

CHAPTER 10

Gender and Land

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The processes of women's self-organization and self-empowerment that we are building are the new spring that will inspire our struggle for agrarian reform.

—*Cochabamba Declaration*

One of the dangers of presenting an analysis of gender and land is that it can too easily be compartmentalized and plucked away for examination from the patriarchal mainstream of land politics. Decontextualized in this way, free-floating ideas about gender and land lend themselves to policy interventions that attempt to mainstream them once again. Yet gender politics in debates about land are not supplementary analyses to be mainstreamed, nor are they ahistorical complaints about power; they are actively constructed engagements with existing institutional politics. To address this concern, this chapter begins with a short introduction to the institutional context and location of the gender issue, specifically looking at gender issues within the international peasant movement, *La Via Campesina*, and its Global Campaign for Agrarian Reform (for which I work) before moving to consider the gendered land politics that have been addressed through these forums.¹

Background

Structural adjustment programs and regional and global trade agreements in play since the 1980s have had disastrous effects on the lives of rural communities, and have unleashed profound social and economic transformations in the countryside. It is within this landscape that *La Via Campesina* formally constituted itself in 1993, with the avowed purpose of collectively confronting threats from, and the perpetrators of, these policies, while articulating the visions and demands of diverse rural groups.² *La Via Campesina's* creation resulted from a series of encounters and exchanges primarily between peasant

organizations from the Americas and Europe. These organizations sought a common analysis and understanding of their position in current, increasingly globalized economic, social, and political relations; and of the principal changes affecting rural communities all over the world, such as increasing poverty and inequality, the accelerating disappearance of small- and medium-scale producers, the destruction of the social fabric in the countryside, and the continued devaluation of the peasant identity, and peasant forms of life and production as a result of this latest attack by agricultural modernization, among other pressures. This convergence was also motivated by the need to exchange experiences and strategies for organization and struggle in the face of such threats, and to explore possible forms of collective resistance and action.

In this analysis, the peasant organizations identified the international financial institutions (IFIs), particularly the World Bank and the International Monetary Fund (IMF), and the regional and global free-trade treaties that preceded and have since accompanied the World Trade Organization (WTO), as the main promoters of structural adjustment policies. The policies of fiscal austerity, reductions in social spending, and market liberalization had a severe effect on peasant and indigenous communities. Noteworthy among these policies are the processes of the deregulation of landownership and agrarian counterreform; the dismantling of rural public services and those that supported production and commercialization by small and medium producers; the fostering of highly capitalized, high-technology agricultural exportation; the push toward the liberalization of agricultural commerce and toward policies of food security that are based on international commerce. In this analysis, the peasant organizations also identified the fact that the institutional framework and the decision-making processes of agrarian and agricultural policies had shifted from the national to the larger subcontinental and international levels, and it was thus crucial that peasant organizations also articulate their efforts beyond national frameworks in order to effectively act and defend their rights and interests regionally and internationally.

The food sovereignty framework was thus developed as an alternative proposal to the neoliberal orthodoxy (Rosset 2003). *La Via Campesina* has become a leading global social movement, radically opposed to neoliberalism, seeking to strengthen the processes of self-organization and autonomy of the peasant movement. It also seeks to strengthen alliances with other sectors in order to develop policies and institutional frameworks alternative to the current ones, so as to achieve a more just world. It is within this framework, and within the constitution of *La Via Campesina*, that the concrete demand emerged for “The

recognition of the rights of peasant women who play an essential role in agricultural and food production.”

Rural women have actively participated in the debate and the political construction of this movement, and La Via Campesina is seriously committed to the struggle for gender equality. It was women who, for example, demanded that “the right to produce our own food in our own territory” be placed at the very heart of the notion of food sovereignty (Desmarais 2003a, 2003b; La Via Campesina 2003). Furthermore, women introduced the issue of health into the critique of an agriculture that is highly dependent on chemicals, and they articulated the need for a sustainable agriculture that protects the environment. It should be emphasized that the International Coordinating Commission of La Via Campesina comprises equal gender representation; every region must elect a male and a female representative. The fact that La Via Campesina has attached such importance to the topic of gender has forced the issue onto the agendas of member regions and organizations, and it has opened up important opportunities and forums for peasant and indigenous women at the national and international levels.

One of the institutional instruments assisting this cooperation has been the collaboration between La Via Campesina and the FoodFirst Information and Action Network (FIAN). FIAN is an international human rights organization that lobbies for the right to adequate food and places a particular emphasis on the right to feed oneself. The organization was founded in Germany in 1986, and it has sections and offices in twenty-one countries and individual members in over sixty countries. The network was founded by human rights activists who noticed that civil rights violations were usually preceded by a great number of economic and social rights violations. Because of its focus, FIAN has not outlined a vision of food sovereignty but rather has worked to define the legal content of the right to food and the obligations that states and the communities of states have with respect to this right.³ At the same time FIAN has worked to develop strong mechanisms for the articulation of complaints by people whose rights have been violated, monitoring of these rights, and ultimately their defense in the face of violation by states and international organizations.

In 1996, at the World Food Summit, La Via Campesina and FIAN came together from their different but complementary approaches to agree to a joint effort sharing a common perspective: to work to identify and confront chronic injustice in the distribution of lands and in the growing destruction of property and family agriculture, and to promote new redistributive, integral, and

broad-scale agrarian reforms; these efforts are fundamental and a prerequisite to the transformation of the prevailing agricultural model, and to the full observance of the human rights of rural communities. It was in this context that the Global Campaign for Agrarian Reform (GCAR),⁴ which La Via Campesina and FIAN have been promoting since 1999, emerged.⁵

The subject of gender was not raised until 2002 within the GCAR: the organization's operating capacity was limited due to a shortage of resources and to lack of better coordination between the GCAR and the gender commission of La Via Campesina. The GCAR's first activity regarding gender was to organize, at the invitation of the Federación Nacional de Mujeres Campesinas de Bolivia "Bartolina Sisa," an international fact-finding mission on gender to Bolivia in November 2002 (FoodFirst Information and Action Network and La Via Campesina 2002).

International research missions are an instrument of human rights work; this one was adapted by the GCAR for its purposes. The objective of GCAR missions is to verify reports of specific cases in which the human right to food seems to be threatened or violated for the following reasons: nonimplementation of agrarian reform, failures in the implementation of agrarian reform, processes of agrarian counterreform, or repression of agrarian reform activists and their organizations. These reports are documented and disseminated, at both the national and international levels, as a way of supporting the struggles of those social movements and bringing pressure to bear on nation-states to fulfill their obligations to uphold human rights.

Under the GCAR rubric, an international delegation made up of women and men from Paraguay, Chile, Brazil, Nicaragua, Austria, and Germany traveled to Bolivia in 2002 with the aim of learning about the specific conditions and principal problems faced by Bolivian peasant and indigenous women, with respect to access to and control over land. The delegation was to document concrete cases of violations of the right of these women to food and to address the issue of gender relations within peasant organizations that struggle for land.

This mission was significant from several points of view: First, it mobilized international support for and solidarity with Bolivian women by stressing the legitimacy of their demands at a moment when they faced the repression of the government. Second, it was an opportunity to intensify the exchange of experiences and learning regarding gender and agrarian reform between Bolivian women and the women and men of the various countries who made up the international delegation. Third, the mission served as the beginning of the development of a specific working methodology in the GCAR that guar-

antees a comprehensive focus on gender and makes possible a process of women's self-organization and training within La Via Campesina.

As a result of the exchange of information and the awareness raised about the subject through the Bolivian mission, the GCAR began to use other forms of action to address the gender issue. For example, in February 2003 the GCAR's Emergency Network⁶ launched an international letter-writing campaign in support of the demands of a group of landless women principally affiliated with the peasant organization CNTC, who had occupied idle lands belonging to the Honduran government, in order to pressure the authorities into parceling out those lands and thereby implement legislation on agrarian reform that had been passed in their favor. In March of the same year the Emergency Network also launched an international letter-writing campaign in support of a national mobilization of rural Brazilian women who were demanding that the government prioritize a wide-ranging agrarian reform policy that included the following features: expropriation of land and *latifundios* (large estates) that do not fulfill their social function; rendering obligatory a joint adjudication of lands, so that title deeds in the various agrarian reform programs are listed not only under the names of male heads of household but also female; the creation of subsidized credit lines specifically for female rural workers; the affirmation of the victories and retirement rights obtained by rural working women in the current reform; and information and literacy campaigns for women at a national level.

All such struggles and movements take time to make advances. The case of Honduran landless women continues unresolved, and as part of its contribution to the campaign, FIAN continues to closely follow the women's struggle and assists them in obtaining sound legal assistance and support for further development of productive projects on occupied land. In 2004, on October 16—the date on which FIAN celebrates Global Action Day for the Right to Feed Oneself—FIAN made a call to its entire network, requesting that all members mobilize and address Honduran embassies in their respective countries, to demand that the lands be turned over to the women and their rights observed.

While it did not succeed in broadening the agrarian reform process, the mobilization of rural women in Brazil was successful in making joint adjudication of land obligatory and in creating specific lines of credit for rural women. Winning new, inclusive rights is an important step, while the implementation of those rights can become a new barrier; the results of a recent GCAR fact-finding mission to Brazil identified problems with the implementation of these hard-won measures (FoodFirst Information and Action

Network and La Via Campesina 2004). The PRONAF women's credit program has not been able to overcome discriminatory practices against rural working women seeking access to credit. Women applying for loans under the program must first demonstrate that the projects for which they are applying are "complementary" to those of their husbands. As a result, women have severely restricted access to loans because the family comes, ultimately, to mean the male head of household. Furthermore, many women do not have identification documents and do not have title deeds in their names, which could serve as collateral for credit.

The Agrarian Reform and Gender Seminar

The GCAR's most important activity in the area of gender, so far, has been the international seminar entitled "Agrarian Reform and Gender," which took place in Cochabamba, Bolivia, in June 2003. Delegates from peasant, indigenous, and human rights movements from twenty-four different countries came together in Cochabamba to exchange their experiences of struggle for land and for gender equity, and to generate accords and common work strategies that would systematically integrate the focus on gender into all aspects of the work of the GCAR. Due to insufficient funding, participation by Asians and Africans in the seminar was, unfortunately, limited but despite this, the seminar marked the first time within Via Campesina and FIAN that the subject of the discrimination against women in past agrarian reform processes was discussed in depth and in detail. Moreover, specific current challenges regarding women were addressed and strategies for handling these offered and considered. The seminar included the participation of two internationally recognized experts in this area, Carmen Diana Deere and Shamim Meer, whose contributions to the work carried out there were invaluable. The following section presents some of the themes and debates that emerged in the seminar, particularly emphasizing those aspects that, in the view of the meeting, had been missing in the international debate on gender and land, and which require more reflection and development.

Cochabamba Reflections: Women's Rights to Land; a Trojan Horse of Neoliberalism?

Legal reforms that guarantee the equal right of rural women to possess and inherit land, and to be beneficiaries of agrarian reform, have constituted the

principal axis of the debate about gender and land. Legal discrimination and the lack of recognition and effective protection of women's right to land are still not completely overcome and continue to seriously affect rural women in many countries. Furthermore, although women have *de jure* won the equal right to land in numerous countries, and important advances have taken place in all regions, there continue *de facto* to be multiple problems (administrative, institutional, cultural, for example) that impede the effective enjoyment of women's right to land. An important part of the current debate focuses on analyzing these factors and determining how reforms could be effectively implemented (Agarwal 1994, 2003; Deere and León 2002; Deininger and the World Bank 2003; Food and Agriculture Organization of the United Nations 2001; FoodFirst Information and Action Network and La Via Campesina 2003a; Razavi 2003).

In Cochabamba, a particular aspect of this topic emerged in the discussion: many of the constitutional and legal reforms that strengthened the principles of equality and nondiscrimination and, concomitantly, the rights of women to land in Africa and Latin America, coincided with the introduction of structural adjustment policies. In some countries, these issues ran parallel to other constitutional reforms that made viable the deregulation and privatization of land and the liberalization of the economy. Consideration of this phenomenon led some women in Cochabamba to point out that the reforms that recognized and strengthened women's right to land in these circumstances did so within the neoliberal framework of protecting and strengthening individual property rights, and to that extent, such reforms represented a doubtful or, at least, ambiguous advance. To place the issue squarely in context: how secure can individual entitlement to lands for peasant women be when established in a context of privatization and economic liberalization policies that have already brought about the dispossession and loss of lands of many families and communities?⁷ As noted by Deere and León (2001a) in their research, although legal reforms have substantially increased the proportion of female beneficiaries with respect to the total in access-to-land programs, what good is this development if the processes of land redistribution in Latin America have practically ceased or are reduced to a minimal expression?⁸

The linkage between advances in women's right to land with those of women's individual right to private property continues to be an implicit one, and is a predominant idea in a great many public policies and in the debate over gender and land. The identification of women's right to land with that of their individual titling of land has been intensely questioned and debated in

sub-Saharan Africa, perhaps more than in other regions, because some have seen in the issue the intention of changing customary systems of land tenancy to the market and to foreign investment; it also calls into question customary law and practice and interferes with the customary law of local governments, also guaranteed and protected by constitutional reforms (see FoodFirst Information and Action Network and La Via Campesina 2003b; Tsikata 2003; Walker 2002; Whitehead and Tsikata 2003).

In Latin America the contradictions of women's rights to land and property constituted as individual rights have been called into question primarily by indigenous peoples. Deere and León record an Ecuadorian indigenous woman who, in the early 1990s, said: "[T]he whole issue of gender and rights to land is irrelevant, since indigenous peoples have not put forward the individual demand to land; it has always been collective from the community's perspective" (Deere and León 2002, 305). The tension between the rights of women and the rights of indigenous peoples to preserve their traditional customary law and practices is still there, even though several steps have been taken toward reconciling the feminist vision with the indigenous vision. Indigenous women have started to question the construction of customary normative systems and the decision-making structures of their towns and communities, pointing out that they are excluded from those processes (Deere and León 2002, 323).

This sphere of the debate was reflected in Cochabamba, where the hosting organizations, while presenting their experiences of defending indigenous and communal lands, as well as some of their legal victories toward the recognition of indigenous territories, made the following two observations:

- Communal property, in its diverse modalities considered in the law, could become an important tool in stopping neoliberal purposes. If it is intelligently taken advantage of by peasant and indigenous organizations, it can be an instrument for counteracting the expansion of the new *latifundio* and, more broadly, the land market.
- Communal norms, which are necessary for keeping collective property intact, defy individualism and its economics. In many cases it will not be enough to base a case solely on customary law and practices, so communities will also need to adapt norms, reconstruct them, or even create them, in order to respond to contemporary demands, on top of the sometimes enormous existing differences between communities and peoples. In the latter sense, this body of norms for administrating and conserving

communal or collective property will have the opportunity to incorporate measures that tend toward gender equity. One such opportunity has arisen in Bolivia. According to Bolivian law, land management and land use are regulated by community norms. The current cultural context is very fluid in the sense that landless families from the Andes region are migrating to the lower Amazonas region, meeting and mixing with other indigenous peoples and traditions. The construction of “new traditional norms” offers precisely such a chance to integrate gender concerns into new communal norms. It remains to be seen, however, whether this opportunity is seized (Almaraz 2002, 90).

This defense of communal lands and territories, as important alternatives to neoliberal models not only for indigenous peoples but also for peasant communities and organizations, is an idea that has been gaining ground in Latin America. Following the example of indigenous peoples, an increasing number of peasant communities in Latin America are reclaiming their cultural identity as peasants, for whom land is not merely a commodity or capital, but the basis for the very existence of their communities and the integrating axis of all of their fundamental rights.⁹

The participants in the Cochabamba seminar advocated communal forms of land tenancy, and it remained clear that this did not exclude also advocating women’s individual right to land, as a personal right and under conditions equal with men. The question now, therefore, is how to strengthen women’s rights to land in different systems of land tenancy, and not only as individual private property.¹⁰ The discussion of how to develop concrete proposals for protecting both women’s right to land and alternative systems of land tenancy and production that guarantee effective protection to peasant and indigenous communities, and which adjust to the specificities of different contexts and situations, was left pending and will surely be a field of work for the coming years. The drafting of proposals will have to take into account that, from the perspective of gender equality, proposals of alternative systems of land tenancy and production must be linked to the demand for land redistribution, at least in countries with a high concentration of land property.

Bina Agarwal recently studied the problems of women’s individual access to land markets, and she presented the experiences of purchase, rental, and collective work on the land by groups of women in Andhra Pradesh, India, as a possible solution (Agarwal 2003). Although Agarwal does not address the broader context of neoliberal agrarian and agricultural policies in which land

markets function today—which it is imperative to do—the study is interesting for its exploration of alternative ways in which landless women gain access to land not only by way of the market, but also through processes of land redistribution conducted by the state. Her study points to the range of policy possibilities that exist at the moment, and the importance of forging new policies based on experience and analysis from mixed-gender and women’s organizations. In this process it would be vital to intensify the exchange of experiences among Latin American, African, and Asian movements, and to deepen the understanding of the impacts of agrarian, agricultural, commercial, macroeconomic, and international policies on the matter of gender and agrarian reform, so as to find effective ways to confront them (Patnaik 2003).

The New Rurality

Another issue discussed in Cochabamba, and one that can be said to characterize La Via Campesina, is the revalorization of peasant identity, as a general group, and of peasant and indigenous women in particular. Many of the declarations made by La Via Campesina address this issue, but here I will cite only the preamble to the declaration of the Fourth International Conference in 2004, in which it is expressed in a clear and concise manner: “We meet to reaffirm our determination to defend our cultures and our right to continue existing as peasants and peoples with our own identity.” The women of La Via Campesina have made clear that their struggle is not only economic and class-based, but that it also concerns the revalorization of their cultures and their traditional wisdom regarding the production of food, the selection and management of seeds, the breeding of animals, and the care of the earth and nature.

Anyone who has had the opportunity to participate in La Via Campesina events knows the central importance that the *mística* (a moment of symbolic expression of peasant and indigenous values and ideals) has for developing and illuminating all of their work, for strengthening ties of solidarity, for identifying themselves, and for nourishing a spirit of struggle. It is worth noting that the preparation of the *mística* is principally the task of women.

The *mística* of La Via Campesina has been criticized from various points of view. For social actors who are secularized and close to Western rational thought, the term “mystic” is a cause of irritation because of its intense, almost irrational spiritual sense; as such, it seems out of place in contemporary public forums. By contrast, for some indigenous people, the *mística* seems to be a fabricated ritual taken out of the context that gives it meaning. Following Iris

Marion Young's analysis of social groups (1990), the *mística* of La Via Campesina would be the most tangible expression of peasant men and women's demand to define themselves, more as a creation and construction than as a given essence, to give positive meaning to that group difference, and to demand effective recognition and representation in the public space that, until now, has oppressed and marginalized them.

La Via Campesina can thus be understood as a class movement that struggles against poverty, exploitation, and oppression, and to that extent, struggles also for the redistribution of productive resources and economic autonomy. At the same time, it can be a movement that struggles against the predominant cultural standard, which considers urban values to be superior to rural ones; against the paternalism of other social actors toward peasants (NGOs, academics, development agencies, governments); and, finally, a movement that struggles for the recognition of peasant identities and cultures, and the right to continue developing them autonomously.¹¹

I emphasize the twofold character of La Via Campesina's struggle for redistribution and for recognition, to use Nancy Fraser's categories of social justice (Fraser and Honneth 2003), because it seems to me that the latter aspect is one that tends to be ignored in studies of land and agrarian reform and in public policies, with disastrous consequences. For example, it is a well-known fact that the making of decisions concerning the countryside and rural development is a province dominated by masculine urban groups for whom urbanization is practically natural law. Accordingly, agrarian reform, if it is even considered an option, appears as a mere transitory social policy for mitigating unemployment and the lack of income sources of the rural population until it can move to the cities in search of better life opportunities.

Brazilian rural sociology has done much work in recent years on the rural-urban dichotomy that has relegated the rural to oblivion or to a position antithetical to the urban and the modern (Sauer 2002). In Brazil there has been a resurgence in the theoretical analysis of rural issues in contemporary society's current moment and in the context of globalization, a resurgence sparked, without a doubt, by the actions of strong social movements that are reconceiving or re-creating the countryside through the struggle for land. In addition to improving material living conditions, the struggle for land in Brazil encompasses cultural and symbolic transformations that engender new values and social representations, and that democratize society's structures of political power (Heredia et al. 2004). In that sense, the struggle for land does not signify backwardness or a return to archaic forms of life condemned to dis-

appear, but rather the contrary: it is gestating a new rurality that redefines urban-rural relations and therefore has an impact, through this reinvention, on the society as a whole.

Environmental problems and ecological movements, illnesses produced by a food system that is heavily dependent on farm chemicals, social problems and the deterioration of the quality of life in the world's great urban centers, atomization, consumerism, the lack of solidarity and meaning that are perceived in contemporary societies—all of these factors have also converged in the resurgence and revalorization of the rural, not only in the Global South but also in the industrialized northern societies. It therefore seems pertinent to expand the debate about gender and agrarian reform to incorporate these terms as well.

Women's Right to Land from the Human Rights Perspective

From the beginning of the 1990s the women's movement has called attention to the fact that the international human rights system has not paid sufficient attention to the promotion and protection of women's human rights. Even though the standards and procedures of international law on human rights are perceived as neutral from the gender perspective, that neutrality, in practice, amounted to ignoring violations of the human rights of women (Tomaševski 1999).

Feminist movements have questioned not only the international system of human rights in practice, but also central notions of human rights such as *universality* and *equality*. Indigenous peoples throughout the world have done the same by refuting the notion of universality (from the standpoint of cultural relativism), the notion of individuality, and, as well, the disavowal of collective rights. Rights are social conquests and, as such, all of these criticisms and debates have enriched and improved the standards and procedures of human rights. Although important steps have been taken toward integrating these diverse perspectives, much work remains to be done. A comprehensive approach to human rights, especially of economic, social, and cultural rights, is very much still in construction; our challenge at the moment is to see, through the lens of gender, how existing human rights instruments can be put to the service of the struggle for land.

The human rights approach introduces a new nuance to the justification and legitimization of women's rights to land.¹² Human rights are those rights possessed under equal conditions by all people by virtue of their humanity and

for no other reason. To conceptualize rural women's access to land in terms of human rights means to acknowledge that right for women solely on the basis of their humanity and not as a function of their specific social role as producers and providers of food, or to increase the efficiency of agricultural production, or to improve the welfare of their daughters and sons. The human rights approach does not render these arguments less important, nor are they incompatible with it, but, in some circumstances, it has a broader reach: What would happen, for example, if studies were to demonstrate that women are not efficient agriculturists? Would they lose their right to land? What consideration do childless women receive? Do they have no right to land? In Cochabamba, a Brazilian woman brought up for discussion a case they had had in a settlement. It concerned a woman who had abandoned her family and gone with another man. The community wanted to take from this woman the land that belonged to her, until someone asked: "What would happen if this woman were a man? Would we take his land? If a man does not lose his right to land for leaving his family, why should a woman have to?" The focus on human rights is then closer to, and in some cases intersects with, the justifications that are treated in the literature under the rubric of achieving gender equality and women's empowerment.

In many cases the lack of access to and control over land by women constitutes a human rights violation. Qualifying these situations in this way grants them a relevance that would not be attained if we described them solely as unjust or disadvantageous. The reason for this relevance lies in the terms on which human rights are based. To speak in terms of human rights is to speak about the obligations of states, or nations, to their citizens. In that sense, action or lack thereof with regard to gender and agrarian reform is not a question of the state's goodwill, but rather a binding juridical obligation. Legal obligations also make possible the demand of rights before courts of law, and open up the possibility of maintaining vigilance over the state's performance and submitting it to public scrutiny.¹³

Furthermore, the indivisibility and interdependence of human rights—that is, that in exercising a right another right cannot be impaired, and that the enjoyment of a right depends on the exercise of other rights—allow for an integral approach to the question of gender and land. The rights to recognition as a person before the law, with regard to property, education, and freedom of association and expression, are fundamental to women's struggle for their own means of living. Similarly, the right to an adequate standard of living is fundamental to the exercise of the right to participate in cultural life

and enjoy one's own culture, and to participate in the direction of public affairs.

The challenges to effectively applying this approach in reality are enormous, starting with education and training in economic and social rights with a focus on gender, to the documentation of the violations of rural women's human rights—so as to denounce these violations and make them visible—and going through to the litigation of these cases in the courts. Without going into the complexity posed by the defense of rural women's human rights in systems of customary law, as analyzed by Tsikata (2003) in the case of Tanzania, the defense of the economic rights of rural women confronts FIAN with new challenges. I will illustrate this with a practical example. In an international conference on agrarian reform, an agriculture minister listened to a number of denunciations made regarding discrimination that peasant and indigenous women suffer in his country. Among many different forms of discrimination, the discrimination against women in peasant associations and organizations was mentioned, to which the minister responded: "Freedom of association is also a human right. How can you ask the government to intervene in associations to guarantee the equality of women?" Without a doubt, such interference could prove fatal. Nevertheless, neither is it right that the state simply wash its hands of the issue. In the case of domestic violence, for example, the state also used to say, at first, that it could not intervene in the private affairs of a couple, although more states accept that domestic violence is an urgent and justiciable problem. In addition to confronting the state and other parties (employers, businesses, institutions) for their direct violations of the rights of women, we should also explore ways in which the state could support rural women in their struggle against discrimination occurring within the private sphere of their families, communities, and mixed associations, which impede the full enjoyment of and control over their own means of living.

Some critics of human rights work point out that they see no real sense in waiting for the state to guarantee the rights of women, given that the state itself is the main agent of neoliberal policies and, therefore, the violator *par excellence* of rural communities' human rights. The Marxist critique that the state is simply an instrument of domination of the bourgeoisie, and that formulating a social demand in terms of the bourgeois state amounts to playing by the rules of the system, somehow resounds in this criticism.

It is beyond a doubt that states and legal codes are dominated today by national and transnational oligarchic interests, which have not only been dismantling the economic and social rights guaranteed by communist states, but

also the welfare state, the fruit of worker victories, and the pact between capital and work that came about in Western capitalist countries and in some countries of the southern hemisphere. The state and the law are therefore a crystallization of the correlation of social forces, and, in that sense, they are contingent historical products. Struggles for rights—from the struggle against monarchy and absolutism to the workers' struggles and struggles against racial and gender discrimination—have all been struggles to defend people from power, be it political or economic. In this sense, the struggle for economic and social human rights today is part of the different social efforts to radically democratize the economic sphere and the international order. This struggle implies, therefore, a profound transformation of political institutions such as states and the United Nations, and of the capitalist economy.¹⁴

Final Observations

I would like to end this chapter by making reference to the main challenges that lie ahead and the tasks that we have assumed for the future. The Cochabamba Declaration endorsed, as had the founding documents and periodic summit declarations, the demand by the women of La Via Campesina for gender equity in the decision making of their organizations, communities, and families, and in representation in all organizations and events. At the World Forum on Agrarian Reform in Valencia, Spain, in December 2004, close to 45 percent of the more than 500 participants were women. Guaranteeing gender equity in the forum caused conflict within the organizing committee. Although parity was not achieved in actual participation or in the various panels, the intense discussions on the subject were positive in that they mobilized the women within the forum, and many of their positions and viewpoints were gathered in the final Valencia declaration (World Forum on Agrarian Reform 2004).

The Cochabamba Declaration also contains a commitment to work toward changing the norms of customary law and practices that discriminate against women in communities and organizations. It also calls for developing mechanisms within organizations that allow them to denounce violations of the rights of peasant and indigenous women at a national and international level. Discussions about how to do this, however, have not yet occurred.

Also highlighted in the Cochabamba plan of action is the commitment to continue research on gender in the rural sphere, in collaboration with researchers committed to the gendered struggle for agrarian reform, in order

to spread this knowledge, exchange experiences, and enrich reflection within the organizations. Similarly, the importance of developing mechanisms for grassroots training was emphasized. Currently, the women of La Via Campesina and the Land Research Action Network (LRAN) are discussing a joint work proposal that would encompass three axes: documentation of the struggles and organizational processes of the women of La Via Campesina; research on topics of gender and agrarian reform that the women of La Via Campesina identify as necessary; and the drafting of grassroots training material, based on their documentation and research work.

Separately, in November 2004, the itinerant First International School for Sociopolitical Training was opened and its first course carried out in Temuco, Chile, for the women responsible for the work on gender in the organizations that make up the Coordinadora Latinoamericana de Organizaciones del Campo (CLOC) and La Via Campesina. The central objective of the course was to strengthen the peasant leaders' capacity to analyze and comprehend social and political reality, as well as to make proposals for change in the construction of the society to which they and their organizations aspire. This first course was a complete success.

Additionally, the GCAR faces the challenges of guaranteeing that all of its actions focus on gender, of interacting with more rural women's organizations, and of strengthening their joint work with the La Via Campesina's gender commission. Another key challenge is to further integrate into these organizations the women's movements of Asia and Africa.

I will end this article with the words of Shamim Meer in Cochabamba: "The task is to build strong women's movements, and to build among activists—women and men—strategic skills that are based on an understanding of the history of the dispossessed, and of the current moment of globalization. An essential part of the construction of this movement has to include an end to the oppression of women and to gender inequality in the access to and control over resources, as well as in the exercise of authority" (Meer 2003). It appears that La Via Campesina and the GCAR are on this path. The forum for articulation and action that La Via Campesina represents for rural women across the world is a novel arena that is already contributing to the advancement of rural women's liberation struggle.