WOMEN AND LAND REFORM IN BRAZIL
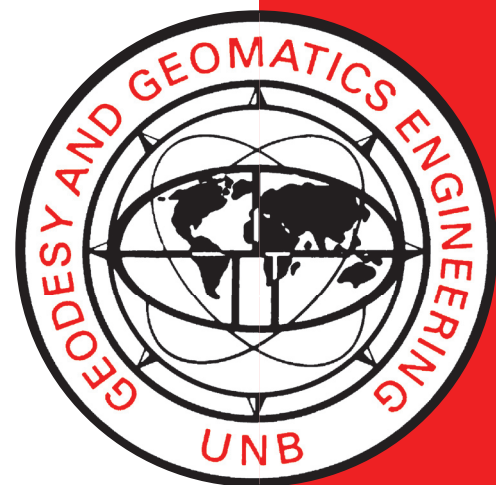
HAZEL ONSRUD
SILVANE PAIXAO
SUE NICHOLS

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Hazel Onsrud
Silvane Paixao
Sue Nichols

Department of Geodesy and Geomatics Engineering
University of New Brunswick
P.O. Box 4400
Fredericton, N.B.
Canada
E3B 5A3

PREFACE

This report was prepared under the National Geospatial Framework Project supported by the Canadian International Development Agency contribution agreement A-020911-008-RPI under its Technical Transfer Program. The research was carried out at the University of New Brunswick, Fredericton, Canada, by Hazel Onsrud and Silvane Paixao under the supervision of Professor Sue Nichols.

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ABSTRACT

In Brazil, rampant inequities severely affect women. The disparities are supported by entrenched social norms, a correspondingly discriminatory infrastructure, and inequitable land distribution that is deep-rooted. Consequently, poverty in Brazil is feminine, landless, and common. The 2001 gini coefficient for income distribution is .6 and .8 for land distribution [Federal Republic of Brazil: Ministry of Agrarian Development, 2001, p. 1]. Thus, the situation of modern Brazilian women is unique because of the magnitude and scope of their challenges. To illustrate the interconnectedness of the inequities that Brazilian women are subjected to and the severe affects of discriminatory practices, Brazil's tumultuous history of land struggles and varied aspects of modern Brazilian culture will be explored. Recently, feminine land ownership has gained even greater importance, as women's poverty has been increasing with their lack of resources. Their concerns have been subjugated to class battles, and in changing times, their traditional gender roles have forced them to accomplish more work and take on additional responsibilities. Because of the integrated and malleable character of their repression, it is important to explore national social, political, and economic norms that have influenced the culture in which Brazilian women live and the historic hierarchies (supported by restrictive land ownership) that have been maintained and strengthened through an evolving society. Because of the generalizations and limitations inherent in any paper that is not a restrictive case study, this work aims to provide a general overview of the current hardships surrounding Brazilian women and land obtainment. Specifically, this paper hopes to illustrate the problematic nature of inequities in Brazil, their severity, their interconnectedness, and their resistance to annihilation. Through this examination, it will become apparent that without continued pressure for comprehensive change, the majority of Brazilian society will likely remain poor, landless, and feminine.

TABLE OF CONTENTS

Page

LIST OF TABLES

LIST OF FIGURES

LIST OF ABBREVIATIONS

BNDES	National Bank for Social Development
CEB	Comunidades Eclesiais de Base
CONTAG	*Confederação das Cooperativas da Reforma Agrária do Brasil* Confederation of the Agrarian Reform Cooperatives of Brazil
CNDM	National Council on Women's Rights
CNIR	National Cadastre of Rural Properties
CUT	*Central Única dos Trabalhadores* Central Union of Workers
INCRA	*Instituto Nacional de Colonização e Reforma Agrária* National Institute for Colonisation and Land Reform
MDA	Ministry of Agrarian Development
MDS	Ministry of Social Development
MNU	United Black Movement
MST	Movimento dos Trabalhadores Rurais Sem Terra Movement of Rural Landless Workers
NEAD	Nucleus of Agrarian Reform and Rural Development Studies
II PNRA	*Plano Nacional de Reforma Agrária* National Agrarian Reform Plan
PNDU	National Urban Development Plan
PT	*Partido dos Trabalhadores* The Workers Party
PROCERA	*Programa de Crédito Especial para Reforma Agrária* Special Credit Programme for Agrarian Reform
PRONAF	Programa Nacional de Fortalecimento da Agricultura Familiar National Program for Strengthening Household Agriculture
PRONERA	*Programa Nacional de Educação Reforma Agrária* National Programme of Land Reform Education
STU	State Technical Unit
UDR	*União Democrática Ruralista* Ruralist Democratic Union
UDR-Mulher	*União Democrática Ruralista-Mulher* Women's Ruralist Democratic Union

CHAPTER 1

INTRODUCTION

Inequities, caused by engrained and interconnected societal hierarchies, have long kept Brazilian women at a repressive social, political, and economic disadvantage. Such societal stratifications continue to be supported by concentrated land ownership, because ownership of arable land, a privilege that many Brazilians lack, provides people with livelihoods and future security. Land also provides the populace with a place to build a shelter, improve upon, and live. However, in Brazil, 31.6 percent of the total land area is occupied by .8 percent of the total number of properties and of the urban 83 percent of Brazil's population, 186,112,794 citizens populate urban slums [Federative Republic of Brazil: Ministry of Agrarian Development, 2004, p. 11 and CIA, 2005]. Poverty in Brazil is feminine, landless, and growing. Brazilian women make up 52 percent of the population; they also lack access to land and are abundant in the lower classes. Additionally, they are subject to engrained, societal norms, which restrict them in different ways than Brazilian males. Consequently, although many argue that the inequities apparent in Brazil's societal structure and land-ownership trends are slowly changing, presently their existence continues to ensure that Brazil's discriminatory social stratification remains largely stagnant.

Brazil's gender problems are unique partially because cultural hierarchies propagated inequities that are interconnected, varied, and of notoriously high magnitudes. Additionally, although tied together by a national language, Brazil's vast area and varied heritage both lend themselves to the creation of a country diverse in cultural practices; therefore, in some areas, issues of land inequity and women's problems are more perverse than in others. Yet, because across the entire nation, the richest one percent of the population receives an income equal to the poorest fifty percent, and fifty million people are living below the poverty line, it is apparent that the marginalization of women is a widespread phenomenon. Consequently, examining such issues with a national scope ought to provide an overview of women's current hardships and their causes [Farret 2001].

Because discrimination against women has been entrenched in the structure and interactions of political, social, and economic entities in Brazil, a basic list of women's current hardships cannot capture the reason for their location at the bottom of a stratified society; the severity and integrated character of their repression; or the frustration involved in their struggles. Additionally, to identify the difficulties modern Brazilian women face with respect to land obtainment and its use, it is necessary to briefly examine the history of the culture in which Brazilian women function; the social, political, and economic aspects of that culture today; and the history of land policy and land reform movements in Brazil. To obtain a more comprehensive analysis of Brazilian women's ability to acquire and use land, the deep-rooted inequalities that women face will be compared to the persistent inequities challenging the Brazilian landless. In this manner, by exploring the historic disparities between women and men and between people with land in comparison to those without, it will be understood that women (or the majority of the landless) have been at a continuous disadvantage to improve the quality of their lives and without deliberate, comprehensive changes, greater inequities are likely to dominate their future.

Modern Brazil was shaped by a history, which is full of tumultuous struggles between the impoverished and the powerful. Women have traditionally made up a large percentage of the less fortunate Brazilians, and today continue to lack basic equalities even when supposedly guaranteed to them by law. A variety of social events, political actors, legal entities, and economic decisions have moulded the Brazil of today. For this reason, this paper aims to provide a general overview of the current hardships surrounding Brazilian women and land obtainment. As their poverty increases with their lack of resources, women's need for land has become even more acute in recent years. Their concerns have been subjugated to class battles, and in changing times, their traditional gender roles have forced them to accomplish more work and take on additional responsibilities. These interconnected events and their implications will be explored to better analyze the entrenched inequities pertaining to women and land in modern Brazil.

CHAPTER 2

BRAZILIAN WOMEN

Historical stratification in societal, political, and economic arenas has been continually entrenched in Brazilian culture, and it has been exacerbated in the past decades by the government's prioritization of an economic agenda, rather than a plan to eliminate Brazil's perverse social inequities. Because of this view of economic modernization as an inevitability and social inequality as an unavoidable, yet transient, side effect, structures enhancing inequities concerning gender, heritage, or race have been allowed to grow. This chapter will illustrate how modern Brazilian women are still subject to gender roles whose norms influence their social acceptance, political actions, and economic opportunities. These inequalities affecting Brazilian women are harsh, deep-rooted, and influence their daily lives.

2.1 Women in Brazilian Society

> *The Latin American systems have their roots in the ancient Greek notion of organic solidarity; in the Roman system of a hierarchy of laws and institutions; in historic Catholic concepts of the corporate, sectoral, and compartmentalized organization of society based on each person's acceptance of his or her station in life; in the similarly corporate organization (Army, Church, towns, nobility) of Iberian society during the late medieval era; in the warrior mentality and the walled enclave cities of the period of the Reconquest of the Iberian Peninsula from the Moors; in the centralized bureaucratic systems of the early modern Spanish and Portuguese states; and the absolutist, scholastic, Catholic, political culture and institutions of Spain of the Inquisition and the Counter Reformation. Of course, in the vast empty and "uncivilized" Western Hemisphere, which was under the constant threat that the win veneer of Spanish and Portuguese culture and institutions would be submerged, and which had huge Indian (ten times larger in Latin America than the in North America) and later African populations, the institutions transplanted from Iberia underwent various changes and permutations. The amazing thing is their capacity to survive, persist, and adopt even into contemporary period.*

A passage quoted by De Oliviera from Wiarda [1982, p. 7] describes the diverse origins of Brazilian lifestyles.

History and geography have shaped Brazilian culture and society. Modern Brazilian women are indoctrinated into a Brazilian culture that was formed with a heritage of hierarchies. The importance of the country's traditional plantation structure with its powerful rural elites, influential church representatives, stratification of labour and social status can still be seen in modern Brazilian society. At the same time Brazil inherited traditions that create its magnificent diversity, it also gained customs that have engrained the influence of restrictive societal structures into the daily lives of Brazilian women. To illustrate how current social perceptions continue to perpetuate deep-rooted inequities, Brazil's social hierarchy in the context of its modern culture must be examined. The conception of *qualidade*, the importance of race, the large influence of religious institutions, and culturally formed gender roles together illustrate four influential and interconnected properties of Brazilian society.

2.1.1 *Qualidade*

The number indigenous peoples inhabiting Brazil before the arrival of Europeans was immense, and when the boats from Europe and Asia landed they carried peoples of different origins to Brazil. Brazil contains the second largest black population in the world outside of Africa, many families with heritage from Europe, a small indigenous population and a large populace with a mixed heritage; today, the fifth most populous country in the world is one of great diversity [Committee on the Elimination of Discrimination Against Women (CEDAW), 2003].

Unfortunately, much of this racial diversity was accomplished through horrific acts of conquering, kidnapping, and raping. Such actions helped form and maintain a repressive social hierarchy whose heritage remains active in Brazil today. In modern Brazil, sex, heritage, race, education, and monetary wealth are all factors used to assess a person's social status, their *qualidade*. A person's *qualidade* can affect how they are treated and what opportunities they are given, and it is very difficult to drastically change as physical features and familial connections tend to have the most weight in a person's classification.

Qualidade refers to a quality or rank that each person has in Brazilian society. An acceptable synonym for one's *qualidade* is, "social race" a term coined by Wagley in 1952. Mostly, a person's physical appearance, including their colour, hair texture, and shape of their face, will identify them with either the more valued or the less desirable features, but the influence and recipe of this informal classification varies upon one's circumstances and the location of the society assessing it. For example in rural areas, physical appearance and family ties have a greater influence on one's social status than one's educational background, while in a more urban area one's economic or educational status might take precedence. In Brazil, the hierarchy of social race is created from many characteristics; education, occupation, family connections, and manners, along with a number of other factors, are necessary gauges for one's placement on the social pyramid. Based on a solely on the standard idea of a *boa aparência* (a good appearance), a white woman would have a higher social race status than a darker-skinned woman but this instance of social hierarchy might change if the darker-skinned woman was well educated and had more money than the white woman had; such fluidity depends on the region of Brazil. Like this example, parts of the hierarchy are fluid but in general, it can be said that rich white males are predominantly located at the top and poor black women are at the bottom. This is because the powerful in Brazilian society have historically been patriarchal, racist, and favoured towards those with money.

Because of its historic entrenchment, is hard to change one's place on the social hierarchy, especially in more traditional rural areas as inherited characteristics are considered so important. However, "money whitens" to a certain extent, marriages or contacts with higher social class people can increase society's positive view of a person, and a person's education has recently been considered another way to improve one's social race [Delaney, 1994, p. 122]. However, if one is at the bottom of the social pyramid it is hard to gain money, social connections, or a good education because of limited opportunities and discrimination. As discrimination against people because of their *qualidade* hinders their ability to improve their social situation, Brazil's hierarchal social structure remains fairly stagnant, especially for those on its extremities. It is hard to combat this discriminatory system not only because of its hold in society, but also

because there are so many different social race segments in Brazil's population, and very few people identity themselves as a social race group or act collectively as part of that segment of the population. For example, because many people want to improve their *qualidade* and identify themselves, not as "black" but in one of the many divisions of social race, black movements, wanting to fight for their population's rights find it difficult to gain solidarity among a population that in North America would be identified as "black," but in Brazil has many varying classifications.

2.1.2 Women and Race

In addition to being subjected to hardships because of their sex and economic class, many women have to deal with discrimination against their physical appearance or ethnic background. Making up a part of their *qualidade* that cannot easily be changed is a variety of physical features, including skin colour. Racial prejudice is still strong in Brazil; it has shaped historic and current beauty standards, political decisions, and labour divisions.

In Brazil, skin colour is described by a variety of terms; few women who might be considered black in the Canada or the United States would use the terms *preta* or *negra* (meaning "black") in Brazil. Some of the popular vocabulary is illustrated by Telles' [2004] chart of the more common colour descriptors and for what purpose they are utilized. While the Brazilian census uses three terms in order to differentiate, the relative national inequities with respect to the population's race, black movements tend to use only two terms. Such movements prefer to have Afro-Brazilians embrace their black heritage by identifying themselves as black rather than with one of the may colour variants in order to increase their movement's membership. However, these types of classification are often not used in normal speech. Instead, large numbers of tonal variants of *negro* are instead used to classify darker-skinned people, while those with white skin (*branco*) are described by their hair color if a further descriptor is needed. Because of this difference in identity, *moreno* (which is a skin tone color as well as a hair

color) can be used to describe a person with medium dark skin or a white person with brown hair.
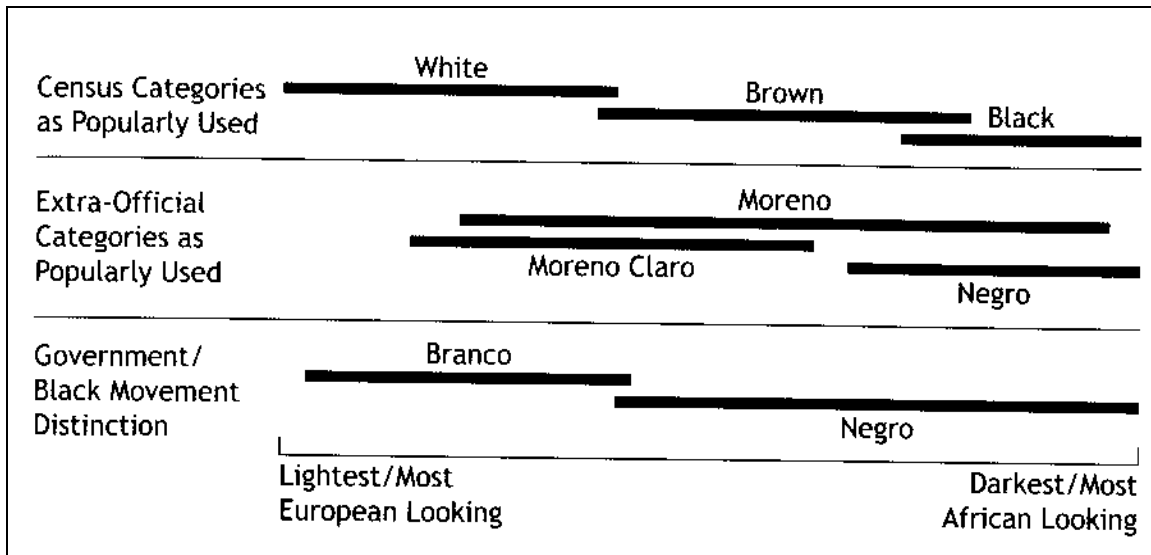
Figure 2.1   Use of Brazilian racial categories along the colour continuum (From Telles [2004, p. 87]).

A myth of racial democracy, propagated in the 1930s by Giberto Freyre, in his book, *Casa Grande e Senzala*, managed to convince the world that Brazil had few racial issues, and that as a society they were gradually whitening. In addition to denying the prevalence of racial issues, this work also implied that Brazil's black population would eventually not exist, because Brazilian society was gradually "whitening." (This goal was supported by the Brazilian Government's early 20th century immigration policy, among other measures.) However, in the 1950s, the United Nations denounced this long-propagated falsehood. Today, after many studies and census data providing evidence to the contrary, much of the Brazilian populace realizes that racial discrimination continues to permeate Brazilian society. However, much of Brazil remains apathetic and practices indifference to the issue. For example, in 1996, a song entitled "Veja os Cabelos dela" ("Look at her Hair") criticized the appearance of *pretas* (black women) [Burdick, 1998, p. 32]. Black movement leaders managed to get the song banded from radio; however, despite this effort, many people continued to play the song, downplaying or ignoring its negative message.

Although both black women and men suffer from discrimination, black Brazilian women have to deal with certain gender issues that black males can avoid. What Brudick [1998] describes as "nappy"[1] hair (referred to as "*crespo*" in Brazil), in addition to skin tone, differentiates Brazilian *pretas* (blacks) with more or less valued characteristics. There are many in Brazil who would never discriminate against a job applicant or possible girlfriend because of a societal beauty bias that values *branca* features. However, studies have shown that discrimination does occur, especially against black women, as their physique is generally viewed to be less attractive than those of lighter women. Although it is lessening in many places, this beauty discrimination can make it more difficult for black women to be appreciated by some men (in a society where one's physical appearance is very important), run for political office, receive an education, or get a well-paying job. All of this because, unlike black males, or white females, black women face two different types of discrimination: sexual and racial [Burdick, 1998].

Racial discrimination in Brazil is unique because it displays itself indirectly and because it is embedded in the inequalities of class and gender. Because appearance makes such a difference in Brazil's community hierarchy, racism helps keep the social stratification stagnant when other factors affecting one's social status, like education or income can change. To combat the many varied measures of discrimination still present, the federal government has begun to take some action. For example, a new special secretariat in the executive branch of the government was created specifically to promote racial equality. However, this position was only created in 2003 and because racism is so entrenched in traditional cultural hierarchies, it will not necessarily be easy to affect its longstanding influence with laws. A 1989 law defined racism as a crime that could be punished by imprisonment and for which no bail may be posted; yet, if only "members" are allowed into an establishment, or a "good appearance" is required for a job it is hard to prove the racism involved in such requirements [Alfredo Guimarães, 1999, p. 141]. Consequentially, combating racism requires comprehensive, interconnected, and long-

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[1] This term is meant soley to descibe a hair type as it was spoken about in the source cited. It is not at all meant to be interpreted in a offensive manner. Although the term "Afro-hair" would probably be a good substitute for the word in general use, here Brudick, 1998 is quoted to ensure the section's accuracy.

lasting strategies that address this cause and continual perpetuate of the poverty, the lack of political representation, and the social discrimination that blacks in Brazil suffer from.

2.1.3 Religion

The Roman Catholic Church has long held a position of power in Brazilian society. Established with the European's discovery of the land, the church has supported the ideal of a traditional family and its gender roles, and it has played an integral part in the formation of Brazilian culture. Recently, it has contributed to fight against poverty, denounced violence against women, and addressed violence caused by land conflict.

During the eras of slavery and sugarcane production, self-sufficient plantations would have their own resident ministers, who would be at the mercy of the plantation owner, and later, the local rural oligarchy. For a long time, ministers in Brazil supported the repressive practices of the rural and urban elite by preaching the poor's salvation in heaven for their toil on Earth. During this time, it some also preached that women were made in man's image, and were therefore, not his equal. This instilled another hierarchal tier among many already formed through plantation life. The historical dependency of the plantation residents on the Catholic Church gave the institution a lot of power for many years, and even in modern times, sacraments still make rural people dependent upon their local ministers to baptize children, sanctify marriages, and bless the dead [O'Connor and Drury, 1999, p. 87]. However, liberation theology had a profound influence on the Brazilian society.

After liberation theology began to make its influence on Latin America, the church began to support or even lead the struggle for the poor's rights for food and shelter. It also had earlier revised its view towards women. O'Connor and Drury note the 1995 message of John Paul II, declaring the teachings of Jesus with regard to women, despite any failings of humans to uphold them:

When it comes to setting women free form every kind of exploitation and domination, the gospel contains an ever relevant message which goes back to the attitude of Jesus Christ himself. Transcending the established norms of his own culture, Jesus treated women with openness, respect, acceptance and tenderness. In this way he honoured the dignity which women have always possessed according to God's plan and in God's love.
[In A Letter to Women 1999, p. 86].

Yet, despite John Paul II's message, Brazilian society has long been inundated with divine male models; God is male, Jesus is male, Jesus' apostles are men, and it is men who are allowed to be ordained priests [O'Connor and Drury, 1999, p. 87]. O'Connor and Drury [1999, p. 87] quote Irma Passoni, formally a religious and political activist, "The difficulty in the church for women is that they have been taught that God is male, therefore males in the persons of their fathers, husbands, brothers and sons are images of God and the woman has to be submissive to this vision."

The gender roles which Brazilian women and men have historically been surrounded by are partially supported by interpretations of biblical text. An additional divine female model exists within the Catholic Church as many women become sisters, and groups of sisters aid the clergy. The role of women as nurturing, saintly mothers is illustrated by the Virgin Mary, and their alternative role is depicted by that of Mary Magdalene [Burdick, 1998]. This is not to imply that Brazilian women seek to impersonate either character, but that traditionally, in a country where the Bible is often referred to, where religious activities occupy much social time, and where the church as an institution (and local priests) have traditionally held great power over society, few depictions of religious women are available [O'Connor and Drury, 1999, p. 87].

The influence of the Roman Catholic Church has affected the lives of many Brazilian women. The Church has been an integral part of the formation of Brazilian Culture. The extent of that influence varies, as some religious women have fully embraced liberation theology, while other women are not as religious. Additionally, other women have been dependent upon a conservative priest because the church held a position of power in their rural area. [O'Connor and Drury, 1999, p. 182]

In the 1960s, *Communidades de Base* (CEBs) began to form for poor Roman Catholics to mobilize themselves. Women made up the majority of the participants. From then until the mid 1980s the church supported their communities' fights for basic needs. Schools, heath facilities and other concrete improvements resulted from the political influence of the CEBs. However, these groups began to fall apart as CEB participants and leaders began to disagree on the direction of further action. CEBs had not questioned the fundamental societal structures causing inequalities, nor gender roles. Instead, they concentrated on supporting women in their concerns about the family, neighbourhood, and issues stemming from their class [O'Connor and Drury, 1999].

The number of CEB participants at meetings decreased as the consequences of the military's economic modernization policy increased. Increasing inflation and more service sector jobs geared towards women meant that many women began to work outside the home in addition to performing their daily household duties. Consequently, after a long day many women were too tired to go to CEB meetings. In addition, as women's basic needs were increasingly met, the second generation of CEB participants began to talk about the obtainment of other rights. However, many found that the church was reluctant to help them. For example, The Catholic Church avidly supports the need for women's health care with regard to maternal health: however, its views on birth control and abortion are conservative [O'Connor and Drury, 1999]. The Catholic Church today continues to exert its views on the Brazilian population through its influence on the 73.6 percent of the populace that identifies itself as Roman Catholic [CIA, 2005].

2.1.4 Gender Roles

Gendered roles extend beyond the Church in Brazil. Brazilian society is patriarchal and has in it deeply embedded gender roles. An important component of these social differences is the concept of Machismo, which refers to an expressed, fervent masculinity. It is an attitude that is prevalent in *machista* Brazilian society and aids in the continuation of the society's conservative gender roles. Although some of the

attitudes and practices are changing, especially in urban areas, remote rural areas still have these ideals engrained into their society, and even in urban areas gender roles still have great significance. Because of this, machismo directly affects the lives of both men and women.

From its traditional colonial foundations, in some regions of Brazil, three traditional roles for women can still be seen today. All are defined by their relationship to the male head of the family: a woman can be as a wife, a mistress, or servant. However, women can also play the role of the mother and it is this role of a mother that can spatially and socially segregate women. Women in a traditional *machista* society are expected to stay in the home, take care of their children, and be passive when the head of the household (the male) exerts his control. Traditionally, a woman's domain is inside the house, and they are responsible for managing the family's resources. In 1992, Rosa María Gil and Carmen Inoa Vásquez (two psychologists) introduced another term to describe some of the difficulties of Latin American women, *marianismo.* López [2000, p. 73] describes the term as:

> The self-sacrifice and the rejection of pleasure in which women immerse themselves to please others, especially the men in their family. It is the notion that Latinas live in the shadow of their men--father, boyfriend, husband, son. The *marianista* is analogous to a nun, cloistered in her marriage to Christ, but unfortunately most men are far from Christlike [2000, p. 73].

Neuhouser's [1998] examination of gendered relations in a town called Caranguejo in Northeastern Brazil, supports this idea. For example, he notes that motherhood really is the defining role of a woman. A girl is often called a "little mother" in fun, but it not until a girl first has sex is that she is called a woman. Consequently, womanhood is defined through a woman's role towards others as a mother and a nurturer.

Brazilian culture expects men to be macho (which translates as "male"). A way to display their masculinity is through their sexual virility, use of violence when given "just cause," and bringing home monetary earnings to support their family [De Oliveira, 2000, p. 6]. Like a woman is said to become a woman once she has had

sexual intercourse, a man also (partially) defines his manhood through sex. However, it is the sexual virility of the man that is valued, not their identity as a "family father," but as only a biological "father." A "family father," in contrast, is an optional identity for a man as a responsible parent [Neuhouser 1998 p. 346]. Unlike a woman, whose "motherhood" provides a profession, and any extension of that role is (for example as an urban labourer) is hardly recognized, men's profession gives them an identity. They, as "family fathers" are traditionally defined by their ability to bring home financial support to their family. However, as the modern economy has caused high unemployment rates and has actually opened up more jobs for which women are typically hired, men are left without the ability to fulfill their familial role. Neuhouser notes that they do not extend their role as a father in the manners that women do because taking over a woman's responsibilities threatens their male identity [Neuhouser, 1998, p. 345]. In fact, in the area where Neuhouser [1998, p. 346, 348] was conducting his case study, if a male were to work in the home or take on other traditionally "feminine" responsibilities he would be endangering his identity as a man. Neuhouser [1998, p. 348] states, "women and men agree that the opposite of being a man is to act like a woman, but the opposite of being a woman is failure to be a mother."

This is an attitude that has been engrained in societal structures and consequently, can be very influential still [De Oliveira, 2000, p. 7]. Each generation has been indoctrinated in these Brazilian cultural stereotypes for centuries, and women in Brazil often propagate the social hierarchy just as much as men. In modern Brazil it is still common for women (who can afford it) to have a domestic servant, especially if that woman has a job outside the home. These domestic servants to do the cleaning, cooking, and take care of children. Just as slave nurses cared for the young of white mistresses on plantations, the modern Brazilian house cleaners are also usually black, poor, and with few employment options [López, 2000]. Even women who are aware of gender differences sometimes treat their children the way they were treated. Young girls are often required to toil in the house with their mother while boys can run around free outside.

The ideologies of machismo (and *marianismo*) shape Brazil's social network. Neuhouser [1989, p. 690] describes machismo as "both a description of and a justification for a sexual hierarchy in which women are subordinate to men." These ideals can restrict and mould the paths women and men follow. In many areas they propagate a double standard, and create divisions of acceptable cultural activity in political action and in the labour market.

2.2 Women and Politics in Brazil

Because of women's lack of external societal roles, they still lack representation in formal politics; however, as mothers, women have increasingly participated in informal political movements, politicising their gendered duties. Women's movements have mobilized around reforms of the 1988 Constitution, integrating themselves with unions, black movements and state entities. They have also managed to pressure for other legal reforms, created affirmative action programs, and campaigned to ensure women's rights to shelter, health, and education. Their political actions are to be examined in order to illustrate that although much has been accomplished in law, women's formal political actions (and consequently, the multifaceted appropriation of funds and action needed to combat their specific hardships) are still restricted by their expected societal roles. Yet, while women are often able to embrace their gender roles in order to incite political action these actions of desperation have not yet been enough to ensure continual political changes in society.

2.2.1 The Participation of Women as Political Actors

Here analysis Brazilian women's participation in politics is divided into formal and informal realms. This is because due to their gender roles in one, their voices remain predominantly unheard and in another, they dominate the action.

2.2.1.1 Formal Politics

Although on paper, women and men have equal rights; women are grossly underrepresented in formal politics. In general, Latin America has relatively high numbers of women in politics, but in Brazil, this is not the case. Although statistics state that more women are enrolled in all levels of educational institutions, most do not take their knowledge into Brazil's political sphere involved in formal government [Neuhouser, 1989].

As part of national affirmative action measures, in 1996, a quota law was passed that "reserved" spaces in political arenas; a minimum of 30 percent and a maximum of 70 percent was to be filled by one gender. However, unlike other Latin American countries, where quota laws have helped lessen the gender imbalance, in Brazil, a loop hole provided little need for change. The quota law only required seats to be reserved for women; these seats do not need to be filled [Htun, 2002].

Brazil's political system also hinders women's participation. Although voters in Brazil vote for individual candidates, they really only have say in the number of seats each party obtains, and the part chooses who fills each seat. The number of votes an individual candidate receives are called preference votes and usually it is the number of preference votes that determines who fills these seats. Competition within a party usually leaves women without a seat. In contrast, in Argentina and Costa Rica, the party leader chooses who receives the seats, and women are required to be spread throughout the list (along with men) of seat beneficiaries. Brazil's political system contains inconsistent party platforms and procedures that are not always followed, and, unlike Brazil's institutionalized political system, it has been shown that women prefer a system that has set rules and procedures to work with, especially when entering the field [Htun, 2002].

Brazil's notorious machismo culture is not entirely responsible for the lack of women in politics. A poll by CNT/Census found that Brazilians believed women in high government positions to be more honest, responsible and trustworthy than men. Additionally, the poll subjects stated that they would be willing to vote for such women [Htun, 2002]. However, to some extent, social constraints do affect women's political

decisions. Although participation of women in formal political channels is increasing, especially after the creation of a Special Secretary of Women's Policies, Brazil contains a *machista* culture that still makes life difficult for women who step outside traditional gender roles. For this reason, many women have traditionally acted through their roles as mothers and caretakers to incite political action [Pereira Oliveira, 1999].

2.2.1.2 Informal Politics

Although social ideology places men as actors in most political fields, women do take political action. However, Brazilian women tend to work through informal exchange networks. In one example, "Women invaded land, built houses, resisted eviction, won access to water and electricity, and created a health post-all without generating a single social movement organization" [Neuhouser, 1995, p 51]. Brazilian women have informal networks for reasons other than strictly political purposes; they use their contacts to take care of the family and find resources that they collectively need. If solitary action is not sufficient, women must work together. It is estimated that over 80 percent of Brazil's social movements' participants are women [Neuhouser, 1995].

Informal networks benefit women, and their causes, in many ways. Social movements that involve women are able to act quickly and often are allowed to continue because political actors, especially the old military regime, do not feel as threatened by them. It is common for men to make a career in politics, and so formal organizations are less likely to risk everything for a cause. Often, women do not care what political people they are upsetting, and are not willing to give up their fight if letters they have sent do not invoke a response [Neuhouser, 1995].

Usually women take action because they must, when the health of their family is at risk. Women are responsible for the family's care, and consequently, the absences of items, such as public utilities, poignantly affect women. By fighting for improvements in living conditions, women are not working out of their typical gender roles, but merely extending their scope into the political realm, continuing to take care of the family. Although some continue to be politicians, Brazilian women tend to stay in their political

roles until the positions are no longer accepted as an acceptable extension of their gender role [Neuhouser, 1989].

By enshrining the traditional ideal of women as mothers, the military dictatorship inadvertently caused greater amounts of social mobilization. In the 1960s and 1970s women began to work outside the home in greater numbers as they had to find additional means to provide for their families [Alvarez, 1990, p. 55]. Although the tecnocratization of the state in this same time period provided some middle-class women with education in technical, professional or scientific areas, the same opportunities were not available for poor women who were most hurt by the regime's economic polices. Additionally, the education and living conditions of black women (who were predominantly poor) remained noticeably low [Alvarez, 1990, p. 54].

For those women who had to work without an education, this extension of their traditional roles as mothers, nurturers and family helpers was done out of desperation in a time of economic modernization with rising costs of living. Because of this, they took jobs with low pay, low status, and (due to lack of training) ones that required little skill in order to support their family. Alvarez and others have noted that this part of their double work day has been viewed as a "help" or "an exception" to their more important, valued duty as a mother in the home [Alvarez, 1990, p. 47].

The culturally defined role of mother has provided both a means of mobilization and a restriction for Brazilian women. Women participate in more community movements than men because of their identity as mothers. Women create strong bonds of family and friends; they are to nurture their children and when someone is ill or water is needed for cooking, they are the ones to address the matter. As they are responsible for managing the families resources to ensure their survival, the lack of infrastructure, social services, and finances impact their responsibilities. For this reason, it is more common for women to band together with their friends, politicizing their motherhood, but when it comes to participating in formal politics for a job, women's role as a mother no longer supports their action outside the household [Alvarez, 1990, p. 220].

2.2.2 Government Legislation and Structure

2.2.2.1 Mobilization

In the 1970s Brazilian society began to mobilize. Women's movements and black movements began to campaign for their rights and for changes in legislation and government action. Organizations such as *Rede Mulher* (the Women's Network) mobilized the Brazilian populace around the popular amendments being proposed for 1988 promulgation of the constitution. The National Counsel for the Rights of Women (CNDM) (created in 1985 as a state apparatus for promoting women's policies) also played a significant role. The amendments specifically about women included: Rights of Women, Health of Women, and "the Lipstick Lobby." All were included in the new constitution; however, the Health of Women's proposition to legalize abortion was not incorporated into the final legislation [Caldeira, 1998, p. 78].

Women involved in unions also began to organise and quotas for women in unions were even instituted by the CUT (a union for rural workers, predominantly made from the lower classes). However, upper and middle class women who believed in conservative views of morality, family and private property also began to mobilize, countering the CUT's women's group, with a woman's Democratic Ruralist Union (*União Democrática Ruralista, UDR-Mulher*). However, women at this point were not yet so divided by class issues that these divisions hurt their overall influence.

The women's groups with the most divided needs were those of black women. In 1988, after the national census was able to illustrate the differences in income, education, health and overall wellbeing in relation to a person's race, for the first time the First National Encounter of Black Women was held to determine the political role and priorities of black, Brazilian women. The 460 participants from 17 states decided that they must continue to work with the women's movements, in hopes of placing additional stress on the racial divisions of labour that black women were subject to. Participation of black

women in black movements was also viewed as a necessary component of their policy plan, but there, recognition of sexism would have to be lobbied for. These actions needed careful synthesis in order to be effective and successfully integrate their efforts with the already well-established movements (rather than separating themselves from them) [Carneiro, 1999, p. 224-227].

2.2.2.2 1988 Constitution

The increasing number of women's organizations cumulated their fight for rights in the promulgation of the constitution. Many of their legal demands were met. For example, regardless whether they were temporary, unpaid family workers or full-time employees, urban and rural men and women are all guaranteed the same rights to unemployment insurance. Retirement is allowed when rural women were 55 and rural men were 60, or after women completed 30 years (and men 35 years) in the workforce. Even unpaid family workers can receive retirement benefits; (they just have to pay a retirement quota and be registered in the system). 120 days of maternity leave was given to women workers, although there was not specification that made sure a woman was not fired before, during, or after this period of time. The right for paternity leave was also mentioned; however, a specific time period was not specified. Women were guaranteed equal rights and duties in article five; guaranteeing them the right to own property. One of the women's demands that was met was the titling of land in the name of the man, woman or both without regard to their civil status. This was to occur in areas that were to be distributed as part of agrarian reform processes [Deere and León, 1999].

2.2.2.3 Movements after the 1988 Constitution

The feminist movement's initial ability to participate in a policy of "double militancy," advocating for their rights within the government and political parties as well as through feminist groups, allowed women to work with the government while placing continual pressure on the government to do more [Caldeira, 1998, p. 77]. In 1985 a National Counsel for the Rights of Women (*Conselho Nacional dos Direitos da Mulher*, CNDM) had been created at the federal level and together with state and municipal counsels. It was able to work with other strong feminist leaders outside of government. Additionally,

women joined labour unions, where gender inequalities were seen as secondary to the class cause, and advocated for their rights [Alvarez, 1990, p. 288].

Unfortunately, the transfer of feminists to the state drained the outside political population, and when the Ministry of Justice cut the National Counsel's funding, many feminists in the State apparatus resigned. The Counsel's feminists were replaced by women who had little connection to the movement [Caldeira, 1998, p. 77-79]. Consequently, early in the 1990s, despite worsening conditions for women due to the economic restructurization, few policies were implemented. Feminists not involved in government worked with local communities, set up women studies in universities and generally split up the interests of the movement. This did not stop women's strides towards fighting inequality; for example, in 1997 CONTAG organized a National Commission on Women and in 1994, *Articulação de Instâncias de Mulheres Trabalhadoras Rurais* (ANMTR) was created as a national organization with the slogan "gender and class struggle are inseparable" [Deere and León, 1999, p. 19]. However, the feminist movement was divided. Before the national council was revitalized in the mid 1990s, many feminists had turned to NGOs for funding. NGOs provided Brazilian movements with better access to an international network of movements and lobbies [Caldeira, 1998, p. 80].

The increased participation in NGOs of Brazilian women's' movements has meant that they have been extremely involved in international conferences and forums concerning women's issues. Specifically, the 1992 World Conference on Environment and Development in Rio de Janeiro, the 1993 World Conference on Human Rights in Vienna, the 1994 International Conference on Population and Development in Cairo, the 1995 World Summit for Social Development in Copenhagen, and the 1995 Fourth World conference on Women in Beijing. Before the 1995 conference, the *Articulação de Mulheres Brasileiras* (Articulation of Brazilian Women) helped to analyse the situation of Brazil's women through numerous meetings [Caldeira, 1998, p. 99, note 12-13].

However, the "NGO-ization" of Brazilian women's movements caused some problems. External funding for Brazilian ventures meant that external interests could set priorities for those projects. In addition, private projects have a tendency to perpetuate inequities, and with the greater amount of external networks made available, the traditional connection of middle-class Brazilian women with the lower classes began to disintegrate. Overall, numbers of women lacked in politics, their interests were more dispersed, and the social classes were less resolute in their cooperation. In the late 1980s, over half of the number of black households headed by women were below the poverty line, and the general number of households headed by women had grown from 10-7% in 1960 to 20% in 1989. Consequently, although the situation of Brazilian women was becoming worse, there was actually less action and homogenization in goals than before. [Caldeira, 1998, p. 80-81].

The one exception to this trend of disillusionment and fragmentation in the latter 20th century was the mobilization of Afro-Brazilian women, who, with their male counterparts formed local organizations to advocate for their rights, and support their cultural heritage. Later these activities lead to their participation in the international conference on racism in Durban South Africa and greater general knowledge of these problems.

Although on a whole, they remained less active than in previous years, Brazilian feminists did manage to organize enough by the mid-1990s to push for a few reforms. In the 1990s, Brazilian feminists concentrated on reproductive rights. Sterilization is common due to the lack of alternative measures of birth control, especially in the Northeast; violence against women is continuing, and old laws, still in affect, supported archaic views of women [Caldeira, 1998, p. 91]. Recent laws granting rights to women also included the 1996 recognition of a "stable union" between a man and women and later that year, another law proclaimed the government's duty to inform the populous of birth control methods.

2.2.2.4 Legal Reforms

The rights of women are also dependent upon the availability of the rights of humans as a whole, and in the late 20th century these are still lacking in Brazil. For these reason, many feminists concentrated their initiatives on general social rights and services projects, to aid women and their communities. However, the cry for legal reforms to better protect human rights was growing, as Brazil's old civil and penal code still advocated what some have called "archaic" notions. Justice had, in many cases, become privatized and people took the law into their own hands. Some of society accepted police killing people living on the street, and women were also subject to "honour killings" if they cheated on their husbands. In 1991, the Supreme Court outlawed the "defence of honour" as a viable reason for murder; however, it as an ideal is still engrained in much of society and consequently local juries still often rule in a murder's favour [Caldeira, 1998, p. 94].

By the 1980s and 1990s many Brazilians desired reforms in their legal system. One of the changes that took place was that the Superior Federal Courts were given greater influence than State Courts and the Judiciary branch of government had complete autonomy and independence [Committee on the Elimination of Discrimination Against Women CEDAW, 2003]. A good example of this impact of this change (especially on women) is creation of the National Program for Prevention and Combat of Domestic and Sexual Violence in 1996. This program of the National Council for the Rights of Women and the Ministry of Justice's National Program of Human Rights, required that the policies in place for combating violence against women were strengthened and that the unacceptability of this practice, although prevalent, must be combated (Brazilian Embassy in Washington).

Both the 1940 Penal Code and the 1916 Civil Code contradicted the new constitution in many areas and were consequently in need of revision after the late 1980s. The Penal code differentiated between "honest" and "dishonest" women, contending that "unusual sexual acts" (generally known as seduction, prostitution, and oral sex) were criminal for a woman to commit. Rape was considered a crime against custom not against a person, and the honour of a husband was spoken of as necessary to maintain, even if it meant killing

an adulterous wife [Harrison and Huntington, 2000, p. 196]. While advocating for the revision of the penal code, they had to make sure the revised version would not consider abortion a crime [Caldeira, 1998, p. 91-94]. In 2001, feminists asked that sexual harassment be included in the legislation, and as revision of the code (in 1984) has been continuously delayed the Secretariat for Women's Policies is now proposing to alter the parts of the code that discriminate against women. [Committee on the Elimination of Discrimination Against Women CEDAW, 2003]

In 2003, the reformed 1916 Civil Code became active. It generally guaranteed the rights of men and women. However, feminists had hoped for greater modifications. The new code still allowed women under 16 to get married if they were pregnant or to avoid criminal penalty. This allowed an aggressor to avoid being charged for crimes if they married their victim. Additionally, women and widows are required to wait 10 months after the end of their marriage until they can remarry [Committee on the Elimination of Discrimination Against Women CEDAW, 2003]. Consequently, although legal reforms have helped to create a new legal structure to support women's rights, many more changes are desired.

2.2.2.5 Affirmative Action

The instigation of affirmative action policies in Brazil truly demonstrates the power of the social movement that has not faded as much as others have after the pressure for certain legislation in the 1988 Constitution. The social mobilization of African Brazilians leading up to the 2001 World Conference on Racism in Durban, South Africa supported the later implementation of the pledges made there. Just before he left office, President Cardoso instituted a National Program for Affirmative Action in 2002. Its primary method of action used quotas. Quotas for blacks, women, and handicapped people were introduced to certain government ministries and some states approved a 40% quota for the placement of Afro-Brazilians in universities. The quota policy has been extended under the government of Luiz Inácio Lula da Silva.

After his election in 2003 President Luiz Inacio Lula da Silva, declared, "If poverty has a woman's face, so will our fight against that poverty" [Committee on the Elimination of Discrimination Against Women (CEDAW) , 2003]. To coordinate the fight he created a Special Secretariat of Policies for Women. Its purpose is to provide the president with advice concerning women's policies and to coordinate distributed actions to combat discrimination against women at all levels of society. The National Council for Women's Rights aims to instigate comprehensive change at the national level [Committee on the Elimination of Discrimination Against Women (CEDAW) , 2003]

Another secretary that of the Special Secretariat of Policies to Promote Racial Equality, was also appointed in 2003. This secretary's role is to ensure that the nation's affirmative action measures concentrate on the inequities suffered by indigenous and black populations. Also after his 2003 election, Lula made three historic appointments to his ministries. For the first time, three ministry appointees were black or mixed race. Two of them were also women. Gilberto Gil became Minister of Culture, Marina Silva headed the Ministry of the Environment, and Benedita da Silva (previously the first black senator) lead the Ministry of Social Assistance and Promotion [2004, p. 73].

In 2004, the First National Conference on Women's Policies was held to discuss the National Plan for Women's Policies and the actions it was supposed to instigate [Embassy of Brazil in London, 2005]. Some of the goals identified were: the strive for independence, equality as a citizen and as a labourer, rights to health and a life without violence [UNCHR, 2005].

2.2.3   Women's Rights: Living Conditions, Health, and Education

Women and men are each guaranteed the right to shelter, heath and education in Brazilian law. However, although women's political action has guaranteed some notable changes in government ideology and policy, many women remain homeless, suffer from violence and are not able to use their education to increase their ability to get a desirable job. To ensure these human rights of shelter, health and education solely political action

and policy changes are not enough to incite the comprehensive strategies need to combat the interrelated challenges of poverty and discrimination.

2.2.3.1 Right to Shelter

In practice, many women lack this right, although it is guaranteed in law. Their equal rights were assured by article five of the 1988 Constitution, and article fourteen established that land was to be expropriated for social interest [UN HABITAT, 1999, p. 20]. Additionally, Constitutional Amendment No. 26 "incorporated the right to housing into the set of social rights originally listed in Article 60 of the 1988 Constitution," women and policies by land reform agencies support the joint titling of men and women [Fernandes, 2002, p 100]. However, Brazilian women, making up the majority of the poor, are often homeless, and if they have a home, their property is often not legally secure. Furthermore, if housing is available, Brazilians are usually segregated not only by income but also by race [Goldani, 1999].

2.2.3.2 Health

Ill health is linked to poverty, and women make up the majority of the Brazilian poor. In Brazil, heath care and heath service is available to the entire population without charge. Rates of infant mortality and maternal mortality are dropping, but to ensure this continues in 2004 the National Pact to reduce Maternal and Neonatal Morality was formed by the Brazilian government. [UNCHR, 2005]. From 1980 to 2000, the Brazilian women's fertility rates have dropped from 3.9 to 2.2 births per women; however, many have been concerned about the pressure on women to be sterilized because of lack of adequate birth control alternatives. Programmes concentrated on women's health primarily focus on sexually-transmitted diseases, family planning, the health of mothers, and combating violence against women [Brazilian Delegation, 2001]. Presently abortion is only permitted to save the life of a woman who is pregnant [United Nations, UNCHR2005].

Brazil has some unique health programs that have gained world wide attention. Its Zero Hunger Program aims to rid the country of hunger and poverty through the creation of a secure food policy. Small farms, local food distribution, and a variety of government

agencies are all to play a role. In 2003, the Ministry of Food Security and Hunger Combat and the National Food and Nutritional Security Council were created to coordinate the multifaceted effort. [Committee on the Elimination of Discrimination Against Women CEDAW, 2003]

Brazil also has a policy of distributing free antiretroviral to HIV/AIDS patients is a strategy that has also been noted around the world. By doing this Brazil often threatens to create their own cheaper generic versions of expensive medications if pharmaceutical companies do not lower their costs sufficiently. It is a policy that has gained both criticism and praise.

The establishment of women's police stations to investigate cases of violence against women and aid its victims began in Brazil in the 1980s. Now, numerous shelters and police stations exist in many Brazilian states and this strategy has been used in other areas of the world to combat violence against women. Additionally, the Program for Prevention and Combat of Violence against Women contains a law that requires first aid stations to report cases of violence against women [Estrella, 2004]. Because of these measures, the reported cases of violence have increased and it is not know if the actual rate of violence is decreasing [Brazilian Delegation, 2001]. CIDA notes a 1999 US Department of State study that states only 2 percent of women's formal complaints of violence result in convictions [CIDA,] These strategies have been expanded partially due to A National Plan of Action for the Prevention of All Forms of Violence Committed against Women. This program is being executed by the Special Secretariat of Policies for Women and concentrates on expanding the mechanisms already in place, working with the ministry of education and examining in greater detail the abuse of street children, and human trafficking. [Committee on the Elimination of Discrimination Against Women CEDAW, 2003] The trafficking of women and children in Brazil is also a problem. In 2001 the government began a multifaceted approach to this problem. By mapping out the routes used, the government now has a greater ability to catch the perpetrators and will use the areas with the most activity as targets for the implementation of future health, education and development programs [UNCHR, 2005].

2.2.3.3   **Education**

To combat the poverty of Brazilian women, education is essential. It is necessary to improve their living standards, to increase their participation and leadership in society, and to give them the basic skills (such as literacy) that would allow them to increase their carrier options. However, although 48 percent of primary school students and 52 percent of secondary school students were female in 2000, the country's over all illiteracy rate illustrated that a majority of the illiterate were female. There was a 13.0 percent illiteracy rate for men and 13.2 percent for females (Gender Stats, World Bank, 2000). Women however, are expected to participate in school one year longer than males (who are expected to complete 13 years) [Gender Stats, World Bank, 2000].

The education of women has increased the quality of life for some women; however, cultural attitudes and discriminatory practices towards what is considered appropriate work for women hinders their chances to have a good job, obtain their own land, or get out of poverty. Additionally, the educational system, while a tool for change, can also be used to perpetuate sexist and racist practices [Committee on the Elimination of Discrimination Against Women CEDAW, 2003]. Overall, by the 1980s the education of women increased but the education of black women remained noticeably low [Alvarez, 1990, p. 54].

2.3   Women of the Brazilian Economy

Society structures subject Brazilian women to discrimination, and such unequal treatment can be seen in their participation in the Brazilian economy. Additionally, just as women dominate informal political action, they are also very active in informal economic fields.

Women's paid and unpaid work is undervalued and they are generally paid less than men. Specifically, females make up 35 percent of the total labour force, contributing 23 to agriculture, 9 percent to industry, and 68 percent to services in 2000. However, the percentage of male wages that females earned was 76 percent of a male's salary in non-agricultural activities and 54 percent in manufacturing jobs [Gender Stats, World Bank,

2000]. Additionally, black women earn 55 per cent less than other women [Committee on the Elimination of Discrimination Against Women CEDAW, 2003]. In many sectors, women are subject to jobs that could be viewed as an extension of their cultural duties as a woman; it is still difficult for women to climb to leadership positions. Yet, by participating in the paid labour force some women gain independence and financial security they previously had to do without.

In Brazil, poverty is related to gender and racial inequalities. Specifically, cultural conventions influence four economic areas. They divide the population through a sexual division of labour, they differentiate between acceptable practices when working in rural and urban areas, and they support certain trends of cultural consumption.

2.3.1 A Sexual Division of Labour

Because ideology dictates that the women's domain is the household and men are supposed to venture out and monetarily support the family, a sexual division of labour develops. What must be noted about this division is that the labour of each sex is not equally valued. Yet, many women do not complain about the sexual division of labour, only that men do not do their jobs [Neuhouser, 1995].

It is important to note that because women find, prepare, and often distribute the food, they hold a certain amount of power over men. A middle or upper-class woman would often have servants to do their cooking, but a poor woman would use 60 percent of the family's income on food, thereby controlling a large amount of the family's resources. Culturally, men depend on women to prepare their food, control the rent and electricity as well as other household tasks. It would be socially unacceptable for men to do "women's jobs" and frequently, men stay at the homes of their mothers until they have found a wife to do their household chores [Neuhouser, 1989].

The labour options for a black women are much more limited than those of women in general. They often work as domestic servants, nursemaids, or nurses, all of which were acceptable duties (now with slight extensions) for black women before abolition. Almost

60 per cent of domestic servants were black [Committee on the Elimination of Discrimination Against Women (CEDAW) , 2003]. The lack of acceptance of *pretas* in the service sector is high, as interaction with customers is needed; one exception to this trend is the acceptance of *pretas* at supermarkets, where maids (also predominantly *pretas*) predominantly shop. The difference is opportunities for *pretas* and *pard*as differs much more than for *pardas* and *brancas.* For women with a high school education, *brancas* are only ten percent more likely to become a skilled professional than pardas, however, *pretas* are 70 percent more likely to have a manual job (after a high school education) than *pardas* [Burdick, 1998, p. 45].

2.3.2 Poverty and Work in Urban Areas

Many people have fled to cities in search of jobs. Some are landless families, others are men or women who have left their small farms in search of employment to send sustenance back to their families. Although men have also exited the countryside, women make up the majority of urban workers. This occurs because, typically, more women have a higher level of education than men, and are therefore, more qualified for urban labour. Secretarial and cleaning jobs, considered work for women, are also easier to find [Guivant, 2003].

Women's work in the urban sector does have some positive befits: women are less dependant upon their husbands; the family relies on both the mother and the father for supplies, and the women gain a knowledge of the world outside of their dwelling. Unfortunately, poor urban workers are often taken advantaged of. Women are usually not employed at unionized jobs; they are paid less than men, and often, employers do not sign the worker's work cards (if they have obtained them) so that the women are unable to receive benefits that the employer would have to pay for [Neuhouser, 1989].

2.3.3   Poverty and Work in Rural Areas

Urbanization has changed the makeup of the families living in the countryside. In many parts of the country women have left rural areas to seek better paying jobs, with more

recognition, in urban environments. In other areas, such as North-eastern Brazil, many men have left the countryside, leaving women to head the households. However, especially in rural areas, society-defined gender norms are extremely strong. Resultantly, women's work in rural areas is not recognized, and most face discrimination when attempting to gain access to credit, technology, and productive information because they are attempting to do a "man's job."

A World Bank study in the mid 1990s concluded that the number of female-headed households had risen, especially those in urban areas, and that these households were more likely to be poor. Although less than half of these households contained children as, single women made up most of the female-headed households, the ones that did had a much greater likelihood of being in poverty. It was also more likely that female-headed households appear in the northeast, while fewer and a fewer percentage of those with children occur in the south [Barros, Fox, and Mendonca, 1994, p. 8]. This study concluded that although the number of earners in a female-headed household is low, and that the dependency of people in those hold holds on the earner is high, the largest reason that female-headed households are poor is that the average income of the household is low [Barros, Fox, and Mendonca, 1994, p. 9]. Female heads of households earn less than half Brazil's average [Barros, Fox, and Mendonca, 1994, p. 16].

2.3.4 Monetary Earnings and Monetary Consumption

Men's and women's culturally defined responsibilities and areas of action tend to influence their spending patterns. Studies have shown that women tend to spend the money they earn on items that benefit the household. This trend is supported by their traditional role in Brazilian society as the caretaker of the family; providing for the family is a woman's duty. Men are also to provide for the family; however, Agarwal [1994] notices that men are more likely to spend money on items for their personal use; she gives the examples of liquor and tobacco. With these consumption tendencies in mind, it matters very much who earns, receives and, therefore, controls the money in the household.

2.4   Women of Brazilian Culture

Because of women's historical subordination, they have been subject to restrictive societal practices, biased legalities, political ambivalence, and a lack of recognition for their work. Some of the challenges women face have been exacerbated in the present day because of Brazil's economic restructuring polices. Because of these policies, women now head many households, have had to mobilized themselves politically and often complete a double work day. Yet, a great deal of this action remains informal, as formalizing themselves as the *de jure* head of the family, taking formal political action, or working for a wage while their husbands care for their children would mean going against traditional conceptions of womanhood. Some women have managed to make this transition, for example, working full-time. However, even this practice perpetuates certain gender roles and social hierarchies, as often working women have maids, face discrimination in workplace, and are restricted to working certain types of jobs. House cleaners are predominantly poorly paid, black women who are forced to into maintaining a longstanding societal structure because they have few other options. Perpetual inequalities such as these, so deeply embedded in Brazilian culture, illustrate the difficulties intrinsic in combating such traditions. Consequently, although new government organs have been created to combat gender inequalities, non-government feminist movements will have to continue to advocate for women's rights, because combating gendered disparities will require pressure to change the status quo, many varied strategies, dedication, and time.

CHAPTER 3

BRAZILIAN LAND

The distribution of Brazilian land is perversely inequitable; while the Gini coefficient[2] for income concentration is .6, the Gini coefficient for land concentration is .8 [Federal Republic of Brazil: Ministry of Agrarian Development, 2001, p. 1]. As the urban populace has grown in recent years to encompass 83 percent of the country's total inhabitants, slums are now the living quarters for 36.6 percent of the urban population [UN Stats, 2005 from 2001 UN HABITAT, Secure Tenure Index, Fernandes, 2005]. Because women make up over half of the Brazilian population and are the majority of the poor, this property inequity has had a profound impact on their lives. Historically, policies that supported large-scale agribusiness and the global market helped to ensure the rural exodus of small-scale farmers and their families. The organized resistance of the lower classes has traditionally attempted to counteract the support of powerful capitalists and large farmers by pressuring the government to commit to a comprehensive program of land reform and in the late two and early 21st century, societal mobilization caused some important reforms. However, overall, the Brazilian government has reacted marginally, even in areas of societal pressure. Consequently, because historic owners of land and capital engrained an elite-based power structure in modern Brazil, gross inequities in property continue to exist. Additionally, recent economic policies have exacerbated such inequalities. However, lately, the Brazilian federal government has placed itself in a paradoxical position that could signify a large policy shift in their stance on land reform. Despite their traditional support of large landholders, currently, the federal government is making a conscious effort to promote ideals that are more inclusive, and has substantiated its new values in policies. Land-related legislation such as the City Statute and the II PNRA outline some of the governments' new outlooks on land reform policies. To understand the importance of these legal entities' creation and the implementation of these regulations, the following pages will explore the historical inequalities involved in urban and rural land use.

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[2] The Gini coefficient is a measure of something's degree of concentration. A Gini coefficient of 1 represents complete concentration, while a finding of 0 portrays no concentration.

3.1 Urban Land

Many urban residents in Brazil lack secure housing, access to utilities, and transportation to work. As over two thirds of Brazilians live in urban neighbourhoods and (ignoring the 81 million not connected to sewage systems) 70 percent of the sewage collected is not treated. Part of the reason why the situation is as bad as it is today is that the increasing urban population (from 31 million in 1960 to 169,5 million in 2000) was treated as a side effect of economic modernization that would eventually go away [Fernandes, 2005]. Instead, the problems of the urban poor have diversified and grown in magnitude. For example, at present, buying a house in the formal market is affordable only to families that earn over 15 minimum wages per month, and public housing cannot provide for all of the needy [Silva, 1999]. Consequently, as are 7.2 million homes needed, many families can only acquire homes through squatting and self-construction. Today the urban situation is so bad that the Brazilian government can no longer ignore the problems associated with overcrowded, urban neighbourhoods [Fernandes, 2005]. However, one of the difficulties urban reformers face is a lack of coordination among the many entities responsible for the urban issues. For example, the lack of a working housing market also has allowed needy residents to overlook 5.5 million vacant properties [Fernandes, 2005]. Recently, the federal and local governments have enacted unique strategies and laws in hopes of creating an integrated policy to shape Brazil's modern cities into a sustainable form for the future. Although the full impact of the new policies remains to be seen, an exploration of historical and current issues plaguing Brazil's urban arenas will illustrate the nature of the populaces' inequities and the nation's dramatic change in attitude reflected in the recent government actions.

3.1.1 The Urbanization of Brazil

Shifts towards industrialization, urbanization, and stronger ties to the United States dominated 20th century Brazil. Previously cities had cropped up around major trade routes that connected such ports with Britain until the early 1900s. In 1889, the military overthrew the Brazilian emperor and began to address its position on the world stage. The leadership of the Old Republic functioned under the philosophy of free market

economics, and consequently the government did not give industrialization specific support until 1930; yet, at the beginning of the 20th century, industries established themselves in Brazil. Local Brazilians inexpensively obtained raw products for textile manufacturing and produced other goods such as soap or beverages; yet, under Getúlio Vargas, the government increased the price of importing foreign products in order to supplement government funds with the higher prices, not to aid budding industries [Gordon, 2003, p. 195, 196]. President Vargus also helped to expand a network of government functions and pensions; he unknowingly began the trend of bureaucratic control of industry when he installed the Ministry of Labour as the government supervisor of the urban labour unions [Skidmore, 1999, p. 140].

The import-substitution industrialization strategy, while good for industry, seriously hurt small farmers, and they often moved into cities in search of work. This urbanization trend continued as Brazil subscribed to the ideology of the green revolution, and opened up their doors to international agribusiness during the military dictatorship from the mid 1960s until1985. After that exodus of farmers, neoliberalization, or the implementation of economic stabilization plans pushed more food producers into the cities in desperation. Under pressure from the United States and international community at large to implement the economic policies of the modernization process, the Brazilian government has traditionally treated the migration and social hardships of its population as a transient inevitability. The main features of the five economic stabilization plans implemented in Brazil from 1986 are the following:

Plan	Year	Principal measures
Cruzado	1986	Changing of the currency from the cruzeiro to the cruzado Price and wages freeze Abolition of the application of monetary adjustment Setting up of unemployment insurance and the "wages trigger" (automatic wage adjustment each time inflation reached a certain level) Decreeing of a moratorium and suspended payment of the foreign debt
Bresser	1987	Maintenance of the wages and prices freeze and the moratorium Increased public tariffs Ending of the "wages trigger"
Summer	1989	Attempt to peg inflation by controlling the public deficit Privatization of State companies Imposition of a new price freeze Establishing of the de-indexation of the economy

Collor	1990	Confiscation of 80% of bank deposits and financial investment The return of the cruzeiro as the national currency Price freeze Abolition of indexation Dismissal of public servants Privatization of State companies Closing down of public bodies Start of the opening up of the economy to international competition
Real	1994	Changing of the currency to the real Pegging of the exchange rate so that R$ 1.00 equals US$ 1.00 Acceleration of privatization process Rise in interest rates Facilitation of imports Anticipation of public spending control Continuance of the process of opening up the economy Search for means of supporting company modernization.
Real	1999	Free exchange rate fluctuation and reduction of domestic interest rates

Table 3.1   Economic Stabilization Plans (From Sayad [2004, "Economic stabilization plans"]).

Before and during the military dictatorship, the distribution of Brazil's population shifted dramatically, incurring sweeping modifications in its labour structure. In 1940, Brazil had a dominantly rural population, yet with the continued industrialization of the southern states, by 1970, Brazil's population had become predominantly urban [Antongiovanni, 2004]. This occurred despite the government support of settlements in the Amazon region, which they had begun to connect to the Eastern infrastructure [Almeida, 2004].

Formally rural labourers moved into Brazil's cities to find jobs that were supposedly in abundance; yet, after World War Two, Brazil's modernization with telecommunication, credit, transport extensions as well as increased industrialization required fewer labourers than were available after the population growth. Consequently, while successful industrialists in capital-intensive industries would pay high wages to the few skilled workers, most labour wages remained low and Brazil's large income gap was exacerbated [Skidmore, 2004, p. 135]. Until the 1940s, urban areas condensed a mix of social groups and their respective housing, but from the 1940s to the 1980s a center-periphery model dominated city regions. Large cities developed a periphery of squatters who were unemployed or underemployed; if they had jobs, were bussed into the center of the city to work during the day. Large shantytowns (*favelas*), ill-equipped (and often irregular) subdivisions (*loteamentos*), and unsafe rented housing dominated by children (*cortiços*) are still abundant today.

Despite the social exclusion and spatial segregation being formed in cities, the majority of funds available to the government have been used since WWII to stabilize the economy rather than address issues of social reform. Due to Brazil's economic restructuring for the global economy, the urban population has increased from 55.9% in 1970 to 81.2% in 2000. The government has continually viewed social and equity issues, even with their economic importance, as a second tier of reforms that must wait to be addressed until after the country has achieved economic stability. Consequently, the inability of many poor farmers to survive the impact of cheap foodstuffs from large farms around the globe and the traditional social prejudices against women and Afro-Brazilians have all aided in the creation of a poverty that is female, urban, and often ignored [Fernandez, 2005].

3.1.1.1 Case Study: The Growth of São Paulo

The present slums of Brazilian cities progressed from a long history of ignoring the plights of the lower classes. Consequently an understanding of one city's progression from its conception as one of the first Brazilian cities to the creation of a dominantly urban country helps to illustrate the causes and perpetuates of the urban landless and their hardships.

Growing from the export of coffee, from 19th century until the 1940s São Paulo was a city with a diverse level of social classes that all lived together in a variety of central, urban-area housing. This continued even as the city began to industrialize in the 1930s, using immigrant labour, which was encouraged by a government policy designed to "whiten" the population. Eighty percent of the labourers rented *cortiços* or *casas de cômodo*. These two housing entities are cramped, shoddy apartments, one of which had a communal area for the cooking and bathroom facilities. Some employers provided a few *casas germinada*, houses rented by families, but their conditions were not much better.

The 1894 sanitary code provided a little improvement in living conditions, but urban legislation was generally sparse. Ones such as the Código de Posturas (revised in 1886)

that did exist dealt with the issue of public space and minor architectural details such as the width of avenues. In this industrialist atmosphere, where employers commonly evicted labourers and sanitation was sparse, the right to shelter was not considered in law or practice [Caldeira, 2002].

Building laws gradually began to exist for areas that the higher classes wanted to keep up to a certain code. Those unable to afford the upkeep were pushed out of the central area of the city onto the periphery. Four zones developed, each with their own housing standards; central, urban, suburban, and rural areas were made spatially distinct by laws for the comfort of the rich. The redesign of the downtown, with the *Plano de Avenidas*, solidified the ability of only elites to live in the city centre, but the city had to install busses in order to transport the poor to their jobs within the city. Even though immigration was restricted in the mid-30s, São Paulo expanded as farmers from the northeast fled drought and developers thrived in a city with few construction restrictions in poor neighbourhoods. Irregular subdivisions (clandestine *loteamentos*) sprung up everywhere. Even as concepts for the right of the poor to own homes immerged, the lack of regulation over subdivision until the 1970s made enforcing standards impossible [Caldeira, 2002].

From the 1940s until the 1980s the central-periphery model dominated the spatial sprawl of São Paulo. Although separated by distance from the poor, urban and middle classes could no longer ignore the *favelas* and *loteamentos* as they encroached upon their view. Because of this annoyance, pressure was applied to the military government to do something about the landless. Once military repression lessened, periphery populations began to organize and influence elections, whose local laws dominated the means of urban planning and reform. Politicians began to buy votes with reform promises, and gradually, the city began to acknowledge rings of the periphery and provide them with amenities. Sometimes, this development hindered the poor because the land became more valuable and they could no longer afford to pay rent; other times, the legalization of their property improved the security of their living conditions. Yet, as incidents such as the 1980s economic depression occurred, the horizontal spread of Sao Paulo continued. The

landless remained, and industry began to dominate the area of their employees [Caldeira, 2002].

As the increase of poor housing seemed to be ever-increasing, the 1980s became a time of transition between the vertical growth of the 1970s and the demetropolization that began to occur in the 1990s. Enclosed housing complexes appeared in less-expensive real estate on the outskirts of smaller cities to separate the socio-economic classes and consequently reduce their common areas. Whereas the security of households noted with private gardens, walled exteriors, and had already begun to be a status symbol in the 1970s, the 1990s introduced a new degree of security and status. Walled, secured condominiums, community housing enclaves, and even personal helicopter pads next to shantytowns are a more and more common illustration of the extravagant division of wealth in Brazilian urban society. Such construction is meant to reduce the upper class's fears of crime; yet, it has been shown to increase the possibility of conflict because of the adjacency of conspicuous consumption and poverty. For the poor it aggravates the visible differences in situation, the security guards hired are often untrained men with guns, and lack of communication between the social classes allows misconceptions, inequity, lack of action among the wealthy, and violence among the needy to continue [Caldeira, 2002].

3.1.2 Informal Settlements

The number of informal developments in Brazil is growing, as properties on the housing market are impossible for most Brazilians to afford. Because working within the present system provided is generally known to be impossible, society's tolerance of informal settlements has increased. People understand that others need a place to live and that such a place, despite its possible illegality, needs infrastructure. However, although accepted, informal developments can cause harm to the environment and are in public spaces. This, while drawing attention to the problems of the dwellers of the settlements, also reduces spaces where people from all income levels can socialize or even mobilize. As a result, the dialog between the poor and the rich is little, and the need for change is desperate [Fernandes, 2005]. Slums have rapidly expanded due to industrial development, high

population growth, urbanization, and segregation. Inadequate urban housing in Brazil in commonly classified in three types: *favelas, cortiços* and *loteamentos*. They usually are built with precarious material, lack some basic infrastructure and are crowded. Additionally, the illegality surrounding such areas actually also extend further into the city [Xavier and Magalhães, 2003]. These people are "politically vulnerable" and "financially incapacitated" [Fernandes, 2002]. Fernandes [2002] states: "Put briefly, Brazilian Cities, and especially the metropolitan areas, are inefficient and costly to manage, socially segregated, environmentally unfriendly and largely illegal." He suggests that 40-70 percent of the urban population is using land to which they have illegal access [Fernandes, 2002]. Consequently, whether or not society views a person's home as a *favela, cortiço* or *loteamento*, many inhabitants are directly affected by the informality of Brazil's urban areas, whether by only law or additional hardships and social discrimination.

3.1.2.1 *Invasos* and *Favelas*

Favelas are highly consolidated residential areas that are constructed on invaded public and private land and are without infrastructure. The residents usually lack security of tenure and have built their houses with a variety of materials. These exist in large numbers in all cities in Brazil. *Invasos*, in contrast, are areas of land that have been illegally occupied but are in the process of consolidation. They are usually located in environmentally unstable, dangerous areas such as on cliffs or in swamps and lack the housing or informal infrastructure of an established *favela*.

The first Brazilian *favela*, like the ones of today, was created because of people's inability to acquire affordable housing and the lack of the government aid to quell the situation. *Morro da Providência* was created in 1898 after the Rio de Janeiro municipal government destroyed a tenement in the center of the city to re-landscape it. The dockworkers used pieces of their old houses to rebuild new ones on a nearby hill. Now, UN-HABITAT estimates that 30-40 percent of Rio's population lives in *favelas* and out of all the residences in the city around 30 percent are not connected to a sewage system or the electric grid [Wheeler , J., R. Worthington, and C. Potts, (n.d)].

The 1970-1980s was a time of intense mobilization to Brazil's urban centers. Although they existed previously, large invasions of central land areas around cities occurred, usually in ecologically and geologically unsound places [Fernandes, 2002]. When these settlements began to encroach upon city development or the picturesque views of the wealthier urban population, it was determined that something had to be done. Yet, policies to relocate the *favela* population to state housing did not succeed due to the unpleasantness of the provided areas [Fernandes, 2002].

Favelas' high populations did not always politically aid their causes. With a case study in Recief, Neuhouser notes that because of the lack of public response to requests from within the *favela,* few political actors have emerged and, subsequently, now, the state has no one with which to take action. Instead, the *favelas* create their own governing system with structures to aid its community and distribute punishments. More recently in urban slums, drug lords are taking over the governing scheme. It is hard for a poor *favela* resident to resist the high pay that accompanies such a career; however, because of this, homicides and violence have not decreased [Murphy, n.d.]. Yet, any governing system cannot handle all issues. Because the state does not recognize any rights of the *favela* residents, who occupy land that they do not own, they can be harshly evicted and removed without consideration [Fernandes, 2002].

Discrimination against *favela* residents has not only hindered their ability to better their living conditions, but it has helped to support the worsening conditions of the poor. Being part of the urban *favela* subjects dwellers to discrimination based upon their income, and possibly sex or race. The *Favela* Faces project notes the individual challenges of four *favela* residents, Sebastiana "Tiana" Rosaria Jesus Souza is one of them. She, as a black woman, and she has managed to work many different jobs in a variety of areas around Rio de Janeiro. What she most dislikes about her living situation is not that she lives in a low-income neighbourhood with housing in need of repair, but the way people treat her knowing that she is from a *favela*. Social exclusion results in people showing her a "lack

of dignity" [Wheeler , J., R. Worthington, and C. Potts. (n.d.)].

Fix, Arantes, and Tanaka [2003] note that city slums are commonly viewed as a place for "shady characters, bums, troublemakers and dirty." The ill view of *favela* dwellers is also enhanced by traditional social discrimination against certain races, and sexes. As black women are the most likely to be discriminated against in Brazilian economic structures and therefore suffer from lack of income, they are also most likely to reside in low-income housing. Therefore, the Brazilian cultural hierarchy enforces itself through engrained social, political, and economic structures.

3.1.2.2 *Cortiços*
Although residents from both *cortiços* and *favelas* suffer from the same social stipulations, the *cortiço* is much older and today is less frequent, than the *favela*. Because of this many of the urban programs currently operating focus on *favelas* rather than *cortiços*. *Cortiços* are housing formed by one or more dilapidated buildings located on a single plot, or shared rooms in a single building. The buildings are usually located in central urban areas, and the rooms are rented without contracts to families. *Cortiços* operate within the housing market, and their residents pay rent and utility expenses. These actions differ from the *favela* dwellers that have used an alternative to the legal housing market, and often do not pay for utility services [Fix, Arantes, and Tanaka, 2003].

Although they may pay to live there, just like in *favelas*, *cortiços* tend to be unsafe environments, with bad wiring, and large numbers of stoves and gas tanks. Sanitary conditions are no better, considering the small number of bathrooms. Normally, residents of *cortiços* do not sign a lease or a contract with the property owner and living conditions for these tenets are rarely stable as eviction is common due to the lack of legal documents proving they are not illegally occupying the property [Atty, n.d.]. The administrators who collect rent are actually intermediaries who are also responsible for giving the payment to the proprietor. They also often have connections with both police and organized crime. Usually, the rent charged does not comply with a tenant family's income and water and electricity also create additional costs.

3.1.2.3 Loteamentos

Clandestine loteamentos are illegal subdivisions of land that do not fulfil the requirements of city planning regulations [Xavier and Magalhães, 2003]. *Loteamentos* were built on as few regulations on subdivision or sale existed until later in the twentieth century. In many cities regulations regarding development only existed in parts of the city in order to provide a separation mechanisms between the rich and the poor. Under the pretences that few building regulations would benefit the poor's ability to create and own property, irregular subdivisions developed increasingly on the peripheries of cities. In 1937 the Decree Law (Decreto Lei) required that developers possess titles dating 20 consecutive years prior to subdivision in hopes of insuring the legality of the property. However, the developers were not held by any obligations to finish the subdivision. Specifications for public and green areas were not given, nor were the demarcation of streets and blocks. Solely civil offences (dealings with monetary reimbursement) were enforced [Fernandes, 2002]. Under these laws, regularization could not be enforced and administrators quickly taxed the clandestine *loteamentos* but slowly provided them with services. For example, because administrators did not like to spend money, frequently, the houses in such subdivisions were created with *mutirão*, a community effort to build houses and other facilities. The Brazilian government provided funds for such purposes, but by 1990 they stopped. In contrast, *loteamentos* for wealthier people are often quick to be given city facilities such as electricity and proper roads. Although housing is irregular, living in *loteamentos* can provide some benefits in comparison to living in *favelas* or *cortiços*. Eviction could not take place because land parcels had been bought and because both middle-class and poor people live in different types of *loteamentos*, they are not subject to the same discrimination people from *favelas* or *cortiços* face [Fernandes, 2002].

3.1.3 Government Policy /Response

Before the 1980s, the Brazilian government responded to the urban development and housing crisis by evicting and removing residents who lived in areas that were eye-sores, or were of economic value. However, as municipalities began to take responsibility for

securing the well-being of their citizens, unique programs began to immerge that emphasised people's right to housing rather than the illegal nature of their invasions. Later this policy involving land's "social purpose" was fortified with the 1988 Federal Constitution and in the 1990s, numerous municipalities, despite funding setbacks, began to respond to their urban population with innovative programs. The 2001 City Statute incorporated many of these new strategies into its program for the Brazilian people's "right to the city" and today these tactics are being incorporated into a National Urban Reform Plan.

3.1.3.1 Early Government Policy

Before the 1980s, forced eviction and removals dominated the government's treatment of urban residents without formal land titles. The residents of *favelas* were blamed for the city's disease, violence and lack of economic growth. In the 1960s and 1970s, the military evicted people from areas with more profitable real estate possibilities into *conjuntos habitacionais* on the outskirts of the city. Low-income housing an eyesore (although an inevitability) for their modernizing nation. The residents of Catacumba, a *favela* that was located on a hill in Rio de Janeiro were removed, and their previous home was turned into a park and expensive apartments. These new residences were farther away from people's work, of shoddy quality, and built mainly to soften and divide the political voices of *favelados* [Wheeler , J., R. Worthington, and C. Potts. (n.d.)].

Although removing the hardships of the urban poor from the eyes of downtown residents, evictions only helped to fuel *favela*dos' desires for change. People abandoned their housing projects as they could not expand their rooms as they had done in their *favela*. The *favela* population of cities continued to grow around the housing projects on the outskirts of cities and the possibility of government housing being able to handle the multitude of people became a dream [Wheeler , J., R. Worthington, and C. Potts. (n.d.)].

To exacerbate these problems, between the 1970s and mid 1980s urban planning shifted from state to private management, and because of this, many cities continued to see their developments cater to the interests of landowners and large companies [Fernandes,

2002]. Additionally, as the large companies increased the number of their job offers, and the housing possibilities for the urban poor remained scare, *favelas* continued to grow. Because they were still ignored by the formal city, in the 1980s, drug mafia took advantage of the lack of government in these areas of the city and instituted their own form of organization. Because of their network, crime, and violence increased and by the time the government decided to act, the affects of their inaction had severely effected the magnitude of the poor's problems.

In the 1980s, once it was realized that *favelas* could not be extinguished through any single means, government policy gradually began to change. Certain cities began to implement programs that concentrated upon the needs of *favela* dwellers in contrast to the ideal, commercial image of the city. The use of participatory governance, special zoning procedures, and public transportation programs all helped to form a new idea of how a city should develop. This new idea of the purpose of a city was briefly reflected in the 1988 Constitution, and emphasised in the 2001 Statute of the City.

3.1.3.2 1988 Promulgated Constitution

Mobilization dominated the years leading up to the promulgation of the constitution. In 1987, an act had been passed that allowed constitutional amendments for the new constitution to be proposed, providing they had 30,000 electors' signatures, and at least three organizations involved in their creation. Because of this, a National Movement for Urban Reform was created and its participants fashioned the "Popular Amendment for Urban Reform." Much of what this amendment proposed was not incorporated into the 1988 Constitution. In the final document the use of expropriation, the exact measures to stop speculation and urban land taxes are convoluted. However, article 182 does emphasise the "social function" of property, the need of such important properties not to be used for speculation, and identify that municipalities are required to create "master plans" for urban development (with 20,000 of their participants) in order to ensure this function of property in their cities [de Souza, 2001].

Brazil's democratic transition of the nation caused more attention to be given to the marginalized in the countries new legalisation. A special urban *usucapião,* a form of

adverse possession, was created. If a resident had occupied a parcel less than 250 square meters of private land for five consecutive years they can apply for *usucapião*. However, it is very difficult to apply for *usucapião,* and half of all *favelas* are located on state land and public areas where the right cannot be claimed. Before the 1988 Constitution, to claim *usucapião,* a person had to have lived on the land for 20 years and it must not have been in use by the original owner [Fernandes, 2002].

Although the 1988 Constitution emphasised the social function of urban land, the Constitution also specified that it was the municipalities' responsibility to ensure this purpose. The federal and state government could create laws and programs, but the municipal government was responsible for implementing them. Additionally, NGOs could create bills and submit them to the municipal legislator. The existence of these steps created a political process for urban law [Fernandes, 2002]. Unfortunately, the lack of responsibly placed upon the federal government also resulted in a lack of national coordination, guidelines or sufficient funding, and allowed many cities to do little to aid their poor urban population. Also because of this transfer of responsibility to municipalities, the national mobilization that had accompanied the constitution broke up to concentrate on reforms at the local level. A comprehensive strategy to combat a phenomenon that was partially caused by national development policy and the exodus of people from rural areas proved too much for many individual cities to accomplish on their own [de Souza, 2001]. However, individual cities did implement revolutionary, unique programs that supported the change in policy first stated in law by the 1988 Constitution. The social property of land, the right to regularize and upgrade urban land, a legal mechanism to do this, and the responsibly of the municipal government to implement reforms were all specified in the new constitution. Because of the influential urban reform programs implemented in the late 20th century, in the early 21st century, implementing actions based on the concept that all people have a the "right to the city" became a priority for the Brazilian government.

3.1.3.3 Influential Actions of Urban Reform Committed in the Later Part of the 20th Century

In Brazil, due to the possible involvement of the federal government organs, 26 states (and a federal district) and approximately 5,400 local governments, coordination of urban planning is underachieved. Because of this lack of synchronization or spatial planning, it has traditionally been difficult to comprehensively combat the diverse causes and needs of a rapidly expanding urban population. Before the Constitution of 1988 when urban was uncoordinated, and after, when the municipalities became responsible for implementing changes, urban development was plagued with inefficiencies. Lacking in direction, many cities did little, however, a few Brazilian cities gained international fame for their original efforts. It was in these cities that acknowledgement of people's fundamental rights to housing and to egalitarian access to the city developed. Thus, their ideas have now been incorporated in national and regional plans, influencing the City Statute, Ministry of Cities Programs, and the current formation of the National Urban Development Policy.

3.1.3.3.1 Regulation of Subdivisions

In 1979, the Federal Law No 6.766 created regulations at a national level regarding the subdivision of urban land. It specified that plots must be greater than or equal to 125 square meters, in a geologically sound area, with sanitary facilities, and that at least 35 percent of a community unit must be reserved for urban services such as roads and public spaces. With this law, developers were required to accomplish certain tasks and punishments were defined for actions not in accordance with these rules. Regional areas were encouraged to add provisions, thereby ensuring that the municipal government was primarily responsible for subdivision [Fernandes, 2002]. In the 1970s such development had increased in order to create inexpensive lots for those migrants to the cities who could not afford the costs that regular subdivisions required [Caldeira, 2002]. This law made it easier to prosecute those real estate developers who were selling land that had insufficient infrastructure. In 1999, the Federal Law No 9.785 modified the Federal Law No 6.015 in 1973 that contained information concerning the registration of land

transactions. This law "made the process of legalizing illegal *loteamentos* less complex and more secure. However, the 1979 Federal Law No 9.766 is also modified by this 1999 law so that 35 percent of the site no longer is required to have a public function by national law [Fernandes, 2002].

3.1.3.3.2 Acknowledgement and Regularization of *Favelas*

What would become known as the "Brazilian Formula" for incorporating poor, illegal city residents into formal cities began in the 1980s. In the early 1980s, the municipal governments made the first attempts with Pro-*Favela* and PREZEIS programs. To regularize the *favela's* land and to aid residents *Zoneamento de Interesse Social* (Special Zones of Social Interest (ZEIS)) though controversial programs that allowed them to apply to [Fernandes, 2002].

In cities such as Recife, when *favelas* were labelled as ZEIS they qualified for formal access to city utilities, despite the illegalities intrinsic in the informal plots of land. In Neuhouser's [1995] case study, he notes the typical pattern of the invasion and fight for legalization by *favela* dwellers. After the initial invasions where landless peasants occupy a parcel of land and build make-shift homes, a fight for public services begins. In Recief's Campo Tabaiares area, water and electricity lines were extended to the *favela* limits in the mid 70s, and by 1991, 93 percent of the population had electricity and 91 percent had obtained piped water. Neighborhood Associations are formed to ask political people for such resources; for men these connections could eventually lead to political employment. In Campo Tabaiares, a health post was eventually created from local funds and international donations. Yet, the residents of the *favela* did not trust the locally trained nurses, because of their *favela* origins. In time, a request for the Legalization and Urbanization of land occurs. When the city grows to its *favela* edges and the value of that land has increased, often residents of a *favela* would apply to have their area denoted a "special zone" (ZEIS). This label would require the city to urbanize the area by providing sanitation, trash collection, paved roads and other services. All of this could take place even though residents of the *favela* do not own titles or have lots that are of a minimum size. If *favela* residents win the demarcation as a ZEIS, the owner of the land, and then

the city council, must give permission for the urbanization to occur [Neuhouser, 1995].

In the 1990s, programs such as the *Favela* Bairro in Rio de Janeiro, were implemented to regularize squatter settlements and enhance community. *Favela* Bairro Program is one of the more well-known upgrading projects of Brazilian *favelas*. In 1995, this project aimed to incorporate the *favela* into the formal city of Rio de Janeiro, by introducing basic infrastructure such as sanitation and streets, create public spaces, provide social services and legal land tenure. For utilities, the addition of these new customers onto their list constitutes a substantial increase in profit, especially as many of their services had been informally acquired. Upgrading settlements often increases the property values of the homes, and requires people to pay for taxes and utilities they previously informally acquired. These funds are needed for the utilities to provide service and to for the city to pay back their loaners such as the Inter-American Development Bank. However, sometimes the legalization of land can actually hurt the security of tenure that residents of illegal residences feel. It is not the legal title that gives many residences feelings of security, a very flexible item, but a secure house, lack of violence, and income. Consequently many people argue that although land legalization is important social and economic development is also unavoidable [Constantino, 2003].

Land regulation is an essential part of the Bairro Program. Once land has utilities and services, each parcel is mapped and registered on a map. Taxes or fees can be collected as soon as the appropriate services are implemented. After these steps are completed a "right to use" certificate are created. These certificates are a lease between the municipality and the squatter that allows the squatter to stay on the land, typically for a hindered years. The property cannot be sold, but family members can inherit it. However, this process also has downsides as it is costly, complex and takes a lot of time to complete. For this reason, as the current government has a particularly strong commitment to urban reform (in comparison to previous ones) *favelas* that are on land owned by the government are much more likely to go through this process than ones that are on private land [Constantino, 2003].

Regularization of land, many have stress, will do little good if not combined with other various means to control the tendency for the spatial and social segregation of the *favela* dwellers. To continue to improve the living conditions for these residences participatory budgeting, improved transportation systems, or community programs of social inclusion have to be implemented and sustained.

3.1.3.3.3 Participatory Budgeting

It is hoped that community participation in local governance and budgeting will reduce the clientelisim rampant in urban communities and give the marginalized populations a greater say in how urban development funds are spent. Depending upon the amount of funds reliant upon participatory budgeting, its affects can be very important. Additionally, as citizens have a direct impact on the funds being allocated to their community [de Souza, 2001]. The strategy also acts as an effective social mechanism supporting the inclusion of *favela* residents in the action of the normal city

The term of "participatory budgeting" is used across Brazil to mean a degree of participation on a varying percentage the budget. Some programs are better than others. Porto Alegre has been known to have one of the better programs, which they began in the early 90s. The city was divided into 16 regions and every year between March and July each region holds a meeting. In this gathering the municipality speaks about the actions and budget of the previous year. Delegates are elected (1 delegate for every 10 people attenting the meeting) to make up the "Forum of Delegates" and are to contact local people in small, informal meetings to determine their area's priorities. Meanwhile in six "thematic plenary sessions" other delegates are nominated on the same proportional conditions, to examine city issues a whole. Between June and July, another formal meeting is held and the Council for Participatory Budgeting (*Conselhodo Orçamento Participativo*) is formed from two councillors from each region, two councillors from each thematic plenary session, a representative from the civil servant trade union, another from the neighbourhood associations and two representatives from the government. This body then becomes the central body to form the new budget and it is to emphasise the previously chosen priorities of the region [de Souza 2001].

3.1.3.3.4 Transportation Reform

In the 1970s Curitiba created a transportation system as a strategy to manage urban growth [Farret,2001]. It has since become known as a model for public transportation around the world. First mentioned as a priority in its 1965 master plan, they eventually created a system of five different buses. These buses provided affordable transportation to different parts of the city. As many urban poor live on the edge of the city away from their jobs and health facilities, Curitiba viewed transportation as an essential component for a healthy city. There busses serve 1.3 million passengers, and make about 12,500 trips per day. Express busses operate in exclusive bus routes, and "rapid" buses have their routes changed according to demand across the city. "Bi-articulated" buses are capable of carrying 270 people with their extended length and both "inter-district" buses and "feeder" buses work to bring bus access to all of the city sectors, stopping at district terminal to allow people to transfer [dismantle.org].

3.1.3.3.5 Community Programs of Social Integration

In the past few decades, some municipalities have decided that although spatial justice is important (involving the integration of informal settlements into the formal city structure) it must be provided in conjunction with other social, political and economic actions to ensure both the physical and ideological equality that Brazil is aiming to create. Social exclusion is a large problem that informal residents (already at the bottom of the social pyramid because of this class and often race and gender suffer from). Because of this, many local communities have created projects to integrate not only the physical informal settlements into the recognized city, but also to incorporate all residents into the society of the formal city.

Numerous, varied programs exist to aid residents of Brazil's urban, informal settlements because since the promulgation of the Constitution in 1988 it has been local municipalities duty to make sure that the social function of property is being upheld on a local level. The Information Agency of the *Favelas* (The Agencia de Noticias das

Favelas), Observatorio das *Favelas*, Viva Rio, and Viva *Favela* are four organizations that aim to disperse information to *favela* residents. Each are involved in local projects to reduce violence, start micro credit organizations or help facilitate social, economic or political development of their areas. All aim to assist dialog and action among residents. A photographic project called Gazes of the Morro ("Olhares do Morro") (facilitated by the Information Agency of the *Favelas*) aims to provide Brazilians with a different view of *favela* residents than the ones propagated by the media. Other organizations also promote the culture of *favelas*. CUFA (Central Unica das *Favelas*) is a Brazilian organization that promotes a hip hop culture common in the low-income urban areas. They recognize hip hop as an already chosen dialog that illustrates a unique culture, deserving of respect. They recognize that a unique Brazilian urban identity is expressed in art and thus, produces and distributes music of the *favelas* in order to publicize the culture, its joys and hardships [CUFA, n.d.].

3.1.3.4 The City Statute

An important exception in the trend for mobilization around urban issues to be concentrated at the municipal level was the national support centering on the *Estatuto da Cidade*, or "City Statute." This federal law expanded on articles 182 and 183 of the 1988 Constitution but its approval was postponed eleven years so it was not officially law until July 2001 [Farret, 2001]. Previous to this national law on urban policy, no legislation on land use, land development, and urban development policies had existed. This law regulated the urban policy section of the constitution and created new means to regularize urban land [Fernandes, 2003]. A profound Constitutional Amendment had been passed in 2000 noting the right to housing as one of the social rights guaranteed in the 1988 Constitution, but the City Statute solidified this idea into concrete planning instruments. Some techniques such as zoning and subdivision have traditionally been used; however, others like leasing *favela* residences' their land, enacting of participatory governance, and the creation of a useful public transportation system have been inspired by their successful use in individual municipalities in the past few years. This statute also stressed the need for municipalities to integrate the use of urban planning, legal mechanisms, municipal management, and all levels of government and civil action in order to support

the creation of a new social order. This statute concentrates on the overall idea of acknowledging residences' "the right to the city" and creating the mechanisms needed to physically implement this thought. In the legal realm, this statute endorses the regularization of urban areas, regulates the tools of the urban right of adverse possession and the right to use property, both on an individual or collective basis. This statute also notes the absolute necessity of a comprehensive, strategy involving participants from a multitude of interconnected fields to solve the interrelated causes and perpetuants of urban poverty. For this reason, strategies such as participatory budgeting and coordinated action in all levels of government aim to create a new structure for urban governance, land acquisition and management based on principles of an sustainable, equitable society. As a legal document, this statute was noticed by UN-HABITAT as one of its noted world-wide "best practices;" however, the document's true impact will be in the multitude and quality of its physical embodiments [UN-HABITAT, 2005 and Federal Republic of Brazil, Ministry of Rural Development, 2001].

3.1.3.5 Ministry of Cities

The Ministry of Cities, created in January 2003, is responsible for developing, formulating and managing Brazil's urban development policy to promote social inclusion and to universalize the access to the urban population to basic urban services. These services include housing, environmental sanitation, urban traffic and mobility, land and territorial planning and managing such a policy in coordination with the government and civil society. This ministry is attempting to form an integrated, participatory structure for the creation of an urban reform network. While other development policies have traditionally pushed social equity issues to a time after Brazil's economic modernization is obtained, this new scheme represents a vastly different approach to urban management and governance. This ministry and its actions are said to be based on the values of "social inclusion, participation, sustainability and democracy," which were intended to shape its structure. Consequently, the Ministry of Cities was physically formed and though a series of conferences held around the country, which culminated in the National Cities conference.

Under the "Cities for All" theme, the National Cities Conference was held in Brasília, the end of October, 2003 to promote and organize further urban reform policies, with participation from a variety of political actors and levels of government. The state cities conferences had already promoted debates at the different levels of government and civil society in 3,457 cities. Consequently, this final conference was the culmination of the participatory process on the definition and path of Brazil's National Urban Development Policy. This conference was also responsible for contributing to the Ministry of Cities actions, propose participatory methods to be implemented within the new integrated urban development network and in general, formulate and critique current policies of the Ministry of Cities' Secretariats. Additionally, at this conference the composition of the National Cities Council was created, its duties of advising the ministry were defined and its members were elected. The 2,510 participants at the conference were made up of workers, academics, activists, business leaders, and leaders from all levels of government; 1,698 were from the state Cities Conferences, 562 were selected by civil organizations at the national level and 250 were chosen by the Congress and Federal government. The next National Cities Conference will take place in December 2005, where new representatives to the National City Council will be elected. This new council's focus is to be the National Urban Development Policy (PNDU), now a priority for the federal government, which they will help to ensure upholds the sustainable, equitable, democratic, participatory, inclusive principles [Ministry of Cities, 2003].
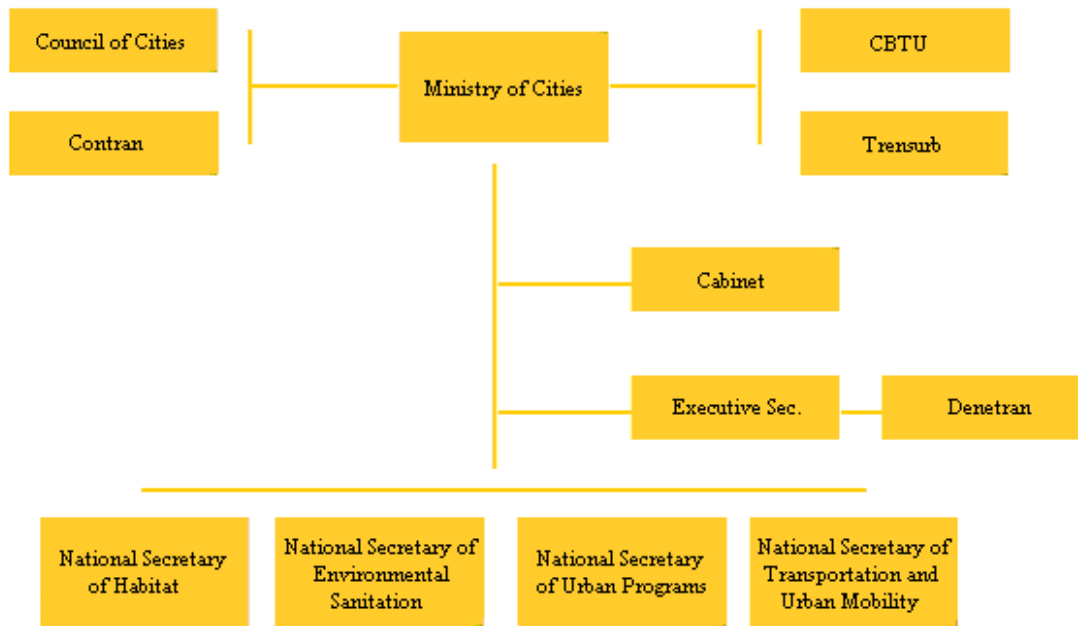
Figure 3.1   Diagram of the Ministry of Cities (From the Federal Republic of Brazil: Ministry of Cities [2003, Organograma]).

The Ministry of Cities is composed of four National Secretariats: Housing, Environmental Sanitation, Urban Programs and Transportation and Urban Mobility. The National Secretariats are responsible for regional and national urban development, and in order to break with the traditional sector-based view and develop a more integrated approach, an Integration Group, composed by the four National Secretariats, was created to ensure the necessary linkages to achieve these objectives. Some of the projects recently gaining a lot of attention is the National Programme to Support Sustainable Land Regularisation in Urban Areas under the Urban Programs Secretariat, and Habitar Brazil under the Housing Secretariat. Unfortunately, the coordination between these two secretariats is lacking and these programs even have different criteria for land titling.

Outside of the Secretariats, but connected to the ministry is the Council of Cites, CBTU, CONTRAN, Trensurb, and Denatran. CBTU provides urban train transit in six state capitals, and Trensurb is a public train company. Denatran is the National Department of Transit, which plans to work with the Ministry of Cities to ensure public transit for all.

It is the long-term goals involved in creating a "Brazil for Everyone" that are to guide urban development [Ministry of the Cities, 2003]. It is hoped that such a comprehensive approach will provide employment, a sustainable environment, the reduction of regional and personal income inequalities, and an end to social exclusion [Ministry of Cities, 2003]. Yet, thus far, challenged by the initial need for a great deal of communication and a lot of action, there have been implementation problems. Some programs have conflicting areas of interest, there is a lack of agreed priorities and the budget and ministries are fragmented. As a result, the program has yet to make great changes. It is hoped that the PNDU will better direct the urban development process, but it first has to be created, and then implemented [Fernandes, 2005].

3.1.4 Urban Futures

What has recently been captured in public policy and urban development attitudes is the idea that without dealing with the historic, continuing inequities, the future of urban cities will not be what many desire. Overall, in recent years, Brazilian government has changed their urban development subscription from conventional planning, to a system of planning that is participatory and from the "bottom-up" in the hopes that such a strategy will ensure social equity rather than concentrating on the need for economic modernization. Priorities have changed, at least on paper if not yet in practice, and strategies that used to focus on the creation of an ideal, efficient, orderly city and have been scrapped for others that aim to deal with the situation of the city as it is and support democratic participation, despite its irregular outcomes. It is hoped that better tools to combat injustices will be created from such a strategy [de Souza, 2001].

However, despite the implementation of new state entities to focus their attention on the ever blossoming problems associated with the urban poor, city dwellers continue to suffer from dangerous housing. A lack of security in tenure, not necessarily due to just a lack of title, but also because of violence brought by gangs, can only be combated though a multitude of programs that deal not only with the housing legalities, but economic development, access to micro credit, and programs to combat the social exclusion of *favelados*. Economic and societal tensions are also exacerbated because of the effect of

traditional gender roles on a modernizing urban society. For example, in urban areas, women are often able to find more formal jobs than men and so gender roles subject women to a double work day, they also restrict the tradition familial contributions of men. Yet, as bad as the problems in urban areas are, the reasons for immigration to city slums is that small family farmers and the people who relied upon the local economies they supported can no longer survive in rural areas. In both places, it is the need of land, in the cities to live on and in rural areas, to provide livelihoods, that causes such poverty and unhappiness.

3.2 Rural Land

When the Portuguese first arrived in Brazil it was declared that the monarchy owned all the land. Currently, the National Institute for Colonization and Land Reform (INCRA) reports that 31.6 percent of the total land area in Brazil is occupied by .8% of the total number of properties. While this means that one person no longer officially owns all of Brazil, the distribution has hardly become egalitarian. The 31. 6 percent of Brazilian properties that are smaller than 10 acres make up only 1.8 percent of the total land area [Federative Republic of Brazil: Ministry of Agrarian Development, 2004, p. 11]. A break down of Brazil's property distribution can be seen in Table 3. 1 below:

LAND STRUCTURE IN BRAZIL, 2003

Categories per property size (ha)	Properties	% of properties	total area (ha)	% of área	Avg. area (ha)
Até 10	1.338.711	31,6%	7.616.113	1,8%	5,7
De 10 a 25	1.102.999	26,0%	18.985.869	4,5%	17,2
De 25 a 50	684.237	16,1%	24.141.638	5,7%	35,3
De 50 a 100	485.482	11,5%	33.630.240	8,0%	69,3
De 100 a 500	482.677	11,4%	100.216.200	23,8%	207,6
De 500 a 1000	75.158	1,8%	52.191.003	12,4%	694,4
De 1000 a 2000	36.859	0,9%	50.932.790	12,1%	1.381,8
Mais de 2000	32.264	0,8%	132.631.509	31,6%	4.110,8
Total	**4.238.421**	**100,0 %**	**420.345.382**	**100,0%**	**99,2**

Source: Incra registry – situation in August, 2003

Table 3.2   Land Structure in Brazil, 2003 (from Federative Republic of Brazil: Ministry of Agrarian Development [2004, p. 11]).

In 1995, a PNAD study concluded that approximately 3 million farms with insufficient land resided in Brazil. That number would constitute over seventy percent of all of Brazil's existing agricultural enterprises [Federative Republic of Brazil: Ministry of Agrarian Development, 2004, p. 17]. Unsurprisingly, poverty statistics are related to such lacks in resources. The 2000 Demographic Census stated that each of the members of approximately 5 million families have to live on less than half a minimum wage every months [Federative Republic of Brazil: Ministry of Agrarian Development, 2004, p. 18].

 If these statistics were not enough to demonstrate the need for land reform, historic and continuing movements and violent clashes over land have illustrated the severity of the situation. Inequities engrained in Brazil's formation have been exacerbated in recent years because of certain government policies unfriendly to small farmers. Because of the mass rural exodus, continuing since the mid-twentieth century numerous problems for urban society have been caused, and now, in both urban and rural areas squatters are abundant.

The desire for land by the populace has been quantified through registration in the mail through *Programa de Acesso à Terra (*Program for Gaining Access to Land) and a variety of other registries such as *Sala do Cidadão(*the Citizen's Room*)* , which together counted 839,715 people. Additionally, many people are squatting on land in encampments in the hopes that what they deem to be unproductive land will be expropriated and being 200,000 strong, they constitute a significant political force. Even those who do legally own land have not been able to gain access to credit to help them use their investment [Federative Republic of Brazil: Ministry of Agrarian Development, 2004, p. 17].

Land reform efforts have traditionally been marginal in comparison to the problem and responded primarily to areas of the most social unrest in order to (at least temporarily) quell any uprisings. In the later part of the 20th century and early 21st century, however the demands for land reform by social movements and government actions in the arena of land reform have increased. In the late 1990s, conflicts over appropriate methods of land

reform, rather than simply the existence of land reform policies were fervently debated by those in support of either a method of land reform mandated by the constitution, or a strategy for redistributing land by means of the market. Most recently, a profound change in government ideology has been written into policy. The 2004 the Second National Land Reform Plan, (II PNRA) states, "The underlying principle of the II PNRA is that a significant portion of the social pyramid must be inserted within the agrarian economy based on a new regulatory framework for agricultural markets, in order to spur growth in income, jobs, and production in this sector" [Federative Republic of Brazil: Ministry of Agrarian Development, 2004, p. 18]. It aims, like the PNDU being developed, to provide a multifaceted approach to rural development; however, despite the new nature of this government's stance, having such a plan written into law does not mean that it will actually be implemented. To illustrate the importance of the government's new ideological stance, the origins of the inequities surrounding rural land will be explored, along with the political actors who have influenced current the disparities.

3.2.1 Entrenched Inequities

Brazil has been subject to different conceptions of land ownership for centuries. For the Kaingang, after a great flood, the brothers Kamé and Kairu found Brazil when they came out of Crinjijimbé mountain [Fernandes and Tommasino, 2000]. Sun created life for the Canela, but Moon changed the human lives to test the abilities of the Sun's creations [Crocker, 2002]. The Guarani found their home after "Our Eternal Great Grandfather" created himself, his wife, and the Earth. The Earth was then divided into territories by "Our Father of All" and "Our Mother," of which, the area surrounded by mountains was Guarani territory [Almeida, 2003]. Brazil as a land or a home is documented in thousands of Amerindian's histories and far precedes the European's discovery of the Americas or their view of property, but the Europeans created Brazil as a *boundary*. The inequalities that the Europeans instituted then are now so entrenched in Brazil's societal structures that they are difficult to remove. Additionally, the disparities have continually caused hunger, hardship and violence in both rural and urban areas. Currently, statistics illustrate that the land and income distribution in Brazil is perverse, but to illustrate the true magnitude of the current problem its origins must be discussed.

3.2.1.1 Brazil as Property: *Latifundios* and *Minifundios*

Portugal, like other countries in Europe, had been caught up in the fervour of expansion that was fuelled by religion, riches, and recognition. Previous to Cabral's report of an exotic fertile land in 1500, they had already reached an agreement with Spain about the division of land in the "New World" [Skidmore, 1999]. If this treaty (The 1494 Treaty of Tordesilhas) had been abided by, Brazil would be much smaller than the 8,456,510 sq km its landmass encompasses today [CIA, 2005]. In fact, in the sixteenth century, the mass of land that the Portuguese had laid claim to was larger than their population could productively use. As they had done in Africa, they set up trading posts along the coast, but paid them little heed until 1530 when their Asian trade route became less advantageous and other European countries were beginning to threaten their western land claims [Skidmore, 2004].

Just as the tradition of privatizing large landholdings began early, so did landholder tradition of defending their large property even if it was not immediately being used. The desire for controlled land use was the reason for the division of Brazil into 14 *captanias* (areas) along the coast, in 1533. The king gave these parcels to rich, Portuguese "captains" who obtained the responsibility of creating a functioning area of farming and commerce while paying the king's tax. The 14 *donatarios* (captains) could pass their *captaincies* on to their eldest son. Within these *captaincies*, wealthy Portuguese could receive *sesmarias* (grants of land), usually in large amounts. In the north, sugarcane cultivation not only led to the urbanization of the country but it helped solidify the plantation system's institutionalism into Brazil's farming economy.

Today a multitude of institutions stem from the time when Brazil was owned by the Portuguese king. *Latifundios* are owned by rich corporations or local gentry who farm large areas of private land as plantations, or as haciendas. Traditional l*atifundios*, had slave labourers, or worked in a feudalistic manner. Large plantations were self-sufficient; they had their own church, store, and all of their inhabitants were dependent on the landowner. This tradition enhanced the power of the rural oligarchy, the influence of the

church, and cultivated paternalism and clientelism with dependency. The majority of Brazil's agricultural land is still owned in large amounts by relatively few people; however, now the many small farmers also have traditionally made their living off of the land have an even harder time surviving as more than a subsistence farm, as domestic and foreign agribusiness threatens their ability to compete in local or global markets . These plots of land are called *minifundios*, very small pieces of soil that, when farmed, offer their owners mere survival. In the 1930s, as industry began to grow in cities, the capitalists challenged the political power of some rural oligarchies, and eventually this economic world would challenge the livelihood of the small farmer. Eventually, many large land owners altered their means of production and entered into the capitalist economy, employing labourers. The expansion of large agribusiness was supported by the military regime, and export-oriented agriculture continued to be sustained by the structural adjustment, modernization policies of Brazil's later democratic governments. All of these strategies encouraged the traditional concentration of landownership among a select few, and with that concentration in wealth, the concentration of power among rural elites [Brown, 2000].

3.2.1.2 Independence

In 1822, Pedro I was crowned emperor and the independence of Portugal was declared [Skidmore, 1999, p. 34, 36, 37]. However, Brazil's independence from its colonial master signified little change in its national societal structure. A monarchic empire ruled a land whose source of power and monetary wealth was derived from its land use, which was controlled by a selected few. Pedro I and later, Pedro II would appoint gubernatorial and senatorial positions to wealthy Brazilians of Portuguese heritage who also encompassed the landholding elite [Skidmore, 1999, p. 38, 40].

Later, land laws would make sure that the established social hierarchy would remain stagnant. With the opening of the ports in 1808, trade with Europe grew. Although, the north east profited from cotton needed in Old World markets, slaves were sold to the south, where Rio de Janeiro was expanding as a port for the surrounding coffee plantations [Almeida, 2004]. Land for coffee crops became so valued that as immigrants

(encouraged by immigration laws meant to "whiten" the population) began to flock to Brazil looking to work on plantations, elites entrenched in the business of export agriculture passed an 1850 land law. The law stated that public land could only be bought from the government, and taxes had to be paid on agreements that had already been made so that the parcel could be regularized. This law made obtaining small amounts of land difficult and consequently, the self- perpetuating momentum of the large landholders' control continued. The landholders did not want immigrating family farmers to give their labourers any ideas about having their own piece of land [Groppo, 1996]. Because of this law, large landholders also managed to keep slaves as workers even after 1888, when slavery was abolished, because slaves had few resources to obtain land and thus were forced to continue working on plantations where they were often treated worse as paid labourers than they were as slaves.

3.2.1.3 Resistance

Industrialization, urbanization, and stronger ties to the United States dominated Brazil in the 20th century. 1889, the military overthrew the Brazilian emperor and began to address its position in the world stage. The leadership of the Old Republic functioned under the philosophy of free market economics, and consequently industrialization was not given specific government support until 1930; yet at the beginning of the 20th century, industries were established in Brazil. Under Getúlio Vargas, import-substitution industrialization was implemented to aid manufacturers during the depression of the 1930s. However, this government-dictated economic policy hurt the country's agriculture industries [Skidmore, 2004, p. 140]. Additionally, the manufacturing that did prosper was in the southern regions away from the agricultural northeast, already at a disadvantage because of its dry climate. As the agricultural situation became even more acute, land conflicts erupted, and a wide variety of grassroots' activist organizations began to form [Groppo, 1996].

After World War II, agrarian reform was part of political agendas. Peasants had begun to revolt against the hacienda system and as industrialization demanded the import of inexpensive food stuffs from rural areas, land reform made sense in international

economic terms to support export industry workers [Deere and León, 1999]. Labour already had formidable political force as *Confederação Nacional dos Trabalhadores da Agricultura* (CONTAG) (Brazil's oldest worker's union) was established in 1963, and that same year the Rural Worker Statute became active. The Rural Worker statute entitled them to similar rights as urban labours, such as guaranteed holidays, retirement, pregnancy and maternity leave [Rossini and Calió, n.d]. Also in the country, *Ligas Camponesas* (Peasant Leagues) supported redistributing land to peasants in the northeast, and in the 1950s and 1960s, *Movimento dos Agricultores Sem-Terra* (MASTER), a movement of landless farmers, campaigned for their own land. The Roman Catholic Church also became involved in the inequitable situation, forming *Comunidades Eclesiais de Base* (CEBs) for the poor to discuss their problems. However, despite this significant mobilization, no significant pieces of legislation appeared until the *Estatuto da Terra* (Land Statute), passed after the military regime took power in 1964.

3.2.2 Modern Agribusiness and the Family Farmer

In 1964 a military coup overthrew president Goulart, and this coup's many years of dictatorship became known for its support of state-controlled economic modernization, (including the establishment of agroindustry) with multitude of borrowed funds and repression. The *Estatuto da Terra* (Land Statute) was promptly passed to pacify the landless. When in the "social interest," this law promised expropriation. However, if the property was family-owned or outside of priority land reform zone, no action could be taken. Thus, although proposed to aid small farmers, this law was sufficiently manipulated so that it preserved the class structure of agriculture, while allowing the military to proceed with its economic plan to industrialize agriculture. Brazil was a participant in the global fascination with the Green Revolution, converting many farmers to monoculture and pesticide use. In 1965 subsidized credit was made available to modernized large land estates (*latifundios*) to grow export crops such as soy; the larger the land to be modernized, the more credits were received [Deere and Leon, 1999]. Agroindustry was built into the Brazilian economy by converting many *latifundios* that dominated rural commerce through oligarchies, into capitalist companies that paid wages

to their seasonal labourers [Graziano, 2004, "Major Rural Business"]. The central-south has been the recipient of the majority of this infrastructural change, mechanization, and biotechnology exploration [Silveira, "Agroindustry: Evolution"]. Yet, the majority of the land grabs made with the subsidized credit were in Amazonia, a place where the military often encouraged settlement, despite protests of the Indigenous populations and environmental groups.

The rural Brazilian market was ignored as the government concentrated on its place in the global economy. It did create the National Institute for Rural Settlement and Agrarian Reform (INCRA) in 1971 to (ideally) settle other parts of Brazil with the people subjected to the "new international division of labour" [Groppo, 1996]. Consequently, regardless of data showing the economic superiority of small farms,[3] the issue of the landless shifted from being an economic problem of plantations, to being a social issue of human wellbeing [Graziano, 2004, "Agrarian Distribution: the Land Statute"]. Thus, in the 1970s income inequality, unequal access to land, and urban migration continued to increase. Consequently, the *Comissão Pastoral da Terra* (CPT) was formed as the Catholic Church, inspired by Liberation Theology, began to form a political position [Guivant, 2003, p. 9]. By the end of the 1970s inflation was 100 percent annually, and Brazil's foreign debt increased [Guivant, 2003, p. 8].

In the early 1980s a recession decreased rural credit. However, large farms, with exportable goods, continued to receive huge subsides [Guivant, 2003]. Thus, this continued to be a time of mobilization among the populace not only because of frustrated growing masses of poor, but also those advocating for the end of the military regime. The *Partido dos Trabalhadores* (PT) was created as the first political party of workers in Brazil and the *Central Unica dos Trabalhadores* (CUT), a forceful worker's union was formed. In 1984 the Military Regime ended.

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[3] Graziano [2004] notes, "Despite the lack of credit, technical assistance, and marketing support, small properties have achieved an average yield of R$104.00 per hectare, as compared with R$44.00 of landlord farming." "Agrarian Reform."

As the military adopted a policy of *abertura* (opening) in the late seventies, the populace's subjection to repression erupted into mobilization for reform. Unions that had been previously established, such as CONTAG, the oldest workers union in Brazil, became more active and others, like the CUT, were newly formed. Specifically organizations formed because of their land concerns became more prevalent. For example, in 1975, the *Comissão Pastoral da Terra* (CPT) was created as the Catholic Church began to form a political position on the issue of poverty and the landless and in the mid-1980s, both the *Movimento dos Trabalhadores Rurais Sem Terra* (MST) and the UDR were formed. Still in existence today, the MST, stemming from the earlier CEBs, is a fairly militant group that occupies land to pressure for expropriation, and the UDR is an organization that was created in response to the land reform movement to represent the land-owner lobby.

Such mobilization around land issues was brought about by a great inequity in landownership. In 1985, 10 million hectares housed three million settlements while the five largest *latifundios* registered by INCRA occupied an area over 20 million hectares. [Guivant, 2003, p. 8]. Such mobilization resulted in a 1985 campaign to install a National Plan of Agrarian Reform [Groppo, 1996]. Unfortunately for the variety of movements in Brazil that advocate for land reform, this plan was passed with a great deal of input from the UDR, and consequently was altered to only allow expropriation of unproductive *latifundios.* But a new Ministry for Agrarian Reform and Development (MIRAD) was formed in the hopes of identifying and expropriating such *latifundios* [Deere and León, 1999].

A variety of demonstrations eventually lead a peaceful transition to a democratic government in 1984. Yet, the mobilization effort on the account of the Brazilian populace cumulated in the new 1988 Constitution (Brazil's most progressive yet), a product of extensive lobbying by organizations for the landless, rural and urban unions, women, indigenous groups and their ideological opposition.

Despite its revolutionary nature in constitutionally guaranteeing the need for land reform, the UDR once again managed to undermine the desires of the mobilized landless in another piece of legislation, the 1988 Constitution. For example, the promulgated Brazilian Constitution includes a section on agrarian reform and gives the government the right to expropriate unused land for social purposes. However, UDR pressure made the government decide that 25 percent of the estate to be expropriated will remain as the landowner's property and that the landlord also gets to choose the 25 percent [Deere and León, 1999].

Because of the political power of the UDR, the inactivity on the part of government land reform agencies, and a growing landless population, in the next decade tensions between landowners, government, and landless only increased. Specifically, throughout Henrique Cardoso's time as the president of Brazil, tensions between the federal government and the MST increased. One reason for this was Raul Jungmann's actions as the head of the Extraordinary Ministry for Land Affairs. Jungmann implemented a controversial type of land reform method that used the market to redistribute land.
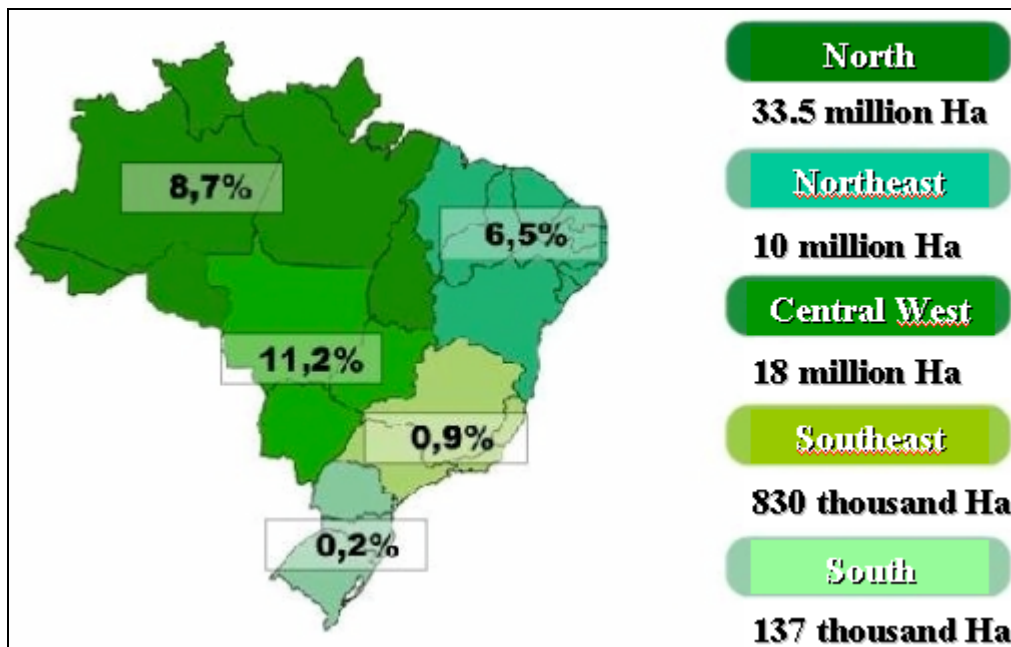

Figure 3.2 As of July 2000, areas where INCRA invalidated title deeds (from Jungmann [2002, slide 10]).

In addition to advocating for the market-based method of land reform Jungmann did do a variety of housekeeping actions that he felt had to be done before large scale expropriation of land. To make lands available for expropriation, many large properties had their title deeds invalidated and he restructured INCRA, increasing the number of computers across the country, and attempted to make the applying for land easier by allowing people to register for land reform through the mail [Branford and Rocha, 2002, p. 190-191]. A 2002 PowerPoint presentation by Jungmann notes a substantial increase in land settlements in the later 1990s, claiming that from 1964- 1994, 218033 families were settled on 30 settlements while from 1995 to 2001, 584 655 families were placed on 427settlements. Yet, despite his efforts, Branford and Rocha [2002, p.192] say that during the period of 1995 to 1999, although 260 000 families were settled on land, four million had to leave their farms and moved to the cities.

Caught with debts in foreign currency and lectured on the 'law of comparative advantage' by the international capitalist market place, by 1999, Brazil had imported 7.5 million, dollars worth of food, while only earning 5 billion from soya [Branford and Rocha 173]. All of this occurred, despite a raise in the rural tax (on unused land over 5 000 hectares to 20 percent, the creation of a special Minister of Agrarian Reform, and the settling of the largest number of families to date. Also true, was that most of the redistributed land was government-owned and it is widely accepted that it was the MST's pressure made the action possible, though their land invasions [Deere and León, 1999].

Consequently, throughout the 1990s of economic restructuring, the UDR, a lobby group for large landholders has been successful in maintaining their interests [Deere and León, 1999]. According to what the FAO considered in 1996 to be "official estimates" "more than 50% of the farms of less then 10 ha occupy less than three percent of the total area; on the other hand, the one percent of big estates occupy almost 50% of the total agricultural area." [Groppo, 1996]. Multinational corporations are now well established in Brazil; in 1999, 17 companies were responsible for 43 percent of Brazil's agricultural exports. Although there is a large lobby against genetically modified crops, noting the failings of the technological fixes of the green revolution's technologies, in 2000, Monsanto was caught with illegal GM soybean seeds [Branford and Rocha, 177]. Even as

subsides to large farmers were halted in the late 90s, the small farmer has not recovered from the shock of the global economy on Brazil [Branford and Rocha, 178].

Many organizations have criticized the recent policies of trade liberalization with regard to agriculture. These practices have made livelihoods of small farmers increasingly difficult; they are forced to compete with large-scale corporate, mechanized agriculture that has been supported by government trade, tax and subsidy policies for decades. Paradoxically, studies have shown that the present network of large, mechanized agribusiness provides fewer jobs, is less productive than small-scale farms, depends heavily on expensive and harmful environmental fertilizers and does not stimulate numerous local economies (combating inequities). Foreign exchange, however, is needed to pay off foreign loans and buy foreign goods, and the local landowning, elite, many who have turned their land into business, have been entrenched in Brazil's power structure for centuries and managed to secure their role in the new structure of the economy [Skidmore, 1999, p. 277].

Rocha and Branford note the economist Guilherme Dias' view on the agricultural situation in March of 2000 at a meeting in the Ministry of Agrarian Development. He splits the farming population of Brazil into four categories, large and small "healthy" farms and large and small "sick" farms. The profitable farmers produce nearly two thirds of the country's agricultural income, but they make up only 18 percent of the total farmers. Of these farmers, 88,000 own 20 percent of Brazil's farmland, while the successful portion of farmers with small farms (770,000 bodies) use 13 percent of the land [Branford and Rocha, 2002, p. 182-183]. These profitable farms have the technology they need and understand the economic strategies needed to survive in an economy that has been going through internationally-mandated structural readjustment to enter the global market. The large farms export cash crops and spend their money in the cities, while the smaller farmers concentrate on specialty markets and tend to use their profits in local areas. The 82 percent majority of farmers who are "sick," Guiherme worries, will soon join other poor in the cities. These farmers are made of the conservative rural elite who do not use modern farming techniques and many farmers of

small plots who lack the education to know how to deal with the international competition at food markets [Branford and Rocha, 2002, p. 182-184].

The market economy has now also been implanted at the local level in Brazil with a controversial method of land reform, initially supported the Cardoso administration and by the World Bank. Begun as a pilot project in 1997, it was expanded to offer loans to associations of landless a few of Brazil's northern states. This strategy of land redistribution used the market as a tool to entice large landowners to voluntarily sell their land to organized community groups. Some feel that a historic conflict of ideologies between the inevitability of the country's economic modernization and the immediate need to aid the country's chronically impoverished is embodied in the modern methods of agrarian reform. Thus, by choosing which land reform policies to support, the government of Brazil effectively molds the nation's future ideology and action surrounding land reform. For that reason, in the late 90s and early 21st century modern actors involved in the land reform movement have consolidated their efforts at either criticizing or supporting the modern methods of land reform in place, attempting to press the government into what they feel is an appropriate revision of the process.

3.2.3 Modern Actors in Rural Land Reform Arena

Traditionally, the Brazilian government had identified unproductive *latifundios* and eventually expropriated that land, dividing it into family farms. A variety of credit was available for these farmers to finance their enterprises. Recently, a debate has developed in Brazil over how the constitutionally-mandated land reform ought to be carried out. Although other organizations exist, the focal point of the dispute has centered around the Brazilian Government and World Bank sponsored market-based land reform, in comparison to traditional methods (or variations upon them) advocated by organizations such as the MST (and numerous other NGOs and actors).

3.2.3.1 The Federal Government's Traditional Method of Land Reform

The expropriation measures that 1988 Brazilian Constitution sanctioned is the foundation for what is now referred to as the federal government's traditional method of land reform.

Instituto Nacional de Colonização e Reforma Agrária (INCRA), under the Ministry of Agricultural Development is the agency that has been responsible for expropriating and redistributing land since its creation in 1970. As a government entity, it has been subject to the political climate of the country, and thus, until mass mobilization and demonstrations began there was little incentive for the government to take land away from the politically-influential regional land owners. In this manner, INCRA developed in order to control social unrest, rather than under an egalitarian ideology. Although now INCRA has been restructured and vast changes have taken place in ideology and realm of government-endorsed land reform since the early 21st century, here the traditional mandates of INCRA is to be discussed, in order to illustrate the transition in behaviour and ideology presently occurring. INCRA has traditionally been responsible for the administration of settlements. It must make sure that the title of use and access to agrarian reform benefits (such as loans) are received when a Settlement Contract is signed by a beneficiary. INCRA is also responsible for delimiting the land. In the late 90s and early 2000s some of its funds were redirected towards the World Bank's Program in Brazil, whereas previously, it tended to responded to areas of intense social unrest. These sites of social unrest were usually formed from land occupations, often organized by the MST.

3.2.3.1.1 Procedure of Land Acquisition

Through desapropriação, the legal instrument allowing it to purchase unused land from its owners, INCRA obtained land to distribute to the landless. Deere and León [1999] note that, for expropriation, *latifundios* are defined by being six hundred times more expansive than the "regionally-defined farm module." A two to twelve hectares farm module's expanse is found by the examination of the region's population density, the land quality, and numerous other factors. As unused land is identified, it is bought from its owners. Often unused land is not voluntarily offered to INCRA and the landless movements would go occupy what they deemed to be unused land until INCRA came to evaluate it.

To be chosen for agrarian reform, INCRA awards points to candidates based upon a number of factors including family size, experience, the workers' connections, and their intentions with the land. Previous to 1998, men and women were analyzed under

different criteria; now, however, men, women, or couples can apply for land [Guivant, 2003]. To distribute land, INCRA ensures that a registration form (a cadastro) is completed by the participants. This form registers the land in the name of the person who completes the document. The beneficiaries must also sign the Settlement Contract which guarantees them their title of use and access to agrarian reform benefits [Guivant, 2003, p. 21]. When a family received a parcel of land, they also acquire an *implantação* (settlement) credit. 350 Real credits were given for food, 750 for development and 2,000 for housing. (At this time, a Brazilian Real was equivalent to one US Dollar) [Deere and León, 1999]. The policy for receiving title to one's land is relatively new and tied to the objectives of market-based land reform. The beneficiaries of agrarian reform receive the title to the land when they have paid all of their loans. By receiving the title, they no longer have access to low interest credit and, alone, they must deal with the market.

An notable loophole in the agrarian reform process is although they were paid for their land in bonds, influential rural landowners could appeal to court in order to gain greater compensation; being so politically powerful, the judges ruled in their favour, and the prices paid for land were often exorbitant. This is one of the reasons that the government would support a market-based method of land reform.

3.2.3.1.2 Programs

National Program of Assistance to Family Farms (PRONAF) was created by the government to help producers survive market competition; later, a Special Credit Program for Agrarian Reform (PROCERA) was incorporated into it. PRONAF offers many types of funding with different criteria applying to each program. PROCERA was a credit used by small farmers and offered beneficiaries of land reform with more means for credit. Settlements resulting from social movements, such as the MST, often made use of this (and other) credit. Half of the offered credit is free; the rest must be repaid after a two year grace within a period of seven years. (One exception existed: half of the production credit had to be repaid within one year.) 1,000 Reals were available for production cost, 7,500 Reals for new investments and 7,500 Reals for cooperative membership. Titles to the land are received when this credit is repaid [Deere and León, 1999].

When a policy for land reform was formed with the World Bank, PROCERA credit decreased. Half of the remaining credit was to be used for infrastructural investment, and the other half to fund housing and the start of productive activities. The cost is added to the price of the land which is to be paid off on the Land Bank program's terms (over 20 years with three years grace and interest at six percent per year).

3.2.3.2 Movimento dos Trabalhadores Rurais Sem Terra (MST)

The Movimento dos Trabalhadores Rurais Sem Terra (MST) formally came into being in 1984, by unifying some of the southern organizations fighting for rural land rights [Guivant, 2003]. With its roots in the southern CEBs and CPT (inspired by liberation theology), the MST has increasingly gained international recognition throughout the 90s. With the slogan "Occupy, Resist and Produce" the MST aids peasants with the occupations of unproductive parcels of land and then asks the government to grant the people in the encampment land rights. Eventually, the land is utilized by invaders to raise crops and livestock. The ideal is that the resulting settlement functions as a collective and sells the majority of its unused organic produce in MST collective markets; however, organic agriculture, nor cooperative work on settlements occur as frequently as the MST would like [Frank, 2002]. This organization is well-known and popular due to its successful results. It is also very political; it was the major opposition to the Cardoso government, and, today, pressures its traditional ally the PT and their leader da Silva for reform.

MST is a well-organized, publicized national organization who utilized the traditional process of land reform taken by the government to promote its alternative methods and views on agrarian life. Local MST leaders organize occupations on what they deem to be unused land, until INCRA (the government agency responsible for land reform) responds and evaluates the land's status; hopefully with the result of expropriating the land (providing the owners with some compensation) and dividing the land among the settlement's families. The MST ideally advocates communal agrovilas and stresses political participation among its participants. Yet, combating the rurally engrained patronage, hierarchy, poverty and later, when a family achieves land, the individualism of

a championed capitalist system is difficult. Like many others of their ideals, such as organic farming and often these battles fall by the weigh side. Yet, the MST has drawn much international support, and has developed extensive social programs, including those of health and education among its beneficiaries who do not need to have any agricultural experience to become participants. However, the MST's peaceful, revolutionary methods, also has inherent contraction: it is fighting for democratic goals with unlawful occupations [Wright and Woldford, 2003].

3.2.3.2.1 How they use Traditional Land Reform

Although the MST uses INCRA in its methods, the MST is one of the many actors opposing INCRA's policy. They dispute that beneficiaries are ineligible for benefits when title to the land is received because they feel that it is very difficult for anyone to survive as a small farmer without sufficient support and training [Guivant, 2003].

Land that is not being used or does not have a legal title can be expropriated. Local MST leaders identify these areas and recruit from 200-2000 local people, as well as people from urban environments, to be trained on how to take over piece of land. The MST does not require their recruits to have any farming knowledge, and once prepared, this group of people occupies the contested land and builds tents from black plastic sheets.[4] Local courts usually cater to the landowner's wants and rule that the occupiers must be evicted. The MST group is moved off the land by the police (often with great force), and then they resettle nearby to wait while INCRA examines the property. If the area can be expropriated, its value must also be determined. (While a property is occupied by persons other than the owner, INCRA will not examine it.) For a property to be expropriated it must be unproductive. Deere and León mention the definition of productive; "a productive farm was defined as on which 80 percent of the surface is effectively utilized where ecological and labour standards are respected, and where " the use is considered to be of common benefit to land owners and workers"" [1999, p. 4]. Although this process requires time, what require the settlers to wait the longest are the court challenges by the

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[4] Please refer to page , Figure 6, for a Table on MST Land Occupations from 1990-98.

landowners. Although the process is arduous, MST occupations are usually successful, and this has fuelled the movement [Deere and León, 1999, p. 10].

It is interesting to note that eighty-three percent of Brazilians favour redistribution, and strong minority of 40 percent agree with the MST's use of land invasions [Hichberger, 1998]. Organization members face intimidation, threats, and death by landowner-hired thugs. Online one can find numerous articles of the human rights violations suffered by MST members; members being sprayed with chemicals and tied to ant hills are only a couple of incidents. Landowners are very influential members of local communities, and the MST claims that authorities are often involved in the processes of intimidation and violence when the landlord's interests are at stake. Although some estimate that over one thousand workers have died due to land conflicts in the past ten years, very few cases of MST members' deaths have come to court and fewer have had convictions [Deere and León, 1999, p. 12].

3.2.2.2.2 The Ideology of the MST

The MST is a movement that concentrates on changing not only the situation of Brazil's land distribution, but also the historic inequities bound up in its dominant ideologies, structures, and culture. Land occupations and settlements are seen as areas where old habits can gradually be broken and new participatory, democratic and egalitarian ones can be made. It is in these settings, with desperate people often ignored by the rest of society, that MST has created its own culture and ideals; it challenges the current inequities in Brazil, while offering an alternative culture and way of life. The MST has given many landless a proud, unified identity that has become respected among the majority of Brazil's population. This identity is reinforced through the symbology of red hats, flags of women and men farmers, and also, *místicas*. The *místicas* are demonstrations or re-enactments that allow struggles of the MST are to be commemorated or shared with fellow members. It is often in these that their collective identity, struggle, and political stances are solidified.

Political participation is essential to the MST ideology. In the MST, people are encouraged to think differently than they have previously been trained in order to participate in the settlement and collectively come up with solutions to the problems they inevitably face. Encouraging such expression, is not an easy task. The market economy has made many think in a more individualistic manner; this, along with years of not being encouraged to express their opinions makes convincing people to take actions in their settlements' decisions difficult. Additionally, a democratic form of governance is hard to achieve when rural areas have traditionally been hounded by the practices of clientelism, patrimony, and a lack of women's participation in political matters. As a rural movement, the MST has also been known to unite its followers to pressure, and criticize the national government on its land reform efforts; although it had agreed to ease up land occupations after Lula was elected president, it stepped up the pace when they became displeased with its progress[Branford and Rocha, 2002].

This ideology of comprehensive change in societal beliefs and physical structure, can be seen in the variety of programs offered by the MST, that help their participants, live, learn about, and participate in a way of life that strives to differentiate itself from the ones dictated by the neo-liberal economic model. This means that the MST has tried to take an all-encompassing approach to their land settlement policies, creating programs that deal with health benefits, education, and the marketing of produce.[Mark, 2001]. The MST has created a number of programs that range from AIDS prevention to a National Collective on the Environment. Medical clinics and schools are set up in each settlement, and cirandas programs (which won them a UNICEF prize) are formed to take care of children. In some places, adult literacy classes are offered and university scholarships are made available [Mark, 2001].

Yet, to be able to participate in such social events, MST members have to be able to provide themselves with food and shelter, as well as the communal facilities needed to support such services. Because small farms have difficulty competing in Brazil's economy, the MST created a National Association of Cooperatives where the excess produce from individual settlements are traded and 2 percent of the profits are given to

the National MST to help fund further land appropriations. For cost and health reasons, the MST has also converted some of its farms into specialty farms for organic food. Although the MST continues to use chemicals on many of their farms, 50 percent of their rice is now produced organically, and more farms are expected begin organic farming in the near future [Mark, 2001].

Although the MST is still new in the northeast of Brazil, in other areas of the country its communities have been established for over a generation and what Dan Baron Cohen (a British Activist) refers to as a "culture of resistance" is no longer appropriate for those who have grown up in MST communities. For them, that was their parent's fight and consequently, when the Fourth National Conference choose a new slogan, it almost choose "Agrarian Reform- A Way of Life," to illustrate the encompassing culture and strategies some people in the MST want to now concentrate on. Such a culture would incorporate organic agriculture and cooperatives; what many people feel is the very ideal of the MST strategy. Instead, in 2000, the slogan, "Agrarian Reform- For a Brazil without Latifundios" was chosen and the MST's traditional stance was re-iterated [Branford and Rocha, 2002, p. 262].

3.2.3.3 The World Bank, Government of Brazil and their Policy of Market-Based Land Reform

Under the agrarian reform policy of President Cardoso's government, *Novo Mundo Rural* (New Rural World), Raul Jungmann instituted a land reform program that used the market (rather than government expropriation) to redistribute land. In total during the Cardoso government and its "New Rural World" agrarian policy, three different lines of financing for land reform were created by the World Bank: (Land Bill/Note) *Cédula da Terra*, (Land Bank) *Banco da Terra*, and (Land Credit to Combat Poverty) (*Credito Fundiário de Combate à Pobreza*). Instead of advocating the process of exprorpriation, mandated by the constitution these policies advocated the use of a market-based land reform where land would be purchased by workers and the landowners would be payed in one large sum of cash. Resende and Mendonça [2005] note that according to MDA and INCRA, together these finance lines spent R$ 1.5 billion.

Finance Line	Financing ($R)	Period	Number of Families
Land Note	450 000 000	1997 – 2002	15 267
Land Bank	928 200 000	1998 – 2002	51 808
Land Credit	19 600 000	2001 – 2003	7 510
Total	1 397 800 000		74 585

Table 3.3   The Three Types of Financing of the New Rural World (from Resende and Mendonça [2005]).

Cardoso wanted to combat the large landholders' ability to manipulate the justice system into increasing the price that they were paid for their large estates, and he wanted to encourage a type of land reform that would hopefully result in a more peaceful process. It was also supposed to be more cost-efficient as with the traditional method of land reform beneficiaries often never paid for their plots of land although they were officially supposed to. However, the use of this strategy, especially in the form of its initial pilot project, *Cedula da Terra*, caused concerns among many land reform advocates and currently, even modified forms of this strategy are controversial.

3.2.3.3.1 *Cédula da Terra* (Land Bill/Note)

The World Bank gave the Brazilian government two loans specifically for market-based land reform. The first loan was approved in 1997 and was commonly referred to as *Cédula da Terra* in Brazil. The project was carried out in the Northeast states of Bahia, Ceara, Maranhao, Pernambuco and Minas Gerais and was evaluated by the World Bank to have satisfactory results [World Bank, 2003]. Families were required to join together to create an organization, identify land they want to buy and negotiate a price with the seller. A State Land Institute had to evaluate their request, ensure that the title of the land was valid and that the negotiated price was within market limits. The State Technical Unit (STU), belonging to the State Rural Poverty Alleviation Project, had to make sure that the beneficiaries are eligible for the project (the program prefers to fund needy families with some agricultural experience) and then the association was given a loan. Each association had to determine how the land is divided and what percentage each individual repays. Then the available funds not used for the land purchase are given to

the participants. In the Cédula da Terra project, the participants had a period of three years grace and then had to repay their loan over a twenty year period at a fixed interest rate of four percent.[5]

3.2.3.3.2 Complaints of the National Forum for Agrarian Reform and Rural Justice

This method of land reform been subjected to world wide criticism. Two formal complaints were launched against the World Bank loans in Brazil by a group of organizations and individuals (INCRA staff, MST, ANMTR, CONTAG, CPT) who collectively labelled themselves *Fórum Nacional para a Reforma Agrária e Justiça no Campo* (National Forum for Agrarian Reform and Rural Justice). This group advocated that the system of market-based land reform was being implemented not as a supplemental form of reform but as a replacement to the traditional methods, that credit, training, and the loans conditions available to farmers would be inadequate to sustain the family on the land and the land market would be increased [World Bank, 1999a and 1999b]. In fact, they disagreed with calling the project a 'programme of agrarian reform' as they felt that agrarian reform could not be defined by simply redistributing land, but required a comprehensive policy of combating not only inequitable land distribution, but the social and political inequities that the historical lack of economic means had caused. The Forum also felt that the loan program of the Land Bank was unreasonable; with their calculations, they deduced that only if the farmers' harvests proceeded wonderfully, could they pay off their loans in 17 years. Additionally, since there is relatively no land market to establish prices, it is difficult to determine in what range such prices should be, and often, the land being sold is of such poor quality that until now, the landowner had been unable to sell it. The ease of these transactions was made evident when the decentralization of land reform within this policy was considered. It was found that state authorities, subject to influence by the power holding landlords, conducted all negotiations that the landless associations were said to participate in [Frank, 2002]. Additionally, many people did not like the fact that with the new market-based policy,

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[5] This loan payment schedule is the revised schedule; originally, the first beneficiaries were subject to a ten year repayment schedule.

landowners are compensated with a large sum of cash all at once instead of Titles of Agrarian debt (TDAs) over 20 years.

To add force to their argument the Forum noted study by the an organization with strong ties to the Ministry of Agrarian Reform (Nucleus of Agrarian Reform and Rural Development Studies (NEAD)) that stated the associations formed by peasants were lead in a manner informing the traditional subordination endemic to the countryside's rural oligarchies [Branford and Rocha, 2002, p. 189]. They also contended that this project was being used to buy lands that otherwise would have been expropriated by traditional methods, that PRONAF credit provided by the Land Bank was not equivalent to the previously provided PROCERA credit, and that the cost-effectiveness of the old reform system could not be compared to the method market-based land reform because, it was commonly viewed in need of reforms that had been proposed [World Bank, 1999a and 199b, Appendix One].

In response, the management of the project cited numerous beneficiaries' satisfied remarks, (to counter the signed petition of the accusers) and emphasized that the funding and assistance available had been revised during the pilot. The inspection panel ruled to both requests that the protestor's complaints were largely ideological, concerning the idea of negotiating with landowners, or they were concerned with issues that were not necessarily under the jurisdiction of the program (concerning the sale of unused, expropriable land) and therefore, not worth stopping a successful alternative to the dominant method [World Bank, 1999a and 1999b].

Although, government rhetoric advocated market-based land reform as a complementary, alternative land distribution mechanism rather than one to replace the traditional method Branford and Rocha note a 1999 INCRA expenditure projection that shows traditional land reform was to decrease from R$ 1.2 Billion in 1999 to R300 million in 2002, and funding for market-oriented land reform increased in those same years starting with less (360 million) but increasing to R$720million [Branford and Rocha, 2002, p 189].

3.2.3.3.3 *Crédito Fundiário* (Land Bank)

In 2000, another loan was approved by the World Bank to fund a 'Land Bank' to replicate the previous pilot project in other parts of the country. This program was called Crédito Fundiário, and in contrast the pilot project, was negotiated with CONTAG to ensure its usefulness. The World Bank also made clear that it views this program to be a complimentary method of land reform, and that expropriation for social purposes should remain the main route [Branford and Rocha, 190-191].

The revised program to fund land reform still required that landless and small farmers form associations and negotiate the price of land with the landowner. The government continues to examine the price, the land's condition, and the families in the association [Frank, 2002]. Often, CONTAG aids the government by spreading information, aiding in these negotiations, and appearing at state councils [Deininger, 1999]. If these determinants are found to be acceptable, a private Brazilian bank will pay the landowner for the land. However, although any group of individuals could form associations and negotiate for land, only certain people have access to credit. The Land Bank required its beneficiaries to have a minimum of five years of experience in the agricultural realm [Domingos, 2003].

Regardless of the program's hurdles, the program's initial success, *if* measured by the number of applicants, was huge; in every state there were too many desperate landless to choose from. Additionally, 8000 families were settled in the first year [Branford and Rocha, 2002, p. 188-189]. However, the amount of conflicting opinions and statistics on the actual benefits of this method of land reform is enormous. For example, the World Bank states that its program is less expensive than other courses of action. However, Frank [2002] states statistics that show although 30 percent of land reform funds were spent on market-based land reform projects, these projects were only responsible for 10 percent of the land and 13 percent of the families transferred. He also notes that since the land is no longer paid for in bonds, the amount of immediate cash needed by the government has increased [Frank, 2002]. Domingos [2003] mentions that "between 1998 and 2000, land redistribution fell from 22.2 million hectares to 474 thousand, and

settlement capacity decreased from 66 thousand families to 15 thousand." Table 3.2 compares the traditional method of land reform controlled (by INCRA) and a market assisted approach to land reform.

Actors	INCRA	Market Assisted
Land selection	Purchase or expropriation; average cost of $11,600 per family; mainly legalization of occupied lands.	Negotiated by community; willing seller (including banks)-willing buyer; expected cost $3,000 per beneficiary.
Land financing	TDAs for unimproved land and cash for improvements and crops; beneficiaries in theory expected to pay back; not enforced.	Loan to approve beneficiaries from a commercial bank (considerable subsidy element).
Beneficiary selection	Through INCRA based on examination of agriculture knowledge; in practice almost all are regularized squatters.	Self-selection of beneficiaries; clearance of price and title by State Land Institute; decentralized approval. Occupied lands ineligible.
Farming project definition	No specific arrangements.	Up to 8% of project value available for technical assistance in project preparation and implementation. Farm models elaborated at state level.
Other financing	Credit up to $1150 (average $610) for food and housing and $7,500 (average $4,500) for working capital. 70% subsidy element, minimal cost recovery.	Access to PROCERA credit like other land reform beneficiaries.
Off-farm investments	Provided by INCRA ($3,200 in 1994, now up to $8000); almost all for roads.	Grant of $ 4,000 per beneficiary; disbursed directly to community.

Table 3.4   Comparison of Mechanism to Implement Market Assisted Land Reform (from Deininger [1999, p.31]).

3.2.4 The Future Land Reform: an Integrated Approach

Some feel that a historic conflict of ideologies between the inevitability of the country's economic modernization and the immediate need to aid the country's chronically impoverished is embodied in the modern methods of agrarian reform. In the 20th century, the Federal Government of Brazil has been controlled more by those concerned about its place in the international economy, while responding to poignant areas of social unrest and supporting the need for reform in their press releases. However, in recent years, the situation of the landless has gained increasing attention by the national government. Although the governments of both Cardoso and Lula have been criticized for not acting to combat societal inequities, both have instituted reforms of note. Yet, the most recent, comprehensive reform policy is the Second National Land Reform Plan.

3.2.4.1 II PNRA

The Second National Land Reform Plan was published by the INCRA and the Ministry of Agrarian Development under the title of "Peace, Production and Quality of Life in the Rural." This title is supposed to illustrate the ideals of the actions purposed. It was presented in November of 2003, at the Brasilia Land Conference, and specifically acknowledged the government's previous lack of attention to socially marginalized groups, policies to create land-use infrastructure, and coordination concerning land reform efforts [Federative Republic of Brazil: Ministry of Agrarian Development, 2004, p. 15]. It acknowledges that without approaching land reform as a comprehensive policy to guarantee fundamental rights, fight poverty, and change the structure of agrarian Brazil, the increasing trends of urbanization and the consolidation of wealth among the elite will only continue. Because of the value of small farmers for their provision of jobs, support of local markets, and efficient production, change in the agrarian structure is also viewed as a good economic strategy for the masses. Trends of mechanization, the allocation of government agricultural funds to large farms, and the misappropriation of are all acknowledged to have hurt the small family farmer. In addition to identifying the faults of previous actions the II PNRA stresses the right of rural Brazilians to own and use land, have access to healthcare, education, energy, sanitation and a means to provide for them a good life. It emphasises the need for attention to be paid to those at the bottom of the stratified structures of social, political, and economic life, placing their right to a good life before need for foreign capital creation in a modernizing nation. Setting targets to settle 400 000 new families and give 130 000 families more credit with which to buy their land by 2006 [Federative Republic of Brazil: Ministry of Agrarian Development, 2004, p. 5]. The regularization of 500 000 families is also aimed for in the same time period. Yet, although its implementation will be in regional and state plans in order to hopefully speed up the process of implementation, the document acknowledges that its rate of implementation will partially depend upon the Brazilian organization's insistence.

3.2.4.1.1 Program Ideology

What this policy does is recognize that there are many interconnected inequalities affecting Brazil's needy. People are poor because the lack the resources and infrastructure to meet their needs, or they are paid few wages. The concentration of land

and income also affect the health and educational opportunities of the rural population. By noting the endemic, expanding nature of the problem the plan also notes that the "model is socially, economically, and environmentally unsustainable" and consequently, proposes a different strategy [Federative Republic of Brazil: Ministry of Agrarian Development, 2004, p. 12, 13]

The II PNRA concentrates on promoting small-scale household agriculture. Household agriculture helps to stimulate local economies, produces staple foods, and currently makes up 4.1 million properties [Federative Republic of Brazil: Ministry of Agrarian Development, 2004, p. 13]. Although it is difficult for small farms to survive on the global market, this plan identifies that a unique approach is needed for each region, and that a diverse array of agencies will need to cooperate in order to make enact its goals. It is hoped that this integrated model will increase small farms production and stability and that the goods provided (as illustrated in Figure 3.5) will help to feed and reinvigorate local rural economies, decreasing the needy urban population.

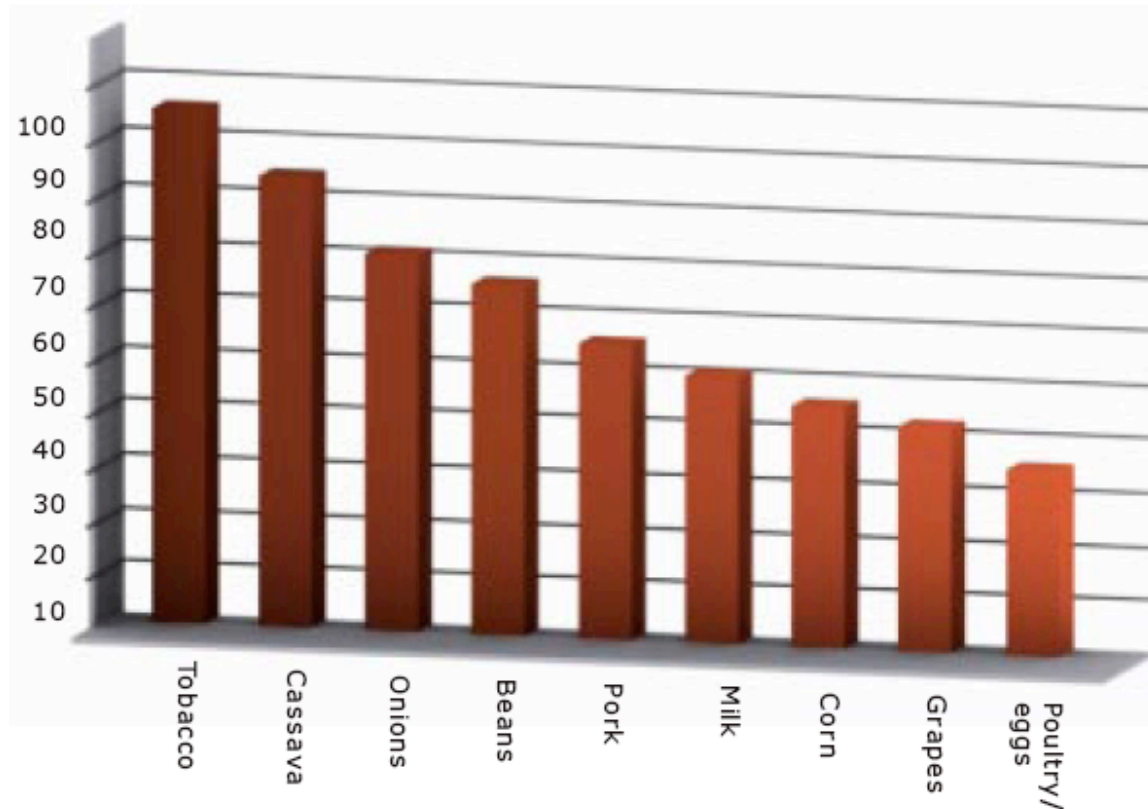SHARE OF HOUSE HOLD AGRICULTURE IN OVERALL PRODUCTION

3.2.4.1.2 Obtaining Land

While the II PNRA states that the primary way of obtaining land for families is to be through the expropriation of unproductive land as established by the 1988 Constitution, land will also be sold and bought, public land will be also be used. Thus, revised versions of both the traditional means of land reform and the market-assisted land reform are involved in Brazil's plan. As can be seen in Table 3.4, the Federal Government aims to settle an increasing number of families each year.

Number of families settled and spending from 1995 to 2007

Year	Settled families	Aquisition expenses	Total number of settled families per period	Avarage number of families settled per year	Annual average for that period	
1995	30.716	2.149.449.582				
1996	41.717	1.236.908.756				
1997	66.837	1.939.626.283	238.010	59.503		
1998	98.740	1.548.156.235			65.548	1995/2002
1999	99.201	938.091.299				
2000	69.929	406.224.856	286.370	71.593		
2001	73.754	331.501.430				
2002	43.486	379.641.299				
2003	30.000	400.000.000				
2004	115.000	1.461.664.845	400.000	100.000	2003/2006	
2005	115.000	1.461.664.845				
2006	140.000	1.827.081.056	520.000	130.000	2004/2007	
2007	150.000	1.973.247.540				

Table 3.4   Number of Families Settled and Spending from 1995-2007 (from Federative Republic of Brazil: Ministry of Agrarian Development [2004, p. 20]).

Funds to use the land that has been expropriated for recipients or purchased by the recipients are also to be provided though Harvest Plan (*Plano Safra da Agricultura Familiar*), and Land Reform Plan, but PRONAF National Program for Strengthening House hold Agriculture (*Programa Nacional de Fortalecimento da Agricultura Familiar*) and BNDES (National Social and Economic Development Bank) will remain the primary source of funding the infrastructural or technical desires of settlements. PRONAF also provides special lines of credit for agro-industry, women and children. Collective decision making concerning the acquisition and use of credit, specifically with the participation of women, is to be encouraged. The Land Credit Program, (*Programa de Crédito Fundiário*), has been divided into three lines of credit to allow landless to purchase land from landowners that might not otherwise be eligible for expropriation. Fighting Rural Poverty, a project aimed a the rural poor of the northeast, and Our First Land which caters to youths between the ages of 18 and 24, are funded by World Bank grants, whereas the credit line for Consolidating Household Agriculture is provided by Brazil's Land Fund [Federative Republic of Brazil: Ministry of Agrarian Development, 2004].

3.2.4.1.3 Land Registration and Regularization

Programa de Cadastro de Terras e Regularização Fundiária (The Land Registration and Regularization Program) of the II PNRA also recognizes need for a national land registry and land regularization. Without access to an accurate list of inhabited and used land, it is difficult to preserve national areas, guarantee equitable land distribution, and discourage illegal acquisition. It is also difficult for an illegal occupant to obtain credit, often is the cause of violent conflict, and without accurate knowledge of the state of Brazilian land, it is difficult for INCRA to redistribute land to the landless. INCRA estimates that 50.86% of all land in Brazil is registered and thus the II PNRA supports prioritizing the completion of National Registry of Rural Properties (CNIR), (announced in 2001) [Federative Republic of Brazil: Ministry of Agrarian Development, 2004, p. 22]. This law requires that land titles must include:
- code of the parcel
- name of owner

- citizenship of owner
- name of the property
- its position.

The Land Registration and Regularization Program (*Programa de Cadastro de Terras e Regularização Fundiária)* sets the following targets:

1. Establish a geo-referenced registry containing 2.2 million rural properties in 4 years and 4.8 million properties in 8 years.
2. Draw up the Land Map and establish the Brazilian Land Registry in 8 years.
3. Regularize 500 thousand bona fide but illegally occupied properties measuring up to 100 ha, in four years, and 1 million properties in 8 years.
4. Reclaim devolved lands jointly with the states and redistribute them to settle 45 thousand families over 4 years and 105 thousand families in 8 years.
5. Set up a reliable database that enables collecting Rural Land Taxes.

[Federative Republic of Brazil: Ministry of Agrarian Development, 2004, p. 23].

3.2.4.1.4 Integrated Plan

Overall, the II PNRA lays out a multi-faceted strategy for improving the quality of life of rural (and urban) residents, especially those who have continually faced discrimination. The II PNRA coincides with a plan to stop hunger in Brazil, and a variety of programs supporting health, education and culture are to be implemented and coordinated with specific land reform programs. Despite INCRA's recent implementation of Affirmative Action policies, the II PNRA also recognizes that existing institutions like it have to be reorganized to streamline the process of egalitarian land reform. Specifically, the current norms of INCRA are to be examined and new judicial as well as administrative norms are to be formulated. II PNRA Targets and Proposed Measures are shown in Figure 3. 6.

II PNRA TARGETS - 2003/2006

TARGET 1
400,000 new families settled

TARGET 2
Lands are regularized for 500,000 families

TARGET 3
150,000 families benefit from Land Credit

TARGET 4
Recover the productive capacity and economic viability of existing settlements

TARGET 5
Create 2,075,000 new permanent job positions in reformed areas.

TARGET 6
Establish a geo-referenced Registry of the national territory and regularize 2.2 million rural properties

TARGET 7
Recognize, demarcate, and title areas belonging to slave communities

TARGET 8
Ensure the resettlement of non-indigenous occupants of indigenous lands

TARGET 9
Promote gender equality in Land Reform

TARGET 10
Provide technical assistance, rural extension, training, credit, and marketing policies for all families in reformed areas

TARGET 11
Provide universal access to education, culture, and social security in reformed areas

PROPOSED MEASURES

1. Review the concept of land that is eligible for reforms, by inserting coefficients such as environmental and labour use rates, which are also part of the social role that land needs to play as per the Federal Constitution.

2. Update, within the Agricultural Policy Council, the definition of unproductive lands eligible for expropriation for the purposes of Land Reform.

3. Review internal MDA/INCRA norms in order to expedite land acquisition processes, step up the implementation of settlements and actions aimed at promoting gender equality, withdrawing non-indigenous occupants, and titling lands belonging to slave communities.

4. Define the legal roles and responsibilities of the Federal Government with regard to States and Municipalities in taking appropriate legal actions pertaining to lands that have been reclaimed or set apart for land reform.

5. Give preference to ongoing legal cases of lands that have been set aside for land reform because of ownership or occupation issues.

6. Approve Constitutional Amendments num. 438/2001, already approved by the Senate and being discussed in the Chamber of Deputies, which provide for the expropriation, for Land Reform purposes, of lands on which slave labor has been proven to exist.

7. Make changes to Complementary Law 76/93, so as to facilitate expropriation processes and reduce the final costs of indemnities, as per the provisions of Complementary Bill 566/99, which is currently being discussed in the Federal Senate.

8. Implement government measures for expropriating, for the purposes of Land Reform, properties on which psychotropic substances are being cultivated.

9. Give prior notification, through appropriate documentation, of entry into private properties for the purposes of technical appraisals.

Figure 3.4 List of the Second National Agrarian Reform Programs Targets and Proposed Measures (from Federative Republic of Brazil: Ministry of Agrarian Development [2004, p. 38, p. 37]).

3.2.5 Rural Futures

Although measures are supposedly being put into place to redistribute land in a more equitable fashion, INCRA found that the area used by estates greater than 2000 hectares expanded by 56 million hectares between 1992 and 1998. Consequently, it is no surprise that the CPT reports that the number of conflicts over land have increased (although killings decreased by 5 percent) [Domingos, 2003] and that the Brazilian Institute of Geography and Statistics (IBGE) found that 4.5 million people left rural areas between 1995 and 1999. These statistics would imply that the situation for the majority of the rural population is continually worsening. In fact, although many people hoped that great changes would come with Lula's administration, on the ground many controversial trends continued from the Cardoso administration. For example, the three financing steams

developed by the World Bank continued in the Lula Government, although their names were changed under the 2003 PNRA; additionally as of yet, no maximum size for a Brazilian property has been created, a regulation desired by some land reform advocates. [Resende and Mendonça, 2005].

FHC's Administration		Lula's Administration
New Rural World	=	National Plan for Agrarian Reform
National Secretariat for Agrarian Reform	=	National Secretariat for Agrarian Reordering
Credit System	=	National Program of Land Credit
Credit Lines: 1. Land Note 2. Land Bank 3. Land Credit to Combat Poverty	=	Credit Lines: 4. Combating Poverty 5. Our First Land 6. Consolidation of Family Agriculture

Table 3.5   Comparison Land Reform Programs in Cardoso's Administration and Lula's Administration (from Resende and Mendonça [2005])

Despite the depressed views of many reformists, by September 2004, 70.6 thousand families were resettled and the time normally required for land to be disappropriated had been reduced to seven months [Embassy of Brazil in London, 2005]. Although it is slow and difficult, the pressure of the populace has produced some changes and the future of rural land distribution will most likely continue to depend heavily upon the political action taken by the needy. Changing the status quo requires lots of pressure.

3.5 Inequity of Brazilian Land Distribution

Land can provide jobs, food, and a place to build shelter. Its ability to continually cause conflict reaffirms its identity as a desirable item. However, in modern Brazil land is not equally distributed. Examining the *Estatísticas Cadastrais* of INCRA in 1992 and 1998 the number of registered properties[6] over 50,000 ha has increased from 181 (occupying 8.5 percent of Brazil's arable land) to 262 (constituting 9.6 percent of Brazil's arable land) [Branford and Rocha, 2002]. Over this time period the number of registered parcels increased by 105 million hectares, many of them being farm under 2000 ha, but the almost two-fold increase of the gigantic properties is a notable increase in the [Branford

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[6] Property here is used to refer to the economically useful area of the property.

and Rocha, 2002, p. 180-181]. Properties over 2 000 ha also increased from 19 077 to 27 556, now utilizing 42.8 percent of Brazil's land rather than its previous 39.3 percent [Bradford and Rocha, 2002, p. 180-181]. It can be seen that the macro economic policies of the globalization have had their impact on land use in Brazil. Paradoxically, while supporting initiates like the II PNRA the Brazilian government is also continuing to support large-scale agribusiness, controlled by multinational corporations and traditional land-holding elite

Without fixing the huge disparities of the countryside, urban migration will continue, exasperating the poverty, social exclusion, found in irregular settlements thought-out all of Brazil's growing cities. There, as in the countryside, the lack of resources, the social exclusion and the desperateness of people has caused illegal activities to expand. One small step that has great possibilities is the recent action taken by the federal government to promote a new integrated plans for change in land distribution and quality of life for all segments of the population. Actions speak louder than words, however, the fact that the government has now proposed an integrated action plan at federal, state, and municipal levels of government to deal with the recognized, interconnected problems of social, economic, and political inequalities that have been engrained in Brazil's ideological and spatial structures. These policy actions represent a fundamental change in values and acknowledgement that social issues can no longer be placed in back of the need for Brazil to modernize itself into the global economy. If Brazil is indeed in a transition period then paradoxes are to be expected. Fundamental challenges to the traditional order of society have been made in documents such as the City Statute and the II PNRA. Laws engrained with Brazil's patriarchal past still exist, but an attempt to create comprehensive changes at all levels of action (federal, state, and municipal) with a diverse variety of actors has been made. Yet, the Brazilian government will have to implement and coordinate a comprehensive strategy involving all areas of social, political, and economic action in order to alleviate Brazil of its entrenched patriarchal beliefs and structural formations. Inequity in land distribution is one immense cause of poverty and lessened quality of life; however, over fifty-percent of the population suffers additional discrimination because of their sex, and possibly, income level, heritage or race. Combating the stratified societal

beliefs and their ingrained consequences in property-ownership, political voice, and legal entities, will require immense action in every aspect of daily activities.

CHAPTER 4

BRAZILIAN WOMEN AND LAND

In addition to being subject to discrimination or even violence because of their physical attributes, lacking political representation, and having unequal economic opportunities, women are predominantly landless. If they do not lack a physical home, they may lack a legal title to the land they live on, and without that legal document, obtaining credit, or formally securing any investment for the land is near impossible. The landless have to cope with economic marginalization, social exclusion, and dangerous living conditions. Inequality breeds greater disparities, and consequently, Brazilian women have been continually affected by interrelated historical actions and engrained cultural conditions that have created specific impasses for their efforts to attain a desired quality of life. When examining Brazilian women's access to land and the items needed for them to make use of the earth, more barriers to their happiness become apparent. Because of the multitude of social barriers that continue to restrict their opportunities even as their societal surroundings are changing, women are a marginalized group in desperate need of a concrete, secure place to rely upon and invest in. Despite this need, in addition to the gendered roles they are expected to conform to, their lack for legal documents, the idea of family farming (used in land reform plans), and a traditional lack of inheritance, are all common obstacles for women landholders.

4.1 The Importance of Land to Women

Women make of 52 percent of the Brazilian population, and their culturally defined gender roles mandates that they are responsible for acting as their family's nurturer; the wellbeing of women is essential to the wellbeing of Brazil's populace. Society often expects women to make sure their children and husband are provided for, even during difficult times. Ensuring their families survival can even mandate an extension of the normal actions allowed with their gender roles. This is because their role as a "mother" dictates that they are responsible for managing the varying resources available to them to

provide for their family. Consequently, the cultural conception of Brazilian women's duty as mothers ensures a household's survival, the existence of at least one parent for children, and often, an indirect concern for the surrounding environments and their sustainability [Argwal, 1994].

Women's responsibilities are numerous. In urban areas, women have the opportunity to get jobs and work outside of the home. However, if they are mothers, changing times also force women to extend their roles as mothers and work in the formal labour economy to provide for their families. Their role as a mother dictates that they do anything they can to manage the resources available to them, even if a male's monetary contribution is not existent. Men, often less likely to obtain jobs paying a salary, have no status to preserve as a traditional male contributor to the household; providing monetary income was their responsibility as a father and if that cannot be obtained they are left with few other culturally-defined roles [Neuhouser, 1998].

With their numerous responsibilities, hardships also seem to be part of many Brazilian women's daily lives. Landless women, in addition to being discriminated against because of their sex and income, might additionally be subject to racism. In the northeast, female-headed households are common, but ownership of land is not, and while throughout the rest of the country it is women who migrate to urban areas, they often cannot find land when they reach the cities. Gender roles still restrict women in many rural areas, and inheritance practices are not always in favour of women [Branford and Rocha, 2002, p. 258-263].

Women's rights to land do not simply affect them; these rights create a much larger impact because women held responsible for maintaining their families' survival. Because of their responsibilities, land ownership is very important to women. Land supplies much more than a shelter; land ownership provides security from eviction, an incentive to invest in the property and community, and a place to live and grow on. Because of what it offer, women need access to land to sustain themselves and the livelihoods of their families.

Arable land provides a way to support one's family, especially if men migrate and women are left as the *de facto* heads of the household. Agarwal [1994, p. 27] notes that having the title to land helps women gain easier access to welfare, "credit, infrastructural support, increase of output, easier access to technology and information on productivity increasing practices."

Women's culturally defined responsibilities and the corresponding benefits of land ownership also explain why women all over Brazil fight for land. In *favelas* women organize to demand utilities, and in land occupations they face down gunman; they stoop to these dangerous actions because they are some of the most desperate of the Brazilian population. Women have the initiative to find and maintain land because it provides an answer to some of their hardships. Ownership of urban land allows women one more security that they tend to lack. Being paid less than a man, and having to work a double work day can be less of a burden if at least one's home is secure.

Land is so important for Brazilian women because they make up the majority of the poor and landless and face more discrimination in obtaining this item than males in their situation. Women have to live in a patriarchal society that charges them with the responsibility for ensuring the survival of their entire family. Consequently, land is not only important for Brazilian women, but their ownership of it is incredibly important for Brazilian society.

4.2 Obstacles for Women as Landowners

Despite the fact that women, making up the majority of the poor and are some of the people with the most desperate need for resources, they face more obstacles than men when trying to gain access to an especially-valued resource, land. A lack of documentation causes women to lose formal recognition for their work and lack union membership, and makes them unable to gain the full benefits of their rights as Brazilian citizens. A family farmer policy also hinders women's ability to gain access to land, as even if they have documents that would allow them to own a title to the land, families headed by women are less likely to meet the beneficiary requirements specified by land

reform programs. Traditional inheritance practices also hinder women's ability to obtain land in rural areas and yet, as many women move to urban areas in search of jobs, affordable housing continues to be scarce. Consequently, all over Brazil women often have no choice but to become squatters, which can threaten their ability to improve upon the land and prolong their struggle for a secure livelihood and home.

4.2.1 Lack of Documentation

Many Brazilian women lack a set of basic documents that would allow them to benefit from the rights guaranteed to Brazilian citizens, as specified in the Constitution. Guivant [2003] noted that rural women workers need eleven documents to qualify for the benefits their male counterparts normally receive. These documents included:

> Identity card
> Registration number
> Voter's card
> Birth certificate
> Marriage certificate
> Union membership card
> Rural workers receipt book
> INCRA receipt book
> Rent contract
> Work permit
> Proof that one participates in agricultural activities
>> This proof originates from a document called the "producer's pad" on which the woman's name must be included. To have their name included on a "producer's pad" women must display all of the other documents listed above [Guivant, 2003].

Time and money is need to acquire these documents. Even if women have the money to afford the documents, it is hard for women to take the time to travel to a city office to obtain the papers. Normally, they would have to care for their children, or work during a weekday. Additionally, as jobs are available for people without documents, and the extra cost of joint adjudication or having two union memberships is too much for some families, women often go without documents and rely on their husband's. Consequently, a 1997, ANMTR survey found that out of 18.5 million women only three million rural women had their names on the "producer's pad." [Guivant, 2003].

Because of this large setback for rural women workers, ANMTR began a National Documentation Campaign which the PT and MST supported by distributing information and donating money [Guivant, 2003]. Unfortunately, although many women have a voters card and a birth certificate, women's lack of documentation continues to be a large setback in the fight for women's rights. Even in the province with the highest literacy rate, Rio Grande do Sol, thirty percent of rural women workers do not even have an identity card. In that province, a project called the Project for the Documentation and Valorization of Rural Women was initiated. Workers of the organizations who issue the legal papers go to rural areas for four days and distribute as many documents as possible. However, in two years of campaigning, only ten percent of rural women have been helped [Guivant, 2003].

If women lack the documents necessary to ensure all the rights that they are entitled to, it is easy for them to be taken advantage of. Lacking legal backing, women have very little support in fighting for the right to make decisions about their farms, gain credit, or access to information. Without officially documented work experience, they have been less likely to become land reform beneficiaries, and even if they have a piece of land to live on it is often not jointly titled because of a need for personal identification. It is hard enough for women to accomplish activities that have traditionally been handled by men because of society's cultural taboos, but to try to do them without the required identification is near impossible. Documents are also essential for women residing in urban areas of Brazil. To receive employment benefits, be in a union, or have a title to one's land documents are required. Again, in urban areas as well, jobs can be found that discard the need for paperwork; however, they subject women to greater risks. Without documents, partial pay and exploitation are commonplace.

4.2.2 Family Farming Policy

Historically, those fighting for land reform in Brazil supported the "family farming concept" [Guivant, 2003]. This concept promoted the idea of a family unit's ability to work the land to provide food for themselves and, eventually, others. As Rosset writes in his report "On the Benefits of Small Farms," and the new II PNRA reiterates, small farms

are beneficial in many ways as they stimulate the local economy, provide a highly productive means of sustenance for the population, and encourage a vested interest in the health of the land [1999]. Such arguments are used to support the dissolution of the *latifundios* (large farming estates) into smaller plots of land for multiple families. Consequently, the Federal Government's land reform programs, the MST, and other organizations still concentrate upon and organize under the idea of land for families, rather than for individuals or other combinations of people.

However, the "family farming concept" has some problems associated with it. First, in Brazil's economy, it is very difficult for small family farms to compete with large farms which attract the global market with their produce of soybeans and lumber and cattle agribusinesses, and second, the definition of a "family" varies widely in reality, but not when referred to in law.

The traditional government policy has been paradoxical; they have traditionally supported *latifundios* through land policy, subsidies, or their inaction, while at the same time distributing minimal amount of land to quell areas of social unrest. In recent years however, government policy has begun to demonstrate some fundamental ideological changes, at least on paper. With increasing migration and urban social problems caused by the expanding number of poor, unsustainable farms in the rural regions, a great deal of the Brazilian populace has acknowledged that something must be done to quell this worsening situation. The shock of Brazil's modernization and entry into the modern global economy has not let up, and in fact, it has become worse. The MST and other cooperative groups of farms have demonstrated that is possible for small farmers to attract different types of markets by dealing in organic produce or argo/ecotourism and survive Brazil's transition into the modern global economy. But this marketing strategy requires new forms of agricultural education, varying from those passed on by tradition, or advocated by companies with large advertisement capabilities and thus, requires funds [Guivant, 2003]. However, recent changes in government policy on rural land reform, collected in the II PNRA, indicate that the current paradoxical situation they participate in (supporting agribusiness while redistributing small plots of land in the name of agrarian

reform) might now be part of a transitional period from favouring modern large-scale, chemically dependent, export-oriented agribusiness, to small-scale, sustainable, diversified family farming. The II PNRA acknowledges that a comprehensive strategy for redistributing land and supporting rural development is necessary to curb urban migration, provide for the hungry and combat the inequities that have hindered many Brazilian's quality of life. The document notes previous government policy of viewing modernization as an inevitable economic evil, whose perverse social consequences would be dealt with in time, as ill conceived, and proclaims its newfound respect for the benefits of family farming as part of a comprehensive reform plan to restructure the functioning and form of the countryside [Federal Republic of Brazil: Ministry of Agrarian Development, 2004].

The second problem associated with the romanticized "family farming ideal" is the rigidity of the image. In Brazil, the family is an extremely important cultural unit. However, the traditional concept of family includes a father, mother, and children and this image is not necessarily what constitutes the rural reality. The idea of a family farm fails to accommodate for the times when a family does not act as a unit, when people in the unit disagree, separate, or no unit exists.

This problem can be illustrated by examining various methods of land reform use in Brazil and women's experience with them. For example, the 1964 *Estatuto da Terra* created an order of preference for land reform beneficiaries that discriminated against women. Given preference were the expropriated owner who was going to work the farm with family labour, workers of the expropriated property, families who had areas of land too small to provide sustenance for their family, and people who had farmed before. Women were at a disadvantage because, within the above criteria, the household heads of large families were favoured. Women were not considered household heads, and because households without a father figure contained less people, these families were at a disadvantage. In addition, because, frequently, the work of women is not noted, women who applied to be beneficiaries of land reform would not record any agricultural experience, although they had worked on a farm [Deere and León, 1999, p. 5]. INCRA's previous policy on the selection of land reform beneficiaries also catered to large

families, preferably those who had farming experience [Deere and León, 1999]. Even if women can obtain land, restrictions on credit hinder their abilities to use it. The land bank required five years agricultural experience to get access to the credit it provided.

Trying to help as many people as possible, the fact that households with one family head, although often smaller in number than those with two, are often in greater need of land, as they have fewer alternatives. Women when *de facto* heads of households face a larger burden than a single male would with children, as they often lack documentation, recorded work experience, and are discriminated against in many of the functions they must complete outside of their home because such actions and spaces normally viewed as the domain of the male. As men have constituted the majority of the rural exodus, leaving their families to provide for them by making money in the cities, single women as the de facto heads of households is a common occurrence.

Additionally, once land is obtained, the idealized view of a family implies that the work done and profit made from the land is either cooperatively managed or (in a traditional view) delegated by the male, but agreed as the best use by all family members. Because men are considered heads of the family in Brazilian society, it is common for men to make decisions that affect the entire family, including those regarding the use of money (which they are expected to provide). In addition to enforcing a subordinate and dependent relationship between the wife and her husband, this cultural conception has other consequences. Because the family is considered a single unit, the need for titling in a woman's name is not seen as a necessity. However, if a woman's husband has total legal and actual control over the family's farm, a wife is left with very little in the case of their separation or the death of her spouse [Guivant, 2003]. Not having a title endangers her use of the land and ability to obtain credit.

Despite these varied, continual challenges and older flaws in government policy, recently, important steps have been take to enhance women's access to equal rights, especially concerning land. Perhaps on of the most notable, is the recent policy changes made in the government. Documents such as the II PNRA now state that they recognize that more

than simply a land reform policy to combat lower class inequities is needed to combat gender inequities. Specific measures targeting women have to be created and enforced in order to ensure that women will not always suffer from low income, discrimination.

4.2.2.2 II PNRA

The recognition in the II PNRA of gender inequities, the need to combat them, and explicit plans on how to do this is a notable difference from the efforts of previous land reform schemes. The emphasis on women, as well as race and ethnicity, is hoped to combat the issues of those who face multiple forms of discrimination due to their physiques, in addition to their related social, political, and economic inequities. For a long time the MST and now II PNRA have viewed settlements areas where traditional ideas concerning the concepts of culture, economic organization, political participation and social appropriateness can be reconstructed in a way that reduces the harmful traditions of a society that are harmful to, or marginalize some of its participants.

The II PNRA outlines a multifaceted policy on fighting gender inequalities that they note even in their own structures. The II PNRA states that 1996 to 2000, women made up only 7% of the National Household Agriculture Program (PRONAF) beneficiaries and only 12.6 % of all land reform beneficiaries. The Figure 4.1 provides a visual portrayal of this trend of gender disparity [Federative Republic of Brazil: Ministry of Agrarian Development, 2004, p. 26].

GENDER DIFFERENCES

Applicants | People in encampments | Settlers | Settlers with titles
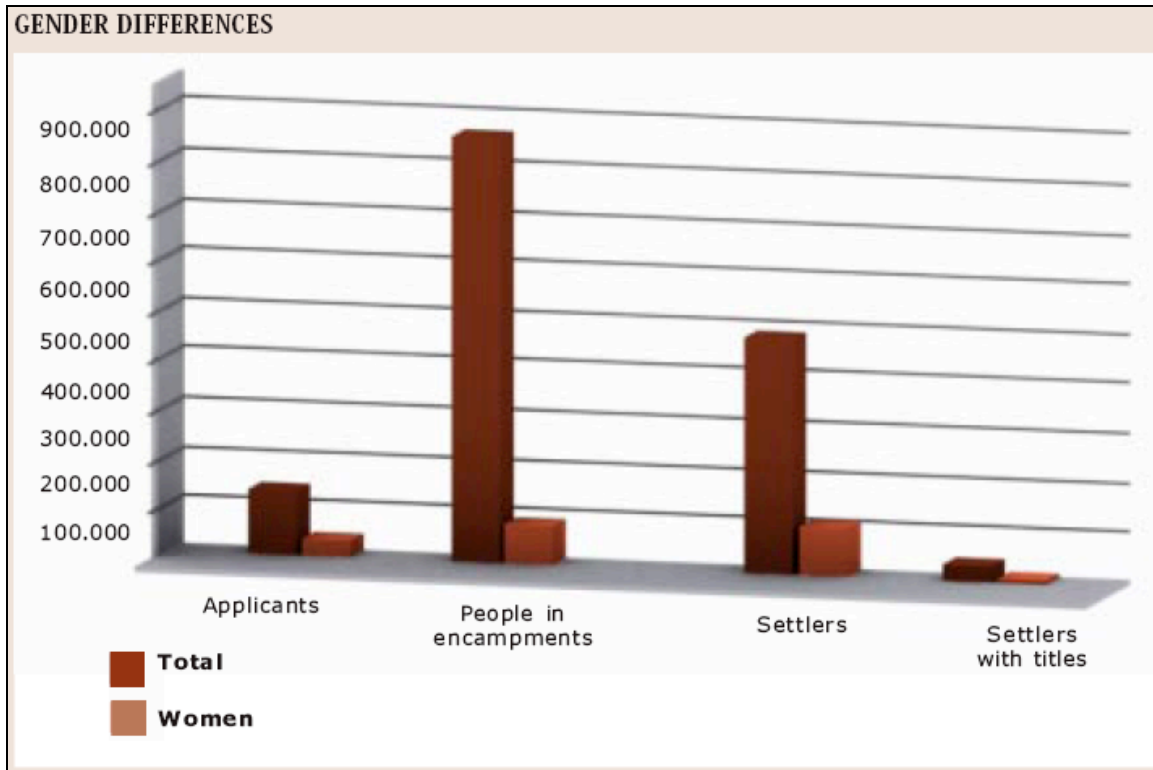
- Total
- Women

Figure 4.1.   Gender Differences in Brazilian Land Reform (from Federative Republic of Brazil: Ministry of Agrarian Development [2004, p. 26])

4.2.2.2.1 Affirmative Action Program

INCRA has recently taken some large steps to ensuring the participation of women and racial and ethnic minorities in their land reform process. Within the MDA and INCRA, an affirmative action program was created in 2000. It began by concentrating on inequities caused by gender, and then extended its focus to combat discrimination against race and ethnicity. This program instituted quotas requiring that 30% of senior executive positions at the Ministry of Agrarian Development and INCRA will be filled by women by 2003 and it also created the Centre for Agrarian Studies and Development (NEAD) to promote studies concerning Gender, Race and Ethnicity. Land deeds now have to be issued with the name of both a wife and husband and a special program has been put into place that targets women for land tenure titles and credit. Black women

are eligible for part of the 30 percent to the MDA's budget that must be directed to black rural communities. Another program called "the Citizenship Counter" helps rural women to gain access to necessary documents [Brazilian Delegation, 2001].

4.2.3 Inheritance

Just, as women technically have citizen rights even without documents, Brazil's Civil Code requires that all children receive equal inheritance. Nevertheless, traditional forms of inheritance still dominate many areas of the country. In the South, German, Italian and Polish heritage dictated the use of primogeniture, which gradually changed to *minorato*. *Minorato,* the obligation of the youngest son to take care of his parents and their property, developed due to the abundance of arable land on the frontiers. Women rarely inherited land, and if they did, it was through their dowries which their husbands controlled [Deere and León, 1999].

Today, inheritance patterns are changing. If one receives an education, it is expected that the family land will be given to another son who needs it to make a livelihood. Due to the increase in education, daughters are inheriting family land at a greater rate; they are no longer choosing to live on the farm of a brother or male relative who would support them. This trend is especially true in Portuguese Brazilian households where European inheritance traditions are less engrained. Deere and León [1999, p. 33] note that "gender equitable land inheritance is associated with agriculture becoming a secondary activity, when it no longer is the primary means of reproducing the peasant household."

Although inheritance patterns are shifting, it is a slow process. With the exception of the northeast, the residents of the Brazilian countryside are becoming older and more masculine. This phenomenon is occurring because of the exodus of rural women to urban centers. Guivant [1999] notes a study that found women to be leaving because of the lack of inheritance and their subordination under their families in their rural homes. She

comments that if this is true, more profitable, productive agriculture might not stop this trend.

As previously mentioned, women and men are not required to jointly register land in both spouse's names. This fact holds importance for many reasons. Brazil has three marital regimes, one of which differs in its inheritance practices. *Comunidade universal* requires all goods of either spouse to belong jointly to both. *Comunidade parcial* provides that inheritance, gifts, and all goods acquired before marriage belong to its owner and all goods receive after marriage to belong jointly to the spouses. Inheritance policy dictates that half of the joint goods would remain with the partner if their spouse died, and a will is required to set 50 percent aside for children. In the third marital regime, each spouse has their own property and only if no children, grandchildren, parents or grandparents of the decease are alive does the woman inherit. With regard to this regime, in case of separation or the death of their spouse, women face the possibility of loosing their livelihoods [Deere and León, 1999, p. 28].

CHAPTER 4

CONCLUSION:

WOMEN AND LAND IN BRAZIL: ENTRENCHED INEQUALITES

This paper identifies and illustrates the interconnected nature of some of the challenges currently facing Brazilian women, especially with regard to their ability to obtain land. In addition, it examined some of the strategies used to address Brazil's deep-rooted and multifaceted inequalities. This exploration has demonstrated the magnitude of the difficulties encountered by government bodies, NGOs, and other organized entities in their attempts to curb Brazil's persistent inequities. The majority of Brazilian society, women, continually suffers from gender discrimination despite the guarantee of equal rights in written law; in fact, because discriminatory structures still influence Brazilian society and its cultural norms, women make up the majority of the poor and the landless in Brazil.

Because the infrastructure that makes up Brazil is built on entrenched inequality, the magnitude of Brazil's gender and land reform issues are vast, deep, and difficult to overcome. Brazil has a massive mess of social, political, and economic inequities. Racism is a constant, and just as the excuse used to continue slavery was that it was necessary for the strength of the economy, so today economic money matters have been addressed before the societal issues plaguing the nation. Women have to deal with a historically patriarchal-dominated culture which hinders their ability to participate in formal political programs to even attempt to change their situation. In addition, the interconnectedness of social, political, and economic problems have caused the multitude of organizations in existence to campaign for equality to compete for members and attention. For example, a white male who lives in a city *favela* faces much different issues than a black woman without land or documentation in a rural area; yet, both are landless, poor, and in need of aid. Meanwhile, politicians who listen to these cries for help have had to deal with political corruption, tradition power interests, and divisive

parties [Skidmore, 2004, p. 144]. Even if someone wants to ignore politics and simply earn enough money to support her family, they could be hindered by a lack of documentation, the gendered division of labour, little access to credit, or unequal pay. This problem is compounded as the wellbeing of women is not only important on an individual level, which matters to 52 percent of the Brazilian population, but as Brazilian women are traditionally charged with caring for their family and in 30 percent of Brazilian households they are now the heads of the family, bettering the lives of women is very likely to increase the wellbeing of Brazilian society as a whole [Estrella, 2004].

This is not to say that Brazil has not made progress, education has significantly increased and revolutionary programs have been installed by the Brazilian government, such as their decision to provide antiretroviral therapies to all of it's registered AIDS/HIV patients or it's *Fome Zero* [Zero Hunger] food security program to provide poverty assistance and food for all of its participants [Biehl, 2004, p. 105-132]. Civil organizations have long been advocating for specific reforms, and certain municipalities have implemented progressive programs to aid city dwellers. Additionally, recently, the uniting structure of the nation, the federal government, has recently begun to institute an ideological ideal from which to shape the spatial construction of the land, its related political structures, for a more egalitarian and just society. Land reform is no longer viewed as a physical appropriation of land to quell social unrest as the country develops through modernization. Land reform has recently been viewed as an approach to advocate a different progression: the search for a better quality of life for all sectors of society (at least by law). Participatory budgeting, local master plans, and other strategies mentioned in "the right to the city" document are being implemented in urban areas. Development plans for rural areas have been united under the II PNRA, and its ideals of creating equal, just sustainable societies. Additionally, the government has paid more attention to gender issues, instituting a Special Secretary for women's policies, and both urban and rural land reform have become more heavily debated issues. Policies such as the Statute of the City and the II PNRA specifically mention the need to include the traditionally marginalized in development actions.

However, many problems remain inadequately addressed, and it is highly unlikely that a physical, spatial equity or an ideological, societal equity can be obtained by themselves. Women have no choice but to continue their multiple fights for land, because their inequities are entrenched and not likely to be removed without a comprehensive fight.

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