

Original Law of Property and Liminality of Biocultural Heritage in Mexico

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Abstract

According to Article 27 of the Mexican constitution, the original law of property involves the allocation of the territory by the Nation, represented by a historical group of power, who grants people the usufruct of a part of that space, generating private ownership. However, this territorial exercise defined by positive law struggles with the holistic configuration of biocultural heritage, which includes distinguished interventions in the physical and biological elements of the landscape, following the reference worldview, necessarily considering ancestralism, territoriality, and sustainability defined by the participating groups and communities. In this sense, an evident geohistorical rupture is observed in the uncertainty and conflicts related to the integrated management of the landscape. Therefore, it is proposed to go through this liminality from a legal pluralism supported by environmental history and political epistemology as guidelines that consider the production of physical and biological space as sociocultural evidence over time, from the horizontal knowledge-sharing oriented to redistribute territory sponsored by historical and epistemic justice, going beyond standardized speeches.

Keywords: environmental history, geohistory, landscape, legal pluralism, political epistemology