

“Land reform in spite of the state: indigenous land struggles in Highland Ecuador”¹

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1. Introduction

Land reform, which was implemented partially and unevenly in Ecuador between 1964 and 1994, provided a platform for highland indigenous peoples to fight for land, transform social relations, and redefine the relationship between the state and society. With the commodification of land accelerating from the 1960s onwards, it also created a framework for indigenous families and communities to attempt to limit the influence of the market in the rural economy. The struggle involved attempting to increase the regulation and redistribution of land on the one hand while engaging in land markets to expand indigenous access to land on the other. Collective organisation and mobilisation were required both to exert influence over the state and increase opportunities to secure land via the market. Drawing on the pioneering work of Karl Polanyi, I argue that this struggle was part of a wider attempt to increase the social and political control of land, a battle that continues in Ecuador, albeit under very different conditions.

I sketch the contours of this process below, focusing on indigenous land struggles in Highland Ecuador in the late twentieth century. I start by outlining the theoretical framework I use to analyse land reform, land markets and indigenous mobilisation. In the third section, I will examine indigenous efforts to bring land under social and political control, using three brief examples to illuminate wider patterns and processes. I will then examine the distribution of land in the highland region, providing a broad indication of the impact of land reform and the challenges facing rural highland families and communities today. I conclude by briefly reflecting on current efforts to bring land under social and political control in Ecuador.

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² The initial phase of this research was undertaken while I was a Research Associate at FLACSO-Quito. I would like to express my gratitude to FLACSO and to Luciano Martinez, Liisa North, Carmen Diana Deere and Mercedes Prieto for helping me develop my ideas while I was in Quito.

2. Theoretical framework

Karl Polanyi provides a rich framework to analyse issues related to the use, control and distribution of land.³ He demonstrates the perils of integrating land into markets, the crucial non-economic functions land performs in societies, and the impact of social mobilisation on laws, policies and institutions. Of the numerous concepts he developed, three are particularly valuable for exploring land conflicts: double movement, fictitious commodities and forms of integration.

i) Double movement

The double movement suggests modern capitalist societies comprise two forces: the movement towards the creation, expansion and liberalisation of markets (commodification) and the countermovement towards the regulation of markets, the strengthening of the state, and the promotion of alternative forms of organisation (decommodification). Social and political forces mobilise behind the two sides of the double movement and capitalism evolves through this dialectic process.

While Polanyi developed the concept to explain the breakdown of liberal capitalism in the 1930s, the double movement provides a valuable framework to explore modern capitalist societies. Numerous scholars have used the concept to analyse neoliberalism, seeing parallels between reactions to liberal policies in the late nineteenth and early twentieth centuries and responses to neoliberal policies in the late twentieth and early twenty-first centuries, especially in the Global South. The literature includes studies at the global (e.g. Stewart 2006), regional (e.g. Robinson 1999) and multi-national (e.g. Silva 2009) level. Other authors have narrowed the lens of the concept to explore specific economic issues and particular social groups (e.g. Neale 1994; Levien 2007). The latter approach, which sees the double movement move from “grand theory” to “middle-range concept”, is the one I follow in this paper.

³ Karl Polanyi (1886-1964) was a path-breaking Hungarian social scientist whose work spanned economics, politics, history, sociology and anthropology. See Dale (2010) for a concise and insightful introduction to his life and work.

Taking a radical reading of Polanyi, I view the double movement as a fundamental contradiction in capitalist societies. Viewed through this lens capitalism evolves through a continuous and simultaneous process of commodification and decommodification, movement and countermovement. I analyse Ecuadorian land reform from this perspective, seeing a Polanyian conflict emerge as the commodification of land accelerated from the 1960s onwards.

ii) Fictitious commodities

Land is at the centre of the double movement. Polanyi labelled it a “fictitious commodity” because it is not produced for sale on the market and it is a vital component of life and nature. Land “invests man’s life with stability; it is the site of his habitation; it is a condition of his physical safety; it is the landscapes and the seasons.” (Polanyi [1944] 2001 p. 187) There are multiples dimensions to the concept. Three are particularly important for this paper.

First, the intrinsic characteristics of land mean land does not behave like a genuine commodity (i.e. items that can be stored, transported, and distributed in accordance with changes in supply and demand). Land markets therefore exhibit certain peculiarities and rigidities. Their most fundamental distinguishing characteristic is the supply and location of land is fixed which implies, at the limits, increases in demand cannot be met. The basic rigidity this instils in land markets is accentuated by the deep and complex relationship that exists between human groups and physical environments and the crucial non-economic functions land performs for some sectors of society (e.g. cultural, spiritual). This suggests attempts to overcome local supply limits by expanding the agricultural frontier via colonisation – a key agrarian policy in twentieth century Latin America - will not necessarily satiate increases in demand. Families and communities with deep roots in particular regions are likely to fight for the redistribution of land where they live rather than settle in new zones (i.e. people will not necessarily move to access land in new areas even if the economic potential is greater). Land cannot be reduced to a commodity which responds to changes in market conditions.

Second, the concept suggests competing understandings of land emerge as capitalism evolves, with some actors seeing land as a commodity and others as a resource which performs a variety of functions (economic, social, cultural, spiritual, environmental etc.). Conflicts emerge as actors with competing visions of land attempt to impose their particular vision on the state. Laws, policies and institutions reflect, if not capture, these social and political struggles.

Third, the fictional status of land as commodity ensures states perform central roles in the creation and regulation of land markets i.e. states and markets are interwoven. States are required to dismantle laws, policies, and institutions that restrict market expansion and replace them with ones that promote market development. Once land markets are established, states are compelled to introduce measures to restrict and regulate commodification even on the most basic of levels. Chang, who draws on Polanyi, identifies a variety of forms of state intervention of this type. (2003 pp. 53-4) States determine which actors can participate in markets (e.g. enabling or proscribing foreign ownership of agricultural land); which objects are legitimate items of exchange (e.g. allowing or prohibiting the transfer of communal land); and, stipulate the rights and obligations of property owners (e.g. social and environmental functions of agricultural land). Conflicts emerge as actors contest the extent and form of land regulation. States become the focal points of these political struggles.

iii) Forms of integration

The fictitious commodity concept raises the question: how else can land be organised in societies if not through markets? Polanyi provides the answer through the “forms of integration”. The concept is not only important for understanding political economies of the past but also for comprehending and imagining political economies of the present and future. The forms of integration indicate the alternative mechanisms through which land can be organised and therefore also indicate how the double movement can be assuaged or transcended.

Polanyi claims political economies can only be organised around three broad patterns: reciprocity, redistribution and market exchange.⁴ (Polanyi *et al.* 1957 p. xviii) (Polanyi 1957 pp. 250-6) Each form of integration involves a distinct distribution process. Reciprocity, Polanyi explains, involves “movements between correlative points of symmetrical groupings”, redistribution entails “appropriational movements toward a center and out of it again”, and exchange relates to “vice-versa movements taking place as between ‘hands’”. (1957 p. 250)

Theoretically and empirically, the three forms coexist but one pattern dominates – or “integrates” economic life at the wider (e.g. national) level. To become integrative, the particular form of integration requires specific social, political and economic institutions or “supporting structures”. (1957 p. 252) Reciprocity necessitates symmetrically arranged social groups; redistribution requires a central authority; and exchange needs a system of price-making markets. (1957 p. 252) The analytical link Polanyi establishes between forms of integration and supporting structures indicates the reconfiguration or transformation of the forms of integration implies the reconfiguration or transformation of the social, political, and economic institutions that underpin them. (Trigilia 2002 pp. 98-9) Changes in the forms of integration therefore entail profound shifts in relations between individuals, families and communities as well as between states and societies.

The coexistence of different organising mechanisms and principles hints at the various forms capitalism takes, ranging from lightly to heavily regulated market economies, with reciprocal and redistributive mechanisms performing minor or major supporting functions. Though Polanyi devotes little attention to the issue, the mechanisms through which markets are regulated and the extent to which regulation is enforced come sharply into focus from this angle. Leaning on Polanyi, Harriss-White stresses the importance of taking these factors into account when analysing markets in the Global South. She warns researchers to be cognizant of “differences between procedure and practice – of the existence of incomplete, inconsistent and/or inconsistently amended law, and of the varying

⁴ Polanyi includes “householding” within the redistributive form of integration.

scope for improvisation in the practice of regulation, such that regulation takes on a local character moulded by interests of political and social elites.” (2003 p. 487) Careful attention must also be paid to the structure and operation of regulatory bodies. The attempt to create space for the involvement of indigenous and peasant representatives within the agencies charged with the task of regulating and redistributing land in Ecuador was central to the concerns of indigenous and peasant movements from the 1960s onwards. The issue, as noted below, remains central to indigenous and peasant concerns in Ecuador today.

3. The struggle to bring land under social and political control

Highland indigenous families, communities and movements engaged in land struggles on multiple levels in the late twentieth century. Three are examined in this section. The first related to the design and character of land reform. From the 1960s to 1990s, indigenous and peasant movements proposed radical changes to land reform laws, policies and institutions. The central aim of these proposals was to increase the regulation and redistribution of land and create space for indigenous and peasant representation in land reform agencies. The second related to implementation of land reform. Overlapping with efforts to transform the overall structure and character of land reform, indigenous families, communities and movements exerted pressure on the state to enforce existing laws and policies. The third involved land markets. Indigenous families and communities organised and mobilised to secure land through markets as semi-feudal mechanisms closed and land reform provided limited opportunities to obtain land. The basic objective of these last two dimensions was to secure and increase indigenous access to land, both at a family and community level.

With commodification accelerating from the 1960s onwards, these struggles can be seen as part of a wider attempt to increase the social and political control of land.⁵ Indigenous and peasant movements aimed to achieve this by strengthening family and communal control at the local level

⁵ Various studies have noted the commodification of land accelerated in Highland Ecuador from the 1960s. See, for example, Martínez (1984), Haney and Haney (1987) and Thurner (1989). I examine the relationship between land reform and land commodification in Goodwin (2014).

while increasing social and political control at the national level. The need to create space for indigenous and peasant involvement in state agencies charged with the task of regulating and redistributing land was a constant feature of the struggle. What took place from the 1960s onwards was therefore not only a fight *for* land but a fight *over* land. That is, indigenous families and communities not only sought to obtain land, but to establish laws, policies and institutions that regulated its control, use and distribution and recognised its wider – non-economic – functions.

i) Battle for the soul of land reform

Land reform took place in Ecuador between 1964 and 1994. Throughout this period, landowning elites resisted every attempt to increase the regulation and redistribution of land while indigenous and peasant movements travelled in precisely the opposite direction, calling for radical changes to land reform laws, policies and institutions. The state oscillated between these two poles but without ever seriously responding to indigenous and peasant demands.

The nature of the long-term conflict between the indigenous movement and the state was revealed in 1994 when the conservative Durán Ballén government (1992-96) approved a law – the *Ley de Desarrollo Agrario* (LDA) - which aimed to liberalise the rural economy. The move came twelve months after a coalition of indigenous and peasant movements - the *Coordinadora Agraria Nacional* (CAN) - submitted a legislative proposal to Congress which moved in the opposite direction. The CAN proposal was the second significant attempt of indigenous and peasant movements to bring land under social and political control in Ecuador, following the *Frente Unido de Reforma Agraria* (FURA) in 1972-73. The failure of the Durán Ballén government to respond to the CAN proposal prompted CONAIE to launch a *levantamiento* – or uprising – which swept across the highlands and lowlands. Following a standoff between the government and indigenous movement, the two parties entered into negotiations over the reform of the LDA. Indigenous leaders were able to make a number of important revisions to the law but were unable to prevent the government from effectively ending land reform.

Space does not permit the proper analysis of the CAN proposal. Yet, comparing the CAN proposal and the final version of the LDA provides a broad indication of the indigenous and peasant vision of land reform and a clear demonstration of the failure of the state to respond to the demands of indigenous and peasant families, communities and movements (Table 1).

<u>Table 1 – Comparative analysis of the LDA and CAN proposal – 1993-94</u>		
<u>Dimension</u>	<u>CAN</u>	<u>LDA</u>
Role of market	Marginal and constrained	Central and expanded
Expropriation of land	Ten grounds including the expropriation of land due to “great demographic pressure”.	Four grounds including the expropriation of land which does not fulfil its “social” functions on the grounds of “great demographic pressure”.
Expropriation value	Based on current cadastral value plus investments.	Based on market value.
Payment for redistributed land	90% assumed by the state and 10% by recipient.	100% assumed by recipient.
Division and distribution of privately owned land	Division of landholdings < 10 hectares restricted; authorisation to divide landholdings 10 > hectares; and division of redistributed land proscribed.	None.
Regulation of communal land	Division of communal land prohibited.	Division of communal land permitted with two-thirds community approval except <i>páramo</i> and forest.
Indigenous-peasant involvement within agrarian reform/ development institute	Two indigenous and peasant representatives within <i>Comisión Técnica-Consultora</i> and indigenous and peasant influence over appointment of the <i>Director Ejecutivo</i> of the IERA.	Two indigenous, peasant and <i>afroecuatoriano</i> representatives within <i>Consejo Superior</i> of INDA.
Source: My own elaboration based on CAN (1993), RO 524 (1994) and RO 55 (1997).		

ii) **Implementing land reform from below**

The failure of the state to respond to indigenous and peasant demands to transform land reform was reflected in the lack of interest it showed in promoting and implementing existing land reform laws and policies. Hence sustained and concerted pressure from below was required to force the state to regulate and redistribute land. The state’s desire to transfer the cost of expropriation to indigenous and peasant families and communities or charge elevated prices for state-owned land ensured organisation and resistance were also required to improve the conditions of transfer of land. While

only a small proportion of the agricultural land surface of the highland region was redistributed through land reform, pressure from below was vital to force the state to act and limit the prices it charged indigenous peasant families and communities.

The case of *Hacienda Galte*, which gained a degree of notoriety in Ecuador in the 1960s and 1970s, illustrates these wider patterns. (El Espectador 15/06/1972 pp. 1-3) (MAG 1977 pp. 1-19) (IERAC 1984 p. 25) The hacienda stretched across approximately 11,000 hectares of high altitude land in the central highland province of Chimborazo, three quarters of which the MAG describes as a “desert in which sand is constantly turned over by the wind”. (1977 p. 3) The remaining section of the estate comprised land located in sloped and irregular zones as well as *páramo*. The MAG estimate the population linked to the hacienda was around 2,000 people, the vast majority of whom were indigenous. With only approximately 1,000 hectares of the hacienda considered to be cultivable, the MAG notes that there was “considerable demographic pressure” on the land. (1977 p. 4)

The *Instituto de Reforma Agraria y Colonización* (IERAC) purchased the hacienda shortly after the start of land reform. Reflecting the ability of landowners to secure high prices for the land they sold to IERAC (and the probable complicity of local state officials in the sale and purchase of *Hacienda Galte*), the MAG notes that institute had paid the owner an “excessive price” for the estate. (1977 p. 11) The collective organisation of the indigenous workers performed a crucial role in determining the outcome of the redistribution of the hacienda. Under pressure from the workers and the *Federación Ecuatoriana de Indios* (FEI), the institute dissolved the 158 *huasipungo* contracts that existed on the hacienda and redistributed approximately 3,000 hectares to the former *huasipungueros* without cost. The indigenous families were also provided with collective use of 2,000 hectares of *páramo*. The IERAC proposed the sale of the rest of the hacienda to the workers (approximately 7,500 hectares inc. *páramo*) at a similar price to the one the IERAC had paid the landowner. However, inspired by the FEI, the indigenous workers “emphatically and repeatedly” rejected the proposal. (MAG 1977 p. 7) Mirroring disputes elsewhere in the highlands, the FEI demanded that the land be redistributed

without cost. The two parties failed to reach agreement and the land that had not been transferred to the indigenous workers was converted into a state-owned enterprise managed by the IERAC. The conflict continued throughout the 1970s. In the face of continued indigenous pressure, the MAG recommended the sale of the land to a cooperative formed of all of the former workers on the estate at a price significantly below the price the IERAC had paid. (1977 pp. 13-4) The remaining sections of the hacienda were redistributed to the peasant families in the late 1970s and early 1980s. (IERAC 1984)

Collective organisation was crucial in determining the amount of land redistributed and influencing the conditions under which land was transferred, resisting the efforts of the IERAC to recover the full cost of the acquisition of the hacienda by charging indigenous families elevated prices for the land.

iii) Securing land through markets

Spaces opened and closed for indigenous families and communities to obtain through land markets from the 1960s onwards. Collective organisation and mobilisation were also crucial in increasing opportunities for indigenous peoples to secure land. This involved exerting direct pressure on landowners to sell land through strikes, invasions and petitions as well as indirect pressure through broad-based mobilisations. The latter took place in the early 1970s and 1990s. In both cases, indigenous uprisings prised open land markets and increased indigenous access to land. The effect of the indigenous and peasant uprising in the early 1970s was revealed during an interview I conducted with an indigenous community in the central highland canton of Guamote, Chimborazo.

Reflecting the failure of the state to promote and implement land reform in Ecuador, the community explained that it was only during the build-up to the introduction of the *Ley de Reforma Agraria* in 1973 that local *hacendados* started to sell land on a significant scale. The upsurge of protests and mobilisations in Chimborazo rattled landowning elites and a “rumour that the *huasipungueros* were going to take the land from the *hacendados*” began to circulate. The introduction of the law and the

escalation of unrest prompted landowning elites to start selling small parcels of land to local indigenous families, some of whom were able to buy a “cuadra, media cuadra”. The community were initially offered small plots of pastoral land on the slopes of the valley but the land was not suitable for cultivation. Instead the community purchased small parcels of cultivable land located on the banks of the Rio Guamote, two hours walk along a rocky path from the town centre. The families pooled their limited resources (“*fuimos a conseguir lo que teníamos en nuestras casas*”), paying for the plots with a small deposit and a series of annual instalments. Later, the elder of the community purchased another plot of land from a daughter of one of the *hacendados* by pooling the income he secured through wage labour and the economic resources of his extended family. He then paid for the land over a number of years (“*así es como nos endeudamos y logramos pagar un pedacito de tierra*”). Reflecting the general, if not universal, pattern in the highland region of Ecuador the indigenous families therefore purchased land individually but lived communally. The price of land on the market set definite limits on the quality and quantity of land they were able to purchase. The “indigenous people did not have the money” to buy the most productive zones of the haciendas so the owners divided their estates (“*con mucha facilidad*”) between family members. While *páramo* covered nearly 70% of the agricultural land surface of the canton of Guamote in the early 1970s, the community was not located near tracts of the high-altitude grassland. The community was therefore left with small plots of land on the slopes of the banks of the Rio Guamote without access to pastoral land. The best quality land in the zone, which remained under the control of local elites in the 1960s and 1970s, was available to purchase on the market but at a price that far exceeded the economic capacity of the indigenous families. Spaces therefore emerged for the families to purchase land but the development of land markets placed clear limits on the amount and quality of land they were able to purchase. Similar patterns emerged across the highlands with the commodification of land locking out indigenous families and communities, especially in regions where agroexporters took root (e.g. Cayambe, Pichincha).

4. Indigenous access to land in the wake of land reform

The land distribution that emerged in the wake of land reform was highly complex and extremely diverse. While a detailed investigation of the issue is outside the scope of this paper, a very brief look at census data provides an indication of the impact of land reform and the situation facing rural families and communities in Ecuador today.

The data collated in Table 2 paint a sad and familiar picture, with plots below five hectares accounting for 75% of units and 12% of land and farms above 50 hectares accounting for 3% of units and over 50% of land.⁶ *Minifundia* (< 5 hectares) were the most common form of landholding in each of the highland provinces, ranging from 51% of total units in the southern province of Loja to 94% in the central province of Tungurahua. Cross-referencing census data with sociodemographic data suggest *minifundia* were more prevalent in regions with high indigenous population densities (Figure 1). Conversely, medium-size landholdings (10 > 49.99 hectares) were more common in regions with low indigenous densities (Figure 2). While far from representative, the picture painted by the data was reflected in the interviews I conducted with indigenous organisations and communities in the highland region between 2010 and 2011, with *minifundia* and *microfundia* the dominant form of landholding among indigenous families and communities.

The data suggest neither redistributive nor market mechanisms provided widespread opportunities for highland indigenous families to climb the land distribution ladder in the late twentieth century. However, these very broad patterns should not be overstated. The diversity of the indigenous population and the agrarian structure and the unevenness of the transformation the highland region experienced between the 1960s and 2000s caution against making sweeping generalisations. In some cases, the combination of land reform, the activation of land markets, and the strengthening of indigenous organisation enabled indigenous families to obtain sufficient land to pursue sustainable economic strategies based on agricultural production alone. In some areas (e.g. Guamote,

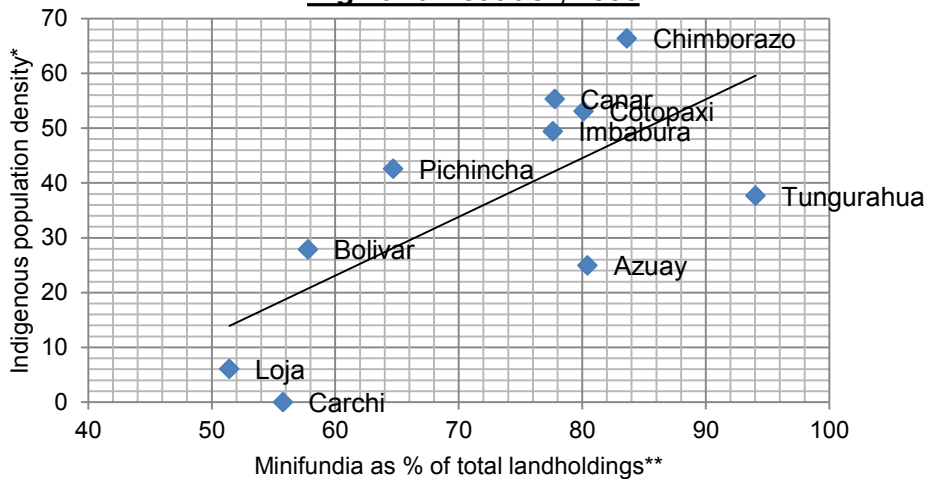
⁶ The data are derived from the *Censo Agropecuario 2000*, the last agricultural census undertaken in Ecuador.

Chimborazo) the combination of these factors enabled indigenous peoples to take control of the majority, if not all, of the agricultural land surface. However, this was only possible through decades of resistance, struggle, and sacrifice which took its toll on the land and the environment (e.g. through the overexploitation of páramo), the socioeconomic development of indigenous peoples (e.g. through the economic resources committed to obtain land), and the cohesion and viability of indigenous communities (e.g. through temporary and permanent migration). Moreover, numerous indigenous families were left with marginal plots of land in areas where the bulk of the land came under indigenous control as well as in zones where landowning elites and agroexporters monopolised the bulk of the best quality land. Thousands of others “exited” the rural economy completely, migrating permanently to towns and cities rather than facing a precarious and uncertain future in the countryside. Finally, and crucially, the land distribution data points toward the generalisation of minifundia and microfundia across the sierra, illustrating the precarious situation the bulk of highland families face irrespective of their ethnic group.

<u>Farm size (hectares)</u>	<u>Units</u>	<u>Units as % of total</u>	<u>Land surface (hectares)</u>	<u>Land as % of total</u>
< 1	217,000	38.23	83,106	1.75
1 > 1.99	92,144	16.23	122,115	2.56
2 > 2.99	56,735	10.00	131,477	2.76
3 > 4.99	59,926	10.56	222,152	4.66
< 5	425,805	75.02	558,850	11.73
5 > 9.99	58,417	10.29	394,197	8.28
10 > 19.99	38,744	6.83	517,097	10.86
20 > 49.99	29,376	5.18	873,843	18.35
50 > 99.99	9,612	1.69	632,864	13.29
100 > 199.99	3,517	0.62	453,614	9.53
200 >	2,152	0.38	1,331,862	27.97
Total	567,622	100.00	4,762,331	100.00

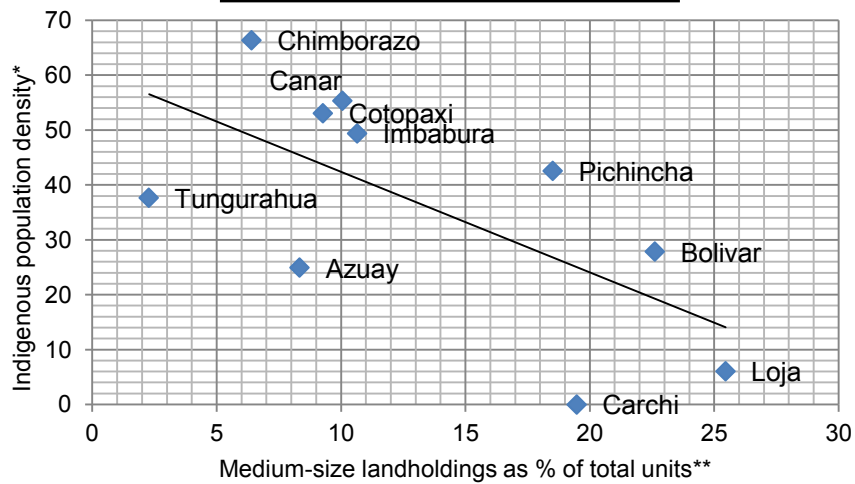
Source: My own elaboration based on INEC (2000).

Figure 1 - Minifundia and indigenous peoples, Highland Ecuador, 2000



Source: My own elaboration based on INEC (2000) & Zamosc (1995). * Population of "predominantly indigenous area" as % of total rural population of the province in 1990 (Zamosc 1995 p. 23). ** Minifundia = < 5 hectares.

Figure 2 - Medium-size landholdings and indigenous peoples, Highland Ecuador, 2000



Source: My own elaboration based on INEC (2000) & Zamosc (1995). * Population of "predominantly indigenous area" as % of total rural population of the province in 1990 (Zamosc 1995 p. 23). ** Medium-size landholdings = 10 > 49.9 hectares.

5. Conclusion

"History never really says goodbye. History says, see you later."

Eduardo Galeano

The land struggles briefly explored in this paper were confined to the late twentieth century but the battle to bring land under social and political control continues in Ecuador today. The Rafael Correa governments have declared their intention to oversee a *"revolución agraria"* but have shown little

interest in tackling issues related to the use, control and distribution of land. Echoing earlier episodes of conflict and debate, pressure has come from below to expand the regulation and redistribution of land. The clearest indication of this came in 2012 when the *Red Agraria Nacional* (RAN) – a coalition of indigenous and peasant movements – submitted the *Proyecto de Ley Orgánica de Tierras y Territorios* to the National Assembly in Quito. Indicating the Polanyian nature of the current struggle the RAN declare:

“The organisations that represent the *productores* and *productoras*, *comunidades*, *pueblos* and *nacionalidades*, *afroecuatorianos*, and *montubios* will be represented in the implementation of this law on various levels to ensure the efficient execution of the regulations. *This reflects the fact that land is not a commodity subject only to the rule of the market but also to the control of society.*” (Art. 5 RAN 2012, emphasis added)

Declarations made by ministers and legislators since the submission of the proposal suggest the government will not support a land law which incorporates this demand. Its gradual drift towards economic elites and international investors points in a similar direction. The Correa government therefore looks set to follow previous regimes by failing to take seriously the demands of indigenous and peasant families, communities and movements. History suggests very little will change without sustained and concerted pressure from below.

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