

# ***Sucesión agraria: Mirada desde el proceso de enseñanza de la asignatura “Seminario de Derecho Agrario”***

## ***Agricultural Succession: A Perspective from the Teaching of the Course “Seminar on Agricultural Law”***

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**RESUMEN:** El estudio de la sucesión agraria proporciona a los estudiantes el desarrollo de habilidades en la búsqueda de información relacionadas con los contenidos que recibe, así como la preparación para dar solución a los problemas de la sociedad de forma general. El objetivo del presente trabajo es realizar una revisión sistemática relacionada con la sucesión agraria vista desde el proceso de enseñanza-aprendizaje del Derecho Agrario en México, específicamente en la Universidad de Sonora, Campus Caborca. Se realizó un estudio descriptivo documental con diseño no experimental y transeccional basado en el análisis de varias literaturas especializadas sobre la referida temática.

**Palabras clave:** Sucesión agraria; Derecho agrario; Proceso de enseñanza-aprendizaje; Formación profesional

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**ABSTRACT:** The study of agricultural succession helps students develop information-searching skills related to the course content, as well as prepares them to address societal problems in general. The objective of this paper is to conduct a systematic review of agricultural succession from the perspective of the teaching-learning process in agricultural law in Mexico, specifically at the University of Sonora, Caborca Campus. A descriptive documentary study with a non-experimental, cross-sectional design was conducted, based on the analysis of various specialized literature on the subject.

**Keywords:** Agrarian succession; Agrarian law; Teaching-learning process; Professional training

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## **Introduction**

Agrarian succession is one of the topics covered by students enrolled in the curriculum designed for the law degree program.

The core course in which this content is taught is the Seminar on Agrarian Law, which students take in the fifth semester of the aforementioned university program.

In this regard, it is important to highlight the legal and social significance of the specialized legal regime, particularly Agrarian Social Law within the Mexican legal system.

The foregoing takes on greater relevance when one considers that slightly more than 30% of Mexico's total land area is subject to the agrarian regime.

According to the National Institute of Statistics and Geography (INEGI), as of August 2005, a total of 26,476 agrarian communities in Mexico held 83,501,291 hectares, with a total census of 4,294,963 ejido members.

These statistics demonstrate the importance of planning and implementing activities that ensure the training of professionals with a high level of knowledge regarding the origin and evolution of the legal regime governing property and land tenure, so that they can identify the subject matter of agricultural law, as well as its connection to other branches of law and other fields from a professional perspective.

In this educational setting, once students have acquired knowledge of the basic aspects of agricultural law, this will serve as a foundation for further, more in-depth studies.

The course, therefore, provides students with knowledge regarding the legal system comprising agrarian inheritance law, the criteria for classifying communal lands, as well as the diverse regime of small-scale property rights.

Additionally, emphasis is placed on the study of agrarian justice administered by the competent courts, the study of the various forms of organization and participation in agrarian societies, among other topics.

At the university, deficiencies have been identified among students regarding their mastery of agricultural law, specifically the subject matter related to agricultural succession, stemming from various causes, among which the limited use of strategies to enhance learning stands out, as well as low student motivation toward the subject.

Given this underlying reality, the purpose of this research is to conduct a systematic review of agricultural succession from the perspective of the teaching-learning process in agricultural law in Mexico, specifically at the University of Sonora, Caborca Campus. A descriptive documentary study with a non-experimental, cross-sectional design was conducted, based on the analysis of various specialized literature on the subject.

In the Agricultural Law Seminar course, the university professor has several teaching modalities or methods at their disposal to guide the teaching-learning process.

In this regard, the competency-based curriculum model provides specific activities that can facilitate learning and the development of professional competencies in the field of law.

In this way, students will develop conceptual competencies that are explanatory, evaluative, and descriptive.

## **Development**

Historically, universities have made it a top priority to address societal demands regarding how to train professionals to the required standard of quality.

To conduct in-depth scientific research into issues of concern to society and, based on the findings, contribute to both institutional and legislative development.

In this regard, it is important to note that the Political Constitution of the United Mexican States (1917) enshrined social rights—those that enable groups to meet their most pressing needs, including well-being, social protection, health, and material security.

Thus, Article 3 emphasizes the State's obligation to provide free, compulsory, and secular education. Meanwhile, Article 27 specifically outlines the nation's rights over natural resources, establishing the principles of the Mexican Agrarian Reform, such as the social guarantee of peasants' right to land, as well as the State's obligation to proceed with the subdivision of large estates for the redistribution of land.

This allowed ejido and communal units to be granted legal personality.

Furthermore, it protects the integrity of indigenous groups' land under the law. Meanwhile, Article 123 establishes respect for workers' achievements with the aim of improving working conditions, notably including access to culture, work, health services, housing, food, and recreation.

Taking all these factors into account, the University of Sonora—specifically the Academy of Methodology and Social Studies within the Department of Social Sciences and the Interdisciplinary Faculty of Social Sciences at the Caborca Campus—is conducting a research project titled **“Study of Agrarian Succession in the Municipality of H. Caborca, Sonora.”**

The field of study covers Legal Sciences and Law; the discipline is National Law and Legislation; and the subdiscipline is **Agricultural and Mining Law**.

The beneficiary sectors are those located in rural and suburban communities.

The proposed topic is addressed through current legislation, case law, and textbooks by authors from both Mexico and other countries who have researched the subject in question.

The research aims to understand the issues surrounding agrarian succession in the ejidos of the municipality of Heroica Caborca, Sonora, Mexico.

It also analyzes the different types of succession, including administrative succession through voluntary jurisdiction or through contentious agrarian proceedings.

Additionally, it addresses the issue of the information or lack thereof held by holders of agrarian rights and identifies the reasons why succession lists are not prepared in accordance with agrarian law.

This is a qualitative exploratory study that aims to identify the existing problems.

In the specific case of this research, the focus is on agrarian succession and the relevant constitutional and agrarian law reforms.

For the institution, the research project “Study of Agrarian Succession in the Municipality of H. Caborca, Sonora” is considered one of the guiding principles (III) for generating relevant, high-impact research focused on addressing current issues with social impact that future legal professionals must confront.

### **A Study of Agricultural Succession in the Municipality of H. Caborca, Sonora, Mexico**

Caborca is a city located in the northwest of the Mexican state of Sonora. It was founded in 1693 by the Jesuit missionary Eusebio Francisco Kino.

This city is the seat of the municipality of the same name.

The agrarian structure in the northwest region is composed as follows:

- Ejidos 80
- Communities 2
- Individuals without a succession list 1,281

A key feature of the city of Caborca is the Agrarian Prosecutor's Office, which comprises the following elements: Coverage:

- **Coverage:** Covers 17 municipalities, including Caborca
- **Ejidos:** Supervises a total of 230 ejidos
- **Communities:** Serves 12 communities in the region

## **Types of Succession**

### **Intestate**

Regulated by law when there is no list of succession.

Article 18 of the Agrarian Law: Requires the intervention of a Unitary Agrarian Court

Testate:

Recognizes the wishes of the deceased as expressed in a will or list of succession filed with the RAN or a notary public. Article 17 of the Agrarian Law

To contribute to the training of law students with high professional competencies, it is important to integrate the content of the various courses they take, viewing the student as a central figure in the process.

Among the professional competencies that students must develop are the ability to gather and interpret the most relevant data for resolving problems that arise in the field of Agricultural Law, acquire basic knowledge of agricultural jurisdiction, and know, understand, analyze, and apply the principles of Agricultural Law and its procedures, among others.

That is why, during the teaching and learning process for the course on Agricultural Law—as one of the branches of law—university professors must take several essential elements into account. These include: the high-quality teaching resources to be used, students' levels of knowledge retention, and cognitive independence, among others.

This will help improve the quality of the processes and thus ensure the students' comprehensive education.

Given the importance of graduating students with high professional competence and equipping them with specialized legal knowledge in agricultural matters, when teaching content related to

agricultural succession, the university professor must explain to them the reasons for the existence and emergence of Agricultural Law and its specialization.

Furthermore, in this process of professional training—both continuing and ongoing—students must acquire basic knowledge related to the subject of agricultural succession as an essential part of Agricultural Law.

This knowledge includes:

- The concepts of civil and agricultural succession
- The differences between civil and agricultural succession
- Legitimate succession: civil and agrarian. Formalities in successions by last will and testament
- Procedures established in the Civil Procedure Code of Sonora for successions. The Agrarian Law (1992)

From a legal standpoint, the term “succession” is understood as substituting one person for another within the framework of a legal relationship involving property and rights.

Hence, in all cases where there is a transfer of property, succession occurs.

According to Bonnecase (1980), succession refers to any purely subjective change in a legal relationship, and in a somewhat more limited sense, it is understood as the subrogation of one person into the transferable property and rights left by another upon their death.

For his part, De Pina (1988) states that succession is:

(...) the substitution of one person for another in the transferable rights of the latter. And succession mortis causa is that which occurs as a consequence of a person's death, whereby their rights and assets pass to the new holders. (p. 4)

According to Article 1356 of the Civil Code for the State of Sonora, inheritance is the succession to all the deceased's assets and all their rights and obligations that are not extinguished by death.

Meanwhile, Article 17 of the Agrarian Law (1992) states that the ejido member has the authority to designate who shall succeed him or her in their rights to the plot and in the other rights inherent to their status as an ejido member, ... (allocation of rights upon their death).

In civil succession, the following are transferred:

- Property
- Rights
- Obligations

Whereas in agrarian succession, only the following are transferred:

- Agrarian rights
- Land rights
- Common-use rights
- The rights of the regular possessor may also be transferred by succession.

Another criterion for determining the differences between civil succession and agrarian succession is **the forms of transfer by succession**.

In this regard, it is important to note that in civil succession, the will is considered the expressed intent of the testator.

Furthermore, intestate succession is the legal procedure applicable when the testator's last will was not expressed.

However, in agricultural succession, a list of succession is drawn up, which must include the names and order of preference established by the holder of the right.

This list is filed with the National Agricultural Registry (RAN) or formalized before a notary public.

With regard to intestate succession, Article 18 states that this applies when no heirs are designated, and Article 19 governs all matters related to situations where there are NO heirs.

Another aspect to consider when distinguishing between civil succession and agrarian succession is the procedures established in the Civil Procedure Code of Sonora and in the Agrarian Law for successions. See Table 1.

**Table 1.**

*Procedures established in the Civil Procedure Code of Sonora and the Agrarian Law for successions*

| CIVIL                                                                                                                                                                                                                                                                                                                                                                                                   | AGRICULTURAL                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>I. Testamentary succession, when the estate is distributed by will.</p> <p>II. Intestate succession or statutory succession, when the estate is distributed in accordance with the law.</p> <p>The following procedures may be followed:</p> <p>I. Before a court, regardless of the circumstances;</p> <p>II. Out of court, before a notary public, but only in cases where the law so permits.</p> | <p>I. Administrative proceedings before the National Agricultural Registry.</p> <p>II. Voluntary jurisdiction proceedings before the Agricultural Court.</p> <p>III. Contentious proceedings before the Agricultural Court.</p> <p>Testamentary succession (Article 17).</p> <p>Intestate succession (Articles 18 and 19).</p> |

**Source:** Self elaboration

It is important to highlight that, in order to deliver this content; the professor may use various teaching resources in the subject Seminar on Agrarian Law.

**Suggested teaching resources to be used in the Seminar on Agrarian Law course at universities:**

- Court case files
- Films
- Photocopies of documents
- Contracts
- Case studies where students can determine which rules apply and how to resolve a specific conflict.
- Newspapers
- Videos
- Journals
- Planning field visits to ejidos and communities (with or without indigenous populations) located in the area.

Programs should also be developed to train legal professionals in the various aspects related to Agrarian Law, providing them with tools that facilitate the correct interpretation and application of agrarian regulations, as well as appropriate professional advice.

Train law professionals to solve specific agrarian legal problems.

Involve students in the socio-economic issues that impact Agrarian Law.

Through the use of these teaching resources, students will be able to reflect on the legal and territorial aspects of agrarian law as it applies to each legal subject.

The results obtained will constitute updated material for students enrolled in the Bachelor's Degree in Law who receive the basic content of the Seminar on Agrarian Law course.

## **Conclusions**

The semantic review of agrarian succession is aimed at enabling students to acquire knowledge regarding the legal system constituted by agrarian succession law, the classification criteria for ejidal lands, as well as the varied regime formed by intellectual smallholdings.

In summary, the semantic review related to agrarian succession within the teaching-learning process demonstrates its importance for the training of professionals with a high level of knowledge in the subject of Seminar on Agrarian Law.

## **Bibliographic References**

Bonnecase, J. (1980). *Elementos del Derecho Civil*. Porrúa.

Constitución Política de los Estados Unidos Mexicanos. (1917, 5 de febrero). *Artículo 3ro y 27*. México.

De Pina, R. (1988). *Diccionario de Derecho*. Porrúa.

Ley Agraria (México). (1992, 26 de febrero). *Artículo 17 y 18*.