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***Latin American Property Law Modernization***

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***Summary: Nicaragua, Peru, Mexico and Honduras have each radically changed their old agrarian reform legislation since 1990, eliminating many restrictions on ownership. Often, these restrictions prohibited the free sale, transfer, mortgage, rental or inheritance of agrarian properties. The experiences in these jurisdictions suggest Latin America can graduate from past land reforms and enter the market. Yet, doing so may have unfortunate effects on the environment and historically disadvantaged groups.***

In the popular media and politics, land reform is being overtaken by commercial efforts to make land use more efficient. Since 1990, Nicaragua, Peru, Mexico and Honduras have each radically changed their agrarian reforms and commercialized land ownership. Other Latin American and Caribbean countries are re-evaluating their agrarian reforms and looking to these four experiences for guidance.

I. Nicaragua: Laws 85, 86, and 88 (March 1990), and Decree 35-91 (August 1991).

A. Background

After the last presidential election, the outgoing Sandinista government "legalized" informal confiscations and expropriations that took place before February 25, 1990. After the UNO-led coalition took power, it allowed property to be converted from agrarian reform property to fee simple property.

Laws 85 and 86 allowed present occupants to maintain possession of

property received under prior reallocation schemes. Law 88 protects the property of agrarian reform beneficiaries. It authorizes civil registrars to convert "provisional" titles to "definitive" titles.<sup>1</sup> The law removed restrictions on alienability, and government authorization requirements. With this law, ordinary registrars can freely transfer agricultural land without governmental interference.

On August 19, 1991, President Violeta Barrios de Chamorro signed a decree affecting property rights.<sup>2</sup> The decree noted the *Concertación* taking place in the country and created a public office to normalize property following existing law.

#### B. Implementation and Impact:

##### 1. The Disadvantaged

With the new reforms, indigenous communities may be imperiled. These communities exist in the Central, Pacific, and Atlantic regions. Recently, the communities' main problem has been government attempts to use community land to compensate former landholders. Theoretically, traditional lands are inalienable and non-transferrable.

Despite changes in law, major constraints to development remain: (1) Where should the government put former "contras" so they will not again take up arms?; (2) Where should the government put thousands of still landless *campesinos*?; (3) Assuming agreement on land ownership and compensation, how can an indebted nation pay for it?; and (4) Should the present occupants be evicted? How? Nicaragua has not conclusively addressed these issues.

## 2. Trade and Investment

Original agrarian reform legislation prohibited the sale of land received under the agrarian reform. The law itself defined the title as a "use right." New legislation allows for the transferability of land.

Allegations of abuse, especially regarding land, are a major concern. Conservatives allege Sandinistas took many properties without following legal formalities. As a result, say conservatives, the Sandinistas are guilty of "arbitrary confiscation of property." Regardless of politics, until the government resolves these political, democratic, and economic matters, landholders will continue to be uncertain about their security and the legal system will suffer from accusations of illegitimacy.

## 3. The Environment.

With the effective dismantling of the agrarian reform and a formal land market in disarray, the poor are invading fragile forests. The agricultural frontier is expanding at an alarming rate, causing environmentally disastrous deforestation. Consequently, deforested land is exposed to the dangers of soil erosion, affecting water supplies. Rivers are becoming silted. The urgency of creating an effective land market as a replacement for land reform is clear.

II. Peru: Legislative Decree No. 653 "Ley de Promoción de las Inversiones en el Sector Agrario" (August 1, 1991).

### A. Background

This new legislation liberalizes farm credit and agricultural property ownership, effectively dismantling the two-decade-old agrarian reform. With food production levels dropping and farm credit almost non-existent, the law allows anyone to own farm property (including a corporation).

The law allows the buying, selling, inheriting, mortgage and renting of land, including agrarian reform land.<sup>3</sup> No authorizations for land transfer are required.<sup>4</sup> Land has become, in a legal sense, a commercial asset, although size restrictions remain.<sup>5</sup>

## B. Implementation and Impact:

### 1. The Disadvantaged

The legislation omits how state and abandoned land can be distributed to beneficiaries.<sup>6</sup> It does state beneficiaries must take additional steps to solicit land, including a performance bond.<sup>7</sup> This requirement seems entirely inappropriate for landless or land poor populations.

The law does not refer to the *sierra*, community, or *campesino* groups when establishing size limits. Instead the law introduces several elements which cut against the disadvantaged. Unutilized land is given to the state rather than indigenous groups.<sup>8</sup> The law specifically excludes native and *campesino* groups from access to credit through mortgages.<sup>9</sup> Article 163 of the Constitution specifically states native and campesino community lands are inalienable and

unmortgageable. Unfortunately, this exclusion applies to about a third of rural plots, or about 600,000 communal smallholders.

Administrative rules allow for credit to landholders of less than five hectares in most cases.<sup>10</sup> Still, since roughly 90 percent of smallholders are not registered, mortgage lending remains inaccessible.

The decree permits sales only in the formal sector, as under prior law. This means a sale is only recognized if recorded. But, the decree allowed unrestricted sales, transfers, mortgage and titling only for property larger than three hectares; many landholders are well under this limit. This represents 30 percent of all rural properties and the majority of the property holders. Transition provisions, Supreme Decree 018-91-AG (published May 5, 1991) and Art. 16 of Legislative Decree 653, contemplate the titling of land less than three hectares in existence on the date of emission of the new law, i.e. May 3, 1991. In short, they recognize the existence of such plots. Yet the law will not permit registration of lots less than three hectares which come into being after the cut-off date. Presumably, the government assumes one chance to register small parcels will deter property owners from further parcelization.

New procedures for simplifying parcelization of agrarian associations and cooperatives were subsequently announced. These allow organizations to register land to its members. Unfortunately, old restrictions and red tape reappeared, often generating prohibitive transfer costs.

It is unclear what impact the legislation will have on women. The International Fund for Agricultural Development (IFAD) has found in Peru, women perform agricultural work in 86 percent of rural households.<sup>11</sup>

## 2. Trade and Investment

In theory, access to mortgages will increase the availability of credit, resulting in greater investment. As investment increases, productivity should increase.

Article 159 (1 and 2) of the Constitution prohibits *latifundios* and sets forth to eliminate *minifundios* gradually. However, the new maximum size restriction may turn out to be ineffectual. Size limitations are based on a per person acreage. It may be possible for individuals to form companies which have no "per person" limit. After all, the law states companies too may own land. This reverses Article 157 of the old agrarian reform law that only contemplated individual ownership.

New law permits land rental, reversing prior law. This liberalization is important for several reasons. First, it provides access to land that might otherwise not be available for cultivation. Second, it eliminates a barrier to the land market economy, since rental is an important element of this market. Third, it allows for the exploitation of the land so it is not taken away under provisions for "abandoned" land. Still, liberalization of rental controls was not complete. The Decree states rental is only allowed in cases specified by the law. Plots under three hectares cannot be rented.

### 3. The Environment.

The law could potentially have unfortunate environmental effects. The law repeals Article 71 of the Environment and Natural Resources Code<sup>12</sup> which prohibited development of activities taking advantage of non-renewable energy and natural resources. The new law also opens these lands to construction of oil pipelines, gas pipelines, and mining and petroleum installations.<sup>13</sup>

III. Mexico: Article 27 of the Constitution (Jan. 3, 1992), the "Ley Agraria" and the "Ley Orgánica de los Tribunales" (April 1992).

#### A. Background

There are approximately 29,000 *ejidos* and agrarian communities, which include 3.5 million *ejidatarios* and *comuneros* holding 4.6 million parcels (these are commonly divided in two or more smaller plots) and 4.3 million house or urban plots. In total, the *ejidal* lands represent 50 percent of national territory and roughly a quarter of the national population. From 1930 to date, only about 600 of the 29,000 *ejidos* received any type of legal certificate of possession. Thus most *ejidatarios* have less than completely formal documentation of their ownership. Consequently, implementation will require both changing legal status for these persons plus a massive documentation campaign to evidence the new rights.

President Carlos Salinas de Gotari says the new reforms will promote effective social justice in terms of employment, production, training, equity and self-determination.<sup>14</sup>

The new agrarian law provides:<sup>15</sup>

- 1) The government no longer will be obligated to provide land to peasants.
- 2) Risk of expropriation of large estate is eliminated, allowing owners to invest more in their land.
- 3) Agrarian tribunals will settle land disputes between *ejidatarios*, or between *ejidatarios* and private holders of land.
- 4) *Ejidatarios* can legally sell, rent, sharecrop or mortgage their land. In most instances, if the transaction involves individuals from outside the *ejido*, two-thirds majority of the *ejidal* general assembly must approve the transaction.
- 5) The requirement to personally work the land is eliminated. Rental or sharecropping is acceptable. This frees labor to work in the United States.
- 6) Maximum property limits are enforced to prevent a return to *latifundios*.
- 7) Joint ventures and associations with *ejidatarios* are possible.
- 8) Foreigners can own up to 49 percent of equity capital in production associations with *ejidatarios*.

## B. Implementation and Impact:

### 1. The Disadvantaged

Under the new program, once authorized by the *ejido* assembly, each *ejidatario* will receive a *derecho ejidal*. This document can be converted to a freehold title, provided the assembly approves with a two-thirds majority all *ejido* members can select this option. This will most likely occur in urban areas, where property values have increased greatly.

The law does not force anyone to do anything.<sup>16</sup> Instead it allows the *ejidal* members to decide for themselves how to administer their land. Similarly, the entire titling process is voluntary. In fact, the law transfers political power in the countryside from the executive to the individual.

The law recognizes many people living on the *ejido* are not *ejidatarios*, but descendants of *ejidatarios* and *avecindados*. These individuals do not always have access rights to commons or housing, or participate in decision-making. Often they rent and work on the *ejido*, making their situation precarious. The new law recognizes and legalizes this activity.

Women are clearly recognized as *ejidal* participants and owners.<sup>17</sup> And the law allows the *ejidal* assemblies to give women special rights to an "industrial farm unit."<sup>18</sup>

The law drastically erodes the power base of the traditional *ejidal* presidents and local *caciques*, the traditional power base of the "Partido Revolucionario Institucional" ("PRI"). The PRI will probably lose influence over the agrarian bureaucracy and *campesino* organizations which in the past helped deliver votes.<sup>19</sup>

## 2. Trade and Investment

Article 27 and the North America Free Trade Agreement (NAFTA) are the most important elements of President Salinas' strategy to modernize Mexico. Article 27 eliminates paternalism and protectionism, brings Mexico into the world economy, and promotes economic development in rural areas. Because of the Amendment to Article 27, joint ventures between private investors and *ejidatarios* have sprung up. One example is the \$12 million Vaquerías Project (with Pepsico), which has brought irrigation to 8,750 acres of staple grains. Other projects underway are valued at \$68 million. More than 1,000 joint venture projects between agricultural producers have been contracted, 400 of which are currently underway. The Agriculture Ministry reported 150 joint ventures between private investors and small landowners were planned to begin in 1992, double the total for 1991, as a result of the new legislation. The Bank of Mexico has established a U.S.\$5.3 Billion fund for the agricultural sector in anticipation of stepped-up demand.

Still, large commercial producers may not be interested in acquiring *ejidal* land or commercial joint ventures. For this group, contract farming may be the preferable route. On the other hand, local, medium-sized farmers looking to obtain more land may be interested in the availability of *ejidal* property.

Some *ejidal* lands are now within urban or industrial regions. Consequently, these lands may have a tremendous economic value. For example, about 50

percent of the Federal District (metropolitan Mexico City) is *ejidal*. Much of the land near the U.S. border is also *ejidal*.

### 3. The Environment.

*Ejidal* land use can usually be converted from rural to urban.<sup>20</sup> This is particularly important near Mexico City, where much land is presently *ejidal*. However, the law prohibits conversion if land is located in an environmentally protected zone.<sup>21</sup> The government has established certain zones where it wishes to conserve environmental resources.

Prior to the Article 27 Amendment, the administration granted forest concessions on *ejidal* property without consulting the *ejidatarios* or the assembly. Now the law states the *ejidos* will decide for themselves how to best use their lands.

Still, some critics attack the new legislation on environmental grounds. A commercialization policy will promote agricultural production. However, traditional ideas of commercial productivity often ignore environmental damage. If sustainable, environmentally friendly agricultural production is the goal, then commercialization may not be the best option. Indeed, according to some, the *ejidal* system is more productive, since it maintains an acceptable level of production with less environmental damage.

Critics allege extensive agriculture systems (which use half of Mexican land) have caused most of the country's loss of tropical forests. They have degraded

large tracts of farmland, especially in the northern arid and semiarid areas.<sup>22</sup>

Critics also allege the productivity of commercial farming is inflated because it receives soft loans and subsidies from the government and has overused energy and water supplies. Consequently, questions remain surrounding the environmental impact of the new legislation.

IV. Honduras: Decree 31-92, "Ley para la Modernización y el Desarrollo del Sector Agrícola" (March 5, 1992)(Diario Oficial "La Gaceta" April 6, 1992).

A. Background

The Honduran land reform was similar to many countries in the hemisphere.<sup>23</sup> The main beneficiaries were large farms worked in common, with profits being divided among group members.

The original Honduran agrarian reform did not allow unrestricted land transfers. New legislation permits the titling and transfer of agrarian land.

*Minifundio* is characterized as less than one hectare. *Latifundio* is defined as property up to 100 to 2000 hectares, depending on location, availability of irrigation, or slope. Property holdings must not fall within either of these two categories unless granted an exception.

Rental of agrarian reform land is now legally permitted, unless the land has not yet been paid for. Non-agrarian reform land has no limitation on rental. In no case, however, is sharecropping allowed. The International Fund for Agricultural Development (IFAD) reports 56 percent of the land in Honduras is rented.<sup>24</sup>

Land reform properties are sold, not given, to the beneficiaries, with a 20 year payment term. During the term, the state holds a mortgage on the land. While beneficiaries can inherit the property, mortgage it, or sell it, until the land is fully paid for, they can only sell it to another qualified agrarian reform beneficiary.<sup>25</sup> While this solution compromises the free commercialization of the title, it is perhaps an ingenious solution to avoid the return of latifundia, at least until the land is paid for. In addition, the new law maintains another condition: that the owner work the land.<sup>26</sup>

When a beneficiary dies, any debt outstanding on the property is forgiven. Thus, new law combines land access with a type of life insurance to assure heirs receive the real estate free of economic encumbrances.

## B. Implementation and Impact:

### 1. The Disadvantaged

A stated purpose of the new legislation was land access for the disadvantaged.<sup>27</sup> Yet the law has failed to gain support of all groups representing the disadvantaged. Roughly three-quarters of *campesino* groups participated in the *concertación* and in drafting legislation. Interestingly, however, other *campesino* groups opposed the measure. These groups did not participate in the *concertación*. They claim to represent the majority of workers in rural areas.<sup>28</sup> Juan Ramón Martínez, President of the National Agrarian Institute (INA) resigned in opposition. Two days before the law's enactment, 40,000 peasants protested the

bill.<sup>29</sup> The Catholic Church stated the agrarian reform was far from complete. Initially, there were clashes between peasants and government forces, although this has since calmed down.

For the first time, new Honduran legislation allows for legal, equal access to land for men and women.<sup>30</sup> In squatter settlements in Honduras, a study found women are the primary income earners in 50 percent of households. Yet only 30 percent of women received titles to property they occupied. After these findings were released, the government initiated a publicity campaign encouraging women solicit titles.<sup>31</sup> Still, only 4 percent of reform beneficiaries are women.<sup>32</sup>

New legislation allows for the uninhibited land transfers. An future incentive not to hold land idle may be a proposed property tax. Unfortunately, for effective taxation, the nation must have an adequate cadastre. Honduras lacks a comprehensive, national cadastre. Thus, land market activation via property taxation may not be easy. Further, the government has discontinued credit to the disadvantaged.<sup>33</sup> Loans will only be available through the private sector at market rates to creditworthy borrowers. Consequently, the law has its detractors among peasant group advocates.

Critics worry about land market consolidation. New law makes it easier for cooperatives to sell land. They are under pressure to pay off large commercial debts. In 1991, at least 10 cooperatives sold land to multinational companies, mainly Standard Fruit and Tela Railroad (both banana companies). Still, if a cooperative sells more than 100 hectares of land to a non-agrarian reform

beneficiary, a sales tax of 20 percent of the value of the sale is imposed. This establishes a disincentive for cooperatives to sell land and for reconsolidation of landholdings. Unfortunately, because the tax is computed on the "sale value," opportunities for tax evasion exist by simply adjusting the documented "sale" price.

To give a further boost to the land market, the Honduran government has announced a new land bank. The government hopes this measure will counter complaints about land access for the resource poor.

Regarding indigenous groups, the legislation's future impact is uncertain. Indigenous groups in Honduras have historically held land communally, making individual ownership inappropriate.

## 2. Trade and Investment

The threat of expropriation under the new law has lessened. Farms in excess of landholding ceilings and abandoned lands will still be subject to expropriation.<sup>34</sup> Otherwise, expropriation appears less likely. This is especially true since landholders can now rent out unused land. This brings idle land into production, avoiding expropriation.

## 3. The Environment.

Although new legislation states property will be held with fee simple interests, property holders cannot freely use timber. Any commercial tree cutting,

whether on public or private land, requires government approval.<sup>35</sup> Owners receive full ownership over forest assets located on their land. But they must voluntarily agree to a government-approved forest management plan to cut the trees.

The state no longer participates in the processing and marketing of wood and wood products. The law also dismantles the log export ban. It provides for a phased elimination of export commissions paid to the government and requires stumpage fees to reflect true costs of reforestation. In general, unused, privately-held land is subject to expropriation under the agrarian reform and can be sold off to beneficiaries. However, forest areas do not signify disuse of land. Thus, the law removes an incentive for deforestation simply to preserve property rights.

Summary of New Agrarian Property Law:

COUNTRY	INHERITANCE	MORTGAGES	LAND USAGE RULES	PROPERTY ALIENATION	SIZE LIMITS	RENTAL	SOCIAL FUNCTION
NICARAGUA	allowed	allowed	none. Threat of land loss if unused.	freely transferable	limits remain	rental control	remains. New meaning?
PERU	allowed	allowed	none. Threat of land loss if unused.	freely transferable	limits remain	no restrictions	land as an economic good. Not a social good?
MEXICO	allowed, provided no minifundia	Only for individual property. Not <i>ejidal</i> land.	Unused land reverts to the state	individual property transferable <i>ejidal</i> land not freely transferable	limits remain	most restrictions removed on <i>ejidal</i> land	remains. Application changed.
HONDURAS	allowed	allowed	owner must work the land	transferable to qualified individuals until paid for. Otherwise fully transferable	limits remain	no restrictions if not mortgaged	remains. Application changed.

## V. Recommendations

Experiences from Nicaragua, Peru, Mexico, and Honduras suggest Latin America can graduate from past land reforms and enter the market. The landless may be treated as potential small farmers in market economies, not permanent political beneficiaries dependent on underfunded, paternalistic government agencies. Still, the removal of restrictions on property may present complications. Women, the poor, and indigenous groups have special needs. Further, the government may have to try to balance private sector needs against the needs of the disadvantaged and goals of a sustainable environmental policy.

Commercialization of agriculture is a logical part of economic modernization. Yet, elimination of restrictions, by itself, may not guarantee economic progress. It may give increased security of ownership. But other factors may make investment less attractive: inappropriate banking policies, the lack of an effective property registry and cadastre system, the overall availability of credit and technical assistance, produce markets and product pricing all play a role. Elimination of ownership restrictions, therefore, should be one element of a broader development strategy for economic revitalization.

Transaction costs with group structures in land ownership have led to criticisms of agrarian reform structures. Troubles in securing group consent to undertake improvements, free rider problems, and hassles with government bureaucracies were all present. These factors should be included as reasons for advancing property modernization.

In conclusion, many issues are involved in property rights liberalization. Property law modernization efforts might consider the following operational guidelines suggested by experiences in Nicaragua, Peru, Mexico, and Honduras:

- A. Restrictions on mortgage rights can be reevaluated. No amount of foreign donor money, projects, or technical assistance can create asset-based, secure, private-sector lending in agriculture while commercial lenders lack a reasonable assurance of repayment. This means access to collateral, now prohibited in most jurisdictions.
  
- B. Rather than mandate specific tenure forms, such as "individual" ownership, reforms may allow the farmers to decide how they would like to hold property. The market, represented by the individual farmers, is in the best position to determine whether collective or private ownership is most productive. In Mexico and Honduras, governments give the people the choice of form of ownership. Also, as in Mexico, indigenous communities receive special protection, unless the communities themselves democratically decide to individualize their holdings.
  
- C. Countries may examine allowing the free sale or transfer of land. In Mexico, maximum individual size holdings help avoid a return of large

estates. Other steps to encourage activation of the land market can be encouraged to prevent landholding consolidation.

- D. Recognize forestry as an appropriate land use, as in Honduras. This prevents deforestation simply to prove land usage to avoid expropriation.
- E. Governments should identify areas for monitoring and evaluation of legislative modernization, especially with regard to the historically disadvantaged, trade and investment, and the environment.

Endnotes:

1. Mireya Molina, "Legislación Agraria y su Vigencia Actual," (July 2, 1992) at 13-14, discusses the distinction between "definitive" and "provisional" titles. The Agrarian Reform Law allowed the state to assign, hand over and title (asignar, entregar y titular) land inscribed in favor of the state. Yet most land was never assigned to the state originally. Consequently, the agrarian reform beneficiaries did not have a document which they could use as collateral for commercial credit. Consequently, the government decided to issue "provisional titles" with basic information while it inscribed land to the state. Once land had been inscribed to the

state, the "provisional" titles could be converted to "definitive" titles. By the time of the election, the Sandinista government had still not completed converting "provisional" titles to "definitive" ones.

2. Decree No. 35-91, Aug. 19, 1991.
3. Articles 5, 6, 7 (a), 8 and 9 of Decreto Legislativo No. 653 (Aug. 1, 1991).
4. Article 16 of Decreto Legislativo No. 653.
5. Articles 7, 12-15 of Decreto Legislativo No. 653.
6. José Manuel Mejía, "Propiedad de la Tierra y Ley Agraria," presented at the Seminar "Legislación Agraria y Desarrollo Económico" (June 20, 1991, Lima, Peru) at 5.
7. Article 10 of Decreto Supremo No. 011-91-AG.
8. Article 23 of Decreto Legislativo No. 653.
9. Article 9 of Decreto Legislativo No. 653.
10. Reglamento de la Ley de Promoción de las Inversiones en el Sector Agrario: Decreto Supremo 0048-91-AG/OGA-OAD.UT (Nov. 11, 1991).
11. Candy Gourlay, "Development: 'Invisible Women' Bear Brunt of Poverty," Inter-Press Service (Nov. 23, 1992).
12. Legislative Decree No. 613.
13. Second "Final Disposition" of Decreto Legislativo No. 653.

14. Carlos Salinas de Gotari, "Diez Puntos para libertad y justicia al campo mexicano," (Nov. 14, 1991)(presentation at the Official Residence at Los Pinos) at 1-2.
15. The summary presented here is a revision of the summary presented in: Wayne A. Cornelius, "The Politics and Economies of Reforming the *Ejido* Sector in Mexico: An Overview and Research Agenda" 23 LASA Forum No. 3 (Fall 1992) 3. This is similar to a summary by Wesley R. Smith, "Salinas Prepares Mexican Agriculture for Free Trade," Heritage Foundation Rep. (Oct. 1, 1992).
16. Gaceta de Solidaridad, Nueva Legislación Agraria (April 1992) at 9.
17. Article 12 of the "Ley Agraria."
18. Articles 63 and 71 of the "Ley Agraria."
19. David Clark Scott, "Mexican Agricultural Reforms Set Stage for a New Revolution," The Christ. Science Monitor (Nov. 21, 1991) 1.
20. Article 87 of the "Ley Agraria."
21. Article 88 of the "Ley Agraria."
22. Víctor Manuel Toledo, "Ecological Objections to the Reforms to Article 27," The Other Side of Mexico (No. 24, Jan.-Feb. 1992) 7-8.
23. For an overview discussion, see Randy Stringer, "Honduras: Toward Conflict and

Agrarian Reform," in William C. Thiesenhusen, Searching for Agrarian Reform in Latin America (1989) at 358 et seq.

24. "Latin America: 76 Million Poor in Rural Areas, IFAD Says," Inter-Press Serv. (Nov. 23, 1992).

25. Art. 93 of the "Ley de Reforma Agraria" (Dec. 30, 1974)(Diario Oficial "La Gaceta" No. 21-482, Jan. 8, 1975, as amended by Art. 65 of Decree 31-92, "Ley para la Modernización y el Desarrollo del Sector Agrícola" (March 5, 1992)(Diario Oficial "La Gaceta" April 6, 1992)).

26. Art. 82(a) of the "Ley de Reforma Agraria," amended by Art. 64 of the "Ley para la Modernización y el Desarrollo del Sector Agrícola".

27. Secretaría de Recursos Naturales, "Una Nueva Política de la Tenencia de la Tierra: Hacia la Dinamización de toda la Agricultura Hondureña," (Sept. 9, 1991) at 55.

28. "Agrarian reform overtaken by modernization," 19 Cent. Am. Rep. (No. 3, Jan. 31, 1992) 23, 24.

29. "Despite protests, new law is passed; End to Agrarian Reform & Subsidized Credit," Lat. Am. Weekly Rep. (March 19, 1992) 4.

30. Decree 129-91 of Oct. 31, 1991 (L.G. Jan. 25, 1992-920125) amended articles 79 (a) and 84 of the Agrarian Reform Law to recognize that women may gain title to property. Executive Decree 12-92 of Jan. 27, 1992 (L.G. March 7, 1992-920307) created the "Comité de Integración de la Mujer a la Reforma Agraria."

31. Comments by J. David Stanfield in Nancy Sheehan, Workshop Proceedings for Gender and Natural Resources Tenure Workshop (1992) at 24.
32. Candy Gourlay, "Development: 'Invisible Women' Bear Brunt of Poverty," Inter-Press Service (Nov. 23, 1992).
33. "Despite protests, new law is passed; End to Agrarian Reform & Subsidized Credit," Lat. Am. Weekly Rep. (March 19, 1992) 4.
34. Roger D. Norton, "The Law for Agricultural Modernization and Development," (Nov. 18, 1991)(photocopy) at 2-3.
35. Art. 73 of the "Ley para la Modernización y el Desarrollo del Sector Agrícola".