daughter the opportunity to return to her parents if she needs to.

As in the case of young wives, young daughters have more education, greater mobility and greater access to paid work than previous female generation did. Women have also full citizenship in the communal assembly; they do not need any male support to have access to communal decisions.

Doubts about whether daughters-in-law will accept caring for their husbands’ elderly parents fade as new arrangements emerge. The discussion has moved from exclusively economic matters to also include caregiving concerns, in which daughters are preferred—the alliance is considered to be stronger with daughters than with daughters-in-law and women are preferred over men to cook and clean for elderly people. We repeatedly heard the same utterances in our research, “daughters are also our children,” “both women and men work in the fields,” “daughters and sons are equal”. These new social discourses increase the probability of daughters becoming heirs and having socially legitimated control over land. It can be said that socially legitimated alliances for

women have been expanded, from counting on marriage only to having alliances with their parents.

### **Women benefiting for inheritance and its gender consequences**

It is important to note that this shift toward a more egalitarian distribution of land is not a widespread process. Daughters who receive building and land plots tend to be those with higher educational levels and greater capacity to produce economic resources. They also belong to families whose mothers feel their contributions to home wealth are important. Additionally, the parents have more resources and are less dependent on agriculture (as is the case with teachers and government employees). Those daughters who receive building plots as *inter vivo* transfers can build their homes closer to their parents and can bargain new marriage arrangements. Some husbands move in with their in-laws or build their houses on their wives' plot. If husbands had also inherited are both communal land owners and they are both subjected to communal obligations multiplying family expenses and responsibilities. The communal burden increases in the cases of exogamous marriages where families hold *double communal citizenship* and they have to fulfill community obligations in several places in order to keep land rights.

It is also important to highlight that family alliance between daughters and parents are ruled by strict informal norms. Even though the contribution of daughters is similar to those of their brothers, the rules of inheritance are more severe; daughters have less mobility as long as they have obligations to provide and care. Parents push daughters to build their marital house nearby and they are also averse to the remarriage of daughters in case of separation once they had become mothers; the subordination of women in marriage is a major threat to the alliance of parents. As noted in other contexts, being single mothers or single heads of household and showing strong interest in remaining in the community are key factors to inherit.

### **Conclusion**

This paper argues that both negative and positive effects may occur in the same geographical area. Internal changes within the sending area, such as higher education, paid labor, higher proficiency in Spanish or access to state programs for younger

generations, play an important role in increasing the bargaining power and fallback position of young women, both as wives and daughters. Wives' greater contributions to marriage after male migration and its potential to equalize bargaining power between spouses are undermined by the men's extended family alliances and *cultural doxa* that forces women to maintain their submission to patriarchal male authority in order to avoid harsh social punishment such as domestic violence. However younger women have increased their fallback position, the ability to survive outside the marriage and the political extended family, and wives can separated, divorce and refuse to take care of their in-laws. Wealthier families try to build new alliances to substitute daughters in-law care work; mainly with their daughters who receive *inter vivo* transfers and are bequeathed with building plots and agricultural land. This shift toward gender equality in inheritance as a result of migration and other structural changes in the sending area has increased the probability of women receiving an inheritance in the areas studied, not only as widows, the most common women to access land in Latin America, but also as daughters.

Does San Miguel el Grande reflect wider social processes in the indigenous rural Oaxaca? Data from Agricultural Census and empirical evidence from case studies indicates that indigenous communities respond differently to the same impacts brought by migration hence the outcomes described are not widespread in rural Oaxaca. We emphasize that process instead of outcomes should be analyzed. Focusing in the reconfiguration of extended family dynamics, instead of exclusively on marriage, provides insight into gender changes such as shifts in inheritance patterns and the access of daughters to land tenure resulting from the migration of their brothers. The migration of men and social remittances from them are not the only source of the transformation of gender norms in sending societies, and migration must be linked to internal change such as the reconfiguration of community membership or the redefinition of local labor market. The implementation of federal programs and state intervention is also important to understand shifts in gender relations in rural Oaxaca.

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