

The Interaction Between Law, Economics and Indigenous Cultures: The Ocumicho Devils

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Abstract

Seeing cultural rights as the rights that people have to actively involve with and develop their culture and that one important way to do this is by participating of the many art forms in which the cultural identity can be expressed, this research pretends to analyze the role that public policies have in shaping the cultural meaning of indigenous art.

Focusing particularly in the indigenous community of Ocumicho in México, in which a long process of interaction with State agencies, tending to the promotion of the art there created, can be observed. This indigenous community was granted the 2009's *Science and Arts National Award* in the *Popular Arts and Traditions* field. With this recognition Ocumicho has become the State held example for the promotion of indigenous art, which makes it only natural to study this same community to understand how State policies impact the expressions of culture.

In the relation between State, popular cultures and economics, Ocumicho shows, amongst other things, how State agencies involvement can work towards a mystification of the indigenous, which ignores the complexities and contradictions within their cultures. Such practice has taken the artists to compromising their art to comply with the mystified idea of themselves. The collective right to culture then, when materialized in public policies, seems more restraining than freeing.

Key words:

Economics; Indigenous Cultures; Public Policies; Cultural rights; Policies; Indigenous.



Para dar color. Photography: Lucero Ibarra Rojas

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"¿Para qué tirar la piedra?,
 no estoy libre de pecado,
 con todos los mestizos,
 también me maleducaron,
 porque ya estoy grandecito,
 para decidir mi vida,
 quinientos años frustrados,
 creo que ya fue gran medida
 ¿Seremos capaces de bailar por nuestra cuenta?...
 ¿Seremos capaces de pensar por nuestra cuenta?"
 "El fin de la infancia" Café Tacuba¹

Introduction

Law, economics and culture, are concepts of blurry boundaries, involved in processes that imply constant interaction and overlapping. Theoretically and practically we can hardly look at one without finding the others in our way. So, in an attempt to acknowledge this fact and embrace it, I propose to look at cultural policy as a space in which these elements interact; to study cultural policies as a framework, set by the State, in which indigenous peoples exercise their cultural rights. While also recognize them as instruments for the economic development of the communities in which they act.

Yet, given that diversity is a defining feature of the world, it becomes necessary to look at the specific. If we can hardly generalize when it comes to cultural issues, what we can do is to look closely as life unfolds in the local. Because one way to understand global processes is to see them in the context of the local cultures in which they are dealt with (Coombe 1995, Appadurai 1996, Santos 2002).

And so we turn our eyes to Ocumicho in México, the indigenous community that was granted the *2009's Science and Arts National Award* in the *Popular Arts and Traditions* field (CONACULTA 2009). With this recognition Ocumicho has become the State held example for the promotion of indigenous art, which makes it only natural to study this same community to understand how State policies impact the expressions of culture.

Ocumicho is a purhepecha community which, despite its national and even international renown, is in fact a tiny place of a population of 3,208 people (INEGI 2005), and rather hard to reach due to the lack of signs and cross roads information. Even the TWO signs nearby, that actually say "Ocumicho", don't have the symbol that identifies a town where people are devoted to art (unlike other towns in the region), and there are also no shops by the road. Contrasting with more touristic places such as Pátzcuaro, Tzintzuntzan or Quiroga, where art-shops are everywhere for buyers to see and hold pieces from many different towns, or even unlike more modest locations like Santa Clara or Capula where you can buy art directly from the artists, in Ocumicho there's no sign of anything 'special' going on. As one reaches the main square no art is in sight and, even on weekends, there is no showcase, no tourists.

The economy of the town has been known through history to rely on agriculture (Gouy 1985, 1987, Pascual 1985, Bartra 2005), but there are other important activities to take into consideration. Although there seemed to be a the tradition of working leather, it's said that after the revolutionary war (1910), because of the lack of animals from which to get the material, the activity became too expensive for the people impoverished by the war (Gouy 1985, 1987, Pascual 1985, Bartra 2005). Nowadays, "There's no more working with leather products, there aren't

¹ Why throw the stone?/ I'm not free of sin/ as every other mestizo/ I was also miss educated/ because I'm already pretty old/ to figure out my life/ five hundred frustrated years/ I think it was long enough. Will we be able to dance on our own?/ Will we be able to think on our own? "The end of childhood" Café Tacuba.

animals to provide leather to work with, just as there are no more trees to be cut. Today the main activity is the women's art. The few patches of land which are available are cultivated and the scarce wood that can be found is exploited. Those men who can migrate to the north and, if they're lucky, build a brick walls house. [Own translation²]” (Bartra 2005:85).

This small town is now more widely known for the pottery that's produced there, which is a main source of income for the families, being the third most important economic activity in town (SEDESOL 2005). In the first positions we find agriculture and breeding, but these activities are mainly for self-consumption. The artists' families also involve in agriculture to some extent, not for selling, but for their day-to-day survival. And they also have animals, some for agricultural work and some to eat when necessary. But their main economic activity is the pottery; the art that provides means to pay the bills. People in Ocumicho, mostly woman but also some men, recreate everyday life in colorful figures of a style called “polychrome pottery”; and although the thematic of their production is diverse, the town's popularity is owed to those figures that involve an unsuspected character: the devil. It represents an economic activity that helps them achieve better economic well-being, while it can also open up a space for the maintenance and development of their culture.

The devils have drawn different kinds of attention through time. One realizes this almost right away when talking to the artists and asking for their participation in the research, because many seem to have experience with this kind of interaction. Regarding the devils themselves, there are at least two local researches carried in the 80's by scholars connected to a local institution called the Michoacán College (COLMICH)³, one by Cecile Gouy that produced at least two instruments (1985, 1987) and another by Francisco Pascual (1985); Louisa Reynoso's study in 1984 is also frequently mentioned (Gouy 1987, Pascual 1985). Gender studies are also important in the region, such as the one carried recently by Eli Bartra (2005) who conducted a gender research on the role of women in popular art, in which Ocumicho was considered; and Nestor García Canclini (2002) has also carried research there for his work on economics and popular cultures. I was also referred to a Spanish woman and a Japanese man that did work in the community, but was unable to find the documents. Other aspects of the life of this community have also been of interest such as the religious charges system⁴ (Padilla 2000) and the land conflicts in the region (Pérez 2003).

Although the national award has given visibility to Ocumicho, it is but the culmination of a long process in which different State agencies have had contact with the community, most notably the Artisanry House (CASART). Formally constituted in 1970, this institution is responsible by law for “those activities needed for the rescue, preservation, foment, development, improvement and promotion of the artisanry” (LFA 2000:art.5Frac.IX) in the State of Michoacán in México.

Therefore, with the objective to observe how have the State policies implemented in Ocumicho, to promote the economic function of the art, influenced the cultural life of the community, a qualitative research was carried consisting in interviews with Ocumicho's local artists and with representatives from the CASART. These were complemented with a review of the relevant literature on the matter as well as pertinent information from State agencies (for a more detailed methodology see Annex 1). I have focused the research in two strategies implemented particularly

²This and all succeeding quotations that were translated from Spanish to English were done personally by the author.

³ This institution is an education center located in the city of Zamora, barely 30 minutes away from Ocumicho. It holds prestige for its avocation to regional studies that surpass the local boundaries.

⁴ Purhepecha communities usually have an internal charges system that is considered as traditional, has relation with the religious holydays and constitutes the purhepecha government (Padilla 2000).

by the CASART in Ocumicho, the contests and the artists' exhibitions, because of their relevance to the life of the community, but this will be explored further on this paper.

For this exposition I will first approach the general context of México. Then I will refer to the question of how the arts have developed in relation to the cultural policies that have been implemented in the community, to finally analyze some effects that can be attributed to these policies.

1. The socio-legal frame



Manos de artista (unidas). Photography: Lucero Ibarra Rojas

1.1. The indigenous peoples in México

Although Ocumicho doesn't encompass everything that is indigenous, to understand the particularities of the local, it's also necessary to have some account of the context in which it unveils. Ocumicho is part of a bigger picture, namely one lived by indigenous peoples in the dominant mestizo culture in México. And while a complete historical review of this matter is impossible to address at the moment, I believe it important to establish some background for a better understanding of the relevance of this topic and the challenges to be overcome.

The notions of inferiority, attributed to the indigenous to justify the conquest, were to a great deal inherit to postcolonial México. If not as far as to deny their humanity, as was commonly done by colonizers (see, amongst others, Santos 2009), the indigenous peoples have been considered through history to hamper the "civilization process". As Bonfil indicates, "There was no thinking about developing the aborigine cultures, because they were denied validity beforehand and deemed illegitimate, excluded from any national project" (1999:139). After the independence movement (1810) it was natural to construct the new state parting mainly from the organization that the Colonizer had created because, whether good or bad, this was the dominating factual organization of the country. So, despite their active participation in the war for the Mexican independence, and in every other war ever since, always fighting to keep their way of life alive, their stigma did not go away.

The *malinchismo*⁵ mentality was being created. The preference for anything and everything that comes from abroad and the undermining of the local⁶ is a phenomenon so relevant in México that we find it even in the music. As Gabino Palomares (Mexican singer of the genre known as Trova and active member of various political causes) wrote in 1975:

*"Hoy en pleno siglo XX
nos siguen llegando rubios
y les abrimos la casa
y los llamamos amigos.*

⁵ *Malinchismo* refers to a form of self-discrimination and, that it actually has a name, is proof of its predominance. In Mexican history, *Malinche* was an indigenous woman that served as translator for the colonizer Hernan Cortes to help him make the alliances that would end in the conquest over the Aztec empire, and was his lover.

⁶ Rooting the belief of the superiority of the dominant class (colonizer or other) to justify its position is recognized by some authors (Comaroff and Comaroff 1992, Scott 2007) to be an important domination strategy.

*Pero si llega cansado
 un indio de andar la sierra
 lo humillamos y lo vemos
 como un extraño por su tierra.
 Tu hipócrita que te muestras
 humilde ante el extranjero
 pero te vuelves soberbio
 con tus hermanos del pueblo.
 ¡Oh! maldición de malinche/enfermedad del presente
 ¿cuándo dejarás mi tierra?
 ¿cuándo harás libre a mi gente?".
 "La maldición de la Malinche" Gabino Palomares⁷.*

A clear example of this foreign fetish is given in the Mexican history by the U.S.A. invasion (1846-1848): after México lost about half its territory, it was thought that "survival was equivalent to imitate the exemplar republic's institutions and progressive principles. It meant, in the end, to renounce to what it was and had been to prepare the future" (Suárez 2007:158). If the imitated structure was not as successful, was considered due to some error in application; that it could be inappropriate for the Mexican reality wasn't thought of.

So, when a national identity was being forged, the mestizo identity (found in the mixture between some remains of pre-Hispanic past with a quite dominant European influence) took over. The *Mexican* would be constructed, not from Mexico's diversity, but from the fake homogeneity that the mestizo culture would provide. There is a Mexican mestizo that is majority, but there are also purehepechas, and nahuas, otomies and from 50 to 60 different recognized peoples (CDI 2010). All exist in the Mexican territory; were there is contact, interaction, and yet there hasn't been actual assimilation... we aren't all mestizos. The pretended national culture, sustained above class and ethnicity and able to transform automatically every people in the territory in the general category of "Mexican", becomes a fiction, "the concept of Mexican is created and then the reality is tried to be forced to imitate the invention" (Bartra 2005:25).

Yet the political use of this homogeneous mythical identity was undeniable. The exaltation of some cultural elements, aside from their context of marginalization and poverty, was in a way a repression technique. The best way to hide something is usually to do it in plain sight. There was a celebration of the indigenous elements that had disappeared with the invasion and the "civilization" brought by the Spanish, while giving a mythical identity to the mestizo. But as Blancarte explains, "when it comes to the real Indian the interest wanes and poses even a problem for development and national integration, as its diversity and remoteness from western canons apparently makes it difficult for the country to reach the desired cultural unity" (2007:19-20). We marveled at the pre-Hispanic astronomical knowledge that allowed building pyramids imitating constellations, but considered that other aspects of their culture, like their languages, were the reason for their ignorance.

In a way, the voice of the indigenous peoples was being taken to serve the mestizo's interests. Bonfil (2008) illustrates this point when he talks about the art sponsored by the governments after the Mexican Revolution (1910-1917) especially between the 1920's and the 1940's. According to him, while promoting a nationalist tendency, the mestizo artists that spoke of the two pasts (indigenous and Spanish), being constantly inspired by the pre-colonial indigenous, were highly celebrated, while the individuals of the present were ignored.

⁷ Today in the twentieth century/ the blond still come to us/ and we open our house/ and we call them friends./ But if being tired/ an Indian comes from walking the mountains/ we humiliate him and see him/ as a stranger in its own land./ You hypocrite that show yourself/ humble before the foreigner/ but become arrogant/ with your brothers from the people./ Oh! Malinche's curse/ disease of the present/ when will you leave my land?/ when will you free my people?." "The Malinche's curse" Gabino Palomares.

Still, by 1992 the indigenous had managed to hold their ground to some extent, at least in the sense that they preserved their way of life in the margins of the "national culture". Some land had been regained and the *community* was recognized as a viable collective land owning entity. But their political organization remained on the margins and their law was deemed inexistent. Their culture was still undervalued... an obstacle to overcome. And, other than in the agrarian community, they were invisible to the law.

But, since we live in a globalized world and global pressures can have an impact in how internal politics develop, 1992 was a breakthrough year. 500 years after America had been "discovered" by the Europeans, Latin-America was living a process of recognition of the Indigenous (González 2007) and Carlos Salinas de Gortari, president of México at the time, joined in by making a change to the 4th Constitutional article and declaring México a pluricultural nation. Yet the effect of this reform appeared to be non-existent until the Zapatist Army of National Liberation (EZLN) came along in 1994. There were no follow up laws, no change in policies. The situation triggered the indigenous social movement to take the form of a guerrilla based on the political stand expressed in the "Declaration of the Lacandon Jungle" (Comandancia General del EZLN 1993).

Although the process that came with the rise of the EZLN cannot be fully exposed in this paper, its result is of most importance: the reform to the 2nd Constitutional Article. After years of processes of conflict, negotiation and attempts to reach agreement; in 2001 the prohibition of slavery in México was transferred to the 1st article of the Constitution and it was decided that the 2nd Article would then on refer to the indigenous matters. The reform was itself a controversial matter and the indigenous movement that originated it was not convinced with the results of their struggle, so they remain active; if not as an armed conflict, the EZLN still holds its domain on certain parts of the Mexican territory, where they sustain an alternative organization to the State and keep their political agenda alive. Still this reform is the result of social movements and the recognition of a debt to the indigenous peoples in México. And, although the present paper cannot analyze it further in its successes and its defects, it is important to point out that the reform does provide a legal justification to make a case for the need to stress cultural rights in México (other justifications have already been exposed).

1.2. The cultural rights of indigenous peoples

According to the 2nd Article of the Mexican constitution, indigenous peoples have a right to "preserve and enrich their languages, knowledge and every other element that constitutes their culture and identity" (CPEUM 2010, Art.2). This statement is the positive articulation of the indigenous peoples' cultural rights in México. And it's also possible to find, in the international field, other statements to support it. The *International Covenant on Economic, Social and Cultural Rights* (UN 1966) in its Article 15, grants cultural rights to everyone. And, more specifically, the *United Nations Declaration of the Rights of Indigenous Peoples*, establishes first in its Article 8 "the right not to be subjected to forced assimilation or destruction of their culture" (UN 2007), and also recognizes indigenous peoples right to practice and maintain their culture and cultural heritage (Article 11), as well as the intellectual property over it (Article 31).

The cultural rights become, therefore, the rights that people have regarding the ties that bind to their cultural heritage, to actively involve as a participant, consumer and creator of one's culture (De Castro 1993), to allow not only its maintenance, but also its continuity and development; as well as the right to protection of the scientific, literary and artistic creations, what we know as intellectual property rights (Coombe 2009). In this delimitation of rights it's evident that one way in which this rights are put into practice, is in the participation of the many art forms in which the cultural identity can be expressed.

Cultural rights are part of what's known in legal literature as social rights, which are identified for changing the role that the state plays in its achievement, challenging the traditional organization of the State-individual relation in Human Rights (De Castro 1993). While Human Rights are said to be born out of the aspiration (in the western tradition to which they are adjudicated) to protect the individual from authoritarian acts by the State, and therefore imply a negative direction, by contrast social rights are considered as 'positive' rights, because they emanate from the State as the main actor responsible for the creation of the conditions and providing the means for their execution (Macpherson 1987, De Castro 1993).

Also, social rights differ from the traditional configuration of Human Rights because of the characteristics of its users. While Human Rights are traditionally eminently individualistic, social rights belong to collectivities of people.

The reaction to this aspect of social rights has been diverse. De Castro (1993), for example, claims that the rights belong to individuals; it just happens that individuals are part of collectivities, but this doesn't mean that the collectivity can hold rights because this would create an empty category. Yet for authors like Macpherson collective rights "are needed, not by individuals universally, but only by certain historically defined groups against others [...] membership in a national or cultural community which has defined itself historically is part of what it means to be human, and is sometimes the most important part" (1987:22-23). The same is sustained by Evans who considers collective action as being "central to the development of our identities, values, and goals" (2002:57).

In this matter, I would agree with the second position, since the *collective* way to approach the world is actually not rare at all. In fact, whenever disparities of power present, it's only evident that the union of those in the less powerful side will gain them a better position to stand for themselves (Coombe 2009:394). Unions work based on this, and so do other social movements, including indigenous ones (Comaroff and Comaroff 2009).

In fact, the collective point of view has also widely identified with indigenous perspectives. In the Intellectual Property area, the individualistic ways in which rights are constructed has been seen as problematic when talking about *traditional knowledge*⁸, since most of what is indigenous is thought to be developed within the collective being of the community (Kongolo 2008, Mackay 2009). Similarly, Nader (1990, 2002) talks about how the Zapotecan communities (another indigenous people in México) such as the Taleans have constructed an ideal of harmony and union inside as a main instrument for their survival; it's their collective agreement to keep the peace inside, what can keep the outside out. And Coombe (2009) indicates that strategies as brands or origin denominations are best suited to accommodate the indigenous people's needs precisely because of their collective nature.

The community is then the basic indigenous organization form, a political, social and economic entity that differentiates itself from the outside by the internal sense of belonging and the separation from the other; sustained by a common past and in constant construction by a projection into the future (Bhabha 1994). The community is the cell from which the identity comes, outside of it, they are the others, inside, they are a part of something⁹.

⁸ "WIPO [World Intellectual Property Organization] has used the term 'traditional knowledge' to refer to tradition-based literary, artistic or scientific works; performances; inventions; scientific discoveries; designs; marks, names and symbols; undisclosed information; and all other tradition-based innovations and creations resulting from intellectual activity in the industrial, scientific, literary or artistic fields." (Kongolo 2008:34)

⁹ This was clear in the VI Intercultural Meeting of the Indigenous Peoples in Michoacán "Young migrant indigenous in urban spaces", celebrated in the city of Morelia (Michoacán, México) on July 12th and 13th, 2010. Amongst other types of experiences, over and over, the young man and women talked about their experience as migrants from the rural towns to the cities, in the urban México that is, most often than

In Ocumicho's case the collective element is actually more than a strategy, is part of the purhepecha worldview. In the purhepecha language, spoken by 94.7% (SEDESOL 2005) of the people in Ocumicho, there is no *I*, there is only *we*. I was told this when looking for a translator to assist me and confirmed it further when talking to the people in the community. I believe that if there can be a proof that there is or was a communitarian identity, this is it, a language were the individual doesn't exist.

Therefore, it's justified that cultural rights belong to collectivities, but one thing is this theoretical configuration, and another quite different is how these rights take shape in the real life of the people that they belong to. Rights aren't meant to be only empty words in the legal text. Although it happens that usually there's no specific agency that has the specific obligation to fulfill Human Rights, as Sen indicates: "the claims can be generally addressed to all those who are in a position to help" (1999:230). While a right to culture is recognized, it will be within State agencies to do their share and find a way to observe it.

Therefore, one way in which these rights can be materialized is through public policies. Because cultural rights cannot be properly put to action, if the State doesn't help providing a frame in which different cultures can establish a horizontal, non-hierarchical relation. If "The cultural policy is the concrete expression of struggle for power in the field of culture" (Guerrero 1995:47), the State's job would be to make this field an even one for different kinds of expressions.

2. Ocumicho and its devils through the cultural policies



Concurso de belleza by Apolonia Marcelo Martínez. Photography: Lucero Ibarra Rojas

2.1. How the institutions and Ocumicho met.

If culture can only be freely developed when there is a proper frame, created by the law and the institutions, it's easy to assume that there are many ways in which law can determine culture¹⁰. The State participates in the shaping of identities because, when promoting one aspect of the culture through its cultural policy, it leaves others behind; thus affecting the ways of understanding and expressing identity, since this is constructed parting from the interpretation of the past and the facilities for creation in the present (Smith 2004 cited Coombe 2009).

not, mestizo. In which they suffer still discrimination and exclusion. Migrant is for them a cultural condition, not just a geographical one.

¹⁰ Examples are common, especially when dealing with indigenous cultures. Canada's Supreme Court has on occasion taken upon itself to define *indigenous*, saying "practices, customs, and traditions that constitute Aboriginal rights are those that have continuity with the practices, customs, and traditions that existed prior to contact with European society" (McCormick 2000:149); not only denying the dynamism inherent to the interaction between cultures, but allowing itself to define an entire population and exclude those who do not comply. The Mashpee case in the U.S.A. has also been studied (Clifford 1988, Stolzenberg 2002) as an example of how the property regime can have consequences for the existence of a community. The Mashpee kept collective restraints on property, but in order to be able of handling their property without control of the state, they had to give them up; immediate economic gain lured the Mashpee to sell their land, most of it passed to foreigners' hands, and the money gained evaporated leaving the Mashpee even poorer. Similar stories where the source in México of wars that lead to the creation of the "community" as legal way to own land collectively.

And it's precisely in between certain rights to culture and public policies, that intend to promote the economic field of indigenous arts and also influence those facilities for creation, where we find the community of Ocumicho and its process of interaction with State agencies.

Although the pottery tradition in the region dates from the 1920s, the true relevance of the activity was identified by scholars (Gouy 1985, 1987, Pascual 1985) from the 1960s onward, period that marked the appearance of the Marcelino Vicente character. Before Marcelino, the pottery of the community consisted basically of earthenware toys made out of a cast, mostly animal shapes that could be whistles or coins containers. Religious tradition was also a main topic, what they saw in the liturgical celebrations got translated to new casts created by members of the community (Gouy 1985, 1987). And the same topics are still present in the work of the artists today.

But Marcelino launched the tradition of doing everything by hand and also popularized the devils. Although in the 1980's many people pretended to have been taught by him (Gouy 1985), now artists recognize that he just taught a few people. Of the two men taught by Marcelino, one of them spoke Spanish, which allowed the trio to take their work beyond the circuit of the indigenous towns nearby to more touristic cities like Pátzcuaro or Tzintzuntzan (Pascual 1985, Gouy 1985, 1987). But this doesn't mean the rest of the artists in Ocumicho haven't inherited something from him. People recognize that it was after Marcelino that they started to create devils by hand. The style, the colors, some elements were more or less already there, but the devils were something new. In fact people in Ocumicho still use casts, but they don't admit easily to it, they know their work is more valuable to the buyer when done by hand.

Even more importantly, Marcelino is identified as the first artist that went outside the community and interacted with State institutions to promote his art. As a grandchild of his partner told "he didn't want the gringos¹¹ to come and steal his ideas" (I6/A/30-07-2010), Marcelino knew the value of his work outside the community. His alliance with a Spanish speaker took him beyond his immediate surroundings, but it was his connection to State institutions that took him to the national and the international field. According to Gouy (1985, 1987), Marcelino was "found" by the National Cooperative Development Bank (BANFOCO) and exposed his work in the First Artisanry Exhibition in Pátzcuaro (1963), in the Home Exhibition in México City (1963) and in the World Artisanry Exhibition in New York (1964). The same author describes Marcelino as suitable for the institutions because: "1) he belonged to a small insolated town, far from the commercialization circuits, so it was priority to help that town; 2) the devils topic gave the sensation of being traditional and fantastic, and the idea could be sold in touristic circuits" (1987:28).

This notoriety didn't only take Marcelino outside Ocumicho, it brought the outside to Ocumicho; the institutions started to work with the community. Later on the BANFOCO would turn into the National Fund for the Promotion of Artisanry (FONART) and would start an intense period of relation with Ocumicho.

2.2 The current role of the institutions in Ocumicho

Nowadays the relation between Ocumicho and the State institutions is very much part of the artists' life in the community. For a while it was the FONART who took care of the relations with Ocumicho's artists (Pascual 1985). But with the creation of the CASART in the local level, the responsibilities have been transferred to this institution.

¹¹ *Gringo* is the colloquial word to refer to people from U.S.A., but the expression can be used to refer to people that is evidently from abroad, outside México.

Artists go to exhibitions held by the CASART twice a year: the 2nd of November in the city of Pátzcuaro for the celebration of the day of the death¹²; and on Palm Sunday¹³ in the city of Uruapan. For these events the CASART assigns spots to the different artists communities in the State so they can sell their products to tourists, getting the equivalent to about two good month's profits in town. In a way they work all year to have enough pieces to sell in the exhibitions.

The contests also represent an important source of income for the artists. The number of contest is variable, but there's at least one each year, on the 29th of June (the local saint, Saint Peter's day) and another two on the dates of the exhibitions detailed before. Artists are asked to bring up to three pieces and win a variety of prices (around 23 this year both from the FONART and the CASART), that go from 2000 pesos (about 120 euros/160 dollars¹⁴) to 8000 (about 480 euros/650 dollars). Also, through time it has been common that the pieces showcased (even if they don't win) are bought by the institutions organizing the contest (Pascual, 1985, Gouy 1987). This year they made an order of 3000 pesos (about 180 euros/250 dollars) per artist to a local group. It may not seem like much money on an absolute basis, but it constitutes a major economic gain for them.

Therefore the expectations that the contests carry have their toll on the artists, as they are aware that they have to show something that can be seen as *special* by outside spectators. The contests can be either of traditional technique or new design, and for both CASART representatives recognize that, more often than not, the judges are not indigenous, they're "specialists", which means they have studies related to the arts. In the case of new design, that refers mostly to new thematic, it's important for the CASART that the pieces "aren't too far from the traditional style" (I10/C/21-07-2010); what is "too far" would then be decided by the judges of the contest. Therefore, to please these specialized judges, the production of a contest piece can take the artist from one week to several months. I.e. According to one them, because a good contest piece has to be "really 'finita'¹⁵" (I4/A/28-06-2010), it can take up to six months to create. This doesn't mean she will only work on that piece, since the earthenware work implies different temporalities, as the material has to be cooked in different, time-consuming stages in the oven. In the meantime the artists turn to other things. Still, the artists assured that it takes at least a week to complete a contest piece.

The time that they invest in these activities and the profits obtained make them central to the life of the community and shape the dominant commercialization style of the artists. In Michoacán it's not rare that artists from small towns travel to larger more touristic cities to sell their work. But people in Ocumicho don't. They sell in their houses, in this tiny place where, as was said earlier, no sign of anything special can be identified at plain sight. The effects of Ocumicho's inaccessibility are easy to guess: they don't sell much on daily or even weekly bases. On their own estimation their monthly profits go from 300 pesos (about 18 euros/25 dollars) to 4000 pesos (about 240 euros/325 dollars). Some weeks no one will come. Even on weekends, when there's more tourism everywhere else, in Ocumicho there are one, maybe two buyers around. Artists also have regular clients, usually people that have specialized shops in touristic places, but they'll only come every two or three

¹² Celebrated on the All Souls day from the catholic tradition, but considered of pre-Hispanic origin, this holyday is based on the idea that on this date the death's souls come back to enjoy earthly pleasures once again. A table with their favorite food is then prepared, in what is called an Ofrenda, which is accompanied by candles to lead the way and Cempasúchil flowers. The Ofrenda is located in people's houses or, more traditional in purhepecha communities, in the graveyard were people do a wake. The celebration in the Janitzio island, seen from the city of Pátzcuaro, is one of the most representative ones in the region. Despite the confusion and mislead created around the holyday, it isn't really a celebration or devotion to the death, but to the lives of those who are no longer with us.

¹³ A catholic holyday celebrated the Sunday that marks the beginning of eastern week.

¹⁴ The change rate corresponds to the month of September 2010.

¹⁵ This Spanish word has an ambiguous meaning; it can go from thin to small. But the artist uses it to define a work that is very detailed, that doesn't have lumps.

months and ask for special prices that don't leave much profits to the artists. Yet, since in the meanwhile there is no income, that little profit is better than nothing.

Especially given that the poverty conditions in which people in Ocumicho live, are prone to aggravate their dependence on the institutions' activities. In the months that they make 300 pesos, this amount of money has to feed families of five to ten people. Many houses don't even have running water and constructions aren't entirely finished, so dust and water leaks inside; the dust unavoidably covers every surface.

Although there is quite some integration from the men in this activity, it is still a women dominated scene, and therefore it contributes to the excessive weight that they carry to the support of the family. The women that work with earthenware also take care of the house: they clean, carry water from the well, cook and take care of the children. One of them was in the process of building a house, and when she couldn't pay the workers she would do things herself, carrying construction material and water from one place to another. Men work the field, but are often found "hanging out" in the house while their wives not only make pottery and do house chores, but also go outside to solicit clients. Yet, evidencing the gender disparity that is still present in many aspects of the Mexican society, the men still have a final say in prices when they are in the room during the sell.

The context of migration is also a factor to increase that economical dependence on the arts. García (2002) mentions in his study a research carried by Anne Lise and René Pietri on the employment and migration conditions in Michoacán, that indicates that lower migration rates correspond artists sons. Still, Michoacán is one the Mexican States with more migration to the U.S.A. and in Ocumicho this phenomenon has a distinctive impact on the lives of the artists. Of the five married women interviewed, three had husbands working in the U.S.A., so they also worked the fields and all aspects of the family survival was left up to them, with some economical help for those who got a monthly income send by their husbands. But in many cases the husbands are never heard of again. On this context of hard work, it's important to mention that, although they do carry an enormous weight of the family survival, they also assure that the other members of the family help them with the work and in fact it's common that the young men and women in the community get started in the tradition doing just parts of the process, like painting the pieces; and the women particularly also get involved in the house chores from an early age. But even if the men contribute economically, the absent father will leave the education that the individual receives at home to be lead by the mother. The women in Ocumicho teach their offspring what they can for their economical survival. And in this process the commercialization style and the dependence from the institutions is also taught.

In this reality, the money they make in contests and exhibitions is a fundamental support throughout the year, which gives them a great importance, but beyond that, the prestige of the artists that will ultimately get them clients also depends on those activities. That's the reason of interest for the specialized buyers of artisanry shops and the drive for those few people that explore first Michoacán's roads to find Ocumicho, and after the town itself to find the artists.

Although according to the CASART representatives, both the contests and the exhibitions are seen as a way to help the artists' economy and then facilitate the survival of the artistic techniques, people in Ocumicho see them just as a way to get money. Just one of the artists said the contests were good "because they qualify the piece that is of more quality" (I4/A/28-06-2010), the rest of them focused only in the profit that they can get. If there's a cultural side of the policies oriented towards the value of the techniques, this doesn't seem to be getting through to the consciousness of the artists.

Still, because of their importance, the State institutions activities have worked to determine the direction in which the art in Ocumicho is developed in other ways. Sometimes the contests have a thematic focus, i.e. they can be about devils, or maybe about the revolution. In those cases they will dictate what gets created by the artists; and even if they don't, the thematic focus of the selected winner piece will be replicated by the others after receiving such sign of outside approval (Gouy 1987). For the exhibitions, their criteria to select what pieces they take, responds to: 1) What is usually sold best according to previous experience; 2) What the CASART requires. "Sometimes they say, now bring devils, or now bring mermaids, or maybe representations of the birth of Christ" (I3/A/28-06-2010), say the artists. Although it isn't really the CASART that tells them directly what to make, this is done through the *president of the artists*.

The State institutions have also been involved in how the social relations that derive from the arts have been constructed. The FONART created the first artists' organization in town in the 1970s, to administrate a loan system from the institution, which was originally lead by Marcelino's partner (Gouy 1987). Yet the organization of artists turned out to be a complicated matter:

"The president of the first solidarity group refused to give up his place, after two years, to another artist and he separated, taking with him a certain number of people. Two years later the same phenomenon occurred with the new solidarity group's president recognized as such by the FONART, creating finally an important separation between the artists. For this reason, given the impossibility to have an homogenous group, represented by one delegate, FONART, not wanting no find out the reasons for the disagreement, is forced to deal with the different leaders" (Gouy 1987:54)

According to the town's artists, currently there are mainly two organizations. In addition, Bartra (2005) reports that the artists joined the National Artists Union, of the National Peasant Confederation, but, although the CASART representatives do recognize this union, no evidence of this could be found in my field work. The only groups of artists mentioned were the local ones:

Organization 1 seems to be the most important one. Its leader appears efficient at bringing information to town about the activities of CASART and FONART and has agreements with both institutions. The group also participated for and won the national award, and is directly involved in the project for the artisans' house in town.

Organization 2 seems to be more on the sidelines. The leader is an elderly woman that even people inside her group perceive as "too old to go to Morelia¹⁶, and when she goes she doesn't understand anymore because she is too old" (I4/A/28-06-2010).

Since there isn't much information to be found in town about the CASART events, the organization becomes extremely important. The CASART makes contact with the communities almost exclusively through the leaders, whom assist to meetings there and receive instructions for the commercialization of the pieces (like putting stamps on them to indicate the place of origin), information about the dates of the contests and get assigned of a spot to be held by Ocumicho in exhibitions. Therefore, only the leaders know of how they get a place in the exhibitions and it's the leaders who decide over the participation. There is but one exception to this rule, which concerned a young artist that, since her family was excluded from the exhibitions, traveled to the city of Pátzcuaro (where the exhibition was to be held) and asked for a space to showcase her work. She was given a space, separated from the one assigned for the rest of Ocumicho's artists. She did the same a year

¹⁶ Morelia is the State capital and where the CASART offices are located. The city is about two hours and a half from Ocumicho by car and from three to four in public transportation that costs about 150 pesos (about 9 euros/13 dollars).

after, and by the third year the leader of one of the organizations approached her to tell her that she was to be included in the town's space.

In fact, the "free" creation and encouragement of artists groups is one of the institution's objectives "to resolve their common economic social and productive problems" (LFA 2000:art.25). The challenge is put on free, because this organizations actually have to comply with a legal figure already established, which means they can organize as they like, as long as it fits a predesigned model by the State. And also because financing, advice and any other help from the institution is designed to go to those "properly constituted artists' organizations" (LFA 2000:art.20). As is analyzed further, decisions made in such contexts of constrain are highly questionable.

By now, organization 1 is well established in town and constitutes a space of power for the leader, one that has been created and maintained thanks to State institutions that, in seeking a more efficient way to relate to the artists, have an input in the local social structure of the community. Since the people from the CASART rarely goes to Ocumicho, and everything is managed through the leader, all the information which he is supposed to pass on to town gives him a strong power over the economic life of his peers. The institutions created a special place from which a person can manage the benefits to be obtained by the other artists, which has introduced certain social dynamics that will be analyzed further on this paper.

There are, however, other measures that have been introduced to the community by the outside, like the signing of the work. This activity has also triggered different reactions. While some authors see this as a measure "to disconnect the individual from its society by changing the link between artist and product" (García 2002:143). Others think it a mean to "avoid that certain artists appropriate from others work" (Gouy 1987:54), given that the women of the community with more economic need sell the pieces before painted, at rather cheap prices, to other women, that then paint them and sell them as their own.

The practice described by Gouy is common, but this doesn't mean that the signing of the pieces is as necessary as she sees it, or as damaging as García considers. On one side, it is true that they don't seem to care much for the kind of recognition that would be related with signing their work, as the sense of individual ownership isn't really that strong. Also, was mentioned that it's common that more than one person works on a piece, in fact often they are family produced. Therefore signing would seem unnatural for them. When asked if they signed their work the more common answer would be something like: "Yes, but sometimes, it's just that, sometimes I forget" (I3/A/28-06-2010), but those signed pieces were hard to find because they actually rarely sign them. When asked why they signed, they would say somebody told them to, the president of the artisans, an uncle, the CASART. But there's no internal notion as to why, it's just a follow up to please *someone*, and even this someone is not clear.

Only one of the artists knew why he signed his pieces "Because a man told me that he found me in Uruapan, he told me 'how much does this cost' and I told him 'it costs 300', 'it's almost like a present because there they sold it to me for a thousand pesos" (I1/A/28-06-2010). The man had suggested him to put his name, address and phone in the back of his masks, so people would know he made them and come to buy them cheaper from him.

This phenomenon speaks of the demands of a market based on notions like intellectual property and individual recognition and ownership, and how it interacts with different cultural practices, and even of the concessions the actors of these practices made in order to adapt themselves to the market. He understood that this was a way to get more clients, but wasn't really concerned with the recognition. In Ocumicho, Bartra indicates, "the notion of the art for the art simply doesn't exist for

these artists that live creating and create to live" (2005:179), contrarily the same author does believe that they are fully aware of the importance of signing in the art field, but I found no recollection of this. They seemed to know someone wanted them to sign, but not why. They understood that could get them clients, but it was more in the sense of a "publicity technique" than a claim of ownership.

As it turns out, there seems to be a gap between the economic function of the policies that's being achieved, and the cultural understanding of those same policies. Objectives like the perception of importance of art techniques that potentiate their survival, or union between those with similar problems, seem to be lost or constrained.

2.3. Common trades in different public policies

In the case of México, mirroring the country's ideology mentioned earlier, for decades until the 1980s cultural policies were designed to eliminate difference and introduce indigenous to that which was considered "civilized" and "modern". In this context, if the neglect of the Mexican State left indigenous cultures to be marginalized, because dissidents of the dominant culture are usually condemned to the sidelines, its attention seemed for a while to be condemning them to destruction.

The strategies were designed from an eminently individualistic way of thinking and with an economic focus that often neglected the social implications that they had in the indigenous communities that lived with them. Authors like García and Piedras (2002, 2006) insist that the public policies implemented by the State in México's recent history, have been created still from an ethnocentric point of view, and therefore, while trying to promote the economic field of traditional art, they have contributed to create conflict breaking the communitarian identity of indigenous peoples. For them, in the relation between indigenous and the State intermediaries, the former "promote with their practices the scission of the individual from its community. In the economic relations they select the best artisans, they treat them separately and promote competition amongst them. In the political realm they sharpen the preexistent conflicts amongst groups and leaders by distribution of credits and demands of exclusivity and clientele loyalty" (García 2002:143).

But cultural policy comes in the context of social struggle (Guerrero 1995) and as was mentioned already the rights to culture, exposed in the second article of the Constitution and a result of the indigenous struggle in México, give a legal ground for the demand of policies that permit a right to culture closer to the needs of the users and value Mexico's cultural richness instead of promoting malinchismo. As Pérez indicates, "Nowadays it's more important to recognize the problems, social conflicts, cultural contradictions and institutional structures that contribute to reproduce inequalities in the access to goods, justice and political, cultural and social participation, than to continue to exalt the harmony and unity speech that can be perceived in the justification of cultural policies" (1995:67).

However, the policies observed in Ocumicho would seem to seek economic development without paying much attention to the other aspects of the life of the community that they may be influencing, leaving aside other potential benefits. "Culture has been a core feature of development practice since the late 1990s; it indexes concerns about maintaining cultural diversity, respecting local value systems that ensure social cohesion, and ending discrimination against the socially marginalized" (Coombe 2009:402). But this can only be achieved by policies that take into account the cultural aspect of development. The possibility is that by looking at the commercial value of culture, we can follow towards recognition of the valuable aspects of that culture and maybe even to a *consciousness of the need for cultural rights* (Coombe 2009). Yet, as Macpherson assures, "The government of an underdeveloped country, in taking over the concept of economic growth, is very

likely to absorb also the ideology that goes with it, to make economic growth an end instead of a means to an end" (1987:29).

The policies and the law from which they emanate would seem to respond to a rather neoliberal individualistic thinking. The contests and exhibitions are based on the idea that giving money to some, will somehow make the community develop a value over their artistic techniques. Even if there's no other content on that account and as if a price was a structural economic support for a family, not to mention an entire community. The creation of organizations is actually related with the expressed end of "promoting the creation of micro-enterprises" (LFA 2000:art.25). And even the people that works in the CASART have a more entrepreneurial idea of the institution than a cultural one. One of them, when asked about his experience working with indigenous declared "well, I work with indigenous now, because about 80% of our clients are indigenous" (I11/C/21-07-2010); he does not see himself as working in public service, but as a businessman with clients.

However, the economy focused idea of development has been challenged even in the context of liberal theory. Authors like Sen warn about the dangers of seeing economic growth as an end in itself. He bases his notion of development in the increase of *freedoms that people enjoy*, to create the capabilities that allow "persons to lead the kind of lives they value – and have reasons to value" (1999:18). Access to education, health, the expansion of social services and even respect for cultural differences and political participation, can determine the way in which we can be free and can also change how we perceive poverty (Sen 1999). Other authors recognize this phenomenon and claim that real liberty depends on the social structure, and can only exist "if the individuals are protected against risks and pressures that hold over them the economic dependence, the professional differences and the arbitrary social hierarchies" (De Castro 1993:43).

Evidently this does not mean that money is not needed at all, but maybe it does mean that more attention should be paid to the actual community. Sen (1999) does recognize the importance of economic growth to expand the freedoms that people enjoy. His proposal would actually imply a change in the State-communities relations, "These capabilities can be enhanced by public policy, but also, on the other side, the direction of public policy can be influenced by the effective use of participatory capabilities by the public" (Sen 1999:18). It's likely that the participation of the community would open up a space to realize the local needs beyond the need for money. Otherwise, the policies are being constructed to comply with economic expectations more than with the internal needs.

Therefore, even though the concepts of pluralism and cultural rights are recognized in the Mexican constitution, the laws and policies face the challenge of constructing parting from those they are used to consider as the others and the ones that have to be taught. But this perspective will be analyzed further in the next chapter.

3. The impact that policies have had in Ocumicho



Diablo con bebe diablo by Apolonia Marcelo Martínez. Photography: Lucero Ibarra Rojas

3.1. *About the internal relations.*

Public cultural policies must look at local characteristics and needs, because their impact won't stop at more or less economic gain. As Comaroff and Comaroff say "Identity economy is not confined to economics" (2009:53).

One recognized effect of the contests and, to some extent, of the exhibitions is the internal conflict that they seem to rise. García (2002) already warned of this danger and in Ocumicho's case this isn't without foundation. Gouy (1987) reports that at the time she conducted her research, the contests were held in the city of Morelia, and the people in Ocumicho could only compete amongst themselves, which created an 'envy' and jealousy environment. Nowadays exhibitions are also problematic because not all of the artists can go, and the selection is made arbitrarily by the president of the artist's organization, which creates resentment in those excluded. Because in fact, Ocumicho's artists do not constitute a monolithic harmonious group, but a complex community where there is –sometimes– consensus, but also dissent.

This isn't necessarily a casualty or a secondary, unforeseen effect. As the Law for the Promotion of the Artisanry indicates, one of the aims of contests is "to root a competition culture amongst Michoacán's artisans" (LFA 2000:art.36), and it's precisely this competition culture that fuels the conflict. Even if this is seen as a motivator in the entrepreneurial mentality, which appears as dominant in the policy design, its effects are especially damaging to the internal relations of the people in the community.

Although the disagreement environment is perceptible to outsiders, the artists seem to understand that admitting to it is a bad thing. Similarly to the Taleans observed by Nader (1990, 2002) and mentioned earlier, they attempt to portray a sense of harmony in the inside. When asked directly about conflict, only those on the sidelines will admit to it, although rather reluctantly. They say that "sometimes there's envy, because some sell more, or win more contests" (I6/A/29-06-2010) or that "they don't want to include me because I win lots of contests, and they don't like it" (I4/A/28-06-2010). But even those that deny any grudges between artists do accuse people of things like paying kids to take tourists to their house, which doesn't allow others to get close to them; or for not doing the art themselves.

A discourse of harmony then gets constructed and enters into conflict with a secondary or sub-textual one that can be found when the topic is approached indirectly. What they say about the harmony inside the community where the artists get along eventually becomes contradicted by what their remarks about other artists or their observations about the relations in and with organizations.

This is also partly due to the fact that the strength of the organizations doesn't come from the inside, but from external influences that actually determine who occupies power positions. The presidents of the artists constitute the bridge between the community and the State institutions, which gives them an important role from which they can actually determine the access to benefits of the rest of the artists. But the access to this job is not embedded within the internal dynamics of the community. As mentioned in an earlier footnote, *purhepecha* communities are governed by a religious charges system (Padilla 2000) in which often gremial organizations have a place, but in Ocumicho's case the president of the artists is not part of this "traditional organization". Being as it is, there is no internal process that justifies the president to the community.

This dynamic produces then a problem of legitimacy for the authority. When the legitimacy of the authority comes from the inside, it's easier to believe it fair. When a leader is selected by those whom are to be lead by him, they will have it easier accepting his actions. But when the leader is imposed, his actions will not be hard

to question. Even more, when a leader comes from internal processes, disagreement can also be part of that process.

Because in fact the decision making process of such presidents is also a matter of discomfort, being entirely dependent on their will and lacking means of accountability from the community. Evidently there has to be some criteria for the selection of the work. One of the presidents states that since not all the artists can go, it is tried to make it so that all the artists in the organization have at least one opportunity to go the exhibitions each year. But since the other artists declare not to know the criteria under which the decisions are made, they can still be seen as arbitrary. It doesn't mean that it has to be a bad or unfair decision, but it does mean that the rests of the artists don't have access to any means to express disagreement, not even agreement since they don't know the causes behind the decisions. Regarding the contests, even if the presidents don't decide who goes, it's important to keep in mind that there's only one contest a year in town. The other two annual contests happen in the context of the exhibitions for which he selected the participants. And whenever there's another contest where Ocumicho's artists can participate the information is not to be located in town, but given to the presidents, so only those who informed by them will be able to prepare for it and go. If an independent artist makes the effort, travels to the CASART and asks for information, they will probably give it to him/her. But this is rarely done given the costs, and the fact that the person would have to go constantly to coincide with the dates that they do have the information. The CASART will call upon the artists' presidents when there's information to be obtained, because they are meant to deal with them on these matters, but for the rest it would be a matter of luck. Therefore if the president doesn't tell, they don't go. Some even mentioned that they often went to the president's house to ask for information, but that he would claim not to know... a few weeks later he would be gone with some other artists for a contest in a city nearby.

In these conditions the culture doesn't get to auto-regulate, and when disagreement presents itself, since the source of power is in the outside and beyond the reach of the actors, the only solution has been fracture. As was explained, that's how the two organizations were born, as a rupture of the first one created by the FONART. If the disagreement includes sufficient artists, they can create another group with a leader that will be in charge of going to Morelia and to request information and help from the CASART (with the costs that this will carry), and evidently they will have to apply for registration there so they have access to some means of support from this institution. There are other ways to pressure acceptance from the leader, as the example of the young woman asking for an individual place in the exhibition would show, but I found no recollection of any other action of this sort in town.

3.2. The myth as marketing strategy

But the participation of different institutions in Ocumicho has also modified other things, like how Ocumicho's artists commercialize their products. Before Marcelino and even by the 1980s, when Pascual (1985) and Gouy (1985, 1987) carried out their studies, the artists would travel to surrounding purhepecha towns in the traditional holydays to sell. And even though Marcelino's activity seemed to open the field to larger, more mestizo dominated cities, the local circuit managed to survive for a while. But now people in Ocumicho don't follow this circuit anymore, as was exposed earlier, they only leave town for the exhibitions twice a year and for contests.

Instead of the local consumption commercialization that was present before the activity of the institutions in town, nowadays the commercialization is oriented towards outside the purhepecha universe. As mentioned before, they sell to the CASART, to the FONART, to regular buyers that are often owners of shops in more

touristic places and to people that go there especially to find the widely featured *Ocumicho devils*. All of these are specialized buyers.

In the relation between state, popular cultures and economy, this kind of "marketing plan" often keeps company with a mystification of the indigenous that ignores the complexities and contradictions within their cultures. The indigenous have often been reinterpreted by the mestizo, and gotten lost in that reinterpretation.

In Ocumicho's case the State's participation has clearly modified the way the community is perceived by the creation of the myth of Marcelino¹⁷ and his devils. The most replicated story is presented by Gouy, who says:

"It's said that the devil himself served him as model: one day, coming back from Tangancicuaro, while passing by a ravine before Ocumicho, Marcelino found someone that told him: 'your devils are very ugly, look at me I'm beautiful, you have to use me as model' and he twirled lifting the skirt of his coat. When looking, Marcelino noticed that he had a tale, chicken feet instead of hands, and that instead of feet, he had goat legs. Then Marcelino understood he was facing the devil!" (1985:101).

There are other theories of course, like Louisa Reynoso's (1984 cited Gouy 1987). To give it a more historical depth, she finds the origin of the devils in the pre-Hispanic purhepecha demon that later got translated into the catholic devil. But her references are too far from the actual Ocumicho devil that we see nowadays, and there's no reference of that in the town's narrative.

In fact, the myth doesn't seem to be part of the consciousness of the community nowadays. I.e. Pascual (1985) says that in the 1980s no one in the community knew why Marcelino started to do his art. And although almost all artists interviewed agreed that it was Marcelino's idea, only one person gave a possible origin for it: "They came from the *pastorelas*¹⁸ of the December holydays [...] they have angels, and virgins, and devils" (I8/A/29-06-2010). The same origin is also found in Bartra's (2005) work and in fact, the playfulness of the Ocumicho devils does relate to the *pastorela* characters. In those plays, the devil is always around, making people fall, being funny and colorful; they often steal the show with their extravagant behavior. Of all the stories I've heard about the Ocumicho devils, the one from the lips of this artist made more sense to me than any other. But when one speaks with people in specialized shops they give the more fantastic versions. So do the people in the CASART (amongst the different stories, I was referred to one about a couple that cursed each other).

Outside Ocumicho, the myth dominates, which is not rare; after all, there is functionality to this kind of myths. As said by one of the CASART representatives "There are many stories, they all work to sell, right?" (I11/C/21-07-2010). Ocumicho's art and economy does depend largely on the ability of the institutions knowledge of the indigenous art market. And even to some extent in their abilities to create this market, "these artists can only (or almost only) sell their production, if the institutions maintain the image of an indigenous popular art, in the Mexican society" (Gouy 1987:56).

¹⁷ An opposition to the attribution of the idea to Marcelino was found in Bartra's gender study. Although she recognizes that people in Ocumicho say that Marcelino taught them to make devils, she also assures that "other people interviewed in Michoacán and outside, point out that the women in Ocumicho have always done devils and it's not true that Vicente taught them" (2005:86). She supports this theory with the devils found in the Popular Art Regional Museum in Pátzcuaro which, although don't have a date, "could have more or less the age of the Museum, about 60 years. If this is so, it would be true that they already did devils before the time Vicente made them" (2005:86). But this is a big *if* that remains unproved and doesn't justify believing the word of those who speak of Ocumicho beyond that of those who are Ocumicho. Besides, Marcelino doesn't become a myth necessarily because nobody had ever done devils, but because it was his talent what earned the recognition that popularized the topic.

¹⁸ *Pastorela* is a play in which the birth of Christ is portrayed.

In fact, the process of marketing identity in itself can influence the art process to the point of creating a false identity, as underscored by Coombe in her article "The cultural life of things" (1995), where she explores the change of meaning that objects might go through when entering the trade market. Observing how a particular art work with cultural meaning in the African community where it's created, can lose this meaning by entering in the market when the African migrants extract it from its particular context to be sold in the streets of New York. There, this same object acquires a new artificial meaning related to the imaginary of Africa created by African-Americans.

In a sense, this identity process is also one of the individual, who through migration also changes him/herself to adapt to the different circumstances in which s/he has to survive. I.e., the need of the African Songhay migrants drives them to play a part of themselves, not as Songhay, but as Africans. "In marketing goods to an African American community that often fetishizes and reifies the imaginary African of an 'invented tradition', Songhay vendors find themselves catering to and resisting a stereotypical image of themselves that simultaneously lines their pockets and denies their cultural specificity" (Coombe 1995:8).

Songhay and Ocumicho's people have lots in common, which speaks of the globalism of the processes lived locally by people around the world. Songhays are migrants from Africa to the U.S.A.. The artists interviewed live in Ocumicho, but the change of commercialization pattern has taken their products, and often themselves, to that cultural outside in which they are the *other*. The Songhay have to face an idea of themselves in the mind of their potential clients: they "accept the fact that the Africa African Americans "need" is not the Africa they know. [...] Most of them easily engage in marketing fetishes of an imaginary Africa and the signs of a utopian America, learning to read their market, media culture, and the marks of fame that appeal to African Americans." (Coombe 1995:823-824). People from Ocumicho belong to an indigenous people, which in México has been seen and reinterpreted predominantly through mestizo's eyes and, due also to the change in commercialization patterns, their current clients are also mestizos or even "gringos".

The Songhay process is also different to Ocumicho's due a great deal to the State institutions' participation. The art produced in Ocumicho is highly determined by an outside expectation of what indigenous art should be, yet the artists don't cater or resist according to their own understanding of the market, but follow the lead of state institutions that have been central to the configuration of that market. If the objects that Songhay vendors produce are taken from their context of meaning to acquire a new one "custom made", then the objects in Ocumicho seem to follow half way: they are born "custom made". Ocumicho's devils seem to have more sense as a representation designed for the mestizos than an internal expression of identity.

In this phenomenon it continues to be the outsider who is defining the indigenous. Paine (2000) considers that a problem related with authenticity is that in colonizing processes, the settler has taken the authority to define "aboriginal"; and Ocumicho shows that the process is also replicated by dominant cultures in post-colonial societies.

And, even despite it being done from a platform of value and recognition, it doesn't stop being an imposition. I.e. Bartra (2005) develops an extremely valuable research on the role of women in the "popular art", which makes visible the gender relations that, as mentioned earlier, are evident in the community's dynamics. And in her work, Bartra says:

"I am convinced that ocumichos are the most fantastic and often surrealist popular art pieces in México. They are an endless well of imagination. Maybe that's why it's tried to prove, by every means possible, that the women of town didn't create them

and that even today they aren't the product of their imagination. It is talked over and over of the external influences" (2005:86).

In Bartra's estimation, she tries to hold the value of the pieces while at the same time defining them in terms of "surrealism" and comparing them to the work of Leonora Carrington, Remedios Varo and Frida Kahlo. Even despite the acceptance that esthetical values depend on cultural context, there's an attempt to value Ocumichos's art in westernized terms, instead of allowing it to stand on its own.

As well as once again denying the elements that would seem to diminish the value of the pieces. There are stories about outside influences and patterns copied from magazines, but they are told by the artists themselves. One of them related a story about a lady that was selling cast figures in Purepero, amongst which she had a devil "that she couldn't make it right" (I4/A/28-06-2010), then a tourist approached her and asked her if she liked to do that "She said 'no, but I just did it. No, I don't get ideas of how to make it, I just did it that way. But it isn't pretty" (I4/A/28-06-2010). According to the artist the man bought the figure and then gave the woman a magazine to inspire her work. The same story can be found in press (SECUM 2009, Gil 2009) in the lips of a man.

The intention isn't to deny the reality of cultures interaction, since Bartra (2005) accepts the Hispanic influences in the indigenous art production and sees syncretism as a way to *renew itself inside the traditional* and a true expression of the indigenous cultures to date. Certainly indigenous cultures in México aren't "virgin"; many aspects of their organization are consequence of the contact with the Spaniards and later with the Mexican State (the particular case of the purhepecha institutions and their origin in European institutions is studied by Foster 1947 and Beals 1947 cited Roth 2004). And Catholicism has also been a big influence. But if syncretism was all there is we would all be mestizos and, as was explained earlier, assimilation and homogenization are not a reality in México. The indigenous institutions, pre-Hispanic or not, have had their own way of interacting with the dominant culture "many times resisting, but also re-functionalizing and giving new meaning to their practices" (Roth 2004:95-96).

But some influences seem more acceptable than others. As part of this process, Bartra (2005) speaks also about an order placed in 1989 by the *House of México* in Paris to the artists of Ocumicho, who were asked to inspire their work in different references from the "educated art" to make a collection on the conquest of México by Hernán Cortés. The author recognizes that both "the French revolution or the conquest of México must be something equally abstract and lacking of meaning to them" (Bartra 2005:100) yet she approves of this intervention that produced a mix between "educated art" and the local production in Ocumicho. The incursions of that "educated art" are valid in her view, but the incursions of the indigenous artists seeking themselves inspiration from abroad are not. The development of the art in Ocumicho also finds a constraint in the new design contests, where a foreign eye gets to say what is "acceptable" and what is "too far" from tradition.

More and more Ocumicho appears as the "high couture" of indigenous art, where only certain interpretations and specific processes are valid.

3.3. A different set of possibilities.

Nevertheless, there are other possibilities to be found in commercialization, beyond an interpretation of indigenous cultures in western canons or with western thematic, which lacks internal meaning, to please an external buyer. Maybe "the sun does not set on the empire of Coca-Cola and MTV" (Sen 1999), but Comaroff and Comaroff document a series of examples in which marketing becomes "a mode of reflection, of self-construction, of *producing* and *feeling*" (2009:9); according to them, entering the market can become an opportunity for "ethnicity" to "be rediscovered, reanimated, regained" (2009:20). Certainly abstraction and

generalization can make cultural products easier to consume. It's probably easier to understand a mythical indigenous that lacks depth and complication, than a real indigenous, that is not that much different to the mestizo and therefore much less perceived as "exotic". But indigenous are real people that aren't unmoved or stuck in the past (Paine 2000), they have contact with the world external to their community and a point of view over it.

Globalization is an all-encompassing reality in the world, but this doesn't mean that the only choice left is assimilation; globalization doesn't have to mean homogenization (Bhabha 1994, Appadurai 1996, Santos 2002). There is also a possibility of interpretation of the globalization processes for the dissident cultures. In the same way syncretism exists in almost every culture in México and this has not eliminated indigenous cultures, the fact that an artist in Ocumicho has access to media that lets her know about events like the attack at the World Trade Center (like in Ocumicho's art on García's 2002 book "Popular Cultures in Capitalism" cover), it doesn't mean that her work becomes generic and neutralized. The events get interpreted in the point of view of the artists, it's the western being reinterpreted this time.

There is a space for negotiation, as Bhabha (1994) calls it, for those peoples that come from a background often opposed to the dominant. Their interpretation comes as what Bhabha calls *borderline art* "Such art does not merely recall the past as social cause or aesthetic precedent; it renews the past, refiguring it as a contingent 'in-between' space, that innovates and interrupts the performance of the present. The 'past-present' becomes part of the necessity, not the nostalgia, of living." (1994:10). There are pieces in Ocumicho that speak the interpretation of the world of which these indigenous are part of. They portrait the traditional dances as well as the outbreak of swine flu in México. The contests do motivate the artists to explore their minds looking for something new and original. The impulse on their market provides them with the means and the will to continue with their art.

This process, as was the one observed by Coombe, is also one of the individual. It's in the woman that sculpts a doctor making a vaccine in a molcajete¹⁹, in the girl that wears jeans under a nahua²⁰, in the young man that boldly states "that I am indigenous doesn't mean I can't use a cell phone". It's in this people found in an in-between and that somehow manage to keep a sense of identity. As Appadurai says "It is the imagination, in its collective forms, that creates ideas of neighborhood and nationhood, of moral economies and unjust rule, of higher wages and foreign labor prospects. The imagination is today a staging ground for action, and not only for escape" (1996:7). The process described earlier were the outsider defines the indigenous also has a reply, a decision and participation on the side of the artists that aren't just passively receiving instructions, but also promote a specific point of view. However, as mentioned earlier, sometimes the real issue is the context in which this decision is made.

In this context, Ocumicho can be more than a *culturally distinct product for a global market* (Radcliffe 2006 cited Coombe 2009); it can be seen as a possibility to open up a space of self recognition, and an opportunity for the creation of a consciousness that can "forge a distinctive sense of who they are and the economic and political futures they desire" (Coombe 2009:402). Or even as a means to "enhance their autonomy, their political presence, and their material circumstances by adroitly managing their tourist potential – and all that it has come to connote" (Comaroff and Comaroff 2009:25). In a world that is fascinated by ideas like "custom made", "exclusive", "exotic", Ocumicho capitalizes on being unique, as one of the representatives from the CASART says "Maybe they don't like the devils, but

¹⁹ *Molcajete* is the traditional name for what is commonly known as a mortar, a vessel made of stone used to crush or grind mainly food.

²⁰ Nahua is the traditional skirt worn by purhepecha women.

they sell them, and they sell them well [...] it has feed them for a long time" (I11/C/21-07-2010).

However this process is incomplete in Ocumicho's case, given the conditions under which the artists "decide" to play along. As Roth indicates "The cultural production implies that the collective knowledge produced in the past has to be interiorized in the individuals (appropriation), whom, then, manage to objectify them into production practices" (2004:96). But people in Ocumicho seem to have been excluded from the process described by Roth. By following the topic blindly they forgot why they did it in the first place, most of them don't even know why Marcelino started to do the devils. If the cultural production can speak of power relations (Roth 2004), what this cultural production is saying is that in México state agents are still, very much, in control of what the mythical other is saying; authenticity is still defined by the outsider.

Because it turns out that the devil, so popular outside Ocumicho, is not so much *inside*. The workshops are filled with a variety of figures amongst which, depending on the workshop, one can often see very few devils. But the real red light is the fact that some of the artists declare that they actually don't like doing devils. Two of the women preferred doing virgins; one liked doing weddings, with devils or people, she didn't care; another preferred doing suns. One of the men liked doing horses and another preferred doing masks inspired by different animals (they aren't devils in his eyes). And even if they do like that Ocumicho is known for the devils, "because people likes it and then they come" (I1/A/28-06-2010), some weren't entirely comfortable with the idea, they wanted people to know that "it's an ornament, just because they like it. Some think the devil is here, like... like the real devil. But that's not true. It's just the ornament" (I5/A/29-06-2010).

The problem is that in a context of need, decisions can easily be compromised. When talking about the changes that neoliberalism can have on cultures, Stolzenberg points out that indigenous culture, just as any other, is neither static nor isolated. So, "if every culture is dynamic and interactive with other cultures, if cultural boundaries are constantly shifting, and if assimilation does not *negate* cultural difference and identity, then *what precisely is wrong with inducing change and assimilation?* [Personal highlighting]" (Stolzenberg 2002:184). I believe that while change may be not only acceptable but natural. Inducing might be precisely what is wrong.

Why should anyone be allowed to induce? Why should any outsider be in position to define the community or to make it change?

Conclusions



Máscara by Antonio Víctor Sánchez. Photography: Lucero Ibarra Rojas

In Ocumicho, exhibitions and contests have been effective in providing some benefits for the artists. The town's economy has been enhanced by the creation of a market (not market place) in which artists can participate, but also in which their work is appreciated because of its origins, because of being indigenous. Indigenous also use the institutions (Gouy 1987), they use them as means to get their work outside immediacies of their small town, to get money.

But focusing on the economic aspects of promotion of the art, the cultural content is in danger of getting lost. The contests and exhibitions help some artists' economy at specific times, but not the community as a whole. They're designed towards individuals, towards their economic gain, but do not see growth as tied to the wellbeing of the community at large. This misconception is followed by the erosion and dependence that they have created inside the community.

The erosion is caused through the exclusive dealing with one leader, which has created an important space of power that isn't entirely seen as legitimate but is also hard to fight. On occasion the leader is conscious of the community; in such instances, he may try to give an equal space to everyone in his organization. As part of the community he will be able to see the internal effects that his actions have in it, and work to the best interests of the majority. But even in this case, those who are outside the organization will unavoidably be excluded. However, the tension between the established order and dissidents is part of the dynamics of every culture, and is also the within that culture to deal with it²¹. Yet this is the best case scenario for the community. Leaders in the past have been accused of stealing loans and resources, of charging the other artists for access to the benefits. Where there is power without control, excess and corruption is easy to happen. And since the president of the artists is a figure brought by the outside, and chosen by the outside, the internal regulation can only come in the shape of fracture.

The dependence resulting from the contests and exhibitions is both economic and cultural. As we have seen, the change in the commercialization patterns has created an economic dependence on the institutions. In the business of Ocumicho, the institutions are the target audience, the intermediary, the distributor and even the marketing specialist. This role has created also a cultural dependence. What people in Ocumicho create is not entirely a free expression of their identity. There are somewhat "normal" restraints of commercialization. Artists that live of their art need to keep a connection with some kind of market audience, and that will be a consideration to have when creating. But people in Ocumicho also have to adapt to the image of "indigenous", not as they live their identity, but as the mestizo buyer will expect them to be according to expectations created greatly due to the workings of the institutions.

The problem is not the changes in the community, but the matter of legitimacy in the decision-making. The market is a constraint in itself. But ultimately, it's up to the community to decide how to deal with these constraints and how to manage a space between their tradition and outside input (Bhabha 1999, Sen 1999). Commercialization can have restraining or empowering effects. But it has to be seen beyond the economic, in its cultural impact, and then it can go over to fulfill the potentialities that Comaroff and Comaroff (2009) identify.

It's been thought for a long time that indigenous people have to sacrifice elements of their culture if they want to achieve development, but the trade is particularly unjust if someone gets the benefits and someone else the costs (see the critical remarks by Macpherson 1987, Sen 1999). In Ocumicho's case, indigenous get the money to survive at cost of creating things that they sometimes don't even like. Their pieces provide them with a small economic gain that becomes unjust given the benefits that their buyers often gain. According the CASART representative there's an Ocumicho museum in Belgium, Bartra (2005) says they have exposed in Paris and Barcelona. Yet Ocumicho artists barely make a living. Who is getting the benefit? The intermediaries or distributors: the specialized shops in Pátzcuaro and other touristic towns. The pieces there are sold for a profit of, at least, a hundred percent. Small pieces, usually more generic and done with cast, are sold for twice

²¹ The example of the young woman that got a place in exhibitions by herself is a good example of how negotiation between established order and new actors takes place.

as much as the first price²² given by the artist in Ocumicho. But the larger more inspired pieces sell for prices of three or four times as much as one can get them from the artists.

In a mass production market, were that which it's "special" has an added value, authenticity becomes a symbolic resource (Coombe 2009). And the right to capitalize on their culture should be of the actors of those cultures, as should be the decisions of how this is to be done. Because indigenous do have solutions to put on the table: artists express a desire for an artisans' house in the community. This would be a community oriented policy that could actually provide benefits such as:

1. It would provide a place to showcase their work, since Ocumicho doesn't have a market place.
2. It would have to be accompanied by infrastructure that would both allow them to get people there, and improve the life conditions in town.
3. As long as it was in their hands, it would give them the independence to decide how they want to develop their art.

If pluralism opens the door for recognition of the value of indigenous cultures in México then, so it can work, it should also propose a path for horizontal communication amongst cultures. The Mexican state has formally acknowledged the diversity within, and is now obliged to measure its actions parting from how it deals with this difference, from how much it parts from an understanding of the real needs of the people. "The law may function to maintain an unequal distribution of power or material wealth, or it may be used to bring about a more nearly equitable distribution of resources" (Nader 2002:27-28).

And this is also the case for Human Rights, as Macpherson says "We should not stop pressing for Human Rights, but in pressing for them we should be aware how much they are at the mercy of other widely held values, and should consider that changes in those values are required." (1987:32). Human Rights are identified with a western tradition, as has been the colonizing habit to deny validity to dissident cultures from that western known as dominant. But if there is a chance for Human Rights as an instrument to be used by the historical *others* that have been widely abused, it will come from adaptation to the local, and from seeing the possibilities that derive from them with a critical eye.

While Santos (2009) makes a claim for "cognitive justice" that raises the voices of those who have been repressed, it becomes evident that communication with the *other* will not work if, as Coombe says, "we maintain control of the conditions of amplification and audibility—drawing otherness back into the range of our own timbers and tonalities of voice" (Coombe 1995:833).

It's important that those other voices are not only heard, but that their recognized validity opens up a space for construction, which is ultimately the end for diverse societies as the Mexican one. A state of communication with the local indigenous must be created. It must be one that allows the production of ideas for policies that are more appropriated for the real characteristics of the population in México. So indigenous artists (as every other artist should) stop being asked to fulfil a role, and can define it themselves; do what they like and only that, or so at least they don't have to do something they don't like. So policies respect local dynamics without introducing new unnecessary sources of conflict and have empowering effects instead of restraining ones. After more than five hundred years of domination, on the bicentennial of México's independence, it's time to dance on our own; it's time to think on our own.

²² The gain is in fact probably greater. This kind of commerce is characterized for a bargaining process, in which the first price is just a reference to start negotiation, and since the specialized shops buy many pieces at the time, this is a good instrument to get a special prize.

References

Literature

- Appadurai, A., 1996. Here and now. In: A. Appadurai. *Modernity at large*. Minneapolis: University of Minnesota Press, 1-23.
- Bartra, E., 2005. *Mujeres en el arte popular*. México: UAM.
- Bhabha, H. K., 1999. *The location of culture*. London: Routledge.
- Blancarte, R., 2007. Introducción. In: R. Blancarte, ed. *Cultura e identidad nacional*. México: Fondo de Cultura Económica, 17-31.
- Bonfil, G., 1999. *Pensar nuestra cultura*. 5ª reimp. México: Alianza.
- Bonfil, G., 2008. *México profundo, una civilización negada*. 3ª reimp. México: De Bolsillo.
- Clifford, J., 1988. *The predicament of culture*. London: Harvard University Press.
- Comandancia General del EZLN, 1993. *Declaración de la Selva Lacandona* [online]. Available from: <http://palabra.ezln.org.mx/comunicados/1994/1993.htm> [Accessed 12 January 2010].
- Comaroff, J., and Comaroff, J., 1992. *Ethnography and the historical imagination*. Boulder: Westview.
- Comaroff, J., and Comaroff, J., 2009. *Ethnicity inc*. University of Chicago Press.
- Coombe, R., 1995. The cultural life of things: anthropological approaches to law and society in conditions of globalization. *The American University Journal of International Law & Policy*, 10 (2), 791-836.
- Coombe, R., 2009. The Expanding Purview of Cultural Properties and their Politics. *Annual Review of Law and Social Sciences*, 5, 393-412.
- De Castro, B., 1993. *Derechos económicos, sociales y culturales. Análisis a la luz de la teoría general de los derechos humanos*. Universidad de León.
- Santos, B. de S., 2002. *Processes of globalization* [online]. Available from: <http://www.eurozine.com/articles/2002-08-22-santos-en.html> [Accessed 6 July 2010].
- Santos, B. de S., 2009. Más allá del pensamiento abismal: de las líneas globales a una economía de saberes. In: L. Olivé, et al. *Pluralismo epistemológico*. La Paz: CLACSO. 31-84.
- Evans, P., 2002. Collective capabilities, culture and Amartya Sen's development as freedom. *Studies in Comparative International Development*, 32 (2), 54-60.
- García, N., 2002. *Culturas populares en el capitalismo*. 6ª ed. México: Grijalbo.
- García, N., and Piedras, E., 2006. *Las industrias culturales y el desarrollo de México*. México: Siglo XXI.
- Gil, M., 2009. Manos expertas moldean irreverencia y erotismo en el barro de Ocumicho. *La Jornada* [online], 9 December. Available from: <http://www.lajornadamichoacan.com.mx/2009/12/15/index.php?section=cultura&article=011n2cul> [Accessed 09 February 2010].
- González, J. A., 2007. Los derechos del pueblo mexicano: México a través de sus constituciones. Paper presented in the *Diplomado Interdisciplinario en Derechos de los Pueblos Indígenas*. Morelia: Facultad de Derecho y Ciencias Sociales, Universidad Michoacana de San Nicolás de Hidalgo.

- Gouy, C., 1985. El nacimiento de un arte tradicional. *Relaciones* [online], 23, VI. Available from: <http://www.colmich.edu.mx/files/relaciones/023/pdf/CecileGouyGilbert.pdf> [Accessed 10 March 2010].
- Gouy, C., 1987. *Ocumicho y Patamban dos maneras de ser artesano*. México: Centre d'Études Mexicaines et Centraméricaines.
- Guerrero, F. J., 1995. Política y patrimonio cultural (las instituciones culturales contra el patrimonio cultural). In: R. Machuca, et al. *El patrimonio sitiado*. México: INAH, 47-54.
- Kongolo, T., 2008. *Unsettled International Intellectual Property Issues*. United Kingdom: Wolters Kluwer Law & Business.
- Macpherson, C. B., 1987. Problems of Human Rights in the late twentieth century. In: C. B. Macpherson. *The rise and fall of economic justice and other essays*. Oxford University Press, 21-24.
- Mackay, E., 2009. Indigenous Traditional Knowledge. Copyright and Art – Shortcomings in Protection and an Alternative Approach. *The University of South Wales Law Journal*, 32 (1).
- Martínez, R., 2004. Enigmas michoacanos. In: F. Castro, et al. *Enigmas sobre el pasado y el presente del pueblo purépecha*. Morelia: Morevallado, 39-54.
- McCormick, P., 2000. *Supreme at last*. Toronto: Lorimer.
- Nader, L., 1990. *Harmony ideology. Justice control in a Zapotec Mountain Village*. California: Stanford University Press.
- Nader, L., 2002. *The life of the law*. Berkeley: University of California Press.
- Padilla, M., 2000. *Ciclo festivo y orden ceremonial. El sistema de cargos religiosos en San Pedro Ocumicho*. México: El Colegio de Michoacán.
- Paine, R., 2000. Aboriginality, authenticity and the settler world. In: A.P. Cohen, *Signifying identities*. London: Routledge, 77-116.
- Pascual, F., 1985. *Las artesanías de Ocumicho*. Cuaderno 57. México: Unidad Regional Michoacán, Dirección general de culturas Populares, Secretaria de Educación Pública.
- Pérez, L., 2003. *El Llano de Pejo: conflicto faccional y lucha por la tierra en una comunidad purépecha*. México: Tesis (Licenciatura en Antropología Social)-ENAH.
- Pérez, M. L., 1995. La discusión sobre el patrimonio cultural en México y su pertenencia para los museos. In: R. Machuca, et al. *El patrimonio sitiado*. México: INAH, 55-71.
- Roth, A., 2004. Agendas etnográficas y enigmas. In: F. Castro, et al. *Enigmas sobre el pasado y el presente del pueblo purépecha*. Morelia: Morevallado, 85-110.
- Sen, A., 1999. *Development as freedom*. Oxford: Oxford University Press.
- Scott, J.C., 2007. *Los dominados y el arte de la resistencia*. 2 reimp. México: Era.
- Stolzenberg, N., 2002. The culture of property. In: R. Schweder, et al., eds. *Engaging cultural differences. The Multicultural challenges in liberal democracies*. New York: Rusell Sage Foundation, 177-193.
- Suárez, A.R., 2007. Una punzante visión de los Estados Unidos (la prensa mexicana después del 47). In: R. Blancarte, ed. *Cultura e identidad nacional*. México: Fondo de Cultura Económica, 111-191.

Legislation

Constitución Política de los Estados Unidos Mexicanos (CPEUM), last reform 27-04-2010 [online]. Available from: <http://www.diputados.gob.mx/LeyesBiblio/pdf/1.pdf> [Accessed 8 July 2010].

Ley de Fomento Artesanal del Estado de Michoacán de Ocampo (LFA), 2000 [online]. Available from: <http://www.casadelasartesanias.gob.mx/institucion/ley-de-fomento-artesanal.html> [Accessed 15 June 2010].

UN, United Nations General Assembly resolution 2200A (XXI), December 16 1966. *International Covenant on Economic, Social and Cultural Rights* [online]. Available from: <http://www2.ohchr.org/english/law/cescr.htm> [Accessed 3 July 2010].

UN, United Nations General Assembly Resolution 61/295, September 13 2007. *United Nations Declaration of the Rights of Indigenous Peoples* [online]. Available from: <http://www.un.org/esa/socdev/unpfii/en/drip.html> [Accessed 3 July 2010].

Institutional web-pages

CASART (Casa de las Artesanías del Estado de Michoacán), 2010 [online]. Available from: <http://www.casadelasartesanias.gob.mx/> [Accessed 15 June 2010].

CDI (Comisión Nacional para el Desarrollo de los Pueblos Indígenas), 2010. *Nombres de lenguas, pueblos y su distribución* [online]. Available from: http://www.cdi.gob.mx/index.php?option=com_content&task=view&id=758&Itemid=68 [Accessed 1 July 2010].

CONACULTA (Consejo Nacional para la Cultura y las Artes), 2009. Sala de prensa: *Artisanos de Ocumicho, portadores de creatividad e imaginación* [online]. Press release No. 2108. Available from: http://www.conaculta.gob.mx/sala_prensa_detalle.php?id=2689 [Accessed 14 May 2010].

INEGI (Instituto Nacional de Geografía y Estadística), 2005. *Search of the "II Censo de población y vivienda 2005"* [online]. Available from: http://buscador.inegi.org.mx/search?tx=Ocumicho&q=Ocumicho&site=default_collection&client=frontend_1&output=xml_no_dtd&proxystylesheet=frontend_1&getfields=*&entsp=a_inegi_politica&Proxyreload=1&numgm=5 [Accessed 17 April 2010].

SECUM, (Secretaría de Cultura de Michoacán), 2009. Press release: *Reciben artesanos de Ocumicho el Premio Nacional de Artes y Tradiciones Populares* [online]. Available from: http://www.michoacan.gob.mx/SECUM/Recibe_Premio_nacional_de_Artes_y_Tradiciones_Populares_2009_Ocumicho_donde_al_Diablo_hace_arte [Accessed 09 February 2010].

SEDESOL (Secretaría de Desarrollo Social), Unidad de Microregiones, 2005. *Diagnósticos situacionales de localidades. Ocumicho* [online]. Available from: <http://cat.microrregiones.gob.mx/cedulas/localidadesDin/portada.asp?micro=MESETA%20PURHEPECHA&clave=160210004&nomloc=OCUMICHO> [Accessed 3 July 2010].

Interviews

I1/A/28-06-2010: Interview 1. Subject: Artist from Ocumicho. 28-06-2010.

I2/A/28-06-2010: Interview 2. Subject: Artist from Ocumicho. 28-06-2010.

I3/A/28-06-2010: Interview 3. Subject: Artist from Ocumicho. 28-06-2010.
I4/A/28-06-2010: Interview 4. Subject: Artist from Ocumicho. 28-06-2010.
I5/A/29-06-2010: Interview 5. Subject: Artist from Ocumicho. 29-06-2010.
I6/A/29-06-2010: Interview 6. Subject: Artist from Ocumicho. 29-06-2010.
I7/A/29-06-2010: Interview 7. Subject: Artist from Ocumicho. 29-06-2010.
I8/A/29-06-2010: Interview 8. Subject: Artist from Ocumicho. 29-06-2010.
I9/A/30-06-2010: Interview 9. Subject: Artist from Ocumicho. 30-06-2010.
I10/C/21-07-2010: Interview 10. Subject: CASART representative. 21-07-2010.
I11/C/21-07-2010: Interview 11. Subject: CASART representative. 21-07-2010.

Annex 1. Methodology and acknowledgments

Methodology



Manos de artista (abiertas). Photography: Lucero Ibarra Rojas

The present paper is a result of a qualitative research carried in the town of Ocumicho, which belongs to the Municipality of Charapan, and the city of Morelia, both in the State of Michoacán in México. The main aim of the research is to answer the question: how have the state policies implemented in the community of Ocumicho to promote the economic function of the art, influenced the cultural life of the community?

For the first part, in depth semi-structured interviews were carried with two men and seven women, attending to the fact that the artists community in Ocumicho is a women dominated scene, all of them artists from Ocumicho, from June 28th to the 30th regarding both the art and the public policies. Seeking to obtain more detailed information about how ideas are spread in the social construction of the community and trying to find the point of view of the community regarding the arts and the public policies.

Previous to these interviews, observation field work was carried in the community from May 17th until July 26th, date of the last visit to the community. The main objective of the field work was to identify the economic role that the art work has for the community and its internal workings as far as its organization and the interaction between its members. Detailed journals of the visits were made on this account. Secondary sources, particularly belonging to State agencies, were also consulted to provide economic indicators, such as the main economic activities, and cultural indicators, such as the percentage of people that speaks indigenous language in Ocumicho.

The observation field work also provided the criteria for the selection of interviewees. While from the beginning there was an intention to respect any internal organization in town, since the fieldwork showed that, although there was a main organization, it wasn't completely dominant or a recognized part of the internal "traditional organization" that is dealt with in the main body of this work, it became important to give account of the different relations established amongst the artists. Therefore within the nine artists interviewed it was tried that different levels of involvement were represented, from being an independent artist to central in the organizations.

This was complemented with a secondary stage carried in the city of Morelia with the CASART (Artisanry House), the State organism identified as mainly responsible for the promotion of the local art. This consisted in interviews with two representatives from the Institution on the 21st of July, regarding the public policies, the notion of indigenous and the understanding of the role of the art in the community. This information was also complimented with the official information to be found in the official website of the institution (CASART 2010).

All of the participants were informed of the general research intentions and were asked for their agreement on the recording of the interviews. At the beginning of which they were also informed that their privacy would be protected as far as this

could be done (details like place of origin and gender of the artists and the work places of the CASART representatives, would be unavoidably detailed), and the right they have to withdraw from the project at any given point. All the interviewees verbally expressed their consent to participate and none declared a desire to be identified in the research.

The community is somewhat used interact with foreigners because of constant external visits, not only from buyers but also from scholars that have been there through time (their impact on the community is also dealt with in the main text of this research), and in general they are quite accessible and talkative. Not only none objected to being interviewed, but were actually rather enthusiastic of the idea. But this easiness in the access does come with a different set of difficulties. They seem to have developed an idea of what is most convenient to tell the foreigner, so what they expressly said sometimes contradicted with their behavior or their expressions in secondary matters. However the effects of this phenomenon are further explored in the analysis presented in the main body of this research.

The formalities inside the community are also rather lax, nevertheless I asked for permission to carry the research with the local authority. I was referred to the chief of tenure for this matter who, according to the habitants of Ocumicho, takes care of the internal matters of the town. But this was done only for insistence on my account, and deemed unnecessary not only by the people to whom I asked for information, but also by the chief himself. They saw no problem at all with having a foreigner asking questions around town. When I went to his office the first time and he wasn't there, the man in charge told me to look for him at his home and assured that this was normal to do on a Sunday or any other day. Yet, I still felt this as intrusive so I decided to concert a visit on a week day, when I brought with me a written document explaining my activity in town, which incidentally also was considered unnecessary.

It's important to keep in mind that the research was carried by a mestizo woman that does not speak the indigenous language or is entirely familiarized with the local culture. I was accompanied in that visit by a young lawyer from a nearby community. He, who was in possibility to understand both cultural backgrounds on the table, explained to me that written permissions were not part of the purhepecha's ways. And that as much as I considered it ethically correct, for them it was unnecessary. What was necessary was my actual presence there to talk to the people. Had I done everything by writing it would have been rather inappropriate.

The language problem was another matter in itself. Although I did not meet anyone in town who didn't speak Spanish, it was still a second language for all the interviewees and they were not entirely comfortable with it and all but the youngest expressed some anxiety over not speaking it properly. So I procured the company of a young woman from the community who understood the language. Although she rarely spoke it, she understood it perfectly and, being a physician working in a purhepecha community, had a lot of experience in working with people that communicated mainly in this language. Her assistance was especially useful at the beginning of the process, while the people got to know me and felt more at ease. And although the interviews were carried entirely in Spanish, this same woman also revised the basic interview questions to assure the terminology was understandable for a person for whom Spanish is a second language.

Regarding terminology, two other aspects were to be considered. The first of them refers to defining of the community as purhepecha, because there is a debate between this term and *Tarasco* (Martínez 2004). What is considered purhepecha or tarasco, despite the common historical past and cultural similarities, is far from being a homogeneous group. Therefore, the stated correct term may vary from group or geographical area, as can do the spelling of the word. Nevertheless, purhepecha seems to be the more common term used both in literature and

political discourse. But most importantly for this research, the people in Ocumicho talk about themselves and others from the same indigenous origin as *purhé*.

The second consideration regarding terminology refers to the definition of the production of the people in Ocumicho as *art*. As a matter of fact they refer to their work as *artisanry* and so does the discourse of some academics and public policies. Others choose the term *popular art*, to separate it from the *educated art*. Differing from the criteria detailed later, I decided to use the word *art*, because I believe that every other can imply a valuation that I do not believe in, nor do I feel in the capacity to make. Both *artisanry* and *popular art* can be understood as ways to undervalue expressions of culture that are created aside from western canons. I do, however, use the term *indigenous art* on occasion, mainly to differentiate what is created in the context of an indigenous culture, as opposed to the mestizo universe.

Still, the legitimacy of the representation portrayed in the analysis is an issue related to the particular chosen study group. To determine who has the right to speak about an indigenous community is a complicated situation. One might challenge the fact that a mestizo woman, with the educational hazards that this imply, is trying to carry a research in an indigenous community. But, on the other hand, the value of the understanding that this might bring, not only to the individual but to the reality of cultures interaction, is a value in itself. It was then extremely important to carry this research with complete respect to the differences and giving credit to the community of Ocumicho for what it can express, both in the art and in the participation in this research. The danger of a foreigner misinterpreting a different culture may always be there, but the best we can do is be aware of it. And the attempt to create dialogue and understanding, and to establish bridges of communication with those that seem to have been ignored by a dominating culture, as long as they are willing, might well be worth the risk.

Another important consideration to keep in mind that as much as there is the possibility to get a deeper knowledge over the community of Ocumicho, and the processes that have been established with some State institutions, this doesn't mean that the results obtained will necessarily be representative as well of the generalized category of indigenous. In this category, diversity is also the rule. Indigenous are different inside México and between different countries, the processes they have lived in relation to the State, the level of contact with the dominant culture and their economic activities, are all elements that can influence the configuration of their identity. So, as much as this research is designed to find the voice of the Ocumicho indigenous, application of its findings to other indigenous communities will be a mistake if not done with proper analysis of those other communities.

However, this research does open the possibility to use a deductive method to relate the theories of the construction of identity with the participation of the State and the modification of these identities for economic reasons, with the reality of at least Ocumicho. And also, to use the inductive method to try to find the voice of the community, their own view of the public policies and the way in which their identity relates to the economic function of art, maybe even to find a more suitable option to promote that art.

Acknowledgments

Ningún trabajo es verdaderamente la creación de una sola persona; cada uno de nosotros es parte de una comunidad de alguna manera. Incluso sin darnos cuenta, nuestras vidas son influenciadas inevitablemente por las personas que nos rodean. La educación que recibimos desde el nacimiento dictará cómo vivimos, qué hacemos, cómo pensamos... quién somos. No hay logro alguno que no le deba a mi familia. A mis padres Ovidia y Francisco Javier, y mi hermana Elena. Su apoyo hace que todo sea posible, e incluso a la distancia son lo más importante en mi vida. Existe también una familia que no obtenemos al nacer, pero que igualmente forma parte de lo que somos. Mis amigos en México, que significan el mundo para mí y quienes me mostraron que la distancia es relativa cuando hay verdadera amistad. And the friends that I met while in Oñati (the locals and those from all over the world) and whom showed me a new world of possibilities and of kind smart people that made Oñati a home.

And last but, definitely not least, I must acknowledge the incredibly talented scholars that I have been lucky enough to meet and that were invaluable to the development of this thesis. This of course includes my family and friends, but also my teachers in the International Institute for the Sociology of Law, the Scientific Director Sol Picciotto and my advisor Peer Zumbansen. From the Institute, I would also like to point out that nothing would be possible without the amazing work of Susana Arrese and all the people that work there and make it the fantastic place that it is. Otros especialistas también merecen el crédito por lo que me han enseñado. Margarito Rosales Garibay y la familia Morales Damian, así como aquellas personas que prefirieron mantenerse en el anonimato pero actuaron como el puente cultural que hizo este proyecto una realidad. Ellos me introdujeron a la comunidad de Ocumicho y al mundo purhepecha que siempre ha estado tan cerca y sin embargo tan lejos.