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## Centro Peruano de Estudios Sociales (CEPES), Peru

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# *LATIN AMERICA*

## **CENTRO PERUANO DE ESTUDIOS SOCIALES (CEPES), PERU\***

Diego Garcia\*\*

### **I. Rural Areas In Peru And Development**

There exist in Peru more than one million poor peasant families, owning, on average, less than one hectare of land per family, living in extreme poverty conditions and with a very low income. This (poor peasant) community, without doubt, is the most oppressed of the communities making up Peruvian society. Exercise of citizen's rights in this sector is very limited. The State keeps peasants in a situation of absolute helplessness. Assignment of resources to the peasant sector is small compared with the overall distribution of national income. In the Peruvian rural areas 98% of the houses do not have electricity; 95% do not have water, 55% of the population is illiterate.

Under this situation, which reflects the national problems, the promotion of development should be a main concern. Unfortunately, the prevailing political economic conditions in Peru are not at all moving the country to development. This is more clear in the rural areas where the policy of the government is not supportive of the hundreds of cooperatives and peasant communities. The highlands situation is not improving at all in terms of welfare to the population or considering the production and productivity issues.

Within this context, the access of peasants to mass media and to legal resources is very scarce. The main information in mass media has a strong urban bias (from the predominant interests of the big cities). In spite of this, the radio is the most important mass medium in the rural areas. On the other hand, legal resources available to the poor peasants are virtually nonexistent. Even minimally efficient legal assistance is lacking. There is

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a permanent scarcity of information concerning legal matters of daily importance. On both levels the situation is quite dramatic. The problems and points of view of peasants are increasingly less known since the mass communication media offer scarce and distorted information about reality and the peasant movement. Basic information about peasant claims, peasant rights, or the judicial process involved in resolution of conflicts is not broadcast.

Taking into account the importance of self-reliant efforts to achieve development in the rural areas in the Third World countries it is important to mention that peasant and rural workers in Peru are organized in a variety of ways: cooperatives, peasant communities, national trade-union-style organizations, etc. Nevertheless, productive grass-root efforts (i.e. cooperatives) are weakening in importance due to an economic crisis in the country and to the lack of government concern with these problems. The national trade-union-style organizations do not organize more than 20% of the peasantry. In this context, the support that all the actual and potential grass-roots level organizations may receive from non-governmental organizations (NGOs) is very important to consider. The necessary framework for this support is a global concept of development that aims to meet basic needs of population on the basis of self-reliance and the recognition and protection of human rights. This concept of development must address itself to popular movements and to the importance of consciousness on the part of the poor and an understanding of their own problems and rights, along with organizations of their own, and power to change society according to their own needs and views.

All this suggests the institutional option of Centro Peruano de Estudios Sociales (CEPES) which considers as its main function the development of popular participation in planning and executing development. Nevertheless, this popular participation has remained to date generally an enunciation of principles; in practice it has been hindered, in most of the Third World countries, by a series of obstacles. Socio-economic barriers are a difficulty for effective popular participation. The lack of legal resources and information is an important factor that hinders active participation. To this, difficulties of recognition and functioning of grass-root organizations can frequently be added.

## **II. Specific Problems and CEPES Activities**

The activities that CEPES is developing in the Peruvian rural areas point to a very clear option: self-reliance of peasant organizations. It is not one of the aims of CEPES to lend a service for the sake of the service itself but the goal is that the service must be available when - and

if - it contributes to the build up of self-reliance. This means that the peasants themselves with their leaders must seek a situation where they can choose between the options they believe to be most convenient to the attainment of their goals. It also supposes that they themselves will generate a dynamism that will allow them to process, as autonomously as possible, the conflicts in which they find themselves involved.

The lack of adequate legal resources and marginal attention from mass media, without doubt, are important problems in Peruvian rural areas that hinder development and an active participation by the rural population. Concerning the legal resources issue it is important to mention the main problems which require legal attention:

- a) There exists a wide range of *conflicts which require legal processing*. For the agrarian cooperative, peasant community and small land holders problems of land tenancy, taxpayment, commercialization, loans, relationship with government organizations, etc. are frequent. Peasant communities especially claim historic rights which neither the Agrarian Reform nor the Judicial Authorities readily recognize.
- b) Salaried agricultural workers are faced with problems concerning labour union organization, salary increases, working conditions, social benefits and work stability.
- c) At the same time, human rights problems also exist. The State authorities, in practice, tend to ignore the most basic of citizen rights as far as the peasant is concerned. Those organizations or persons who fight for their claims suffer repressive measures such as persecution, imprisonment and physical maltreatment. Recent political events have accentuated direct repression in some zones of the country under the scope of a law termed "antiterrorist."
- d) Important sectors of the rural poor do not have their personal documents in order. This creates problems with obtaining work, aggravates conflicts with the police, and eventually, places in question their very existence as people. The most basic information about the mechanisms and processes involved in obtaining such documents is not at the disposal of peasants. For their part, peasants do not have sufficient economic resources with which to pay for the services of lawyers who could solve these problems.
- e) The peasant and his living area lacks an adequate, fluid and intelligible legal information service. This hinders peasants from being aware of the extensive rights which could protect them, and the processes to be followed in order to make those rights work for them. Most aspects of current legislation and the legal measures

to be adopted by the new government in the rural areas are little known and little understood.

The main activities needed to address these problems involve concerted action to deal with the most important legal problems. This joint action is carried out through CEPES and local groups (NGOs) or peasant organizations that have been working for a long period of time with peasants. Some of the activities engaged in by these groups are:

a) *Legal education*

Instrumental knowledge is broadcast by radio and also given directly through courses and seminars for peasants and their leaders. The aim is to provide sufficient information, essential for legal protection of rights. Participants in these events must be, most of all, those that have been designated by their grass-root organizations.

Throughout the year, two courses in each of three regions chosen as work centres are carried out, meaning six courses in the year, counting on an attendance of around seventy people at each course seminar. Certain topics are common to all courses due to their weight and importance: the Constitution and human rights, the Agricultural Promotion and Development law and its regulations. From this common base, the Cooperative law and regulations are discussed in coastal zones. Restructuring of associative companies is also on the agenda of these courses. Parceling of land, and the wide range of conflicts derived from it, is very important in coastal areas and it is crucial to provide information regarding essential elements of agrarian rights: the nature of the rights, possible judicial action, steps to follow, etc.

b) *Legal assistance*

In order for legal assistance to become an effective instrument for the strengthening of peasant organizations and not a paternalistic mechanism without principled aim, priority is given to collective-type conflicts, i.e. conflicts within grass-roots organizations. On occasions, adequate technical means are offered for solving internal conflicts within the group, using the internal entities for doing so, e.g., the Administrative Council, Assembly, etc., without resorting to state administrative and judicial authorities which, instead of resolving the conflict, complicate it and then leave.

c) *Legal promoters (paralegals)*

In order for training and legal assistance to have continuity, CEPES works in the formation of legal promoters (paralegals),

selected from the associative entities themselves. On the one hand, these promoters attempt to extend acquired knowledge through reports and diverse activity which the groups' educational committees can organize. On the other hand, they usually are leaders in the groups so they serve peasants in legal matters more or less directly handling matters which do not require the presence of a qualified lawyer. In the same way, they closely follow the traditional, lawyer-based legal assistance work when the lawyer is not available.

These promoters are created and trained through a long process which foresees two courses a year in each work zone. The topics involved in training these promoters are the same as those proposed for the respective zones in terms of legal education.

d) *Legal information*

By its seminars and courses, CEPES gives legal information to peasants. CEPES has two specific ways to do this. On one side, this is done through a publication (*Informativo Legal Agrario*) which deals with the more important legal problems of the rural areas and informs the peasants of new laws and of new judicial decisions. On the other hand, CEPES provides information through its daily radio program (Tierra Fecunda).

All the activities that touch legal matters are linked with what CEPES is doing through radio programs. Since the beginning of 1981, CEPES has a daily radio program of one hour (Tierra Fecunda) that has already had an important impact in the Peruvian rural areas. It serves as an information medium for peasant problems and also for cultural promotion and legal training and information.

The CEPES radio program has already 500 correspondents and receives monthly about 500 letters and 200 visitors, whose information and interviews are very important for the radio program. Many grass-root organizations of the peasants and private promotion institutions cooperate continuously with the program.

This experience with the use of radio allows the expression of the problems and alternatives of the peasants and their organizations. It therefore makes them aware of their common problems, rights and goals. It also aims at a regeneration of the popular culture as an instrument to strengthen popular conscience and resolve.

### III. Results

This concrete practical project of rural development has a positive effect concerning the self-reliance of the peasants in Peru. The aim of

this project is to promote this self-reliance, not from the outside, but from the experience and specific problems that the peasants and their organizations have.

In the radio experience one achievement already accomplished is the fact that the program is run by the peasants and their correspondents who are chosen by the grass-root organizations. This guarantees that the program expresses peasant problems and views. It guarantees also that the program has a direct relation to the grass-root organizations, whose role in development of the rural areas is so important.

In the areas of legal training, education and assistance, this project has achieved a level of important support for the protection of the rights of the peasants. Taking into account the fact that a relatively small group of lawyers cannot satisfy all the needs concerning this issue, the role of training and the creation of legal promoters are very positive elements in the expansion of the activities above discussed. The daily contact of peasants with law and authorities is of course a problem that concerns far more peasants than the number with which we can work. Legal promoters and other groups or institutions assisted by CEPES are playing, in this context, a complementary role which is very important.