

# **The Quest to Bring Land under Social and Political Control: Land Reform Struggles of the Past and Present in Ecuador**

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*'History never really says goodbye.*

*History says, see you later'*

Eduardo Galeano

*Land reform was one of the most important policies introduced in Latin America in the twentieth century and remains high on the political agenda due to sustained pressure from rural social movements. Improving our understanding of the issue therefore remains a pressing concern. This paper responds to this need by proposing a new theoretical framework to explore land reform and providing a fresh analysis of historical and contemporary land struggles in Ecuador. Drawing on the pioneering work of Karl Polanyi, the paper characterizes these struggles as the attempt to increase the social and political control of land in the face of mounting commodification. The movement started in the 1960s and remains evident in Ecuador today. Exploring land reform in Ecuador from this theoretical perspective provides new insight into land struggles in the country and contributes to debates over land reforms of the past and present elsewhere in the Global South.*

Keywords: land reform, land markets, social movements, Ecuador, Karl Polanyi

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## INTRODUCTION

Land reform was one of the most important policies introduced in Latin America in the late twentieth century. Its timing, character and reach varied significantly but its impact was typically profound, dismantling the traditional hacienda complex, transforming rural societies, and reconfiguring state-society relations. Its initial role in capitalist development was diverse and complex, placing restrictions on the use, ownership and exchange of land on the one hand, while incorporating peasant producers and agricultural cooperatives into markets and promoting capitalist production on the other. The transition from ‘state’ to ‘market’ directed land reform at the end of the century reduced the tension between these two dimensions and accelerated capitalist development in rural Latin America (Borras et al. 2008). However, the move embedded or widened existing land inequalities and paved the way for a new cycle of land struggles. Since the turn of the millennium rural social movements have increased pressure on states to expand the regulation and redistribution of land across the region (Moyo and Yeros 2006; Courville et al. 2006). Pressure has been strongest in countries where ‘centre-left’ and ‘left-wing’ governments have taken power but also intense in other cases. Despite the urbanization of Latin American societies and the declining role of agriculture in Latin American economies, issues related to the use, control and distribution of rural land remain high on the social and political agenda. Improving our understanding of land reform therefore remains a pressing concern.

I respond to this need in this paper by proposing a new theoretical framework to explore land reform and providing a fresh analysis of historical and contemporary land struggles in Ecuador. Drawing on the pioneering work of Karl Polanyi, I characterize these struggles as the attempt to increase the social and political control of land in the face of mounting commodification. The framework I propose challenges neoliberal approaches which conceptualize land as a commodity and fetishize private property rights and market

mechanisms. I explain the theoretical case Karl Polanyi makes for the redistribution and regulation of land and the existence of countermovements which contest land commodification. Ecuador provides fascinating terrain to explore these issues as it experienced a number of powerful land-related mobilizations in the late twentieth century and has witnessed a prolonged struggle to transform land laws, policies and institutions since the turn of the millennium. I provide new insight into these struggles by analyzing land reform from a fresh theoretical perspective, connecting historical and current conflicts, and using a variety of new source materials.<sup>2</sup> These include national and local newspaper archives, interviews with indigenous leaders and communities, land reform archive materials, agrarian laws and legislative proposals, and a full official dataset of land reform.<sup>3</sup> The focus of the analysis is highland indigenous peoples.<sup>4</sup> Concentrating on indigenous land struggles is particularly interesting as indigenous communities and movements performed a pivotal role in historical land struggles but a marginal role in the recent conflict. I seek to contribute to our understanding of this shift as well as illustrate the crucial role rural communities and movements have performed in driving land reform from below in Ecuador.

The remainder of this article is divided into four parts. The next section sketches the Polanyian theoretical framework I use to explore land reform in Ecuador. The third part examines indigenous land struggles between 1964 and 1994, focusing on indigenous attempts to transform land reform laws, policies and institutions and implement land reform from below. The fourth section then investigates current attempts to bring land under social and

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<sup>2</sup> The most comprehensive account of Ecuadorian land reform remains Barsky (1988). Other important contributions come from Redclift (1978), Chiriboga (1988), Zevallos (1989) and Brassel et al. (2008).

<sup>3</sup> I conducted the research during three visits to Ecuador between 2009 and 2015.

<sup>4</sup> Ecuador's highland indigenous population comprises various groups which are united by a single indigenous language (Kichwa) and a similar, if variegated, set of customs, habits and beliefs. The size of the population has been widely disputed, not least because of the inherent difficulty of measuring ethnicity. Discrimination against indigenous peoples makes self-identification highly problematic while the fluid and subjective nature of ethnic identity complicates measurement. The last national population census in Ecuador, which was conducted in 2010, indicates the rural indigenous population of the ten highland provinces was 559,575, approximately 20 per cent of the total rural highland population (INEC 2010). See Zamosc (1995) for earlier estimates of the size and evolution of the highland indigenous population.

political control in Ecuador, highlighting important continuities and discontinuities with earlier struggles. I conclude by briefly reflecting on the key points to emerge from the analysis and indicating avenues of future research.

## LAND REFORM THROUGH A POLANYIAN LENS

Karl Polanyi provides a rich theoretical framework to analyze social and political struggles over land (Polanyi 1957, 2001).<sup>5</sup> He highlights the perils of integrating land into markets, the crucial non-economic functions land performs in society, and the tendency for people to organize and mobilize to contest commodification. Of the various concepts he developed, three are particularly valuable for exploring land reform: double movement, fictitious commodities and forms of integration. Below I briefly discuss these concepts and explain how they help us improve our understanding of land reform. The section is succinct: a detailed discussion of Polanyian social theory and alternative theoretical approaches to land reform is outside the scope of this paper.

### *Double Movement*

Polanyi developed the ‘double movement’ to explain the breakdown of liberal capitalism and rise of fascism in the 1930s (Polanyi 2001). While he did not posit the concept as a universal law that applies to capitalist societies across time and space, similar patterns to the ones he identified have been evident since the demise of liberal capitalism. Numerous scholars have noted these trends and various readings of the double movement have emerged.<sup>6</sup> The interpretation I offer suggests modern capitalist societies comprise two forces: the movement

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<sup>5</sup> While a growing number of scholars have drawn on Karl Polanyi to explore agrarian issues, very few have used his concepts to examine land reform. To the best of my knowledge the only other author to do so is Raul de Arriba (2007). I follow a completely different approach in this paper.

<sup>6</sup> My reading draws on the work of scholars who recognize the radical implications of the thesis Polanyi develops in *The Great Transformation*. These scholars claim the issues Polanyi identifies in the book demand fundamental changes to economic and political structures. Bernard, for example, calls for a ‘reorganisation of work, a democratisation of state structures, and the socialisation of decision making about technology and the relationship between economic activity and local, regional and national ecological carrying capacities’ (Bernard 1997, 87). Meanwhile, Lacher demands ‘some form of socialism in which land, labour and money are no longer thought of as commodities’ (Lacher 1999, 325). See Dale (2010) for insight into debates on the work of Karl Polanyi.

towards the creation, expansion and liberalisation of markets (*commodification*) and the countermovement towards the regulation of markets, the strengthening of the state, and the promotion of alternative forms of economic organisation (*decommodification*). Capitalism evolves through a continuous and simultaneous process of commodification and decommodification, movement and countermovement. Capitalist societies reproduce themselves but without resolving the underlying contradiction between the two sides of the double movement. I analyze land reform in Ecuador from this broad theoretical perspective, arguing both sides of the double movement were in operation from the 1960s onwards. That is, land reform simultaneously promoted the commodification and decommodification of land.<sup>7</sup>

<b><u>Table 1</u></b> <b>Double movement dimensions of land reform in Ecuador</b> <b>1964 to 1994</b>	
Commodification	<ul style="list-style-type: none"> <li>• Private property rights conditioned on the economic use of land</li> <li>• Proscription of traditional peasant-patron practices (e.g. <i>huasipungo</i>)</li> <li>• Protection of private property rights to utilized and productive land</li> <li>• Conversion of usufruct rights into private property rights</li> <li>• Proliferation of private property titles</li> <li>• Bolstering of rural cadastres</li> </ul>
Decommodification	<ul style="list-style-type: none"> <li>• Redistribution of private and state owned land</li> <li>• Proliferation and partial protection of collective land titles</li> <li>• Regulation of division and transfer of rural land</li> <li>• Landholding size limits*</li> </ul>
<small>Source: My own elaboration based on land reform laws, associated legislation and official documents issued in Ecuador between 1964 and 1994. A full list of sources is available upon request. * From 1964 to 1973.</small>	

Table 1 outlines these two dimensions of land reform in Ecuador. A full analysis of this process is outside the scope of this paper.<sup>8</sup> The important point to note is that while land reform regulated and redistributed land it also stimulated and expanded land markets.<sup>9</sup> It was part of a wider process of capitalist modernisation which accelerated in rural Ecuador in the

<sup>7</sup> Polanyi refers to ‘land’ in a broad sense, including habitats, natural resources and agriculture. I follow a narrower approach in this article, focusing on the integration of land into markets.

<sup>8</sup> See Goodwin (2014) for a detailed explanation.

<sup>9</sup> Various studies have noted land market activity increased in rural Highland Ecuador in the 1960s and 1970s. See, for example, Martínez (1985) and Thurner (1989).

1960s and 1970s. Hence commodification was well advanced by the time laws and policies introduced in the 1980s and 1990s gave the market a greater role in determining the use and distribution of land.

The double movement encourages us to view land reform from a fresh perspective. The concept forces us to consider the commodifying and decommodifying dimensions of land reform and examine the role land reform laws, policies and agencies perform in mediating these two forces. The ‘fictitious commodity’ concept enables us to delve deeper into this relationship.

### *Fictitious Commodities*

Land is at the centre of the double movement. Polanyi labels it a ‘fictitious commodity’ because it is not produced for sale on the market and is a vital component of life and nature. Three dimensions of the concept are particularly important for the argument advanced in this paper.

First, the intrinsic characteristics of land mean it does not behave like a genuine commodity (i.e. items that are produced and distributed in accordance with changes in the price mechanism). Land markets therefore exhibit certain peculiarities and rigidities. Their most fundamental distinguishing characteristic is that the supply and location of land is fixed which means they cannot perpetually expand to accommodate increases in demand.<sup>10</sup> The basic rigidity the intrinsic characteristics of land instil in land markets is accentuated by the deep and complex relationship that exists between humans and habitats and the crucial non-economic functions land performs in society (political, cultural, spiritual etc.).<sup>11</sup> In short, land

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<sup>10</sup> This makes the redistribution of land inherently more problematic than the redistribution of income which tends to increase over time.

<sup>11</sup> It is important to note that land performs important non-economic functions for landowning elites. While contemporary elites favour laws and policies that treat land as a commodity, the ownership and monopolisation of land gives them considerable political power.

cannot be reduced to a commodity which responds to changes in the market mechanism or viewed simply as a factor of production.

Second, the fictional status of land as commodity ensures states perform central roles in the creation and regulation of land markets.<sup>12</sup> Capitalism requires states to dismantle laws, policies, and institutions that impede markets and replace them with ones that promote commodification. Once land markets are established, states are compelled to regulate them. Hence even during the neoliberal phase of capitalism states have continued to regulate land markets to some degree. Regulation takes multiple forms but generally determines: i) who is allowed to participate in markets (e.g. proscribe or permit foreign ownership of agricultural land); ii) which objects are legitimate items of exchange (e.g. prohibit or allow the transfer of communal land); and, iii) the rights and obligations of landowners (e.g. social and environmental functions of a land).<sup>13</sup> These are important features of land reform. While the existing scholarship recognises this point, it tends to understate the regulatory dimension of land reform.<sup>14</sup> Yet regulation is crucial. For example, once land is redistributed, effective regulation is required to stop inequalities reemerging. Regulation is also required to ensure land is utilized appropriately, taking into account economic, social, cultural and ecological factors. Communities and movements have important roles to perform in this process. Sustained social pressure is frequently required to force states to enforce land regulation due to the lack of state capacity and the political and economic power of landowning elites. Potential also exists for rural actors to participate directly in regulation. Enabling representatives of communities and movements to participate in public agencies and influence regulatory decisions has the potential to reduce the risk of elite capture, alleviate

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<sup>12</sup> This point is captured in Polanyi's famous assertion that the 'road to the free market was opened and kept open by an enormous increase in continuous, centrally organized and controlled interventionism' (Polanyi 2001, 146).

<sup>13</sup> This classification draws on Chang (2003, 53-4).

<sup>14</sup> For example, a Polanyian approach to land reform suggests a strong regulatory component should be added to the redistributive model proposed by Borras and McKinley (2006).

social conflict, and increase the impact of land reform. This has been a central demand of indigenous and peasant movements in Ecuador since the 1960s.

Third, the concept suggests competing understandings of land emerge as capitalism evolves and political conflicts occur as different social classes attempt to impose their particular vision of land on the state. Viewed through this lens indigenous land struggles in Ecuador in the late twentieth century appear not only as a fight *for* the control of land but a battle *over* the meaning of land.<sup>15</sup>

### *Forms of Integration*

Polanyi developed the ‘forms of integration’ to provide a broad schema to analyze economic organization across space and time. The concept also indicates the alternative mechanisms through which land can be organized. Three broad patterns are posited: reciprocity, redistribution and market exchange. Theoretically and empirically, the three forms coexist but one pattern dominates – or ‘integrates’ economic life. Crucially, to become integrative, the particular form of integration requires specific social, political and economic institutions or ‘supporting structures’ (Polanyi 1957, 252). Reciprocity necessitates symmetrical social groups; redistribution requires a central authority; and exchange needs a system of price-making markets.

While Polanyi developed the forms of integration to examine entire economies, the concept can be usefully applied to analyze particular sectors. The concept draws attention to the role land reform performs in organizing land at the macro and micro levels and the impact different organizational forms have on social and political structures. Land reform has the potential to combine all three forms of integration, providing support for reciprocal and

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<sup>15</sup> Susana Sawyer’s illuminating analysis of the discussions over the reform of the *Ley de Desarrollo Agrario* reveals the starkly different conceptions of land indigenous peoples and landowning elites held in Ecuador in the 1990s (the law and conflict are discussed below). Tellingly, her account also shows divergences existed between indigenous groups, with highland and lowland communities having their own particular, if still variegated, understandings of land. Her analysis indicates the importance of not drawing a clear line between ‘indigenous’ and ‘non-indigenous’ conceptions of land. See Sawyer (2004).



redistributive forms of land control at the local level while establishing mechanisms to redistribute land and regulate land markets at the national level. When viewing land reform from this perspective it is important to recognize that normative values should not be affixed to the particular forms *a priori* (Schaniel and Neale 2000). For example, redistributive regimes should not be automatically associated with positive attributes. Redistribution involves the movement of goods, services and resources to and from central authorities (e.g. state agencies, community councils). The process might promote equality and freedom but it might also lead to the concentration of wealth and power. This highlights the need to pay close attention to the beneficiaries of land reform, the terms under which land is redistributed, and the structure of the authorities charged with the task of redistributing land.

The next section explores indigenous efforts to transform and implement land reform in Ecuador from this theoretical perspective, viewing the struggle as part of a movement to bring land under social and political control as commodification advanced.

## RETHINKING ECUADORIAN LAND REFORM: INDIGENOUS EFFORTS TO BRING LAND UNDER SOCIAL AND POLITICAL CONTROL IN THE LATE TWENTIETH CENTURY

Land reform involves the regulation and redistribution of a vital and finite resource and therefore also involves social and political struggle. During the late twentieth century highland indigenous peoples engaged with the state in this struggle on two basic levels.<sup>16</sup> The first related to the design and character of land reform. From the 1960s to 1990s, indigenous and peasant movements proposed radical changes to land reform laws, policies and institutions. The central aim of these proposals was to increase the regulation and

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<sup>16</sup> Indigenous peoples also engaged with religious institutions in this struggle. The Catholic Church remained a prominent landowner in the 1960s and 1970s and transferred some of its land to indigenous families and communities. In some cases, land was distributed via IERAC but in others it was transferred directly. See Lyons (2006) for insight into the role religious institutions performed in land struggles in the highland region in the late twentieth century.

redistribution of land and create space for indigenous and peasant representation in land reform agencies. The second related to the implementation of land reform. Overlapping with efforts to transform the overall structure and character of land reform, indigenous families, communities and movements exerted pressure on the state to enforce existing laws and policies. The central objective of these struggles was to improve indigenous access to land, both at the family and community levels.<sup>17</sup>

These battles, as previously noted, took place in the context of mounting land commodification. Land reform not only provided indigenous families, communities and movements with a mechanism to obtain land but also to contain land markets and transform the role land performed in the rural economy and society. Drawing on Polanyi, I characterize this struggle as the attempt to bring land under social and political control. Indigenous and peasant movements aimed to achieve this by strengthening family and communal control of land at the local level while increasing social and political control of land at the national level.

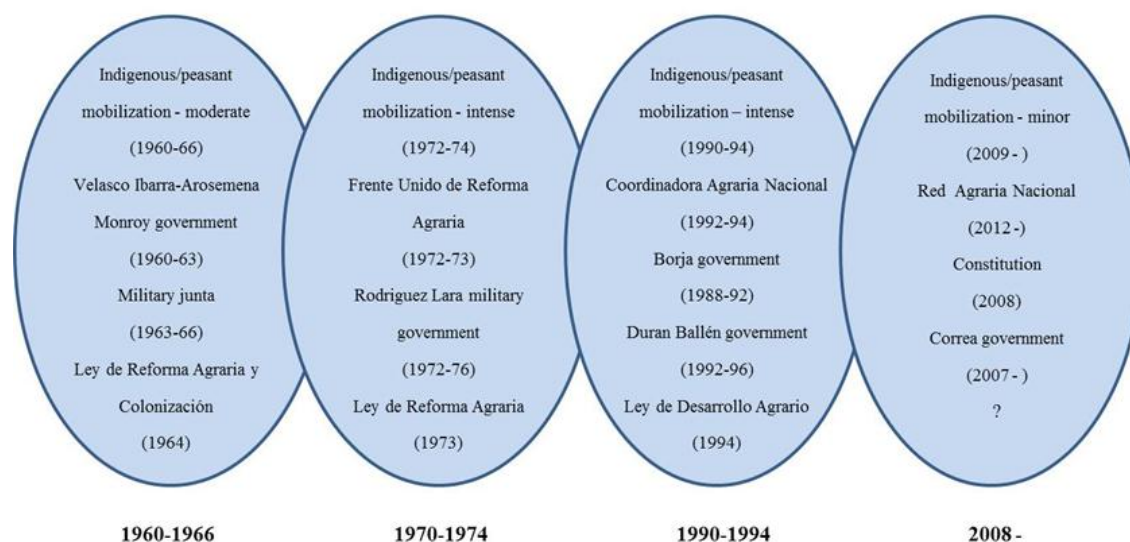
Three periods of heightened conflict and debate characterized this struggle (see Figure 1 below). The episodes took place within particular social, political and economic contexts and therefore exhibited considerable variation. However, a number of continuities were also evident, not only between these three episodes but also between historical and contemporary struggles. First, demands for the heightened regulation and redistribution of land and the incorporation of indigenous and peasant representatives into land reform agencies were evident throughout. The latter was seen as a way of achieving the former. Second, collective organisation and mobilisation was crucial in driving land reform up the political agenda and forcing the state to regulate and redistribute land from the 1960s onwards. Third, the tactics indigenous peasant communities and movements employed to transform and implement land

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<sup>17</sup> See Korovkin (1997), Martínez (1985, 1995, 2002), Bretón (1997, 2008a, 2015a) and Cervone (2012) for further insight into highland indigenous land struggles.

reform included both ‘routine’ and ‘contentious’ forms of politic action. Legislative proposals were one example of the former while protests, blockades and occupations were manifestations of the latter. Fourth, the episodes took place in the context of heightened land commodification. This is one of the factors that mark out this phase of land struggles from earlier stages. While the market had started to perform a greater role in determining the use and distribution of land in the early twentieth century, it became far more influential from the 1960s as the traditional hacienda complex unravelled and capitalist modernisation advanced.

**Figure 1 – Episodes of heightened contention over land in Ecuador since 1960**



Source: My own elaboration.

Viewed in historical perspective the struggle to bring land under social and political control emerges as a movement of interconnected, if distinct, episodes of contention. Broadly, this can be seen as a Polanyian countermovement towards the regulation of markets and the establishment of institutions based on the principles of reciprocity and redistribution. Social movement theory enables us to specify this movement with greater precision. The ‘contentious politics’ approach is particularly useful. Within this framework, social movements are seen as ‘sustained campaigns of claim making, using repeated performances that advertise the claim, based on organizations, networks, traditions, and solidarities that

sustain these activities' (Tarrow and Tilly 2015, 237). The 'campaigns' and 'bases' of social movements are treated as two distinct components which implies movements transcend one particular group or organisation. The distinction also indicates social movement bases are not fixed but change over time.<sup>18</sup> The bases of the movement to bring land under social and political control in Ecuador have exhibited these characteristics, comprising a diverse and shifting collection of rural communities, organisations, movements, religious activists and institutions, left-wing activists and parties, and transnational networks.

The next sections explore this movement in greater depth. I start by analyzing political struggles over the design and character of land reform, before moving on to examine indigenous attempts to implement land reform from below.

#### *The Battle over the Design and Character of Land Reform*

Land reform debates started to simmer in Ecuador in the 1930s but did not come to the boil until the 1960s. Internal and external factors drove the issue up the political agenda. Due to a complex mix of social, political and economic changes in highland and lowland Ecuador, indigenous, peasant and leftist organisations started to increase the pressure on the state to redistribute land and transform the agrarian structure in the 1950s. The Cuban Revolution provided impetus at the end of the 1950s while the Alliance for Progress lent additional support at the beginning of the 1960s. Within the space of a decade the character of indigenous and peasant demands went from aiming to improve labour and living conditions on haciendas to attempting to unravel the traditional hacienda complex, redistribute land, and transform power relations.

Mounting social and political pressure encouraged candidates in the 1960 presidential elections to commit to undertake land reform. Once in office, the victorious candidate, Jose

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<sup>18</sup> Social movement bases comprise 'movement organizations, networks, participants, and the accumulated cultural artifacts, memories, and traditions that contribute to social movement campaigns' (Tarrow and Tilly 2015, 148).

María Velasco Ibarra, established land reform commissions which included representatives of the state, military and landowning elite but excluded representatives of the peasantry (Barsky 1988, 124-5) (Guerrero 1984, 107). This set the tone for the composition of the bodies charged with the task of designing and implementing land reform between 1964 and 1994. Indigenous, peasant, and left-wing organisations were able to exert pressure on the state through contentious forms of political action but were unable to exercise real influence over the legislature (CIDA 1965, 495). That, along with the absence of a sufficiently powerful pro-reform camp with the military, government and bureaucracy, ensured the law that emerged out of the land reform debate of the early 1960s, *Ley de Reforma Agraria y Colonización*, largely, if not entirely, reflected landowning elite interests (RO 297 1964).

The limited mechanisms the law established to regulate and redistribute land provided indigenous communities and organisations with a powerful incentive to attempt to transform land reform. The structure of the *Instituto Ecuatoriano de Reforma Agraria y Colonización* (IERAC) provided additional incentive. The institute, which was established in 1964, was responsible for regulating and redistributing land and overseeing land reform and colonisation. Indicating the commodifying dimensions of Ecuadorian land reform, IERAC was also charged with the task of promoting ‘the free trade of agricultural land with a view to creating land markets and promoting changes in private tenancy’ (Art. 164 RO 297 1964). The *Consejo Directivo*, the steering committee of the institute, comprised state officials and landowning elite representatives but excluded spokespersons of the indigenous and peasant population. The imbalance between landowning elites and indigenous peoples within the *Consejo Directivo* was accentuated by the strong links landowning elites established with the regional branches of the IERAC. For example, the Director of the Riobamba division of IERAC was also a prominent landowner in the Chimborazo region (El Espectador 05/06/1972, 1-3). Elite influence limited IERAC’s ability to implement land reform and

enabled large landowners to secure favourable terms for land sold to the institute. The IERAC generally attempted to transfer the cost of land to beneficiaries which further reduced the redistributive impact of land reform.

The *Federación Ecuatoriana de Indios* (FEI), which was established under the aegis of the *Partido Comunista Ecuatoriano* (PCE) in 1944, led the initial charge to overhaul land reform. The IERAC was the focus of its attack. The federation claimed the IERAC was run by ‘oligarchs and latifundistas’ and demanded representation within the institute to counter elite influence (El Comercio 23/10/1966, 17). The state rebuffed its demands and increased the number of landowning elite representatives from two to three to rub salt into the wound (Art. 3 RO 167 1967).

The space for indigenous peoples to contest land reform widened in the early 1970s. Various factors were behind this shift but three were particularly important. First, the discovering of significant oil deposits in the northern Amazonian region of Ecuador in the late 1960s sent state-society relations into flux as the fiscal capacity of the state dramatically increased. The grip elites exerted over the state loosened and the state obtained the economic potential to accelerate land reform (Conaghan 1988). The Rodriguez Lara military government, which seized power in 1972, signalled its intention to radicalize reform, providing indigenous and peasant movements with hope of profound change. Second, the comprehensive land reform the Velasco Alvarado military government was undertaking in neighbouring Peru provided inspiration for political elites and technocrats in Ecuador as well as indigenous and peasant movements (Redclift 1978). Third, indigenous and peasant organization strengthened at the local, regional and national levels after the introduction of land reform which created a stronger platform for the rural poor to exert pressure on the state. The radicalization of the national peasant organization *Federación Nacional de Organizaciones Campesinas* (FENOC) and the establishment of the highland indigenous

movement *Ecuarunari* were manifestations of the general strengthening of the ‘base’ of the movement to bring land under social and political control.

The *Frente Unido de Reforma Agraria* (FURA) emerged out of this milieu. The alliance, which was formed in 1972, brought together a range of peasant and indigenous organisations, including FENOC and Ecuarunari. The FURA spearheaded a series of marches and rallies across the sierra and the coast in late 1972 and early 1973, before convening a national meeting in August 1973, where it presented its own land reform proposal (Becker 2008).<sup>19</sup>

The principal features of the proposal are outlined in Table 2. It aimed to increase the social and political control of land through a variety of mechanisms: i) impose meaningful upper limits on the size of landholdings; ii) proscribe foreign ownership of agricultural land; iii) place upper and lower limits on redistributed land; iv) prioritize the redistribution of land in collective form; and v) use outdated cadastral rather than market values to expropriate land. To increase the likelihood of these measures actually being implemented the proposal also aimed to transform the mechanisms and agencies through which land was regulated and redistributed: ‘the participation of peasant organisations in the planning and execution of agrarian reform at the local, regional, and national level is indispensable’ (Barsky 1988, 269-70).

Comparing the law that emerged out of the land reform debate of the early 1970s – *Ley de Reforma Agraria* (LRA) - with the FURA proposal shows that the state failed to respond to indigenous and peasant demands (see Table 2 below). Fundamental differences were evident in relation to the regulation and redistribution of land. Moreover, indigenous and peasant demands for inclusion within public agencies responsible for designing and implementing land reform were emphatically rejected. The FURA’s failure to impose its vision of land reform on the state was compounded by the counter-reform measures the Rodriguez Lara

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<sup>19</sup> The attention the FURA gave to the legal dimension of land reform was reflected in the FENOC’s decision to establish a team which specialised in agrarian law in the early 1970s (El Espectador, 16/06/1972, 3).

government introduced in 1974 and 1975. These changes laid the foundations for a more decisive dismantling of land reform in the late 1970s. Before handing over power to the civilian Roldós-Hurtado government (1979-84) at the end of the decade, the conservative military regime which replaced the Rodríguez Lara government in 1976 introduced a new law – *Ley de Fomento y Desarrollo Agropecuario* - which provided greater protection for private property rights and impeded the implementation of land reform (RO 792 1979). In doing so, the military bequeathed a complex and contradictory legal and bureaucratic framework which placed definite limits on land regulation and redistribution in the 1980s and 1990s.

<p align="center"><b>Table 2</b>  <b>Comparative analysis of Ley de Reforma Agraria and Frente Unido de Reforma Agraria proposal</b></p>		
<b>Dimension</b>	<b>LRA</b>	<b>FURA</b>
Expropriation	Min. 80 per cent of landholding 'efficiently' exploited and min. 'average productivity' by 01/01/1976; efficient landholdings in areas of 'great demographic pressure'; and land worked under 'precarious' conditions	Min. 80 per cent of cultivable land cultivated and min. 'average productivity'; efficient landholdings in areas of 'great demographic pressure'; land worked under 'precarious' conditions; land that exceeds landholding limits; and, foreign-owned land
Expropriation value	1964 cadastral value plus compensation for investments on land (before 1975) and 10-year old cadastral values plus investments (from 1975)	1964 cadastral value
Redistributed land	Price of land no greater than price paid by IERAC and redistribution to legally registered peasant organisations prioritised	Price of land based on 1964 cadastral value; communal redistribution prioritised; and, lower and upper limits on redistributed land to individuals
Landholding limits	No limits	Max. of 100 hectares (sierra)
Land ownership	No limits	Max. of 100 hectares (sierra)
Indigenous/peasant representation in land reform agencies	None	Indigenous/peasant representation at the local, regional and national levels
Foreign ownership	No restrictions	Proscription of foreign ownership of agricultural land
Source: My own elaboration based on <i>Ley de Reforma Agraria</i> , Registro Oficial 410, 15 October 1973; <i>Pronunciamento del Primer Encuentro Campesino por la Reforma Agraria a las Autoridades Gubernamentales</i> , Barsky 1988, 263-72		

Notwithstanding the barriers the military regimes placed in front of land reform in the late 1970s, indigenous and peasant organisations continued to call for radical changes to land



reform laws, policies and institutions in the early 1980s. The return to democracy in 1979 provided greater space to contest land reform. Ecuarunari and FENOC organized a 10,000 people strong mobilisation in Quito in 1980 to raise pressure on the Roldós-Hurtado government, convened the *Primer Encuentro Nacional Campesino Indígena* in 1982, and demanded ‘agrarian reform with peasant control’ (Becker 2008, 164). The lack of land available to most highland indigenous families and communities provided a powerful incentive for indigenous movements to continue the struggle to bring land under social and political control. Ecuarunari painted a powerful picture of the situation confronting highland indigenous peoples at this stage:

Our fundamental problem is that the majority of us have a small parcel of land that does not yield enough to support our families nor satisfy our most basic needs. If our parents or we were able to secure a *huasipungo* or plot of land, we or our children do not even have a handful of land...What land are we going to leave our children? None! We cannot divide our land anymore (Ecuarunari 1984, 16).

The anger and frustration that bursts from this passage came to a head in 1990 when the *Confederación de Nacionalidades Indígenas del Ecuador* (CONAIE) launched a *levantamiento* – uprising - which transformed indigenous-state relations and propelled land reform up the political agenda.<sup>20</sup> Growing out of the occupation of the iconic Santa Domingo Church in Quito, the *levantamiento* swept across the highlands as indigenous protestors blocked roads, took to the streets and occupied land and buildings (Hoy 30/05/1990, 7A; El Comercio 08/06/1990, A-1). Indicating the challenges indigenous peoples faced at the local level, Leon Zamosc notes ‘that it was primarily the community-based local and regional organizations that took the initiative and coordinated popular participation’ (Zamosc 1994,

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<sup>20</sup> The CONAIE was formed in 1986 to create a national platform to voice indigenous concerns. It comprises the principal regional indigenous movements of the highlands and lowlands and numerous provincial and local organisations and communities. It is the largest indigenous movement in Ecuador and one of the most important social movements in Latin America.

53).<sup>21</sup> Building on this groundswell of support, the CONAIE made sixteen demands, including the redistribution and legalisation of land, resolution of land conflicts, and transformation of Ecuador into a plurinational state.

The 1990 *levantamiento* provided a platform for indigenous peoples to intensify their efforts to bring land under social and political control.<sup>22</sup> The *Coordinadora Agraria Nacional* (CAN) was formed in the wake of the *levantamiento* to channel this demand.<sup>23</sup> Following a nation-wide consultation, the CAN submitted a legislative proposal - *Ley Agraria Integral del Ecuador* – to Congress in June 1993 (see Table 3 below). Like the FURA, the CAN aimed to give indigenous and peasant movements a prominent role in the implementation of land reform: ‘organized rural civil society should perform a lead role in putting *Ley Agraria* into motion’ while ‘the state should perform a very specific function: administer the law in a fair, agile, and appropriate manner’ (CAN 1993, 2). The degree of social control the CAN demanded was based on the belief that ‘the market does not have the capacity to rationalize access to land’ (CAN 1993, 2). This was reflected in the mechanisms the proposal aimed to create to redistribute land and the numerous restrictions it sought to place on the ownership and transfer of land. In short, the proposal recognized a role for land markets in the rural economy but one that was subject to social and political control.

Rather than seriously consider the CAN proposal the conservative Durán Ballén government (1992-96) elected to introduce a bill that promoted the interests of landowning elites, national capitalist enterprises, transnational corporations and multilateral institutions. Drawing inspiration from a proposal developed by IDEA, a think tank with close links to

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<sup>21</sup> See also Almeida et al. (1991).

<sup>22</sup> The *levantamiento* also contributed to the launch of a land purchase scheme overseen by the *Fondo Ecuatoriano Populorum Progreso* (FEPP), a NGO with close links to the Catholic Church. Between 1990 and 1995, the initiative helped over 5,000 agricultural producers purchase approximately 27,000 hectares of land in the highland region. See Navarro et al. (1996) for a comprehensive analysis of the scheme. See also Bretón (2008b) and Goodwin (2014).

<sup>23</sup> The CAN was spearheaded by the CONAIE but included a number of other indigenous and peasant organisations and movements, including FENOCIN.

landowning elites and USAID, the executive branch of the government sent its rural development proposal – *Ley de Ordenamiento del Sector Agrario* - to Congress as a matter of economic urgency in early May 1994 (Hoy 06/05/1994, A-6).

The move prompted CONAIE to demand Congress ‘study and approve’ the CAN proposal (Hoy 06/05/1994, A-6; Sawyer 2004, 154). In the event, the executive proposal was rejected by Congress but voting was driven by political infighting between factions of the right rather than concern over issues raised by the CONAIE. The original executive proposal provided the basis for the hastily redrafted law – *Ley de Desarrollo Agrario* (LDA) – which was approved by Congress in early June. Luis Macas, president of the CONAIE, declared: ‘we are not going to remain with our arms crossed, knelt on our knees, we will demonstrate our capacity to fight’ (El Comercio 09/06/1994, A-1).

The possibility of CONAIE launching another *levantamiento* failed to deter President Sixto Durán Ballén from approving the law (El Comercio 14/06/1994, A-1). CONAIE’s reaction was twofold: i) register a formal complaint with the *Tribunal de Garantías Constitucionales* and ii) launch a nationwide *levantamiento* – the ‘*Movilización por la Vida*’ - which swept across the highland and lowland regions of the country in late June.<sup>24</sup> The twin-pronged attack forced the government to negotiate over the content of the law. The negotiations, which took place within a commission formed by the government, lasted more than two weeks and included the president, various branches of the state, representatives of the Catholic Church, indigenous and peasant organisations and the landowning elite (El Comercio 27/06/1994, A-1).

There is some dispute in the literature over the impact of the *levantamiento* on the legislation. Victor Bretón, for example, notes a number of changes between the original and

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<sup>24</sup> The 1994 uprising resembled the 1990 *levantamiento* in form but was more actively supported by lowland indigenous communities and movements. See Guerrero (1996) and Sawyer (2004) for insight into the 1994 uprising.

approved versions of the law but argues the ‘real fundamental differences were minimal’ (Bretón 1997, 71-2). William Waters, by contrast, claims the indigenous movement was able to leave a considerable imprint on the legislation, contending ‘the mobilization showed that indigenous proposals for agrarian reform legislation emerged as the yardstick against which other proposals would be measured. The attempt by landowner associations, conservative politicians, and the government to bypass that proposal ultimately failed’ (Waters 1995, 15).

<b>Table 3</b> <b>Comparative analysis of Ley de Desarrollo Agrario and Coordinadora Agraria Nacional proposal</b>		
<b>Dimension</b>	<b>CAN*</b>	<b>LDA**</b>
Role of the market	Marginal and constrained	Central and expanded
Expropriation	Ten grounds including the expropriation of land due to ‘great demographic pressure’.	Four grounds including the expropriation of land which does not fulfil its social functions on the grounds of ‘great demographic pressure’.
Expropriation value	Current cadastral value plus investments.	Commercial value.
Payment for redistributed land	90 per cent covered by the state and 10 per cent by the recipient.	100 per cent assumed by the recipient.
Restrictions on the division and transfer of privately owned land	Division of landholdings less than 10 hectares restricted; authorisation to divide landholdings above 10 hectares; transfer of <i>minifundia</i> limited; and division of redistributed land proscribed.	None.
Regulation of communal land	Division of communal land prohibited.	Division of communal land permitted with two-thirds community approval except <i>páramo</i> and forest.
Indigenous/peasant representation in land reform agencies	Two indigenous and peasant representatives within <i>Comisión Técnica-Consultora</i> and indigenous and peasant influence over appointment of the <i>Director Ejecutivo</i> of the IERA.	Two indigenous, peasant, and <i>afroecuatoriano</i> representatives within <i>Consejo Superior</i> of INDA.
Financing of land reform/development institute	Revenues streams from i) oil and mining; ii) ecotourism; iii) import and export duties; and iv) foreign direct investment	No specific revenue streams stipulated.
Source: My own elaboration based on CAN (1993), RO 524 (1994), and RO 55 (1997). * <i>Proyecto de Ley Agraria Integral del Ecuador</i> (CAN 1993) ** <i>Ley de Desarrollo Agrario</i> (RO 55 1997) and <i>Reglamento General de la Ley de Desarrollo Agrario</i> (RO 524 1994).		

Indigenous pressure undoubtedly forced a number of important revisions, especially in relation to communal and ancestral land. Yet, as Table 3 demonstrates, the final version of the LDA was far removed from the CAN proposal, providing support for Bretón’s version of events. The starkest difference related to the role assigned to the market. Whereas the CAN

proposed a marginal and constrained role, the LDA promoted a central and enlarged function. The commodifying aim of the law was enthusiastically stated: ‘The sale and purchase and transfer of privately owned agricultural land are free and require the authorization of no one’ (Art. 35 RO 55 1997). Travelling in the same direction, the law also increased protection for private property rights by virtually ruling out expropriation and ensuring landowners were entitled to receive the commercial value of land in the unlikely event a legal basis for expropriation was established.

The space the LDA created for representatives of indigenous and peasant organisations within the *Consejo Superior* of the *Instituto Nacional de Desarrollo Agrario* (INDA) should be seen in light of the highly circumscribed redistributive dimensions of the law. Indigenous and peasant organisation achieved their long-standing aim of securing representation within the institute responsible for overseeing land reform but only when it was incapable of performing the task. The *Consejo Superior* was toothless. Decisions related to the expropriation of land were taken by the *Director Ejecutivo* and *Directores Distritales* rather than the *Consejo Superior*. Waters suggests granting authority to the *Directores Distritales* was a positive step because at that local level ‘presumably, local indigenous voices could be better heard’ (Waters 1995, 9). But the bureaucratic structure of INDA was actually designed to work in the opposite direction: to limit the power of the national committees which included indigenous and peasant representatives. The Duran Ballén administration therefore followed previous governments in rebuffing demands to create genuine space for indigenous and peasant involvement in the regulation and redistribution of land. Despite considerable indigenous resistance, the government effectively drew three decades of land reform to a close.

### *Implementing Land Reform from Below: Indigenous Struggles to Secure Land via the State*

The failure of indigenous and peasant movements to transform the legal and institutional structure of land reform was reflected in the relatively small amount of land redistributed in the highland region between 1964 and 1994. Table 4 (below), which is based on a full official dataset of land reform, shows the total and relative amount of land redistributed at the regional and provincial levels.<sup>25</sup> The overall amount of land redistributed totalled 580,962 hectares which represented approximately 12 per cent of the regional agricultural land surface. Figure 2 (below) maps the relationship between the total amount of land redistributed and the density of the indigenous population in each of the highland provinces. The two variables are positively related which gives a broad indication of the relative success indigenous peoples enjoyed in securing land.<sup>26</sup> While not representative of the thousands of cases that took place in the highlands over three decades, the following examples provide insight into this struggle.

Land reform opened three broad avenues for indigenous peoples to secure land: i) the dissolution of traditional peasant-patron practices; ii) redistribution of state-owned land and iii) expropriation and redistribution of privately owned land.

*Huasipungo* was the most widespread traditional peasant-patron practice in the highland region in the 1960s.<sup>27</sup> Its dissolution, which was one the principal aims of Ecuadorian land reform, provided opportunities for indigenous peoples to secure formal titles to land. Official

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<sup>25</sup> There are a number of factors that need to be taken into account when interpreting the data presented in Table 4 and Figure 2. First, the size and quality of land redistributed via IERAC varied enormously. Redistributed land was generally, though not universally, poor quality and large tracts of *páramo* – high-altitude grassland – were transferred, especially in Chimborazo and Cotopaxi. Second, the data exclude private and Catholic Church land transfer initiatives which took place before the creation of IERAC or without the involvement of the institute once it was established. Third, the land redistribution and agricultural census data include land located in the subtropical lowland regions of highland provinces so the figures do not precisely match the actual highland region. See Goodwin (2014) for a detailed explanation of the characteristics and limitations of the data.

<sup>26</sup> Zamosc (1995) reports a similar finding using a different methodology and land redistribution dataset.

<sup>27</sup> Put simply, *huasipungo* involved the exchange of the labour power of indigenous peasant families for usufruct rights to small plots of land.

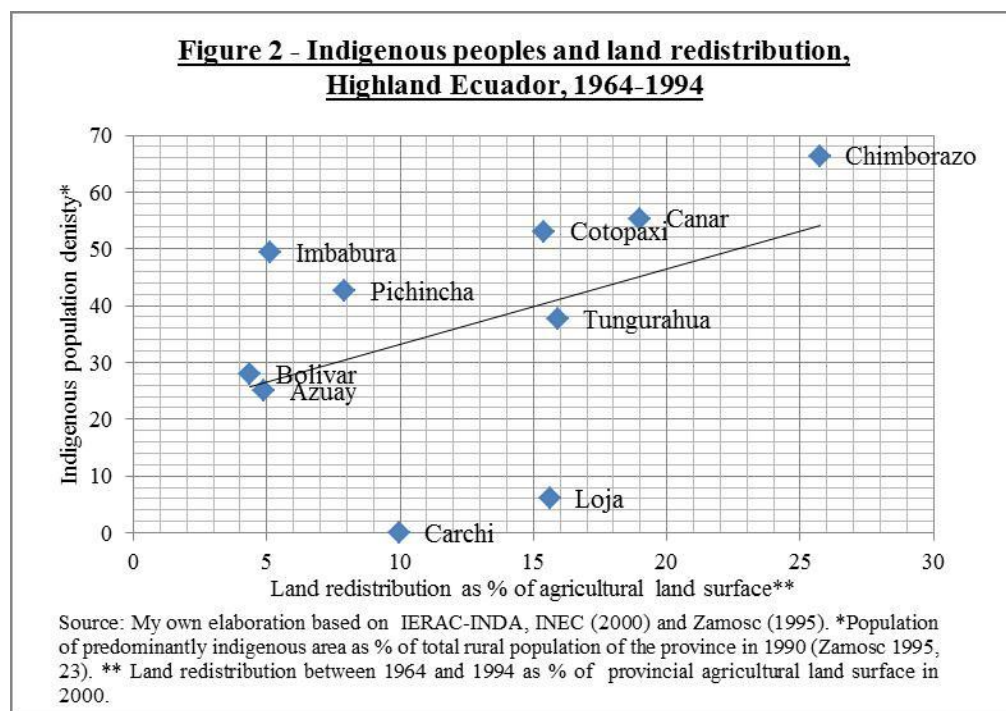
land reform data indicate 76,054 hectares were transferred to 18,840 *huasipungueros* between 1964 and 1994 (average plot of four hectares). The conversion of usufruct rights into private property rights was rarely like for like: the relocation of indigenous families and communities to smaller and/or less productive land was widespread.<sup>28</sup> Resettlement was often staunchly opposed but indigenous peoples were frequently left in precarious positions following the dissolution of *huasipungo*. The story a former indigenous worker on a hacienda in Chimborazo recounted to Carola Lentz highlights this point: ‘We have not received justice according to agrarian reform. We did not know the laws at that stage, we were not organized. Because of that they did not give us *huasipungos* only selling, selling, and selling’ (Lentz 1997, 54-5).

<b>Table 4</b> <b>Total and relative amount of land redistributed in Highland Ecuador between 1964 and 1994</b>			
<b>Province</b>	<b><u>Total land redistributed*</u></b>	<b><u>Percentage of total land redistributed</u></b>	<b><u>Percentage of land surface **</u></b>
Azuay	29,884	5.15	4.88
Bolivar	16,684	2.87	4.38
Cañar	49,005	8.44	18.98
Carchi	17,335	2.98	9.95
Chimborazo	121,349	20.89	25.74
Cotopaxi	70,465	12.13	15.41
Imbabura	14,595	2.51	5.15
Loja	155,734	26.81	15.65
Pichincha	73,441	12.65	7.93
Tungurahua	32,471	5.59	15.91
<b>Total</b>	<b>580,962</b>	<b>100.00</b>	<b>12.20</b>
Source: My own elaboration based on INDA-IERAC and INEC (2000). * Hectares ** Percentage of provincial agricultural land surface reported in 2000 Censo Agropecuario Nacional			

The worker’s recollection highlights three important features of land reform in the highland region: 1) the lack of indigenous organization at the local level supported landowning elite efforts to circumvent the law; 2) land reform stimulated land market activity; and, 3) the failure of the state to communicate and implement land reform. The last point was demonstrated by the number of indigenous families and communities who were

<sup>28</sup> See, for example, Taveras (1977) and Lyons (2006).

unaware land reform even existed in the 1960s and 1970s. This was true of one of the communities I visited and interviewed in Guamote, Chimborazo. It was not until the build-up to the introduction of *Ley de Reforma Agraria* in 1973 that the community became aware of land reform (i.e. nearly a decade after the *Ley de Reforma Agraria y Colonización* was introduced). One of the community elders explained that following a wave of indigenous protests and invasions a rumour began to circulate that ‘the *huasipungueros* were going to take the land from the elites’. The introduction of the law and the upsurge of protests prompted landowning elites to start selling land to local indigenous families, some of whom were able to buy small plots. The community purchased plots of marginal land from landowning elites who retained the most productive sections of the estate by transferring land between family members. The combination of land reform and indigenous pressure opened spaces for the indigenous community to secure land but significant sacrifice was required to obtain land via the market: ‘this is how we became indebted to buy a small plot of land’.





State-owned haciendas provided another potential source of land for indigenous peoples. The bulk of this land was managed by the welfare agency *Asistencia Social*. The total stock registered in the highlands prior to start of land reform was estimated at 132,853 hectares (CIDA 1965, 112). Redistribution tended to involve the allocation of small amounts of land to families as well as the transfer of larger plots of agricultural and pastoral land to agricultural cooperatives. While this provided some indigenous families and communities with a more straightforward route to secure land, sustained and concerted pressure was required to activate and accelerate redistribution.

The redistribution of state-owned land in the northern highland canton of Cayambe highlighted this point. Indigenous-state tensions were evident on numerous levels. The cost of land was a particular issue.<sup>29</sup> The *Ministerio de Agricultura y Ganadería* (MAG) clearly captures this point:

For its part, the FEI has consistently maintained the aspiration for an agrarian reform in which the cost of the land does not fall on the *campesinos*. By contrast, the IERAC has always insisted in transferring the cost of the land to the beneficiaries, a characteristic that has defined the Ecuadorian agrarian reform model, a view based on law.<sup>30</sup> (MAG 1977b, 50)

The mode of redistribution was another source of conflict. The state's attempts to impose cooperative forms of agricultural production on traditional indigenous communities and retain a high degree of control over the redistributed land caused considerable tension (Martinez 1995). Workers from various state-owned haciendas launched a series of strikes and invasions in the late 1960s demanding 'free reign' over the haciendas and the expulsion

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<sup>29</sup> The strain the price of land placed on indigenous peoples was evident in a letter the *Simon Bolivar* cooperative sent to IERAC in 1971 which requested the postponement of a loan repayment for twelve months. *Hacienda Pesillo, Cayambe, Pichincha*, IERAC archive, MAG, Quito.

<sup>30</sup> The *Ley de Reforma Agraria y Colonización* actually implied state-owned land should be redistributed to indigenous peoples without cost but supplementary legislation issued in 1965 established a legal basis to charge indigenous families and communities (Art. 13 RO 502 1965).

of IERAC (El Comercio 29/10/1966, 14; El Comercio 30/10/1966, 3). The military and civilian governments of the late 1960s refused to cede to their demands and employed military force to quell indigenous resistance. Writing at the time, Muriel Crespi noted: ‘new concessions were won, but the haciendas still belong to the patrons’ (Crespi 1971, 236). However, sustained indigenous pressure was able to increase indigenous control over the cooperatives. Glossing over the intense struggle behind the change, the MAG noted this shift in the late 1970s: ‘IERAC initially took responsibility for all of the production of the zone, constituting a type of state enterprise; however, that state enterprise has been slowly converted into self-managed cooperatives’ (MAG 1977a, 52).

The redistribution of state-owned land elsewhere in the sierra took different forms but tended to have limited reach in terms of the number of families and communities involved. One important factor that limited access to land was the failure of IERAC to redistribute the entire stock of state-owned land. My calculations suggest 30,547 hectares of land were not redistributed after three decades of reform.<sup>31</sup> However, this estimate appears conservative. State agencies involved in land reform reported the total stock of *Asistencia Social* land in the late 1970s was 169,767 hectares and noted ‘ex-*Asistencia Social* landholdings exist which still have not been transferred to the IERAC’ (MAG-IERAC-JUNAPLA 1977, 51). There are a number of possible explanations for IERAC’s apparent failure to redistribute all the land. The unreliability and inconsistency of the data may explain some of the shortfall. However, this is unlikely to account for the entire amount. The time IERAC took to divide and redistribute *Asistencia Social* estates and the value of the most productive sections of the haciendas suggest at least some of the land was sold to landowning elites, agricultural enterprises, and urban developers rather than redistributed to peasant families and

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<sup>31</sup> I derived this estimate by subtracting the stock of state-owned land recorded in the early 1960s (CIDA 1965, 112) from the total amount of state-owned land IERAC redistributed between 1964 and 1994 (IERAC-INDA).

communities. This explanation is consistent with the state's overall attitude to land reform which oscillated between disinterest and disdain.

Privately owned land was the last route for indigenous peoples to obtain land. This was far more problematic because of the protection land reform granted to private property rights and the degree of influence landowning elites exerted over the government, the IERAC and the judiciary. Yet indigenous families and communities were able to secure privately owned land through sustained collective organization and mobilization.

Events in Chimborazo in the 1970s indicate the pressure indigenous peoples exerted on the state to enforce existing legislation and implement land reform from below. Indicating the opening the arrival of a military regime ostensibly committed to radicalizing land reform provided for indigenous mobilization, the FEI organized a 50,000 people strong indigenous march in the town of Palmira to demand the Rodriguez Lara government accelerate redistribution (El Espectador 05/06/1972, 1).<sup>32</sup> The protestors presented local officials with a list of ten demands which centred on the application of existing land reform legislation and the investigation of alleged corrupt activities of IERAC (El Espectador 05/06/1972, 1-3). *Hacienda Galte*, which covered 11,000 hectares of high-altitude land and incorporated approximately 2,000 indigenous peoples, was one of the cases the FEI singled out for investigation. Official reports into the dissolution of the hacienda suggest the claims of the indigenous protestors were well founded. Reflecting the ability of landowning elites to secure high prices for the land they sold to the IERAC, MAG noted that the institute had paid an 'excessive price' for the estate (MAG 1977c, 11). The collective organization of indigenous workers performed a crucial role in the redistribution of the land. Under pressure from the FEI, the institute dissolved the 158 *huasipungo* contracts, redistributed approximately 3,000

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<sup>32</sup> Days later the same newspaper reported 200,000 protesters had attended the march. (El Espectador 09/06/1972, 5)

hectares to former *huasipungueros* without cost, and provided families with collective use of 2,000 hectares of *páramo*. IERAC archive materials indicate the pressure indigenous peoples placed on the authorities enabled them to secure larger plots of land.<sup>33</sup> Official records show *huasipungueros* received average plots of 10 hectares, significantly above the four hectare regional average.<sup>34</sup> Once the initial phase of redistribution was complete, the IERAC proposed the sale of the rest of the hacienda at a similar price to the one it had paid the landowner but indigenous workers ‘emphatically and repeatedly’ rejected its proposal (MAG 1977c, 7). Mirroring struggles in Cayambe, the FEI demanded that the entire hacienda be redistributed to indigenous families and communities without cost. The two parties failed to reach agreement and the land that had not been transferred to the indigenous workers was temporarily converted into an IERAC managed enterprise. The MAG argued that the sale of land at the price proposed by IERAC would be ‘ruinous’ for the indigenous and recommended the collective sale of the land at a price significantly below the price the IERAC had paid (MAG 1977c, 13-4). The remaining sections of the hacienda were redistributed in the late 1970s and early 1980s (IERAC 1984, 5). Indigenous mobilization was not only influential in determining the amount of land redistributed but also in determining the conditions under which the land was transferred.

The ultimately successful attempt of a group of indigenous families and communities to force the expropriation and redistribution of *Hacienda Quinchuquí*, which stretched across approximately 700 hectares of good quality land in the northern highland canton of Otavalo, provides further evidence of the role indigenous organization performed in implementing

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<sup>33</sup> *Informes de Linderación, Hacienda Galte, Palmira, Chimborazo*, IERAC archive, MAG, Quito.

<sup>34</sup> Official records also show that the plots *huasipungueros* received varied in size, suggesting land reform embedded inequalities that existed between indigenous families on the traditional hacienda. This was a common pattern in the highland region. Breton (2015a), for example, reports a similar finding in Cotopaxi. It is worth recalling that the FURA attempted to impose upper and lower limits on redistributed land to reduce or limit the stratification of land ownership and create a more egalitarian land distribution.

land reform from below.<sup>35</sup> The first expropriation claim, as Sergio Huarcaya explains in his illuminating analysis of the case, was made in 1977 (Huarcaya 2012, 203-69). Following the guidelines set out in land reform legislation, the members of the eight communities involved in the land dispute channelled their demand through a pre-cooperative which was established to make the claim. The authorities rejected their demand in 1978. Some members of the cooperative left after the decision but the majority remained and lodged another claim in 1978 on the grounds of ‘great demographic pressure’. While the end of military rule failed to halt landowner and police repression, conditions proved more conducive to force the expropriation of the hacienda. The authorities ruled in favour of the claimants in 1981 and around one third of the hacienda was transferred to the cooperative via IERAC in 1983, nearly seven years after the initial claim was lodged.

The case highlights the crucial role leadership, alliances and movements performed in spreading knowledge of land reform and providing indigenous families and communities with the knowhow to make expropriation claims. This was evident on various levels. The indigenous leaders of the pre-cooperative communicated the details of land reform legislation to members of neighbouring communities, many of whom were unaware land reform even existed. The FENOC also performed a vital role in diffusing knowledge of land reform, organizing events which included ‘indigenous leaders who spoke about their experience in successful land claims in other parts of the country’ (Huarcaya 2012, 240). The members of the pre-cooperative also received support from left-wing lawyers and politicians who helped them build a legal case. Indigenous leaders therefore worked closely with external actors, reflecting a broader pattern in the highland region in the late twentieth century.<sup>36</sup> The case

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<sup>35</sup> Some of the details included within the analysis of this case are based on personal communication with Sergio Huarcaya. I would like to thank Sergio for graciously sharing his research.

<sup>36</sup> Victor Bretón’s penetrating analysis of these relationships shows indigenous communities and leaders received support from a variety of leftist activists and organisations, including members of the *Movimiento Izquierda Revolucionaria* (MIR) who provided language teaching and assistance (Bretón 2015a, 2015b). See also Becker (2008).

also illuminates another important feature of indigenous struggles over land reform: indigenous knowledge of the legal underpinnings of land reform and legal obstacles to the implementation of land reform increased simultaneously from the 1970s onwards. The injustice, anger and frustration this engendered were important factors behind the 1990 and 1994 *levantamientos*. CONAIE's declaration at the 1990 uprising captured this sentiment: '*Efforts have been exhausted through legal channels: the people have their say*' (Navarro et al. 1996, 279). Indigenous and peasant movements attempted to create a more appropriate and equitable legal and institutional framework to regulate and redistribute land but the conservative Duran Ballén government refused to take their demands seriously. Twenty years later the Rafael Correa government looks set to follow a similar path.

#### ECHOES FROM THE PAST: EFFORTS TO BRING LAND UNDER SOCIAL AND POLITICAL CONTROL UNDER RAFAEL CORREA

Writing some years after his first election victory in 2006, Rafael Correa claimed the political movement he represents proposed a 'revolution, understood as a radical and rapid change in the existing structures of Ecuadorian society' (Correa 2012, 90).<sup>37</sup> But the path the Correa governments have followed has been neither revolutionary nor radical. Nowhere has this been more evident than in relation to land. The president and government have pledged to oversee a '*revolución agraria*' but have shown little interest in tackling issues related to the use, control, and distribution of land.<sup>38</sup>

The agrarian policy line the Correa governments have followed has diverged from the 2008 constitution which demands the state ensures equitable access to land through regulation and redistribution. Echoing earlier episodes of contention, pressure has come from below to transform agrarian laws and policies. The clearest indication of this came in March

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<sup>37</sup> Rafael Correa has been in power in Ecuador since 2007, having won presidential elections in 2006, 2009 and 2013, the last two in the first round.

<sup>38</sup> See Carrion (2013) and Berry et al. (2014).

2012 when the *Red Agraria Nacional* (RAN) – a national coalition of rural social movements – submitted the *Proyecto de Ley Orgánica de Tierras y Territorios* to the National Assembly in Quito. The Polanyian character of the proposal shines through in the opening passages:<sup>39</sup>

The organizations that represent the *productores* and *productoras*, *comunidades*, *comunidades*, *pueblos* and *nacionalidades*, *afroecuatorianos*, and *montubios* will participate in the implementation of this law on various levels to ensure the efficient execution of the regulations. This reflects the fact that land is not a commodity subject only to the rule of the market but also to the control of society (RAN 2012, 9).<sup>40</sup>

Three principal mechanism of social and political control are proposed. The first, the *Asamblea Plurinacional e Intercultural de Soberanía Alimentaria*, aims to provide a forum for a broad spectrum of rural actors to discuss agrarian issues and policies, with the emphasis on increasing food sovereignty. The second, the *Fondo Nacional de Tierras*, seeks to regulate the use, control, and distribution of land, with the ultimate aim of preventing monopolisation and providing equitable access to land. To increase the likelihood of the fund achieving these objectives, the proposal seeks the incorporation of various sectors of rural society in the steering committee, including landless workers, *afroecuatorianos*, indigenous peoples and female agricultural producers. The third mechanism, *Comisiones Cantonales de Tierras y Territorios*, aims to support the implementation of the law at the local level.

The RAN therefore follows the FEI, FURA and CAN in attempting to carve out spaces for social involvement in the regulation and redistribution of land at the national level. Yet the RAN surpasses previous efforts both in terms of the mechanisms proposed to increase social

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<sup>39</sup> The Polanyian nature of the current struggle was also emphasised by a member of the RAN I interviewed in Quito in December 2011. Loyda Oliva, one of the national leaders of FENOCIN, emphatically stated that ‘land is not a commodity but part of the sovereignty of the peoples’.

<sup>40</sup> Spanish is retained to capture the plural and inclusive spirit of the proposal.

control and the actors involved in the process. For example, the proposed inclusion of female representatives within agencies charged with the task of regulating and redistributing land is entirely new. Other important features of the proposal include upper limits on the size of private landholdings; new social and environmental functions of land; expropriation on the grounds of poverty; and progressive land taxes. Crucially, the RAN is therefore not merely attempting to overturn neoliberal policies but introduce a variant of land reform that goes well beyond the programmes implemented between 1964 and 1994.

Why have the Correa governments failed to respond to demands to increase the social and political control of land? <sup>41</sup>

Since the approval of the new constitution the Correa governments have had sufficient power in the legislature to introduce a new land law which suggests other factors have been at play.<sup>42</sup> The relative weakness of indigenous movements and the complex relationship between the movements and the government have been crucial. Unlike Evo Morales in Bolivia, Rafael Correa came to power at a time when indigenous movements were relatively weak. CONAIE's brief but costly association with the Lucio Gutierrez government (2002-5) damaged its credibility and created deep divisions within the movement. Correa's arrival then sent indigenous-state relations into flux.<sup>43</sup> Whereas the distinctly neoliberal policies of previous regimes provided indigenous movements with a clear point of attack, the heterodox policies and nationalist rhetoric of the Correa governments have proved harder to contest. Moreover, the investment the governments have made in welfare, health, education and infrastructure has won them support from a number of indigenous peoples, communities and leaders. Some members of CONAIE have advocated a hostile relationship with the

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<sup>41</sup> The land law the government has promoted diverges sharply from the RAN proposal. See '*¿Qué Ley de Tierras nos ofrece el gobierno y qué Ley de Tierras planteamos las organizaciones en el año 2012?*', interview with Luis Andrango, former president of FENOCIN, *Observatorio de Cambio Rural*, 20/06/15.

<sup>42</sup> The government held a simple majority in the National Assembly between 2009 and 2013 and have enjoyed an absolute majority since 2013.

<sup>43</sup> See Martínez Novo (2014).



government, while others have demanded a closer position. The measures the president and government have used to weaken, divide and delegitimise CONAIE have also been influential.<sup>44</sup>

Cracks have also widened within the broader indigenous and peasant movement as other indigenous and peasant organisations have renegotiated their relationships with the state. FENOCIN, which remains the largest multi-ethnic peasant movement in Ecuador, has maintained cordial, if at times strained, relations with the government. Tensions between CONAIE and FENOCIN, which have been evident since the 1970s, have precluded full cooperation on important issues. Notably, the RAN excludes the former but includes the latter. While CONAIE has indicated its willingness to collaborate with RAN and demanded the government deliver a genuine '*revolución agraria*', it has taken a less prominent role in pushing for a new land law. To some extent this reflects the battles indigenous families, communities, organisations, and movements won in the highlands and lowlands during land struggles in the late twentieth century. Indigenous communities that were able to increase control of land at the local level have been less motivated to push for regulation and redistribution at the national level. The stratification of indigenous land ownership has added another layer of complexity. In some areas of the highlands, land redistribution would involve transforming the structure of land ownership within and between indigenous communities, which makes organising a land reform movement along ethnic lines problematic. The increased absorption of indigenous workers into the agroexport sector and urban labour markets, the inability of small agricultural producers to compete in national and international markets, and the emergence of a new generation of indigenous leaders less

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<sup>44</sup> Tactics have included relentless state propaganda, threatening and imprisoning indigenous leaders and protestors, disrupting indigenous mobilisations, and co-opting the bases of the indigenous movement.

entrenched in land struggles and more orientated towards rural development have also contributed to the relative lack of pressure the CONAIE has exerted.<sup>45</sup>

The absence of a powerful, broad-based indigenous and peasant movement capable of exerting significant pressure on the state has enabled the Correa governments to sidestep issues related to land, avoid serious confrontations with landowning elites, and leave the primary export model intact. The free-trade agreement the Correa government has signed with the European Union has provided a clear indication of the influence agroexporters have exerted over economic policy. The fact medium and large-scale capitalist firms appear to have been the primary beneficiaries of public spending on agriculture under Correa provides further evidence of the lack of substantive change (Carrión 2013). Despite the lip service the Correa governments have paid to food sovereignty, their agrarian policies have been orientated towards agroexport and agroindustry and embedded rather than ruptured land inequalities.

The inability of rural grassroots organisations and social movements to force a radical break in agrarian policies in Ecuador indicates a crucial, if at times overlooked, feature of the double movement: widespread decommodification only materializes if countermovements accumulate sufficient political power to force states to implement laws and policies that limit and reverse commodification.

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<sup>45</sup> Taking a wider view of indigenous organizational activity in the 1980s and 1990s, two broad trends were evident: indigenous movements against commodification through land reform (and other measures orientated towards controlling markets) and towards commodification through rural development (and other initiatives aimed at expanding markets). These two seemingly contradictory trends are not inconsistent with Polanyian theory: social classes and groups can simultaneously appear on both sides of the double movement, pushing for decommodification in some areas while supporting commodification in others. However, this clearly has the potential to create divisions, limit collective organization and mobilization, and reduce the likelihood of radical changes in economic and political structures. See Breton (2008a, 2008b, 2015b) for insight into indigenous engagement in rural development projects in the highland region and the impact it had on indigenous organisations.

## CONCLUSION

Since the 1960s rural social movements have attempted to force the Ecuadorian state to introduce and implement laws and policies that increase the regulation and redistribution of land. Drawing on the work of Karl Polanyi, I have characterized this struggle as the attempt to bring land under social and political control in the face of mounting commodification. The struggle has involved attempting to integrate representatives of indigenous and peasant movements into agencies responsible for regulating and redistributing land at the national level and expand family and community control of land at the local level. During the late twentieth century, indigenous and peasant movements failed to transform the overriding structure of land reform. However, sustained organization and mobilization enabled indigenous families and communities to force the redistribution of land in various cases. The gains some indigenous peoples won show that even when states have little interest in redistributing land collective pressure from below has the potential to force them to implement land reform in particular cases. The flipside of this is that when states are free from sustained social pressure they are likely to avoid land reform and favour policies that do not threaten landowning elites or challenge power relations. The recent conflict in Ecuador illustrates this point. Rural social movements have proposed a radical new land law but a lack of sustained pressure has enabled the Correa regime to sidestep issues related to the use, control and distribution of land. Divisions within and between indigenous and peasant movements have prevented the formation of a broad-based movement capable of exerting real influence over the government. Muted pressure from indigenous and peasant families and communities has also been crucial. The recent conflict has lacked the community driven mobilization which fuelled the indigenous *levantamientos* in the 1990s. I have claimed that this is partly due to changes in patterns of highland indigenous land ownership that took place under land reform. Indigenous families and communities who have increased control of land

at the local level have been less interested in pushing for changes in land laws and policies at the national level. The stratification of indigenous land ownership also appears to have weakened demands for radical change. Land reform performed a critical role in this process. On the one hand, land reform agencies made little effort to change existing patterns of land control among indigenous families on traditional haciendas. Land redistribution therefore generally embedded or widened existing inequalities. On the other hand, land reform expanded land markets and created opportunities for some indigenous families to purchase and accumulate land. This highlights the critical importance of understanding historical processes of land reform and land commodification and gauging the impact of these processes on indigenous and peasant land ownership and social and political organization. The theoretical framework I have elaborated in this article help us explore these processes. However, further work is required, particularly on the formation and operation of countermovements, the interaction between reciprocal, redistributive and market principles and mechanisms, and the relationship between land reform and the wider political and global economy. I hope this article paves the way for future research in this direction, drawing on the work of Karl Polanyi but revising and extending his concepts to provide a clearer picture of land struggles of the past and present in the Global South.

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