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Bolivia's Unfinished Agrarian Reform: Rural Poverty and Development Policies

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The Bolivian revolution of 1952 was a turning point in the country's history. The revolutionary upheaval in the countryside resulted in one of the most drastic agrarian reforms in Latin America. Together with the Cuba revolution of 1959 it signalled an era of land reforms throughout most of Latin America during the 1960s and 1970s. Almost half a century had elapsed since the Mexican revolution of 1910-17, in which the peasantry were major protagonists, before they were able again to overturn the traditional landlord system but this time in Bolivia. However, Bolivia's agrarian reform of 1953 generated highly contradictory processes whose consequences have assumed dramatic proportions today threatening the national integrity of the country. Despite Bolivia's long history of agrarian reform the land question is at the centre of the contemporary political debate like in no other Latin American country, especially since the early 1990s when the land issue became enmeshed with the ethnic and indigenous question. This essay explores the various forces unleashed by the agrarian reform, some paradoxical and conflicting, which have subsequently led to a so-called 'second agrarian reform'. It also seeks to explain the reasons for the persistent rural poverty and the renewed relevance of the land question in Bolivia. The essay closes with a summary and some reflections on the whole process started by the 1952 revolution as well as making a few recommendations for a development strategy which is capable of dealing with the land and poverty problems.

1. Introduction

Bolivia achieved independence from Spain and became a Republic in 1825 but with a marked exclusionary character. The emergent state explicitly denied citizenship rights to the indigenous population which, at that time, represented 80 per cent of the Bolivian population. When the Republic was founded, indigenous forms of social organisation, of land tenancy and labour use – shaped by colonial patterns of domination – were not flourishing. On the contrary, in many cases – and especially with respect to access to land – they were deteriorating (Klein, 2003).

The colonial regime subordinated and utilised the forms of organisation and labour relations of the *ayllus*¹, with the aim of supplying the silver mines of Potosí with an unpaid workforce by means of forced labour (Klein, 1993). Rather than destroying indigenous forms of territorial organisation, the Spanish Conquest subordinated them to its own interests and many ancient *ayllus* came to be known as ‘*comunidades*’ (communities) according to the old medieval Spanish usage of the term. The *caciques* or heads of the *ayllus* became known as ‘*taseros*’ (assessors) and had the task of collecting taxes from the indigenous subjects of the Crown (Klein, 2003). These pre-colonial forms still prevail today, 500 years later, in some parts of the western Andes, where there are significant overlaps between existing local political administrative and territorial structures (*provincias, cantones, secciones, municipios*) and the earlier territorial forms of organisation (*señorios, ayllus, markas*).

In 1870, half a century after the founding of Bolivia, the *hacienda* (large landed estate) regime began to develop by usurping lands belonging to the indigenous communities, a process euphemistically known as ‘*ex-vinculación*’ (de-linking). Parliamentary records of the time reflect the intense debate which took place and the final shape of the public policies on

¹ *Ayllus*, or self-governing Indian communities, are pre-Colombian forms of social, political and economic organisation, operating within a specific territory, and usually including several hamlets (*caseríos*) in continuous geographic units.

the indigenous question and on access to the land-territory (*tierra-territorio*). “Land in indigenous hands is dead land” was the saying of those who wanted to end the regime of communities and who pressed for the compulsory transfer of community lands in the Andean highlands and the valleys to the minority *criollo-mestizo* (people of Spanish descent and mixed race) groups who controlled the state apparatus (Pearse, 1975; Langer, 1989).

This dispossession – by means of a supposedly public auction – changed the property structure, access to and use of land, and the local political administrative organisation. By the end of the 19th century the best agricultural and grazing land of most indigenous communities had become the property of the *hacienda*. As in many other Latin American countries, the *hacienda* symbolized modernity. On the one hand it meant the incorporation of new technologies to improve yields and surpluses and, on the other, it meant the appropriation of land-rent by means of the labour services of ‘*pongos*’, ‘*colonos*’ and ‘*peones*’ who were obliged to work for the landlord or *patrón* in return for the provisional and precarious usufruct of a family parcel on the *hacienda* (Larson, 1988).

The *hacienda* regime, which lasted for almost a century until the middle of the 20th century, met with particular resistance from the indigenous quechuas and aymaras who refused to give up their claims to the land which had been expropriated from them. Attempts to recuperate their land included judicial action, indigenous uprisings and reducing food supplies for the market. The growing discontent of the 1940s and peasant rebellions, following the deaths of thousands of indigenous people in the Chaco War², led to the Agrarian Reform Law of 1953 which brought an end to the regime of servitude (Calderón and Dandler, 1986; Rivera, 1987). This law juridically recognizes the “*Solar Campesino*” (peasant household plot) as a vital space for the construction of the family dwelling, corrals for livestock, and stores for agricultural equipment. The ‘*solar*’ forms the nucleus of the ‘small property’ which spread rapidly throughout the whole western Andean region in a complex process of fragmentation of landed property rights, of labour and the partial incorporation into the market economy, within the framework of the political and administration organisation of the community. Under the 1953 agrarian reform the State recognized *de facto* – if not *de jure* – the ‘original communities’ (those which were not expropriated during the Republic), the ‘communities *ex-hacienda*’ (constituted by *peones* or labourers from the *ex-latifundios* or large landed estates) and the ‘new communities’, created following the agrarian reform at the instigation of landless rural families. The juridical recognition of the peasant and indigenous communities had to wait until the land law of 1996 (also called ‘Ley INRA’).

The 1953 agrarian reform law was not part of a prophylactic policy against the spread of communism as occurred in other Latin American countries after the Cuban revolution. Nor was it a planned public policy. What distinguishes the Bolivian Agrarian Reform is its endogenous character, its strong roots in the indigenous identity, its outwardly redistributive orientation and the lack of clear public policies to support rural development. This lack led to the failure of the process in terms of achieving a sustainable improvement in rural family incomes and a strengthening of national food security.

However, the Bolivian agrarian reform was a notable success when seen as an economic and social process which historically restored indigenous territorial claims. In addition to freeing the labour force, it led to a dynamic economic expansion for the first generation of peasant land reform beneficiaries until the early 1960s, and in particular the

² The Chaco war (1932-35) between Bolivia and Paraguay resulted in the loss of a large part of Bolivia's vast Chaco territory to Paraguay in which tens of thousands of people died.

strengthening of their communal organisation. The indigenous population, on gaining free and direct access to the land, to their own forms of organisation under the rubric of 'agrarian trade unions' and to political hegemony over rural territorial space, were transformed into the central actors of the revolution, organising armed militias to consolidate and defend their recently recovered land. But the rapid abandonment of the agrarian reform of 1953 by public institutions and by the very party which had propelled it, the MNR (*Movimiento Nacionalista Revolucionario* or National Revolutionary Movement) condemned it to failure in terms of achieving a form of inclusionary and sustainable rural development.

In the following years, the State privileged the construction of roads from the western Andes (the highland and valley regions) to the eastern plains or lowlands (the *llanos* or *tierras bajas* region), investing there in an infrastructure for agricultural and livestock production, in sugar and oil refineries and in forestry, thereby opening up the eastern plains to national development. In the 1960s and 1970s important colonisation programmes were introduced, leading to the settlement of indigenous aymaras and quechuas from the western Andes to the eastern lowlands (Wennergren and Whitaker, 1975). However, the spontaneous colonisation (following the roads) was just as important as State-sponsored colonisation schemes. Remarkably, spontaneous settlers were economically more successfully than those settlements which had been established by the State (Zeballos, 1975). It is thus not surprising that spontaneous colonisation becomes dominant, especially after the State abandons the State-sponsored colonisation schemes in the early 1990s. But this expansion of the agricultural frontier towards the east was accompanied by an arbitrary process of reconcentration of land ownership in the hands of a minority of *mestizos*³, both civilian and military, who supported the government of the day (Gill, 1987).

The 'conquest of the east' consolidated two productive structures, corresponding to two forms of land ownership. In the western Andes, family production remained linked to the small landed property under the organizational aegis of the indigenous communities, while in the eastern plains capitalist agro-enterprises underwent a rapid expansion, concentrating most of the land suitable for crops and pasture. Since then, these two extreme models have turned their backs on each other, co-existing without interacting, while competing for the attention of the State. However, it is the indigenous population from the western Andes which provided most of the labour force for the eastern plains.

At the beginning of the 1990s, the colonisation programme of the agrarian reform collapsed as a public policy. The human settlement programmes were stalled by the profitable cultivation of coca leaves in the tropical regions, and with the support of international bodies and the environmental movements, large parks and forest reserves were created with the aim of reducing environmental degradation supposedly caused by human settlements. While these did stem the expansion of the spontaneous colonisation of peasants-indigenous people expelled from the Andean highlands and valleys in search of land in the eastern plains, it did not affect the interests of large entrepreneurs and owners of *latifundios* who continued to leave large tracts of land unexploited.

The failure of the 1953 reform is not only seen in terms of the unequal distribution of land in the plains, but also in the way the administration of the land became a victim to corruption and bureaucracy (Hernández, 1993). In one such instance, in 1992 even a Minister of State attempted to appropriate free of charge 100,000 hectares of some of the best land in the

³ *Mestizos* are people of mixed race, generally of mixed Spanish and Indian descent.

plains for the cultivation of soya. Nor is this an isolated case. Political favouritism and patronage gave rise to a black market in land in the east of Bolivia. These events prompted in 1992 the 'intervention' of the *Consejo Nacional de Reforma Agraria* - CNRA (National Council of Agrarian Reform) and the *Instituto Nacional de Colonización* - INC (National Institute of Colonisation) which brought to an end the first stage of the agrarian reform from 1953 to 1992 (Hernández, 2002). Aside from the initial radical changes in favour of peasants in the Andean region, the Bolivian agrarian reform failed to achieve its objective of reducing rural poverty. So, what is to guarantee that a second agrarian reform will do any better?

In the 1990s, with the rise of structural adjustment policies, international agencies have been advocating throughout Latin America the paradigm of a 'market in land' as a solution to the 'failure of redistributive agrarian reforms'. Since then many countries have encouraged the free purchase and sale of community lands and family peasant properties and have focused their attention on clarifying private property land rights. The premise is that once private ownership is assured, the market can allocate the factors of production (land, labour and capital) more efficiently than the State, and thereby achieve growth (Deininger and Binswanger, 2001).

In 1996 a new land law - the INRA law (*Instituto Nacional de Reforma Agraria* or National Institute of Agrarian Reform) – was passed with the aim of clarifying and regularising land rights, a process which is called *saneamiento* or land titling process (Fundación TIERRA, 1997). However, unlike in other countries of the region where the land titling process has been restricted to registering property rights, the Bolivian law is more ambitious and complex. Faced with the administrative chaos and widespread illegal land rights, especially in the eastern plains, the new law insists on identifying the technical or legal reasons for annulling or confirming land ownership. This process has been advancing slowly and without much conviction since 1996. The process, which has now been going on for ten years, has experienced many technical, financial and political difficulties.

2. The Mapping of Poverty in Bolivia: Regional, Ethnic and Gender Dimensions

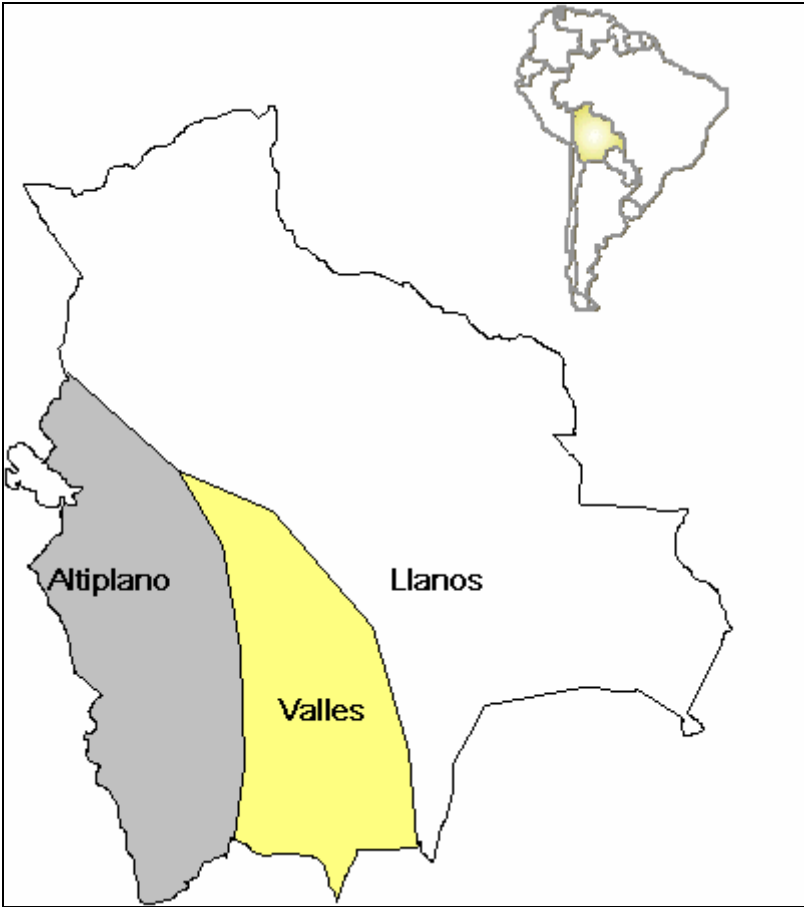
As in other Latin American countries, the main demographic characteristic of the past half century has been the rapid growth of cities due to a sustained process of out-migration from countryside to city. What are striking are the high levels of poverty and the extreme unequal distribution of income. As is common throughout Latin America the incidence of rural poverty is much higher than urban poverty but the difference is particularly acute in Bolivia. Bolivia has one of the worst income distributions of Latin America having a Gini coefficient of 0.614 in 2002. Income inequality was also more severe in the rural sector (0.632) than in the urban sector (0.554) (ECLAC, 2004: 301-305).

2.1 Regional distribution of poverty: Highlands, Valleys and Plains

In Bolivia there are three main geographical zones: highland or highland plateau (*altiplano*), valleys (*valles*) and plains (*llanos*), also known as the Andean region, the sub-Andean region and the lowlands (*tierras bajas*), respectively - see Figure 1. The highland accounts for 28% of total land area, the valleys 13% and the plains 59%. In demographic terms, 42% of the population live in the highland, 29% in the valleys and 29% in the plains. The highland and valleys account for 7 out of every 10 people who live in the rural area of Bolivia. In sum, the

highland and valleys account for less than half of the territory but are home to the majority of the rural population living in very unfavourable ecological and environmental conditions.

Figure 1: Map of Bolivia and its Three Geographical Zones



Regional distribution of poverty has one constant feature, the poorest region is the highland, followed by the valleys and then by the plains. The incidence of poverty is much higher in the highland (69.8%) and valleys (69.2%) than in the plains (53.9%) as can be seen in Table 1. In terms of extreme poverty (or destitution) it can be observed that the gap is even greater between the highlands and valleys as compared to the plains. While 43.6% and 42.5% of the highland and valley population respectively experience extreme poverty this figure drops to 23.0% in the plains. These regional differences as well as the internal characteristics of each sector mean that the poor are not a homogeneous group. Rural poverty replicates the regional differences mentioned at the national level. While 59.4% and 63.9% of the highland and valley rural population live in extreme poverty this figure drops to 32.2% in the plains as can be seen in Table 1. There is also a marked asymmetry in the incidence of poverty between the rural and the urban population. While in the rural area more than 80% of the people live in poverty, in the cities less than 40% of the population do so.

Table 1: National and Rural Poverty Profile by Region in Bolivia, 2002

Description	N° of Persons (thousands)	Persons %	Income per Capita of Households (Bolivianos)	Incidence of Poverty %	Incidence of Extreme Poverty %
Total National	8.488	100,0	378	64,6	36,8
Highlands	3.404	40,1	288	69,8	43,6
Valleys	2.398	28,3	334	69,2	42,5
Plains	2.686	31,6	532	53,9	23,0
Rural Area	3.212	100,0	142	82,2	55,0
Highlands	1.377	42,9	128	86,1	59,4
Valleys	1.128	35,1	115	84,8	63,9
Plains	708	22,0	215	70,3	32,2
Migration					
Non Migrant	1.759	66,4	120	85,4	60,7
Migrant	891	33,6	201	72,4	38,6

Notes: *Incidence of Poverty* refers to the population that is below the poverty line which is calculated according to the minimum income required to satisfy basic needs. *Incidence of Extreme Poverty* refers to the population whose income is so low that even if they allocate it exclusively to food it would not satisfy the minimum nutritional requirements.

Source: Elaborated with information from the Instituto Nacional de Estadística, *Encuesta de Hogares y Medición de Condiciones de Vida*, La Paz: INE, November 2002.

One criterion which clearly helps to distinguish the factors which determine poverty in each region is access to land. In the highland and valleys, the peasants and indigenous population have access to poorer quality and less land. In the plains, by contrast, there is a greater abundance of fertile land, although it is not always in the hands of poor peasants and indigenous people but in those of medium sized and large landowners (Roca, 2001). On the other hand, in the plains part of the peasant-indigenous population marginally share in the benefits of agro-industry, being employed as wage labourers (*peones*) and seasonal workers, whilst those settled in the colonised lands (the '*asentados*') draw some benefit from the land by participating in market activities. It is interesting to note that the migrant population in the place of reception has a higher per capita income and a lower incidence of poverty. For example, the migrants have a per capita income of 201 Bolivianos compared to the non-migrants' 120 Bolivianos as can be seen in Table 1. In other words the migrants have 70% more income than the non-migrants. The migrants are peasants from the highland and valleys who have emigrated to the plains.

Another way of comparing differences between the poor across regions is by comparing their links with the economy, which determine the way in which they use their assets and participate in production. In the highland and valleys they usually produce non-marketed goods for their own subsistence with the exception of some milk and meat, while in the plains the peasants and colonizers produce agricultural inputs for the agro-industries, so that they are largely producing commodities for a fully commercialized economy (Roca, 2001). Rural inhabitants are not only vulnerable because of their precarious economic and

productive situation but because the seasonal and fluctuating nature of their agricultural activities make the end result risky and uncertain. In sectors which are more linked to the market, such as the plains, small producers are at the mercy of price fluctuations while in the highland and valleys risks are linked to changing climatic conditions which, according to the peasants, have recently become much more unstable.

2.2 Ethnic and gender composition of rural poverty

Poverty is not only mainly rural but also indigenous and feminine. This situation is even more marked in Bolivia as 62% of the total population over 15 years of age self-identify as indigenous, a figure which increases to 78% in the rural area. In Bolivia 80% of the indigenous population fall below the poverty line in comparison to 40% of the non-indigenous population (CEPAL, 2002). This situation is not a coincidence but has historical roots. Up until the agrarian reform of 1953 the indigenous people, especially those in the highland and valleys, were practically subordinated to the *haciendas* by relations of servitude, a fact which constrained their development as a social group and as individual citizens. Bolivia currently has 35 indigenous groups mainly concentrated in the lowlands, although lowland groups are much fewer in terms of actual numbers. The indigenous people of the Amazonian lowlands used to be, and still often are, hunter-gatherers. They are also different culturally as well as in their social organization and settlement pattern to the aymara and quechua peasantry. The guaraní is another distinctive indigenous group who mainly live in the southern lowlands in the *Chaco* region which borders with Paraguay. Despite the widespread cultural diversity, the indigenous quechuas and aymaras make up 90% of the total Bolivian indigenous population. Quechuas account for 30.7%, followed by aymaras with 25.2% of the country's total population (including the non-indigenous population). The other indigenous groups are much less numerous (6.1%) (INE, 2001). The indigenous population largely inhabits the western region, precisely those Andean territories which are the poorest in the country. To generalise roughly, one can say that the highlands are inhabited by aymaras, the valleys by quechuas and the plains by other indigenous or native peoples from the east and Amazonia.

Statistics show that while rural poverty affects the entire indigenous-peasant population, women confront greater impoverishment because of their role in the production of foodstuffs, reproduction and care of children, production of a monetary income and household tasks. Rural women have been most affected by the lack of recognition of their status as producers, a fact which excludes them from state and private actions and which has prevented them from gaining access to land ownership, credit, technology and other public services. Data from INRA show that a large part of the property titles assigned under the 1953 agrarian reform were in the name of the male head of household. Nevertheless one of the clauses of the 1953 agrarian reform was quite visionary by defining beneficiaries without distinguishing by sex yet another clause limited beneficiaries on the *haciendas* to widows with small children (Deere and León, 2001: 74). The agrarian reform was thus contradictory and in practice it has failed to overcome gender discrimination as only 17.2% of agrarian reform and colonisation beneficiaries were women up until 1994 (*ibid.*: 75). Although the 1996 INRA Law include a statement of principle or intent for granting land titles to women, until now this has been marginal. What is missing in the Ley INRA is a pro-active mechanism of incorporation of women such as titling to couples and priority to female household heads. The delay in processing land titles and land redistribution with respect to women also means deferring the application of a policy designed to overcome the gender discrimination as set out in the 1953 agrarian reform law (Salazar, 2003).

The Civil Code specifies that inheritance – in this case the land – should be distributed equally between sons and daughters but, in practice, men have accumulated more land than women. This has its origin in traditional social practices which have discriminated against women. Agricultural work has been considered to be men's work; the sexual division of labour assigned women to the domestic and reproductive space and men to the productive public space. This vision has prevented the extent of and the multiple ways in which peasant-indigenous women participate in economic activities from being seen and their contribution from being reflected in the official statistics.

Many studies concur in pointing out how property and security of land rights strengthens, protects and increases the bargaining power of women in both public and private spheres. It gives them economic security and opens up the possibility of empowering them socially and politically (Agarwal, 1994). Women tend to invest the income which they earn in the home, in the welfare of their children, more than men do. Granting land to women means improving family well-being. Moreover, women stand out as producers of basic foodstuffs for the family basket and as such, women's access to land is linked to food security (Deere and León, 2001). In the rural area, economic activity evolves around the family: the family is the unit of consumption and production so it is difficult to estimate the incidence of rural poverty by gender. What is certain is that peasant families as a unit suffer poverty, and that this falls most heavily on women when men migrate in search of non-rural income or simply reside permanently or temporarily in urban centres. Where indigenous women gain access to wage work, they tend to occupy low status jobs both in terms of the type of activity undertaken and the level of income received (Valenzuela, 2004).

The above can be summarised by saying that there is a clear correlation between poverty, living in a rural area (especially the highland and valleys), belonging to an indigenous group and being a woman. Such a condition is both consequence and cause of the social exclusion of the indigenous population. This issue is the subject of debate amongst rural actors, policy planners, non-governmental organisation and international bodies. Political parties prefer to evade their responsibilities when it comes to defining public policies of rural development. Rural social conflicts, marches, road blockades, land seizures, which have intensified since 2000 expose the profound crisis of a nation which at its birth excluded the indigenous majority and which today attempts to construct a new social pact by means of the Constituent Assembly, originally envisaged for 2005 but postponed for 2006 due to the country's continuing political instability.

2.3 Critique of poverty approaches

One of the characteristics of Bolivia in the past 20 years is the fact that income, employment and productivity have stagnated, thereby leading different governments to propose reducing extreme poverty by means of 'pro-poor' strategies. Within this framework, and under the auspices of international agencies, in 2001 the Bolivian Strategy of Poverty Reduction (EBRP) as a policy for combating poverty was set up, with the financial support of resources arising from the cancellation of the foreign debt for Highly Indebted Poor Countries (HIPC), approximately 1,400 million dollars. The disappointing results of the poverty reduction strategy in Bolivia over the past five years (Komives *et al.*, 2005) is giving greater credence to an almost forgotten vision, i.e. that one cannot devise strategies to combat poverty if the structural conditions which produce it are not addressed. Within such a perspective the distribution of resources and power within and between countries becomes paramount.

It became commonplace to think that only by working with the poor would one find a solution to their poverty. The adoption of this point of view meant the abandonment of the focus on a modern globalising society which generates so many poor and continues increasingly to produce them. The basic condition was neither to question nor to intervene in the organisation and functioning of society, understood as a set of relations in which social actors with divergent and contradictory interests are engaged. Some of the current prevalent poverty approaches think of the poor and not of the society. The ‘question of poverty’ has concealed and annulled the ‘social question’. The political consequence of such an ideological distortion has been to substitute the ‘struggle against poverty’ for that of social struggles. This ‘poortology’ (*pobretología*) is nothing other than a perverse focus which assumes the abandonment of the social struggle. It assumes that the causes of poverty lie in the poor themselves, that poverty is external to or outside the society which produces it, that one can combat poverty without affecting the society and wider international relations.

In Latin America, the conviction has grown that poverty and its growth are due to the absence of social policies, forgetting that throughout history in any model of society the main criterion of equality and equity is the distribution of wealth. There will always be greater inequality where there is less social redistribution. In Bolivia the concentration of wealth is taking place in a context where democratic institutions are maintained which, with few exceptions, serve to legitimate anti-democratic procedures, functions, processes and relations. The kind of deformed democracy prevailing in Latin America and Bolivia has made it possible to legitimate greater impoverishment and a growing gap between rich and poor. Democracy is being emptied of real content because – in spite of popular participation – it masks the causes and consequences of the crisis of participation and political representation.

Although the Bolivian Poverty Reduction Strategy (EBRP) is a tool for redistributing resources and transferring political power, within the framework of Popular Participation,⁴ it does not draw attention to the structural causes of poverty but to the shortcomings, seemingly envisaged as immanent, of the traditional rural population. Rural poverty is chronic not because the peasant-indigenous population lacks the ability to generate a surplus but because their conditions of production do not permit the sustainable development of their family enterprises. Those rural territories which used to be poor continue to be so. Many factors influence this picture: environmental factors, land fragmentation, the loss of nutrients in the soil through over-exploitation and the almost complete abandonment of the system of rotating crops and leaving land fallow. In addition their crops are permanently vulnerable to frosts and drought and they lack institutional access to new technologies, adequate finance, secure markets and information systems. The persistence of extreme rural poverty is practically endemic. The limited results of the policies to combat poverty require that analysis refocus on the problem of access to resources, inequality and development strategies (Kay, 2005a).

3. Main Characteristics of the Rural Sector

The mono-export dynamic, initially centred on silver and more recently on tin, dominated Bolivian international economic relations until the collapse of the price of tin in the 1980s. For a century and a half, Bolivia, since its creation in 1825, almost exclusively lived off the income generated by mineral exports and by indigenous tribute. The collapse of the state

⁴ The Law of Popular Participation came into force in 1994 and provides a framework for consultation of civil society at local, regional and national level.

mines in 1985 and the dismissal of over 30.000 miners generated a new wave of demand for access to natural resources, especially land. But by then more than 30 years had passed since the start of the agrarian reform, so that all the land in Bolivia already had new owners. The hyperinflation (1983 to 1985) and the high level of unemployment from the closure of the state mines was – together with the liberalisation of agricultural imports – the detonator which put the issue of land access back on the national agenda. But it did so in a chaotic and contradictory way. It was precisely in 1984 that the Confederation of Peasant Trade Unions of Bolivia (*Confederación Sindical Única de Trabajadores Campesinos de Bolivia* or CSUTCB), which at that time brought together most peasants-indigenous people in Bolivia, that pressed for a new law to replace the agrarian reform of 1953. This proposal, known as the Fundamental Agrarian Law, reflected the most elaborate statement at the time of the peasant-indigenous movement of Bolivia (Urioste, 1984). However this proposal was not approved by Congress, although some points were included in the INRA Law of 1996.

Throughout its history Bolivia has mainly exported natural resources. The latest trends are the increasing importance of hydrocarbons –especially natural gas – and the production of soya in lowland department of Santa Cruz. There has been an enormous change in the geographical distribution of agricultural production since the 1953 agrarian reform. Until the middle of 20th century, agriculture was the most important subsistence economy for the indigenous communities in the Andean region as at that time the settlement of the eastern lowlands had not yet occurred. According to Demeure (1999) in 1950 the cultivated area in Santa Cruz was only 60 thousand hectares increasing to over a million after the structural reforms of the mid-1980s. New crops, such as soya, sunflower, wheat, cotton and sorghum, now account for 80% of the cultivated land in Santa Cruz and 60% is devoted to the production of soya. By contrast, according to the same source, the growth of the cultivated area in the highlands has been quite moderate, around 30%. Productivity in the Andean region has stagnated, with the exception of some small innovations in potato production with the introduction of mineral fertilisers and agricultural machinery and the cultivation of quinoa.

Change in the agrarian sector is not only characterised by transformations in production but also in consumption. As a consequence the contribution of the peasant sector to national food supply has fallen dramatically from 70% to 45% over the last couple of decades (Delegación de la Comisión Europea, 2003). This means that the traditional supplies of food to the domestic market, largely by the peasant beneficiaries of the 1953 agrarian reform, have been displaced by imports, especially from neighbouring countries. Food imports have increased to meet the needs of the middle class urban population for more sophisticated products (Instituto Nacional de Estadísticas, 2003). Up until the policies of structural adjustment of 1985, the internal supply was able to meet the demand of the Bolivian population but with the ability to freely import foodstuffs as from 1985, the peasant economy declined as it could not compete with better quality and cheaper imports (Banco Central de Bolivia, 2004). The expansionary phase of food production of the peasant-indigenous farm sector since the agrarian reform comes to an end in the mid-1980s with the shift to the new economic policy of neoliberalism (van Dijk, 1998).

The changes in agricultural activity in the country, namely the stagnation of production in the Andean region and the impressive development of agriculture in the eastern department of Santa Cruz, both in terms of quantity and diversification of crops, are shown in Table 2.

Table 2: Regional Evolution of Principal Crops in Bolivia (in hectares), 1950-1997

Crop / Year	1950 (a)	1972 (b)	1991 (c)	1997 (c)
Andean Region (d)				
Maize	94.291	157.500	180.625	166.144
Potato	111.680	107.200	135.881	121.914
Onions	61.194	101.000	95.297	86.508
Wheat	82.950	61.066	77.933	81.536
Quinoa	18.998	15.000	38.791	38.680
Broadbeans	9.226	21.000	27.210	27.649
Alfalfa	6.325	15.200	17.705	20.880
TOTAL	384.664	477.966	573.442	543.311
Growth index	100	122	140	130
Department of Santa Cruz				
Maize	19.177	57.940	43.500	99.300
Wheat	1.755	2.097	38.493	76.860
Rice	10.151	34.220	72.318	83.776
Sugar cane	10.548	37.500	67.458	75.120
Cotton	109	68.222	16.523	52.000
Soya	0	1.100	183.865	513.190
Sunflower	0	150	10.217	89.000
Sorghum	0	0	28.000	45.000
TOTAL	41.740	201.229	460.374	1.034.246
Growth index	100	482	1.103	2.478

Sources: (a) Censo Agropecuario, La Paz (1950); (b) Ministerio de Agricultura, *Diagnóstico de Sector Agropecuario*, La Paz (1974); (c) Instituto Nacional de Estadística, La Paz, several years; (d) The Andean region includes the departments of La Paz, Oruro, Cochabamba, Chuquisaca, Potosí and Tarija.

4. Causes, Impacts and Limitations of the First Agrarian Reform of 1953

At the time of independence in 1825 Bolivia had approximately 11 thousand communities registered. Over a century later, only 3.783 communities remained as a result of the devastating effect of the *latifundista* feudal regime imposed by the *criollos*. Land ownership was highly concentrated: in 1950 0.72% of properties or 615 estates with an average size of 26.400 hectares controlled almost half of the owned land while 60% of properties smaller than 5 hectares only had 0.23% of the owned land (Ministerio de Agricultura, 1985). The large landed estates (*haciendas* or *latifundios*) possessed on average 1.500 hectares of land of which only about 35 hectares were cultivated. By contract a peasant community possessed 1.900 hectares on average of which 45 hectares were cultivated. The main difference is that the estate was the property of a single family whereas the community belonged to several hundred families (Demeure, 1999).

The 1953 agrarian reform is the most important milestone in the history of the republic for transforming the rural sector. Its radical nature lay in abolishing servitude or '*pongueaje*' – which had been the bedrock of the colonial *haciendas*– and transferring land to the families of peasant communities, largely to the *colonos* or labour-service tenants (McEwan, 1975). These changes reconfigured the social and spatial organisation of the valleys and highlands

giving rise to new collective identities organized into 'agrarian trade unions' (Lagos, 1994).⁵ The agrarian reform resulted from a protracted struggle on the part of the indigenous people to recover their communal lands which had been seized and transformed into *latifundios* with the indigenous people converted into serfs. The 1952 revolution was preceded by widespread mobilization as *haciendas* were occupied, '*patrones*' (landlords) expelled and armed indigenous militias organised (Heath, Erasmus and Buechler, 1969; Dandler, 1984). It was the Revolution of 1952 led by the MNR, a newly created poly-class party with a strong nationalist and popular tendency, which finally brought about the desired change in Bolivia (Dunkerley, 1984).

In essence, the agrarian reform was not seen by the party which introduced it as restoring the legitimate rights of the indigenous population and indigenous communities were still not legally recognised (Urioste, 1992). Rather the feudal regime of the *hacienda* was identified as a brake on the capitalist development of agriculture and the development of a free wage labour system. The prevailing ideology was one of jettisoning the traditional economy and moving to a modern one. In line with this conception, an attempt was made to accelerate capitalist development in the countryside and it also explains why the 1953 Law legitimated disguised forms of neo-*latifundism*, under the generic heading of 'enterprises'. The land titles distributed to the beneficiaries of the agrarian reform did not constitute firm property rights. The majority of peasants and indigenous communities are simply in possession of the land as proceedings with respect to ownership are incomplete, and thereby insecure, as will be discussed further on (Valderrama, 2002; Oporto 2003).⁶

The 1953 agrarian reform had opposite effects in the western and eastern regions of the country. While in the west the *latifundia* disappeared, in the east new *latifundia* emerged as a result of giveaways of huge tracts of 'public lands' (Healy, 2004). The consolidation of a new unequal land tenure structure over the last few decades can be seen in Table 3. It shows that the medium properties (average size 132 hectares) and the so-called 'enterprise' properties (average size 1.596 hectares) received half of the distributed land which is in the hands of a sixth of the beneficiaries. The medium and 'enterprise' properties or large farms generally belong to non-indigenous owners from different parts of Bolivia who obtained for free large tracts of land as *estancias* (livestock estates) or *haciendas* (mainly crop estates) in the east, thereby creating a new rural elite. Meanwhile the remaining five-sixth of beneficiaries, largely indigenous people, received the other half of the land with a significant presence of Original Community Territory or Community Lands of Origin (*Tierras Comunitarias de Origen - TCO*).⁷ These data underline the unequal distribution of land arising from the 1953 agrarian reform which is a major anomaly and which the INRA Law of 1996 has failed to address as

⁵ The peasant communities within the expropriated estate adopted this terminology of the 'agrarian trade union' (*sindicato agrarios*) for their organisation following the experience of the militant trade unions of mine workers as well as due to the influence of political parties.

⁶ Peasant communities assumed forms of territorial control which did not necessarily coincide with the political division of the state. Living in a community is precisely what enables the group to survive in this rugged and fragile environment. Up until the beginning of the 1990s, their form of organisation was largely that of a trade union (*sindicato agrario*). After this time, some groups decided to resurrect pre-agrarian reform forms of organisation. These differences are reflected in the division of the national peasant organisations: one of a trade union type (*Confederación Sindical Unica de Trabajadores Campesinos de Bolivia - CSUTCB*) and the other of a more traditional type in terms of its indigenous identity, the National Council of Markas and Ayllus of the Qullasuyo (*Consejo Nacional de Markas y Ayllus del Qullasuyu*).

⁷ The titling process of TCOs, which is one of the positive outcomes of the 1996 INRA law, seeks the restitution of land to the communities and their legal recognition by the State. The regularisation process of those communities which had shifted to individual household farming are creating communal property rights regarding their external boundaries but family property rights internally.

will be discussed further on (Ballivián and Zeballos, 2003; Vargas, 2003; Arze and Kruse, 2004).

Table 3: Land Distributed by the Agrarian Reform
According to Type of Beneficiary and Property in Bolivia, 1953-2002.

Type of Property	Beneficiaries (numbers)	%	Land Surface (hectares)	%	Average Size (hectares)
Small	279.523	32,48	5.043.204	5,41	18
Médium	125.029	14,53	16.532.904	17,74	132
Enterprise (<i>Empresa</i>)	19.486	2,26	31.097.404	33,37	1.596
Peasant Plot (<i>Solar</i>)	4.026	0,47	23.881	0,03	6
Comunal Property	342.491	39,80	12.829.088	13,77	37
TCO ¹	77.714	9,03	26.718.826	28,68	344
Without Information	12.358	1,44	931.485	1,00	75
Total	860.627	100,00	93.176.792	100,00	108

1. TCO or *Tierras Comunitarias de Origen* (Community Lands of Origen), i.e. indigenous territories which are largely concentrated in the Amazonian region.

Source: H. Oporto, '¿De la Reforma Agraria a la guerra por la tierra?', *Opiniones y Análisis*, No. 65, 2003, pp. 131-172. La Paz: FUNDEMOS.

Large agro-industries have been established in the east of Bolivia, largely because of the economic advantages of the lowlands with their better agro-ecological conditions. This more progressive agricultural sector is the one which is most connected to the national and external markets. The effects of such an agrarian structure not only relate to land ownership but also to the fact that large landowners have greater access to credit. The eastern lands have acquired more value added through their concentration of large public investment and state loans which were largely written off; forms of finance which were not directed to peasants, indigenous groups or small producers (Vargas, 2004). Large and medium property owners in the east have sought to consolidate their land rights, to secure tax reductions and low rates of interest. Their property rights are being questioned in part because of the lack of transparency at the time when they received free grants of public land some years ago. Their priority is now that of safeguarding their properties in the face of fears of expropriation on the part of the state, and the mass migration and settlement of poor peasants from the west to the east.

5. The Neo-liberal Turn from 1985 Onwards

5.1. The new economic model of 1985

From 1952 to 1985, Bolivia adopted a model of 'state capitalism' in which the state was the main motor of growth. Accordingly, the most important enterprises in the country were state-owned, especially the mines, foundries, hydrocarbon deposits, electricity, railways and air transport. In addition the state was also involved in less strategic sectors, such as services and commerce (Campero, 1999). An economy organised in this way generates dependency on the part of certain private sectors which provide goods and services. Other private sectors, such as agriculture and mining, secured large credits from state banks which they never repaid.

Another feature was the high proportion of state employment, which in terms of salaries accounted for the equivalent of 10% of GDP (Morales and Pacheco, 1999). The State became the main employer. Over time, this institutional arrangement led to a high level of economic inefficiency and to disputes between the political parties for privileged control of the state apparatus.

Nevertheless there was a high rate of economic growth between 1960 and 1970. This was largely due to the high price of raw materials on the international market (tin and oil) and to credits being more easily obtained from private international banks, a fact which led to the indebtedness of Bolivia. However, at the beginning of the 1980s this same dependency would lead to the one of the worst crises. The combination of a strangling external debt, military assisted coup d'états, and the staunch opposition to the leftist government of the UDP (Unidad Democrática Popular) (1982-1985) which blocked attempts to remedy the delicate economic situation, unleashed a rampant hyper-inflation (Thorp, 1998). The situation became unsustainable and a new government led by the MNR (1985-1989) introduced shock measures. In August 1985, the new government issued the Supreme Decree 21060 which marked a point of radical change for the Bolivian economy. After the stabilisation measures, came the liberalisation of commodity, financial and labour markets (Stallings and Peres, 2000). The return to liberalism was sealed with the transfer of state enterprises to the private sector and by reducing the role of the state to a minimum. In practice, the public agricultural sector was dismantled and has still not recovered.

5.2 Impact of the new model on the agrarian sector

Macro-economic data from 1985 onwards show that the contribution of the agricultural sector to GDP has remained at around 14% which is similar to the situation prior to the new economic policy. With the liberalisation of markets, the economic situation of smallholders in the west worsened whilst new incentives were created for agro-industry in the east. Peasants had to compete with cheap imports and stagnating yields prevented them from participating in the export economy (Arze and Kruse, 2004). According to a World Bank report (2004: 30) 'the rural economy is increasingly polarised between the small peasant sector producing foodstuffs, on the one hand, and the agro-enterprise sector producing cash crops for export, on the other'. In the Andean region, especially in the highlands, 80% of the peasant sector is trapped in a vicious circle: intensive agriculture, degradation of the land and increasingly meagre economic returns (*ibid.*). However, 20% of peasants seem to have been able to break out of this negative cycle, improving productivity and income, even in the highlands, as their farms had either better quality land, access to irrigation, were located in areas with fewer climatic risks, and/or benefited from closer proximity to urban centres.

In the east or lowlands, large properties have continued to grow and expand. The large estate owners and others seeking land have continued to monopolise land by means of their influence over the state apparatus and fraudulent titles, at least until 1996 when a new land law was passed. Land was not therefore distributed according to need or to considerations of economic and social efficiency but according to the interests of small powerful groups with the inevitable exclusion of other agricultural actors. Neither the producers from the Andean region nor the indigenous groups of the lowlands participated in the endowment or adjudication of the main lands in the east, the latter possibly because their territories were not threatened at this time. The permanent swallowing up of indigenous land in the lowlands, especially by timber companies, led to their organisation into what is known today as the Confederation of Indigenous Peoples of Bolivia (*Confederación de Pueblos Indígenas de*

Bolivia - CIDOB)⁸. This means that in the east there are three clear actors engaged in a conflict over land: large property owners, indigenous people of the lowlands and the ‘*collas*’ colonizers, i.e. those coming from the western part of the country.

From 1985 onwards, the deepening crisis in Andean agriculture and the accumulation of land in the east for speculative and commercial purposes increase social discontent over the level of inequality and state toleration of land trafficking. In short, regional tensions between west and east intensified along with demands to resolve the conflict over land. At the beginning of the 1990s, the 1953 agrarian reform was unable to provide a lasting solution to the problems of land distribution and titling. The early abandonment of the agrarian reform as a public policy, its focus on solving problems of access to land in the west, and the limited inclusion of Andean farmers to lands in the eastern plains, served to aggravate the Bolivian agrarian conflict to the extent that it was necessary to hurriedly draw up a second agrarian reform and to close down the CNRA and INC because of the arbitrary way they had distributed land (Urioste, 2003). However, the INRA Law of 1996 never enjoyed the formal status of being a ‘second agrarian reform’ as will be analyzed next.

6. The Second Agrarian Reform of 1996

6.1 The road to the INRA Law of 1996

After the 1953 agrarian reform devolved land to the communities in the Andean region, agriculture in the highlands and valleys experienced a slight recovery. However the subsequent population growth and sub-division of properties into very small pieces of land led to the emergence of *minifundios* which were economically and technically unsustainable. Furthermore, these subdivisions were rarely publicly registered so that property rights were unclear in the eyes of the state, although not for the peasants concerned. In the eastern region, Chaco and Amazonia, government employees condoned many illegal transfers of land by political supporters of the government (mainly that of the military government of Hugo Banzer 1971-1978); later, the CNRA ended up legalizing many of these properties. In 1992 massive corruption in the distribution and titling of lands came to light and led the government of Jaime Paz (1989-1993) to close down the CNRA and to set up a commission so as to put an end to the chaos in land administration. Subsequently the government of Gonzalo Sánchez de Lozada (1993-1997) signed an agreement with the World Bank to draw up a new land law. This so-called INRA of 1996 was supposedly part of wider set of laws which were passed in Latin America at that time with the aim of encouraging a market in land, as a new paradigm of access to and distribution of land (Urioste, 2002).

Following the intervention of CNRA and the INC, a new land law was drawn up between 1992 and 1996. Initially the main actors involved in the process were peasants, colonizers, indigenous groups and agricultural producers, each one of whom brought their own perspective to the dialogue. In the final stages, the peasants and indigenous groups from the west broke off the dialogue with the government, questioning the passage of the law by Congress. However, the indigenous groups in the east maintained contact and showed a keen interest in its application, thereby succeeding to have more of their demands included in the new law. While the 1953 agrarian reform law focused on the Andean west, the new law has tended to reflect more the situation of the plains in the east.

⁸ This organization was originally called *Confederación de Indígenas del Oriente de Bolivia*, hence CIDOB. When it changed to its current name it decided to keep its acronym.

The INRA law retains the preferential rights of peasants and indigenous groups to ownership of the land and creates the concept of Community Lands of Origin (TCO) for handing over titles to vast indigenous territories in favour of the original inhabitants (Almaraz, 2002). As from the passage of this new law in 1996, a process was set in motion of revising the legality of each one of the property titles handed out by the agrarian reform since 1953. This is the issue which in the last few years is generating a great deal of conflict with no end in sight. This process of regularisation of land titles (*'saneamiento'*) aims to correct the technical and juridical distortions of land ownership in order to continue redistributing land to the peasant and indigenous population who do not possess any or a sufficient amount. However, as will be seen in the tables below, this process has been advancing very slowly and is contested by some powerful groups in the east who own large tracts of land which are left unexploited. Many of these properties form part of the black market in land to secure cheap mortgages from banks or for speculative purposes.

6.2 *The process of regularisation of land titles*

The process of regularisation of agricultural property lies at the heart of the new agrarian process begun in 1996. The guiding principle for the regularisation of land titles (*'saneamiento'*) is to establish the fulfilment of the Social and Economic Function (*Función Económica y Social* - FES) and the legality of the adjudication or acquisition of property titles within a time span of 10 years from 1996 (Superintendencia Agraria, 2001a). If it can be established that the large farm 'enterprise' does not fulfil these requisites then the property would revert back to the State and the land would become available for redistribution to those in need of land. After nine years of applying the INRA Law and, despite important financial support from international bodies, progress has been poor and has been confined to the eastern lowlands and southern valley regions. There have been major demands for TCO titles. This is motivated not only by the desire to secure ownership rights but also to reconstitute the *ayllus*, the ancient indigenous form of organisation, as a platform for presenting their claims of an ethnic character. In general a process of regularisation is not envisaged in the Andean region.

The total land surface of Bolivia is almost 110 million hectares as can be seen in Table 4. When areas of water, salt flats and urban conglomeration are discounted, this leaves an area of 107 million hectares which are subject to regularisation. In almost nine years, until December 2004, only 14,1 million hectares had been regularised or only 13% of the total land available for regularisation (category D in Table 4). At this rate it will take almost 60 years for the process to be concluded. Those property owners which have completed the whole process of land titling have only 23% of the land that has been regularised (category E in Table 4) while 28% of the regularised land is state land, most of which concerns forestry (category L in Table 4). The remaining 49% of regularised land has resulted in land titles or certificates to individuals or communities (TCO) which still have to obtain the final resolution of regularisation (category F in Table 4).

Table 4: Land Property Regularisation Process in Bolivia, 1996-2004

Categories		Land (hectares)	Percentage
Total Land Surface	A	<u>109.858.100</u>	
Urban Areas	B	713.398	
Water Areas and Salt Flats	C	1.880.607	
Available for Regularisation	A-B-C	<u>107.264.095</u>	100,00%
Regularised Surface	<i>D= E+F+L</i>	<i>14.078.866</i>	<i>13,12% 100%</i>
With RFS*	E	3.262.140	23%
State Lands	L	3.894.892	28%
With Titles or Certificates	F	6.921.844	49%
Surface in Process of Regularisation	<i>G=H+I+K</i>	<i>37.183.670</i>	<i>34,67% 100%</i>
SAN-TCO**	H	16.218.452	44%
CAT-SAN**	I	6.787.183	18%
SAN-SIM**	K	14.178.035	38%
Surface to be Regularised	<i>M=A-B-C-D-G</i>	<u><i>56.001.558</i></u>	<i>52,21% 100%</i>
Protected Areas	N	13.486.396	24%
Reserves & Forestry Concessions	O	5.581.062	10%
Farm Surface	P=M-N-O	36.934.100	66%

Notes: * RFS stands for *Resoluciones Finales de Saneamiento* (Final Resolutions of Regularisations) which means that the final property right has been granted and thus the regularisation process has been completed.

** SAN-TCO, CAT-SAN and SAN-SIM are different modalities of land regularisation. SAN-TCO stands for *Saneamiento de Tierras Comunitarias de Origen* (Regularisation of Community Lands of Origen), CAT-SAN means *Saneamiento Integrado al Catastro Legal* (Regularisation Integrated to the Legal Registry), and SAN-SIM is *Saneamiento Simple* (Simple Regularisation).

Source: Instituto Nacional de Reforma Agraria (INRA), *Estado del Proceso de Saneamiento*, La Paz: INRA, 2004.

Another 37,2 million hectares are currently undergoing regularisation which represents 35% of the land subject to regularisation (category G in Table 4). This leaves 56 million hectares or 52% still to be regularised (category M in Table 4), of which 66% is farmland (category P in Table 4). These data reveal the delays and the operational difficulties which INRA has

experienced in applying the law and explains why land ownership and the lack of legal security has become a very conflictive issue.

As can be seen in Table 5, it is clear that the process of regularisation has prioritised small property owners as these beneficiaries received 89% of all titles and certificates but covering a land area of only 5%. However, it is the TCOs which are the real winners as they account for 70% of the land area that has been regularised. Fifty-five titles or certificates were given under the Community Lands of Origin arrangement and the average size is close to 78 thousand hectares but each TCO comprises several hundred families and much of the land is of poor quality. Nevertheless, this represents a very significant if still incomplete progress.

Table 5: Titled and Certified Land by Type of Property in Bolivia, 1996 - 2004

Type of Property	Titles & Certificates		Beneficiaries		Land Surface		Average Size
	No.	%	No.	%	Thousands of Hectares	%	Hectares
Enterprise Property	95	0,82	145	0,64	196	3,05	1.352
Medium Property	222	1,91	319	1,40	361	5,61	1.132
Small Property	10.284	88,59	14.069	61,64	318	4,94	23
Communal Property	523	4,51	7.507	32,89	1.031	16,01	137
Peasant Plot	430	3,70	728	3,19	10	0,15	14
Community Lands of Origin (TCO)	55	0,47	58	0,25	4.523	70,25	77.983
Total	11.609	100,00	22.826	100,00	6.439	100,00	

Source: Instituto Nacional de Reforma Agraria, *Estado del Proceso de Saneamiento 2004*, La Paz: INRA, 2005.

Another of the INRA law's aims is to recuperate land which has been wrongfully acquired by *latifundistas*. However, up to now the process of regularisation has not really touched on this question. As such a limited amount of land has been recovered by the state, there is very little new land available to redistribute for agricultural purposes. According to the World Bank (Banco Mundial, 2004) tax reductions on the ownership of rural enterprises, which were introduced by President Banzer in 1998, have acted as a disincentive to the redistribution and rational use of the land.⁹

The lack of results is giving rise to numerous conflicts. From the start of the process in 1996, the political will to prioritise the issue has been lacking and the administrative capacity

⁹ The 1996 INRA Law introduced a tax on the market value of land (including improvements made on the farm like irrigation, fencing and buildings) for medium and large properties. But landlords managed to change and drastically reduce this tax to the extent that today few, if any, pay any significant land tax.

of the institutions responsible for carrying it out is questionable. However, the promptness with which titles were handed out to families and peasant communities during the Carlos Mesa presidency (October 2003 to June 2005) stands out as over half of the total land titles granted since 1996 have been issued by his government (*Gaceta Agraria*, La Paz: INRA, 2005).

6.3 Evaluation of the second Agrarian Reform of 1996

Despite the initially rather favourable conditions for putting the INRA law into practice, an evaluation carried out by the Agricultural Superintendency (SIA) after 5 years found the results to have been disappointing and poor (Superintendencia Agraria, 2001b). The situation has changed little since then. First, the land titling process or '*saneamiento*' has experienced significant delays in application so that those state lands which could be massively redistributed have not yet been identified. Second, neither has land in private hands which does not meet the constitutional requirement of serving a Social Economic Function been identified. Again this means that this land is not available for redistribution, as the law specifies. Finally, the slowness of the whole process has not enabled existing land rights to be confirmed, an indispensable condition for ensuring the legal security of producers in the rural areas of Bolivia.

According to the evaluation the main reasons for this situation are: first, lack of political will on the part of government authorities so that land issues are not prioritised and second, severe shortcomings in the management on the part of the responsible government bodies, particularly the INRA (*ibid.*). This situation still prevails today. Furthermore, the Agrarian Superintendency made the following three recommendations. First, to accelerate the process of regularisation by identifying those state lands available for distribution and by returning those lands which do not fulfil a Social and Economic Function to the state for redistribution. Second, to guarantee legal security of those owners and legal possessors of land who adhere to the law of the land, as an indispensable condition for guaranteeing the investments made in the sector and revitalising commercial and export production. Thirdly, to guarantee respect for and application of the law, so as to prevent legal violations and the consolidation of rights by means of pressure and the illegal use of force, whatever its origin, irrespective of any political considerations (*ibid.*). As a way for expediting the regularisation of small properties it recommends to draw on the positive experience of internal regularisation within indigenous communities (CSUTCOPYCC, 2002).¹⁰

As can be seen the problems with the slow progress of the 'second agrarian reform' were already identified several years ago (Hernández and Pacheco, 2001; Almaraz, 2003). We fully agree with these assessments as well as with the recommendations mentioned above. We wholeheartedly endorse the implementation of these sensible recommendations while being aware that political circumstances may cause further delays or even prevent their execution.

6.4 The INRA law of 1996: directed by the state or by the market?

¹⁰ However, the land titling process in indigenous communities is not without problems. Many indigenous families in the rural communities are pressing for mixed property rights to both communal property and private family property within a communal territorial jurisdiction. This demand is not incorporated into the 1996 INRA law which requires a clear choice between collective ownership and individual ownership. However, those families who are more linked to the market and who have access to better quality and irrigated land seek individual family property rights and the annulment of all forms of collective property or communal control.

Many Latin American countries reoriented their agrarian policies in the 1990s. The new policies and associated legislative reforms share a clear affinity with the neo-liberal paradigm which has been gaining ground in the region since the 1980s. They aim to establish greater security of land tenure and to promote a market in land, with the aim of increasing productivity and creating a more viable agricultural sector. In line with this they favour individual property and reducing the role of the state in land distribution in favour of the market (Van der Haar y Zoomers, 2003).

These changes are seen by some observers as representing a necessary revision of agrarian policies which were counter productive and obsolete, speaking of a 'reform of the reform'. At the same time they are criticised by others as 'counter-reforms' which will undo the gains of the existing agrarian reforms (Kay, 2002). Certainly, the neo-liberal orientation implies a clear break with previous agrarian reforms, based on an active role of the state and redistribution land tenure in favour of those in most need and protecting peasant or 'social' property. Such a break is particularly seen in three areas. First, the forced expropriation of land and its free redistribution according to social criteria to landless peasants is reduced or abandoned altogether. Second, the collectivist orientation of the previous agrarian reforms is abandoned. Finally, restrictions which were placed on 'social property' regarding their subdivision or privatisation have been lifted (Zoomers and Van der Haar, 2000).

However, this characterisation does not apply to the Bolivian case. On the contrary, the refusal of powerful groups and those who accumulate land to adhere to the process of regularisation in Bolivia goes to show that the new land law of 1996 (INRA) does indeed privilege the interests of peasants and indigenous people. The difficulties experienced in applying the process arise from the strong political and economic power exercised by non-indigenous Bolivians and foreigners who have been accumulating land in the eastern plains for many years. Despite all the problems discussed above, the process of regularisation since 1996 has mainly favoured the indigenous people of the lowlands and to a lesser extent the peasant communities of the valleys.

7. Policies to Combat Rural Poverty

At the start of the 1990s, after the worst hyperinflation in the country's history, the free market model gained ground as the main instrument in the allocation of economic resources. The country was undergoing a wave of structural transformations directed towards macro-economic stabilisation, privatisation and decentralisation. At the same time, poverty, inequality and exclusion became more visible so that civil society demanded more participation and greater attention to be given to social and economic problems. Faced with this situation, the State had not only to find the financial resources for its social programmes but to create institutions and mechanisms of participation.

7.1 Popular Participation

The Law of Popular Participation of 1994 and the Law of Decentralisation of 1995 mark the start of one of the most influential changes towards redefining the role of the state in rural areas. The Law of Popular Participation enabled the transfer of resources (20% of income from the internal fiscal revenue) and powers to the 314 municipalities so that they themselves, using participatory channels, define policies and local development priorities through Municipal Development Plans (*Planes de Desarrollo Municipal* or PDMs) and Annual Operational Plans (*Planes Operativos Anuales* or POAs). This idea had been taking root for

more than 13 years. On the one hand, strong civic departmental committees had been demanding decentralisation to allow regional power groups to control public financial resources, which until then were administered centrally; on the other hand, peasant movements and indigenous peoples pressed for local political-administrative autonomy. The municipalisation of the country was conceived from the start as the main plank in a process of departmental administrative decentralisation, assigning important duties to each department and its respective bodies. To put this into action, participatory planning mechanisms were introduced in each municipality, leading to thousands of projects with citizen participation (Urioste, 2002).

Popular Participation has partly corrected an enormous historical imbalance by setting the budget according to the number of inhabitants in the municipality. At the same time it has devolved significant political power to the peasant and indigenous communities, although with certain restrictions; the candidacy for mayor being until the municipal elections of 2004 limited to the political parties. The recent 2004 Law of Citizen Groups and Indigenous Peoples (*Ley de Agrupaciones Ciudadanas y Pueblos Indígenas*) extends political participation to other organisations which are closer to the citizenry and to the peasant communities and indigenous peoples. The idea is to create a more legitimate form of local government.

In balance, the merits of Popular Participation outweigh the weaknesses, especially the scarce attention paid to productive projects. The lack of articulation between municipal and national policies is another weak spot whose rectification goes beyond redesigning the local and involves harmonising national policies among themselves and adopting a long-term focus (Ameller, 2002; Ayo, 2004). Nevertheless, Popular Participation has undoubtedly been a factor in the empowerment of indigenous people as can be witnessed by their increasing representation and involvement in local, regional and national affairs (Albó, 2002a; Albó, 2002b; Urioste, 2004).¹¹

7.2 National Dialogue and the Bolivian Strategy of Poverty Reduction (EBRP)

After the first steps towards Popular Participation, society, the state and even some international aid agencies were convinced of the need to develop public policies to combat poverty with widespread public participation. In 1997 the First National Dialogue took place, an event which brought together the most important organised groups of civil society. There was the government, worker federations, the Catholic Church, peasant organisations and representatives from different political parties. Undoubtedly this experience was valued for its inclusionary character, but it did not lead to effective social agreements. There was no real national debate, nor did the documents produced reflect the diversity of viewpoints aired.

The Second National Dialogue in the year 2000 involved consultations at municipal, departmental and national level so that the different actors could each contribute their perspective to drawing up a strategy to combat poverty. This event was also seen as way of gaining access to the World Bank's HIPC funds which were given as grants on condition that they were used to reduce poverty. At that time it was hoped to institutionalise this form of dialogue as a permanent way of bolstering participation in policy-making, a goal which has not been fully realised nor received sufficient backing.

¹¹ It is the merit of the Popular Participation Law that it gave juridical recognition to the peasant and indigenous communities under the form of Territorial Base Organizations (OTB - *Organizaciones Territoriales de Base*).

At the end of 2001 the process of consulting the citizens found expression in a new law, the Law of National Dialogue. The aim was to strengthen channels of popular participation and decentralisation and, most importantly, to allocate the resources provided by the HIPC in line with the criteria of efficiency, equity, participation and transparency. An important condition was that resources were to be assigned on a progressive basis to benefit the poorest municipalities, according to the principle of giving more to those who needed it most. Such measures had to be in line with the Bolivian Strategy of Poverty Reduction (UDAPE, 2003).

The Bolivian Strategy of Poverty Reduction (*Estrategia Boliviana de Reducción de Pobreza* or EBRP) starts from the premise that poverty, inequity and social exclusion are the most important problems affecting the country. The strategy attempts to synthesise contributions arising from the dialogue and to translate them into public policies to combat poverty (Komives and others, 2004). However, social conflicts which have exacerbated since 2000 have led to a questioning of this approach. It is perceived by radical leaders as forming part of a state policy, but more particularly as being imposed by international organisations, such as the World Bank and the International Monetary Fund, and as being far removed from the everyday reality of poor rural dwellers (Molenaers and Renard, 2003).

An official evaluation of the strategy in 2003, carried out by Carlos Mesa's government, acknowledges that it has not succeeded in reducing poverty (UDAPE, 2003). Three substantial changes were proposed: first, to recognise the limitations of a pattern of development restricted to achieving economic growth and based on the trickle-down assumption as this does not guarantee a reduction of poverty; second, to regard social and productive actors as protagonists of their own development and not as passive subjects on the receiving end of social and economic policies; and third, to abandon the paternalism implicit in existing policies and to forge strategic and durable alliances between social and productive actors and the state (Komives and others 2005). In December 2004 the government changed the name of the Bolivian Strategy of Poverty Reduction to that of Bolivian Strategy of Development, with all that this implies (Ministerio de Desarrollo Económico, 2005). But by June 2005 the Mesa government resigned after a series of protest movements. The head of the Supreme Court has become the interim president with the mandate to call for new elections in December 2005. The political instability has put on hold several development programmes and at the time of writing it is unclear when and whether the country's political crisis will be resolved.

7.3 National Strategy of Agricultural and Rural Development (ENDAR)

The National Strategy of Agricultural and Rural Development (*Estrategia Nacional de Desarrollo Agropecuario y Rural* - ENDAR) is an attempt by the last two governments to intervene in the rural environment with a different logic, one which not only provides policy guidelines but also attempts to find ways of resolving the high level of conflict existing in the country as a whole. In some way it responds to the demands of peasant and indigenous organisation to prioritise the productive development of agriculture. The Mesa government sees this strategy as complementing the EBRP by adding productive and agricultural concerns.

The strategy aims to increase the incomes of agricultural producers within a framework of social, economic, cultural and gender equity, giving them the means and knowledge required to compete in a sustainable way in the national and international markets

of good and services. The strategic objective is to insert the agricultural enterprise sector, and to a lesser extent the traditional sector, into the market, especially the external market. In addition the strategy also takes into account that rural development must be seen in relation to the urban sector, given that over half of peasant incomes stem from non-agricultural activities (Ministerio de Desarrollo Sostenible y Planificación, 2004). The government has constantly modified this plan over the past years without as yet being able to reach an agreement with agricultural producers. Criticisms have come from several directions, from its emphasis on external markets, as for its exclusion of small agricultural producers in the highlands and valleys, who are still involved in a subsistence economy.

Within the peasantry it is the small producers linked to agricultural exports who form the main reference point for the ENDAR plan. This is seen in such proposals as the development of productive networks, associations of producers, and the expansion of export markets. However, the strategy is mainly directed towards those profitable producers in areas where there is proven productive potential. There have been attempts to correct this weakness in later versions of the policy but without much success (Ministerio de Asuntos Campesinos y Agropecuarios, 2004). This is because the structural guidelines maintain the classical focus on agricultural commodity chains in which those who benefit are those who already have control of certain sectors of the system, largely the capitalist farmers, agro-industries and transnational corporations (Urioste, 2003). Furthermore, the topic of land and territory, the conflict over property rights and land regularisation and redistribution are all addressed very marginally by ENDAR thereby exposing one of its major limitations as well as the lack of coordination between public policies (Kay, 2005b).

7.4 Policies of the Ministry of Indigenous Affairs and Indigenous Peoples (MAIPO)

Another relevant public institutional actor is the Ministry of Indigenous Affairs and Indigenous Peoples (*Ministerio de Asuntos Indígenas y Pueblos Originarios* - MAIPO), which indigenous leaders consider as theirs, as a body which belongs to them by right. Such a Ministry had formed a central demand of their social struggles. Its work is specifically directed towards drawing up intercultural productive policies, within a framework of decentralisation, and to strengthening the rights of indigenous peoples, especially in relation to natural resources as set out in the International ILO Convention 169 of 1989, which Bolivia ratified in 1991.

This Ministry works closely with indigenous and peasant organisations across the country. It helps to identify the special needs of the indigenous peoples so as to enable them to secure collective property rights over indigenous territories. It adopts a more cultural, organisational and rights-based approach in terms of reconstructing indigenous territorial identities and is working towards achieving a better indigenous representation in the future Constituent Assembly originally planned for 2005 but postponed to 2006 due to the political crisis. The Ministry is grossly under funded and almost its entire budget comes from international development cooperation funds.

7.5 Migration policies and access to land

In the 1960s the Bolivian state promoted the mass migration of indigenous peasant colonizers from the highland and valleys to the eastern lowlands (Royden and Wennergren, 1977; Ormachea and Fernández, 1989). The 'march to the east' was a state policy explicitly designed to transfer the rural surplus population of the highlands and valleys to the plains in

order to develop agro-industry and expand the agricultural frontier following the programme of the INC at first but later happening spontaneously (Soria, 1996; Ministerio de Desarrollo Sostenible y Planificación, 2002). These pioneers opened the way for a large number of human settlements. It is estimated today that more than 60 thousand emigrant families have settled in the eastern lands of Bolivia (Roca, 2001). However, the migration of peasants from the Andean region is still continuing in a spontaneous, chaotic and disorderly way.

The main trends of the internal migratory flows show the population transfer from the highlands to the plains, although the most important work destination is no longer the rural area of the department but the city of Santa Cruz (Anonymous, 2005). This may be explained by the saturation of rural settlements and by the lack of land for new colonizers. International migration has also increased in the last couple of decades, mainly to Argentina and other neighbouring countries. But the economic crisis of Argentina at the beginning of this decade led to a falling off of remittances from Bolivian emigrants to their families in rural communities. In addition emigrants are returning to Bolivia increasing the pressure on employment and access to land (Hinojosa, Pérez and Cortez, 2002; Hinojosa, 2004). The country requires a policy of human settlements, which takes account of the economic, social and cultural characteristics of its population, as well as its physical conditions and ecosystems, so that the relationships established do not exacerbate the poverty of migrants (Instituto PRISMA, 2004).

8. Conclusions: The Unfinished Agrarian Reform and Rural Poverty

It has been shown that poverty in Bolivia is mainly rural. Being indigenous, a peasant and a woman increase the risk of being trapped in extreme poverty. Extreme poverty is largely concentrated in the western Andean region, although there is also widespread rural poverty in the eastern plains. While the agrarian reform of 1953 was a turning point in the country's history it has been unable to overcome rural poverty. Nevertheless, living conditions in the countryside have improved in terms of access to education, health and housing, especially since the 1994 legislation on municipal decentralisation and popular participation. However family income from agriculture is now less in both relative and absolute terms. This is more evident in the highlands than in the lowlands.

Half a century after the introduction of the agrarian reform the rural indigenous peasant population has doubled, despite the migration to the eastern lowlands. Demographic pressures have led to over-exploitation and soil erosion in Andean communities. The agrarian reform had a totally different character in the eastern lowlands than in the western Andean region. In the plains, land was freely granted in a disorderly, unplanned and corrupt way to those non-indigenous citizens who demanded it. Many never worked it whilst retaining ownership over it. The majority who worked the land succeeded in transforming lowland agriculture into the motor of regional growth.

With the 1953 agrarian reform underway, the Bolivian state had neither the capacity nor the will to invest in transforming productive conditions in rural areas. There has been little progress in building access roads to the communities or in providing irrigation systems and electricity is only recently reaching rural communities. The neglect of the Bolivian rural area, especially in the Andean region, combined with the opening up of the market to food imports as required by structural adjustment programmes since 1985, has led to a notable decrease in the ability of indigenous-peasants to supply foodstuffs to urban areas due to their lack of competitiveness. By contrast, in the plains the expansion of industrial crops, principally

cotton in the 1970s and soya in the 1990s, and their insertion in international markets in accordance with regional integration agreements, has enabled competitive prices and led to the sustained and rapid expansion of the agricultural frontier over the past 30 years. The continued expansion of soya in a region without clear property rights is the main source of conflict over land, more so than the peasant migration from the west.

Bolivia is characterised by a dual model of land tenure which a corresponding dual system of production. These two models – *minifundio* and subsistence agriculture in the west and capitalist enterprises linked to the *latifundio* in the east – do not interact nor complement each other. However, it is the migration of labour from the highlands and valleys to the eastern lowlands which provided the necessary labour to clear the land for productive purposes. Capitalist agriculture in the east is not only the result of private initiative but also of public development policies over three decades. For the majority of property owners who benefited from free grants of land at the start of the agricultural expansion in the east, land has had almost no cost.

This situation started to change in 1996 with the promulgation of the new Land Law (INRA). The rapid expansion of industrial crops in the eastern lowlands led to a speculation in land values and the awakening of indigenous peoples with a long 'march for land and dignity' (which was the main slogan) in 1990. This mobilisation raised the question of the indigenous territories and their legal recognition as TCOs six years later in 1996 INRA law. The titling of the TCO is a central part of the land regularisation begun ten years ago. The process is complex, slow and full of obstacles but is a step in right direction.

The conflict over land in the eastern lowlands has a marked ethnic character. Indigenous landless peasants from the Andean region – quechuas and aymaras – continue to migrate and settle on unexploited land in the east whose non-indigenous owners claim rights over it even though they do not work the land. These non-indigenous owners resist the land seizures of the Bolivian Landless Movement (MST - *Movimiento Sin Tierra de Bolivia*) and demand respect for private property. The land conflict has sharpened the regional confrontation between east and west (*cambas* against *collas*). The medium and large landowners complain that the INRA law is generating two classes of citizens: one, the indigenous people with preferential and privileged rights, who do not have to work the land to retain their property, nor do they pay tax on land; and two, the agricultural entrepreneurs (as they refer to themselves), with property titles, who pay taxes, generate employment and create wealth but suffer legal insecurity and violation of their property rights (Barragán, 2004). In turn, the indigenous peasants of the highlands complain that the INRA law has taken for concluded the free distribution of land in benefit of their sector, especially of *colla* colonizers in the lowlands, and that these lands end up being put on the land market. The land then does not belong to those who work it but to those who have money to buy it violating one of the principles of the 1953 agrarian reform.

In recent years a climate of violence and confrontation around the issue of access to land has resulted in the death of several indigenous peasants. There are no mechanisms of conflict resolution. Land policies are not linked to rural development policies such as the ENDAR and more tangentially the EBRP. In general no link is made between sectoral public policies relating to energy, roads, health, education and those relating to agriculture, land titling, the environment, the creation of markets and food security. Despite the multi-sector discourse, public policies continue to be compartmentalised. ENDAR has prioritised the commodity chains approach to the detriment of a spatial approach to territorial development,

which has been shown to be more effective and to meet more fully the demands of the local rural population.

In general small rural producers continue to be regarded as non-viable within the framework of an open international economy. Most plans and government proposals, as well as international development agencies, see them as passive recipients of aid and compensatory policies. Secure access to productive land which is capable of generating a surplus and the introduction of rural territorial development are tasks which are yet to be achieved in Bolivia. This implies that the agrarian reform is not yet concluded but remains a priority for both society and the state.

In conclusion, the 1996 INRA law has not served as a second agrarian reform and does not form an integral part of the rural development programmes. Regularisation, in terms of the reversion of land back to the state in cases of irregularities or non compliance with the economic and social function by large landowners, is seen as a problem and not as a solution. The increasing problem of landlessness and the continuing high levels of rural poverty make it imperative to fully implement the provisions contained in the INRA law thereby transforming it into a genuine second agrarian reform. We estimate that about 100.000 landless families would need to be settled in the eastern lowlands to relieve some of most pressing demands for land. This would require roughly 5 million hectares, some of which might be found from still available public lands but most will have to come by recovering land from those landlords who do not comply with the INRA law. While such land redistribution would not eliminate rural poverty it would certainly begin to tackle the escalating problem of landlessness, reduce extreme poverty and enhance food security. A drastic reduction of rural poverty would require a new development strategy, which is able to substantially raise rural investment particularly in the peasant sector, as well as a series of other productivity, employment and equity enhancing measures. To bring about such a transformation requires major political changes and the achievement of a wide national consensus for the implementation of such a radical programme.

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