

Agrarian Change, Gender and Land Rights

Edited by Shahra Razavi

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Shahra Razavi



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Preface

Over the past two decades processes of agrarian change in developing countries have been deeply influenced by neo-liberal policy prescriptions that have taken the form of exchange rate devaluations, the reduction of trade barriers, and cutbacks in public expenditure outlays on agriculture. This has coincided with deflationary macro-economic policies that have had a negative impact on formal employment, and pushed the bulk of the population, especially women, into the casual agricultural workforce and/or into taking up precarious forms of self-employment in informal trade and services. The contributions to this volume explore how the deflationary macro-economic policies and processes associated with economic liberalization are impacting on rural livelihoods and agrarian change in diverse political economies, focusing in particular on the gender specificities of these impacts. This is the general background against which this volume's analyses of gender and land tenure reform must be read.

The problems that women encounter in accessing land have tended to remain on the margins of policy deliberation, both nationally and globally, despite the growing presence and voice of gender policy advocates in some contexts. Where the issue has been raised, it has tended to attract "one-size-fits-all" policy prescriptions, in the form of individual land titling, private ownership and the like. By bringing together situated analyses of the gender/land interface from highly diverse agrarian economies, this volume provides a more complex and differentiated picture. The challenges that rural women confront in political economies as diverse as Tanzania, Uzbekistan and Brazil in accessing land and constructing livelihoods—both as wives/daughters within male-dominated households *and* as members of vulnerable social classes and communities that face the risk of land alienation and entitlement failure in the context of liberalization—require far more nuanced and contextualized analyses and policy responses than are currently on offer. By highlighting the inadequacies of blanket policy prescriptions, and providing a textured analysis of the differentiated landscape in which the gender/land nexus is situated, this volume takes a step in the right direction.

Thandika Mkandawire

Director

United Nations Research Institute for Social Development (UNRISD)

Contents

Preface	vii
Thandika Mkandawire, Director of UNRISD	
Editors' Introduction	1
Terence J. Byres and Henry Bernstein	
1 Introduction: Agrarian Change, Gender and Land Rights	2
Shahra Razavi	
2 Global Capitalism, Deflation and Agrarian Crisis in Developing Countries	33
Utsa Patnaik	
3 Policy Discourses on Women's Land Rights in Sub-Saharan Africa: The Implications of the Re-turn to the Customary	67
Ann Whitehead and Dzodzi Tsikata	
4 Piety in the Sky? Gender Policy and Land Reform in South Africa	113
Cherryl Walker	
5 Securing Women's Interests within Land Tenure Reforms: Recent Debates in Tanzania	149
Dzodzi Tsikata	
6 Gender and Land Rights Revisited: Exploring New Prospects via the State, Family and Market	184
Bina Agarwal	
7 The Cry for Land: Agrarian Reform, Gender and Land Rights in Uzbekistan	225
Deniz Kandiyoti	
8 Women's Land Rights and Rural Social Movements in the Brazilian Agrarian Reform	257
Carmen Diana Deere	
Index	289

Editors' Introduction

We are delighted to publish this double special issue, guest-edited by Shahra Razavi, on *Agrarian Change, Gender and Land Rights*. In it, recent shifts in policy thinking about land rights – in general and specifically as they relate to women – are juxtaposed against developments in land tenure arrangements in selected regional contexts. Leading feminist scholars in the field provide searching treatment of the long-neglected matter of gender and access to land.

The articles are incisively introduced and contextualized, and their arguments and findings woven together, by Shahra Razavi. After Shahra Razavi's introductory paper, there comes an article in which Utsa Patnaik provides a searching examination of global capitalism, the neo-liberal policy agenda and its deflationary effects upon those countries that have experienced structural adjustment and trade liberalization. With that context of agrarian crisis and its roots powerfully established, there follow articles by Ann Whitehead and Dzodzi Tsikata, in which policy discourses on women's land rights in sub-Saharan Africa are comprehensively treated; by Cherryl Walker, on gender policy and land reform in South Africa; by Dzodzi Tsikata, on land tenure reforms and women's interests in Tanzania; by Bina Agarwal, on new prospects with respect to gender and land rights in India; by Deniz Kandiyoti, on agrarian reform and its impact on women in Uzbekistan; and by Carmen Diana Deere, on rural social movements and women's land rights in the Brazilian land reform.

This is a timely collection, in which careful empirical analysis is presented with considerable analytical power and great clarity. The papers are refreshingly original, always richly informative, sometimes provocative, and unfailingly of absorbing interest.

H.B.

T.J.B.

Introduction: Agrarian Change, Gender and Land Rights

SHAHRA RAZAVI

Neo-liberal economic agendas are impacting on rural livelihoods and people's attachment to, and functions of, land in rural and non-rural household economies differently in diverse contexts; the present collection of papers explores the gender specificities of these impacts. With the deceleration of more formal forms of employment, the diversification of rural livelihoods, and the intensification of women's unpaid and casual labour in agriculture and the informal sector, the land question has taken on a new urgency and needs to be posed in a new light. Given women's centrality to diversified livelihoods, and their increasing political agency, their interests in land (both as wives/daughters within male-dominated households and as members of vulnerable social classes and communities that face the risk of land alienation and entitlement failure in the context of liberalization) are more politicized today as well as being more contested. The interface between gender and land is contextually specific and cannot be adequately addressed through all-purpose global policy prescriptions.

Keywords: gender, land tenure, livelihoods, diversification, neo-liberalism

BACKGROUND

The past two decades have witnessed significant shifts in global development agendas and policies, marked by a resurgence of *laissez-faire* orthodoxies and a marked ambivalence, if not outright hostility, towards the 'heavy-handed' developmental state. The debt crises of the early 1980s and the subsequent multilateral lending programmes provided a decisive opening for the international financial institutions (IFIs) to impose a neo-liberal agenda of fiscal restraint, open trade and capital accounts, and privatization on indebted developing countries.

The author would like to thank Terry Byres for extensive comments, advice and support in bringing together this special issue; Ann Whitehead, Deniz Kandiyoti and Cherryl Walker for their helpful comments on the Introduction; Caroline Danloy for excellent research assistance; and all contributing authors for agreeing to make numerous rounds of revision. Funding for the UNRISD project 'Agrarian Change, Gender and Land Rights' was provided by Sida, UNDP, FAO as well as the governments of Denmark, Finland, Mexico, Netherlands, Norway, Sweden, Switzerland and the United Kingdom which provide UNRISD's core funds.

Issues of agrarian change and rural development have been a palpable part of these policy shifts. The neoliberal attack on the post-World War Two consensus was built on a deep aversion to state-led import substituting industrialization, while agriculture featured as the centrepiece of the narrative in national economies where agriculture formed a high proportion of GDP. Here alleged 'urban bias' was to be corrected by 'getting prices right' through various measures, such as exchange rate devaluation, abolishing export taxes and reducing trade barriers, while tenure insecurity was to be tackled through land titling (e.g. World Bank 1989). These standard measures, it was argued, would restore agricultural export growth and improve rural incomes and livelihoods. At the same time, cutbacks in public expenditure outlays on agricultural input subsidies, marketing boards, and research and extension services (representing an inflow of resources into agriculture that was largely ignored by proponents of 'urban bias') were prescribed and justified on the grounds that state expenditure needed to be significantly lowered and that the benefits were, in any case, either being captured by big farmers or squandered by state officials. Ironically, these public expenditure outlays were eroded at a time when they were most needed – when developing countries were being urged to open up their economies to global agricultural markets by intensifying their export thrust and exposing themselves to imports from countries that often provide generous agricultural subsidies to their farming sectors.

Gender concerns have made a shadowy, and less than satisfactory, appearance in these global policy debates. In the early 1980s, as a result of criticisms by feminists that structural adjustment policies were failing to recognize social reproduction as a set of activities that were essential to the economy, some attention was paid by gender specialists within the World Bank to women's role in the reproductive economy. Later, the focus shifted to women's role in production at the household level in sub-Saharan Africa, in what has become known as the 'gender efficiency argument' (Razavi and Miller 1995). This shift in focus – from women's role in reproduction to that in production – coincided with the growing concerns about the lack of agricultural supply response in Africa.¹

One strand of thinking, which has been taken up by mainstream policy institutions, uses neo-classical micro-economic analytical tools to argue that the structure of male and female incentives in farm households leads to 'allocative inefficiencies' and a muted agricultural supply response (e.g. Udry et al. 1995; Blackden and Bhanu 1999).² In these arguments gender is thus effectively about inequality in resource allocation. These analyses have been abstracted from a set

¹ I am grateful to Ann Whitehead for pointing this out to me.

² For a critical assessment of this literature see Whitehead (2001) and Whitehead and Kabeer (2001). As Ann Whitehead (personal communication, April 2002) further notes, these arguments have been widely taken up by the mainstream policy establishment, in part at least, because this kind of analysis is compatible with the overall orthodox neo-classical position on African agriculture which sees the absence of a land market (and other ways in which the economy is less than fully commoditized) as the source of inefficiencies in resource use.

4 Shahra Razavi

of empirical accounts of agricultural production in sub-Saharan Africa. One important resource constraint to which they draw attention is women's inadequate access to land – attributed to patriarchal land tenure institutions – while disregarding other constraints (such as inadequate command of labour and capital, and inaccessible markets) which tend to be far more debilitating as far as women smallholders in the region are concerned (Whitehead 2001).

The 1990s have also been a period of monumental political transformations. The collapse of authoritarian regimes in the Soviet Union and Eastern Europe, Latin America and sub-Saharan Africa, has given issues of rights and democracy a major impulse (Molyneux and Razavi 2002). The decade saw the growing size and influence of an international women's movement, linked through sub-regional, regional and international networks and able to collaborate on issues of policy and agenda setting. This has coincided with the revival of national women's movements, which in post-authoritarian settings in particular have found themselves in a position to press for political and legal reforms. An important component of these broader processes of democratization have been political and institutional reforms such as decentralization, which have revived and strengthened the institutions of local governance. While in some countries this has brought more women into government structures, questions remain as to how local, and indeed national, power relations feed into these local and community-based structures.

Inspired by these democratizing impulses, a wide range of feminist groups and networks, operating at national, regional and international levels, and influenced by the increasing use of rights language and instruments, have drawn attention to unequal land rights as an important mechanism through which female poverty and subordination is sustained and reproduced. Whether in the context of national debates on land tenure reform, rural social movement activism or the political dynamics associated with decentralization and the competing claims over resources that this has given rise to, women's interests in land have emerged as a contested issue. In some country contexts, tensions and divisions have emerged within civil society ranks: while some policy advocates have been pushing for women's unambiguous rights to land as a 'good' policy intervention (because it is presumed to enhance their intra-household bargaining power, irrespective of broader contextual forces), others have opposed women's land rights categorically because it is seen as the thin end of the wedge used by pro-liberalization lobbies to open up 'customary' systems of land management to market forces and foreign commercial interests.³ This is a dangerous dichotomy which precludes the kind of nuanced and conceptualized analysis that is needed to identify situations where inadequate access to land constitutes a serious constraint on women's agricultural enterprises. Nor can it facilitate appropriate policy suggestions to enhance greater justice with respect to resource allocation for rural women – both as wives/daughters within male-dominated households *and* as members of vulnerable social classes and communities that face the risk of land alienation and entitlement failure in the context of liberalization.

³ For an illustration of this point in the case of Tanzania, see Tsikata's contribution to this special issue.

The contributions to this special issue critically reflect on the broad set of issues that have been raised in both the academic literature as well as in policy debates on the interface between gender and land. Different aspects of the gender and land question are explored by the contributing authors. The analysis that they bring to bear on the subject is informed by different understandings of gender relations and the most important arenas within which those relations operate. Yet despite their crucial conceptual and methodological variations, and their different entry points, together they constitute a strong statement on the importance of taking the *contextual specificities* of the gender and land question seriously. They also agree broadly on the inadequacies of policy prescriptions that rely on the magic of 'the market' and downplay the role of the state, while underscoring the crucial task of making the state more democratic and accountable to all its citizens irrespective of gender and class.

ORGANIZATION OF THE SPECIAL ISSUE

The contributions to this special issue fall under two parts. The first part includes two broad-ranging articles, which provide an empirically grounded and theoretically informed engagement with some of the principal themes of the special issue – neoliberal macroeconomic policies, agricultural liberalization and the reform of land tenure institutions. The second part consists of country case studies, examining the diverse ways in which gender structures are implicated in the reproduction of the rural economy and the transformation of land tenure arrangements in the different settings.

The special issue opens with two panoramic papers, by Utsa Patnaik, and Ann Whitehead and Dzodzi Tsikata, respectively. The contribution by Utsa Patnaik analyses the neoliberal policy agenda and its deflationary impacts on the large number of countries which have undergone loan-conditional structural adjustment and trade liberalization over the past two decades, by theoretically situating the recent period of neoliberal ascendancy (1980–2002) with respect to the historical experience of deflationism of the inter-War era (1925–35). The historically informed analysis of neoliberalism is juxtaposed against the present day impacts of liberalization and adjustment on rural livelihoods, land use and food security based on a country case study of India. While not directly concerned with the gender-differentiated impacts of neoliberal macroeconomic policies, the paper's analysis of deflationism and liberalization provides the essential background for understanding the broader macroeconomic policies and forces that are shaping rural livelihoods and land tenure arrangements in developing countries.

The paper by Ann Whitehead and Dzodzi Tsikata is a study of policy discourses about land tenure in sub-Saharan Africa – a continent where the IFIs have made policy interventions of unparalleled range and depth over the past two decades, based on a rather thin understanding of the social and economic institutions that they have set out to 'adjust' and 'reform'. It is the specificities of African land tenure arrangements and their very particular implications for women's land

access that the authors are at pains to highlight. They are deeply apprehensive about one-size-fits-all gender and development prescriptions that still advocate a blanket policy of ensuring women's land access through titling, without any reference to these African specificities. The paper provides a brief account of how African land tenure arrangements have changed and been transformed in colonial, post-colonial and current settings in the context of rapid socio-economic change and policy interventions by an array of international, national and local actors and interests. Throughout, the authors highlight and explore historical shifts in thinking and the evidential and theoretical, as well as political and ideological, factors affecting these shifts. They examine an emerging consensus among policy advocates from very different political and ideological positions, that rejects the older idea of making a complete rupture with 'customary' systems of land tenure, and instead stresses building on 'the customary'. Drawing on other feminist literature on women and the state, they discuss some of the potential problems that such a return to 'the customary' will pose for contemporary African women.

The second part of the special issue consists of five country case studies from diverse regional contexts – sub-Saharan Africa (South Africa, Tanzania), South Asia (India), Central Asia (Uzbekistan) and Latin America (Brazil). They provide situated analyses of agrarian change, land tenure reform and gender structures, but their contours and entry points are different, reflecting the particular agrarian histories, current processes of land tenure reform and the on-going preoccupations of women's movements and advocates in the different countries.

Tables 1 and 2 provide a rough comparative picture of the significance of the agricultural sector to the national economies of these five countries: the contribution of the agricultural sector to GDP (Table 1), and the percentage of the economically active population in the agricultural sector (Table 2). At one end of the spectrum are South Africa and Brazil, where the agricultural sector today makes a relatively small contribution to GDP (3.2 per cent and 7.4 per cent, respectively), while Tanzania appears at the opposite end with the agricultural sector contributing a far more significant share of GDP (45.1 per cent). Uzbekistan and India (with 34.9 per cent and 24.9 per cent, respectively) fall somewhere

Table 1. Percentage of GDP from agriculture

	1980	1990	1999	2000
South Africa	6.2	4.6	3.4	3.2
Brazil	11.0	8.1	7.2	7.4
India	38.6	31.3	26.2	24.9
Uzbekistan	–	32.8	33.5	34.9
Tanzania	–	46.0	44.8	45.1

Source: The World Bank, Country at a Glance Tables, www.worldbank.org/data/, accessed on 11 March 2002.

Table 2. Percentage of employment in agriculture

	1980	1990	2000
South Africa	17.29	13.49	9.59
Brazil	36.67	23.28	16.69
Uzbekistan	–	–	27.65
India	69.53	64.02	59.64
Tanzania	85.78	84.41	80.45

Source: FAO, FAOSTAT Agriculture Data, www.fao.org, accessed on 21 March 2002.

in-between the two extremes. The labour force statistics produce a roughly similar ranking of the country case studies. Corresponding to agriculture's relatively small contribution to GDP, South Africa and Brazil also have the lowest proportion of economically active population engaged in the agricultural sector (9.59 per cent and 16.69 per cent, respectively), while Tanzania has the highest proportion (80.45 per cent). Again, Uzbekistan (27.65 per cent) and India (59.64 per cent) fall in-between the two extremes. However, while the agricultural sector contributes a higher proportion of the GDP in Uzbekistan than it does in India, it seems to absorb a lower share of the economically active population in Uzbekistan compared to India.

In her contribution to this special issue, Cherryl Walker examines the disjuncture between high-level policy commitments to gender equality in South Africa's on-going land reform programme, and weaknesses in translating these lofty policy principles into vigorous action on the ground. The South African agrarian scene is deeply marked by a brutal history of colonial forced dispossession in the eighteenth and nineteenth centuries and the ferocious racial inequalities of land dispensation put in place by successive minority white governments after 1910. This was accompanied by a programme of spatial control, which forcefully resettled more than 3.5 million black people out of what were deemed 'white' areas and into labour reserves, or 'bantustans'. For much of the twentieth century, the bantustans served as labour reserves for the mining and industrial centres of the country, whereby government policies targeted men as migrant labourers and women as the reproducers of an impoverished subsistence economy within the reserves. The land reform programme that emerged out of the constitutional negotiations and policy debates of the early 1990s attempted to combine a strong commitment to the goals of social justice and redress – including an explicit commitment to gender justice – with the principles of market-led land reform. Yet, a decade later it can be argued that the commitment to gender equity has operated mainly at the level of lofty principle – a kind of 'piety in the sky'. To explain the disjuncture between high-level policy principles and on-the-ground action, Walker's account examines the wide range of factors – macroeconomic, socio-political, institutional and conceptual – which have shaped and constrained government policy *vis-à-vis* land.

Land tenure in Tanzania also bears the imprint of colonial policies characteristic of 'Africa of the labour reserves' (Amin 1972)⁴ in the form of massive land dispossession and a pro-white settler policy. However, given the much earlier establishment of independent African rule together with the particular characteristics of Tanzania's road to modernization, agrarian relations and land tenure arrangements present an altogether different scenario to that found in South Africa. Despite considerable regional and ethnic heterogeneity, Tanzania has been described as a nation of predominantly 'peasant farmers, who, virtually without exception, endeavour[ed] to provision their own staple food needs' (Bryceson 1993, 2). Post-colonial agricultural policy, in the form of *Ujamaa* or 'African socialism', entailed extensive state intervention in the agricultural sector. In addition to state attempts to accelerate industrialization, this involved 'villagization' or the physical relocation of the mass of the rural population into concentrated village settlements where they were supplied with basic social services, while at the same time marketing boards, crop authorities and cooperatives were also extended to these settlements for the supervision and control of peasant agricultural production (Gibbon 1995). As far as land tenure was concerned, the post-colonial government did not pursue the route of individualization, titling and registration, as occurred in Kenya and some other countries. In the 1980s, however, the government's commitment to the policy of 'villagization' was reversed and the conditions were created for the increasing liberalization of agriculture. This has also coincided with a process of democratic opening. It is within this contentious liberalizing context that the policy proposals on land tenure reform were developed and debated beginning in 1992. In her contribution to this special issue, Dzodzi Tsikata documents and analyses the debates and controversies between government officials, academics, and various activist groups and networks around land tenure reform, focusing in particular on how women's interests in land were understood and debated by these actors. Some of the key themes and questions that emerge from the Whitehead and Tsikata contribution – the reappraisal of 'customary' laws, the limits of statutory interventions, local level land tenure institutions as a site of unequal social relations – are explored further in the light of Tanzania's agrarian economy and the recent land policy debates.

Echoing Patnaik's analysis of the general stagnation of rural non-farm employment in India in the post-reform period, Bina Agarwal argues that for women the slowing down of rural non-farm employment opportunities in recent years has been dramatic. In other words, as more men shift to urban or rural non-farm employment, while non-farm employment opportunities for women stagnate, an increasing number of households will become dependent on women bearing

⁴ According to Samir Amin (1972), what defined 'Africa of the labour reserves' was the fact that capital at the centre needed to have a large proletariat immediately available. This was because there was great mineral wealth to be exploited. In order to obtain the necessary labour, the colonizers dispossessed the African communities (sometimes by violence) and drove them deliberately into small, poor regions with no means of modernizing and intensifying their farming.

the larger burden of cultivation and farm management. This in turn means that the issue of secure land rights for women is becoming even more important, for both productivist and equality reasons that are examined in her article. What then are the prospects for enhancing women's land access? Agarwal explores the three main sources of arable land in India today – the state, the family and the market – and, in relation to market access, she makes a departure from current discussions by focusing on various forms of collective investment and cultivation by women, mediated by NGOs. It is argued that these institutional innovations, which have helped landless women use subsidized credit to lease-in or purchase land in groups and cultivate it jointly, can provide the basis for reviving land reform in a radically new form.

In the case of Uzbekistan, as Deniz Kandiyoti illustrates, it was not merely the stagnation of non-farm employment, but the virtual collapse of public sector employment and wages due to the crisis in public finance following the break-up of the Soviet Union, which has had important repercussions for the agricultural sector. Labour retrenchment in social services, rural industries and collective farming enterprises has pushed the bulk of the rural population into reliance on the smallholder economy (composed of household and subsidiary plots) and precarious forms of self-employment (in informal trade and services) for their subsistence. The agricultural sector has in effect acted as a 'shock absorber', providing livelihoods for an increasing number of people. At the same time, the state's continued dependence on cotton as the major export crop and the stake it retains in the maintenance of existing export revenues has made the shift away from the institutional structures of the command economy very difficult. The smallholder economy is thus effectively acting as a social safety net, but exists in a symbiotic relationship with an export sector (in the form of 'independent farms' and restructured collective enterprises) that is in turn tied to the state procurement system. However, as Kandiyoti shows, a thorough understanding of the actual workings of this mutual dependency – between smallholder agriculture and the export sector – reveals the marked feminization of labour in both sectors, whether as family or casual labour.

Agricultural reforms in Uzbekistan are sometimes compared to the Chinese agrarian reforms initiated more than two decades ago under the Household Responsibility System (HRS). However, while the shift from work brigades to 'family leaseholds' in Uzbekistan was modelled on the Chinese HRS, it has not granted farmers the decision-making freedom that was a key element of China's agrarian success in the 1980s. State dependence on cotton exports in Uzbekistan is the main factor inhibiting agricultural liberalization, while in China state-owned industrial enterprises were the state's 'cash cow' during the early period of reform (Pomfret 2000, 274), thereby reducing the state's dependence on surplus extraction from the agricultural sector. The diversification of livelihoods in the two contexts has also taken very different routes, given the dynamic rural industrialization process in China compared to the stagnating non-farm sector in Uzbekistan. While women's informal activities in rural Uzbekistan generally constitute survivalist, low-return strategies in an overcrowded informal sector,

Chinese household diversification strategies in the 1980s, which involved women taking up wage work in township and village enterprises (TVEs) and other non-farm enterprises, contributed to processes of accumulation.

If the state is resistant and reluctant to carry out agrarian reforms, the issue can still be kept on the agenda and in the public eye if there are dynamic social movements pressurizing for it 'from below'. This has certainly been the case in Brazil, particularly since the democratic openings of the 1980s. But the question that Carmen Diana Deere poses is why in the midst of some of the most radical and dynamic rural social movements to be found in Latin America, the evolution of the demand for *women's* land rights in the process of agrarian reform in Brazil has been so slow. This question is explored by examining the manner in which women's land rights occasionally surfaced in some of the leading rural social movements (the landless movement, the rural unions, the autonomous rural women's movement), but remained marginal to their main demands and struggles. Where rural women's demands were clearly articulated and persistently pursued, these concerned their labour and social rights (paid maternity leave, entitlements to retirement benefits, and so on); these issues apparently were of interest to all rural women independent of their class position and thereby united the heterogeneous membership of the unions and the autonomous women's movement. However, what the article goes on to document is a more recent change in priorities as it has become increasingly clear that the marginalization of women's land rights can be detrimental to the development and consolidation of the agrarian reform settlements, and thus the landless movement itself. This realization has grown as a result of the territorial consolidation of the landless movement and the surge in the number of land occupations.

Having briefly sketched out the organization of the special issue, in the following pages we shall consider the cross-cutting issues that emerge from the different contributions in order to place them in a broader policy context. The discussion is organized under four sections: (1) neoliberal globalization, gender and agrarian change; (2) agrarian transitions, diversified livelihoods and the place of land; (3) land tenure arrangements: institutions, reforms and constraints; (4) joint or individual titles: rethinking the agrarian household. The concluding section then briefly draws together the special issue's main findings.

NEOLIBERAL GLOBALIZATION,⁵ GENDER AND AGRARIAN CHANGE

The economic agenda imposed by the IFIs on indebted developing countries since the early 1980s tends to embrace a number of orthodox policies, such as exchange rate devaluation, cuts in public spending, wage restraint, tariff

⁵ 'Globalization' has become a catch-all term for many different trends; it is therefore crucial that we clarify what we mean by it. Here we are concerned with economic globalization, which is taken to mean greater openness of economies to international trade and capital mobility.