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Women Warriors Saving the Planet: Democracy, Property and the Environment

Introduction

Saving the planet obviously involves serious attention to maintaining ecological functions and services, which in turn has implications for biodiversity and ecosystem health. Equally, it obviously involves attention to social, political and economic systems. Because their names are a bit odd, juxtaposing two ideal types of planet saving “Women Warriors Saving the Planet” and “Saving the Planet from Space Aliens” provides a chance for reflection. This article uses two arenas – daily practice and political activism – to explore structures and processes that may impede or facilitate women warriors saving the planet.

One year I got a holiday card from an international research institute featuring a drawing of a man hoeing a field. One interesting thing about this picture was that it was drawn by a 12 year old boy who won an art contest sponsored by the International Plant and Genetic Resources Institute. But the really interesting thing about this picture was what it did not show. The back of the card showed the entire drawing from which the card illustration was taken. The foreground of the drawing was dominated by a very large woman planting something. The man featured on the front of the card was a much smaller figure in the background. For many readers this will be no surprise. All too often women are missing from images and imaginings of environmental and natural resource management.

“Women Warriors Saving the Planet” evokes some rather interesting images. In English, at least, the phrase ‘women warriors’ is jarring, because ‘warrior’ is a decidedly gendered term. Not only are images of warriors almost invariably male, there is also often an orientalist connotation to the word leading to images of Maasai warriors with spears, paint and beads.¹ Even if we get past the gender imagery and see warriors as female – as in the Amazon archers or image of women in the Zimbabwe Liberation Struggle – warriors are invariably associated with armed struggle and violence.

Armed struggle and violence form the core of one set of images of planet saving, namely those dreadful movies in which saving the planet involves anni-

hilating most other living creatures and obliterating all recognizable pieces of the landscape. Saving the planet in this genre basically means that someone else (space aliens in the movies) does not get it. The quality of the planet is irrelevant. Control and mobilization are the keys here.

Invoking tacky science fiction movies in a scholarly article may seem a bit bizarre. But in fact, we can learn quite a bit from them. If you have ever seen one of those 1950s space invader movies, you will be familiar with the mobilization call, "every person within the sound of my voice...". If we tone down the rhetoric from armed struggle and violence to economic, legal and political coercion, we are immediately on familiar ground. I get the equivalent of every-person-within-the-sound-of-my-voice-call at least once a week in the form of fund raising appeals from environmental groups.

This discourse was admirably parodied some years ago in a cartoon in which a fat American, in an enormous car belching exhaust fumes, exhorted a small poorly dressed man with a machete with "No Amigo! We need that tree to fight global warming". Indeed, for many, especially in the North, saving the planet involves persuading or (more often) forcing people in the South (in particular, the poor) to change their behavior (be it growing food, having children, hunting wild animals, or gathering medicinal plants) so that the people in the North can continue doing whatever they please. This is particularly clear in the enthusiasm for setting up protected areas which exclude (in the tradition of no good deed goes unpunished) the very people who have protected local biodiversity (in part because their livelihood strategies use far fewer resources than ours).²

So, "Saving the Planet from the Aliens" (and I trust that it has already occurred to most readers that Aliens do not necessarily come from outer space) involves mobilization and control to ensure that someone else does not control the planet. We can move this onto more scholarly terrain by looking at Nobel laureate Amartya Sen's analysis of the so-called 'population crisis'³. He points out that the catastrophic imagery of, for example, Paul Ehrlich's 1968 *The Population Bomb* encourages a tendency to search for emergency solutions on the assumption that "the people involved [...] [are] impulsive and uncontrolled sources of great social harm, in need of strong discipline"⁴. If you have read *The Population Bomb*, you know that his catastrophic images invoke fear of 'The Alien'. He does not depict a world swarming with Swedes.

'Women Warriors' provides a different model of saving the planet. In offering the 'Women Warriors' approach, I am not making the essentialist argument of the ecofeminists – women must be in the picture because they have a very special relationship to nature.⁵ Rather I agree with Bina Agarwal that "people's

relationship with nature, their interest in protecting it, and their ability to do so effectively are significantly shaped by their material reality, their every day dependence on nature for survival, and the social, economic and political tools at their command for furthering their concerns”⁶.

The ‘Space Alien’ approach is based on the assumption that someone (scientists, politicians, national or international bureaucrats) has both correctly defined the problem and knows THE answer and that implementing that answer requires extraordinary means including placing control in the hands of those with THE answer. It is worth noting that relatively few of those with THE answer are women. Saving the planet is for a few – it reflects the vision of a few.

The ‘Women Warriors’ approach is based on trying to ensure that the planet is livable for everyone (including plants and other animals) over time. It assumes that there are many problems and many answers operating simultaneously at many different scales and that both the problems and the answers will change over time. For example, the problem of stratospheric ozone requires an answer that involves regional action⁷, while the management of *Semper Virens*, a Brazilian wildflower sold commercially⁸, requires local action of a very different kind. While the ‘Women Warriors’ approach utilizes the knowledge of scientists, it also relies heavily on the ordinary acts of ordinary people to achieve extraordinary results.

Ordinary people, of course, include both women and men and ordinary acts include the ordinary acts of women as well as men. But, not only are women’s actions erased from the environmental imagination, as we saw at the beginning of this article, there also may be structures and processes which prevent or discourage them from acting as ecological stewards. Thus, the struggle to save the planet is often inextricably bound up with women’s struggles and the struggle for women’s rights. One site of struggle that has clear implications for saving the planet is gendered property systems.

Property

When the environment and property appear in the same sentence, it often means either that the speaker is invoking what is incorrectly called the “Tragedy of the Commons”⁹, or that something like Debt for Nature Swaps is the topic of conversation. This is because private property rights are seen by many as a major tool in saving the planet. Indeed, one of the more striking examples of the touching American belief in the efficacy, dare I say magic, of private property was an advertisement soliciting contributions to a large environmental organization. It showed raging flames with the caption “If you own it, they

can't burn it down." That statement is, of course, ludicrous – ownership and control, as we shall see, are not tightly coupled.

This is not, however, to argue that property is not important. Rather, I am going to make a different argument about the importance of property, namely, the connections among women's property rights, democracy and ecological stewardship. My argument is twofold. First, gendered property rights that discriminate against women can have adverse ecological consequences. Second, without property in their own right, women are less likely to experience individual self-determination, the attempt to determine their own fate, which is essential for democracy.

Using southern Africa in general and Zimbabwe in particular as examples, I begin with a general discussion of gendered property rights. Then I provide empirical evidence showing that gendered tenure systems may have adverse ecological effects.

Gendered Land Tenure: An Overview

"We want [arable] land, all the rest is humbug."

[Landless women in South India answering a query whether they wanted better houses.]¹⁰

I focus on gendered rights to agricultural land and trees. Obviously land tenure also encompasses rights to water, wildlife, and other natural resources. Similarly rights to land for housing and businesses are clearly important for many women, particularly in urban areas. Although I do not address these land uses directly, the general principles I shall explore here apply to these rights as well. Gendered property systems raise three general issues: the terms under which women have access to land and trees, the size of their property, and the security of their tenure.

Terms of Access

In much of rural southern Africa women do not have access to land in their own right.¹¹ In Zimbabwe in both recorded tradition and present practice women's rights to property have been limited at best, particularly in the Communal Areas where customary law applies. Women in the Communal Areas acquire access to land through their fathers, husbands, and brothers.¹² Girls have no rights of inheritance from their parents.¹³

The corollary to this general principle of access to land is that the fruits of a woman's labor on the land often belong to her husband and not to her. The Zimbabwean legal scholar Welshman Ncube observes,

[...] when a woman works in the fields, she works for her husband and not for herself and hence, in law, the husband has legal control of the agricultural produce so generated.¹⁴

Obviously there are good reasons why a woman might say, "If I had my own fields and could decide what to do with my crop, I would not get as tired as I get on my husband's fields."¹⁵

The lack of control over the products of their labor in turn affects women's ability to maintain household living standards. Women may not have the ability to influence the distribution of production from their husbands' fields. Further, their own production or the proceeds from its sale may be appropriated by the husband or his relatives.¹⁶ In the face of the likelihood that men will utilize household income to meet personal consumption needs, including beer and girlfriends¹⁷, Geisler notes that only "female heads of households are potentially able to ensure that crops and incomes benefit all household members rather than just the male head"¹⁸. Ngqaleni and Makhura found that both male and female household heads were more likely to sell their produce than married women who did not have land in their own right.¹⁹

A further corollary to the general principle of land access through men is that changes in marital status can be catastrophic for women. In *Jena v. Nyemba SC 4/86* the Zimbabwe Supreme Court observed that:

For African law and custom property acquired during a marriage becomes the husband's property whether acquired by him or his wife. To this rule there are few exceptions.²⁰

Thus, a divorced woman in the Communal Areas of Zimbabwe has no rights to the matrimonial land including trees she herself has planted and tended, not even the right to live in a home that she herself has built and furnished.²¹ In the court case which formalized this rule, the wife, who lost everything when her husband divorced her for another woman, had worked on and developed the homestead during 23 years of marriage.²²

Widows in the Communal Areas have no right to inherit their husbands' property, including trees that they themselves have planted and tended although they do have rights against the male heir.²³ Widows may be granted informal rights to products from trees that they have planted, but they have no legal rights to them.²⁴

Size of Property

Studies have repeatedly shown that on average, women have less land than men and are more likely than men to be landless.²⁵ That women have smaller land holdings matters as Ngqaleni and Makhura show in their study of Northern Province, South Africa, where women's reduced access to land results in reduced earnings and where, in contrast to men, increased access to land could lead to increased earnings.²⁶

Security of Tenure

It is generally taken as given that physical and financial investments in land improvement depend on secure tenure under which the farmer (in the case of agricultural land) is confident of reaping the returns from investment.²⁷ For some time, enthusiasm for security of tenure translated into enthusiasm for land registration and privatization. Evidence that such policies did not necessarily have the desired beneficial effects has led to a belated examination of just what actually constitutes security of tenure and for whom.²⁸ Two different approaches to this question are instructive.

In her analysis of women's land rights, Agarwal disaggregates rights into their legal and social components differentiating between legal rights, ownership and control.²⁹ Women may have the legal right to own land, but (as we have already seen) be far less likely than men to actually own land because their right to own land may not receive social recognition or they may be pressured into giving up their rights to a male relative. Thus one site of struggle concerns whether or not women are able to "retain title to the land they inherit or otherwise acquire"³⁰. Women who manage to retain title to land may, nonetheless, not have effective control over it. This highlights two additional sites of struggle. Can women decide whether or not the land will be sold, mortgaged, given away or bequeathed? And, can women decide how the land will be used, including leasing it out, utilizing it themselves and controlling the use of the produce?

Clear examples of the difference between ownership and control of land are found in the work of Krisnawati Suryanata in Java³¹ and Margaret FitzSimmons in California³², both of whom turn traditional notions of landlord-tenant relations on their head by demonstrating that under particular structures of agriculture, tenants can, in fact, have greater control over and benefits from land than the landlords. Thus too, women may have relatively little control over how

land they own is used (for their husband's priorities or for their own); how (as noted above) produce is disposed of – for beer and girlfriends, or for salt, kerosene and school uniforms; and how the land may be disposed of. Women, in short, who do not own land independent of male control, do not have secure expectations of benefiting from it.

Thus legal property rights, while essential, are not sufficient to provide women with the ability to obtain a secure livelihood. In the words of Morris Cohen, "The law does not guarantee me the physical or social ability of actually using what it calls mine"³³. Thus men can prevent a woman from controlling and benefiting from her land. Two examples suffice here. Berry describes older women who leased land to young male relatives but were unable to collect the rent.³⁴ Von Bülow found that female heads of household who were successful entrepreneurs suffered both from the refusal of male laborers to work for them and from male vandalism of their fields.³⁵

Scholars from the University of Wisconsin Land Tenure Center have developed a threefold typology of security of tenure: breadth, duration and assurance.³⁶ Breadth is the composition of rights. Duration is the length of time a right is legally valid. Assurance is the certainty with which a right is held and reflects the predictability and enforcement ability of the tenure-granting regime.

Using this typology, we can see different ways in which women's land tenure is insecure. For example, Cloud and Knowles point out that in most of Africa, women's bundle of rights to land significantly less frequently than men's includes the ability to rent, lease, sell or bequeath.³⁷ That is, women's breadth of security of tenure is narrower than men's. In many parts of Africa security of duration of tenure is a matter of particular concern for women. For while security of tenure is often treated as a household characteristic (and is so treated, for example, in all but one of the seven African case studies in Bruce and Migot-Adholla³⁸), even in households with secure tenure, women's property rights are often insecure and, in particular, the duration of their rights is subject to extreme uncertainty.³⁹ The effect of insecure duration of tenure is demonstrated by the finding of Gavian and Fafchamps that farmers who cultivated both borrowed and owned fields invest in fertility improvement only in the latter where they place all manure.⁴⁰ In the face of a weak Transylvanian state, elderly widows have no assurance of tenure when stronger younger men simply seize their land and begin to farm it.⁴¹

Thus far we have seen that gendered systems of property that discriminate against women have adverse consequences for women and their families by reducing women's ability to produce and retain enough to maintain an adequate livelihood due to lack of access to land or lack of access to sufficient land,

reduced access to credit, lack of control of land use and management decisions, lack of control over produce and insecure tenure in both the short and long term.

Ecological Consequences or Oppressing Mother is Bad for Mother Nature

The bad news does not stop with adverse consequences for individual women. Weak property rights for women can also have adverse ecological consequences, inconsistent with ecological stewardship. Here is one example.

In 1991 I attended a meeting on forestry in Zimbabwe in which I suggested that the insecurity of women's land tenure might well lead them to refrain from tree planting. I was vigorously denounced by the men present for suggesting that Zimbabwean women would be 'so selfish' or would do something against their culture. (I might note that in the same meeting, Katiwe Mhanga commented, "Whenever I hear the word 'culture', I know that something bad is going to happen to women.") The following data support my original argument.

In a study of 27 percent of the households in two villages⁴² in central Zimbabwe, 56 percent of the respondents had planted at least one tree in the homestead. But only 44 percent of the women planted trees in their homestead, in contrast to 83 percent of the men. To analyze homestead tree planting, logit models were used.⁴³

The analysis showed that women, regardless of class, are significantly less likely to plant trees in the homestead than men. Taking the average value of each variable over the entire sample, the predicted probability of planting a tree is 58 percent with all other variables held at their average. With all other variables held at their mean, men had an 83 percent probability of planting a tree in the homestead while the probability for women was only 43 percent.

Wealth was not significant at the .05 level. That is, poor and mid-level farmers were as likely as the wealthy to have planted at least one tree, although they are not necessarily planting for the same reasons. Poor men have a positive (and highly significant) probability of planting a tree. From this analysis, one must conclude that gender plays a more important role than wealth in the decision to plant on homestead property.

Why might gender adversely affect tree planting? It is clearly not physical strength as anyone, who has planted groundnuts, hauled water, collected firwood, or made groundnut butter (smooth, not chunky!!) with a grinding stone (all women's work), knows. It is not knowledge about or need for trees and tree products. In the study area for all but two categories of use, women knew far

more tree species than did men. Neither age nor education had any statistical significance. Tree planting is neither culturally proscribed for women nor prescribed for men in the study area. This leaves insecurity of land and tree tenure as the most persuasive explanation.

This explanation is made even more persuasive by two additional pieces of data. First, divorcees in the village (all of whom who had lost all rights to the trees they had planted and tended during their marriage even when they stayed in the village) were emphatic that they would not plant trees in a new marital compound lest they once again be discarded and once again lose everything.⁴⁴ Second, gender did not affect tree planting in the community woodlot where women retained their rights after a divorce as long as they continued to reside in the village.⁴⁵ This latter finding must be approached with a certain amount of caution since women's tree planting in community woodlots may be done not on their own behalf but as an emissary of the household. Nonetheless, it is instructive that gender has adverse effects on tree planting where women's tenure is insecure and has no such effects where their tenure is secure.

While we must be cautious in coming to sweeping conclusions from a single study, these data certainly suggest that to the extent that the ecological stability and health of a society and its production systems depends on women's willingness to invest their labor in long term landesque capital⁴⁶, such as tree planting, terracing, gambion building, property and tenure systems that discriminate against women will have negative societal consequences. Since in many parts of Africa the productive rural population is still disproportionately comprised of women, this finding should give considerable pause to those concerned with maintaining or improving ecological conditions that will continue to sustain agricultural livelihoods. Clearly, we must ensure that local systems of property rights enable women to be ecological stewards.

A brief digression to intellectual property rights

Currently international recognition of intellectual property rights in plant varieties requires manipulation of germplasm using highly sophisticated laboratory techniques in order to meet the criteria of novelty, uniformity, stability and distinctiveness.⁴⁷ In contrast, land races developed over a number of years using deliberate agronomic practices and seed selection are not recognized as deserving of legal protection.⁴⁸ Nor are other forms of indigenous technical knowledge.⁴⁹ It is particularly ironic that to a large extent recognized and protected plant varieties have become more and more homogeneous, depending on essentially cosmetic differences to meet the novelty criterion, while genetic

diversity is maintained and nurtured in indigenous varieties which are not afforded the protection of intellectual property rights.⁵⁰ In a familiar story, the commercial interests of the North win, while farmers and nations of the South lose. To the extent that legal protection is extended to intellectual property rights in locally maintained plant materials, it is based on the sovereign right of nations to the natural resources within their boundaries.⁵¹

What does this have to do with women's property rights? Quite simply, while it would be foolish to try to assign some quantitative value to the crop improvement done by men and women, it is generally recognized that in many societies seed selection is done by women and that women are responsible for the development and maintenance of many land races and indigenous varieties. Thus, it is not just southern property rights that are being disregarded here, but the property rights of southern women in particular. That is, the right of women to both the physical and intellectual products of their labor on agricultural land is equally insecure. In this case the gendered nature of the property rights (that is intellectual property rights) is externally imposed and probably reflects north-south politics more than they reflect gender politics. Nonetheless, it is clear that the countries of the South suffer the consequences when the intellectual property rights of women citizens are not recognized.⁵² Further, Kameri-Mbote and Cullet argue that the current lack of protection of intellectual property rights at the level of the individual farmer "has contributed to the erosion of the genetic base necessary for the further development of agrobiodiversity"⁵³. Again, property rights are important to enabling people to be ecological stewards.

Democracy and Property

U.S. constitutional scholar, Robert Post, defines democracy as collective self-determination while agreeing with Rousseau that "collective self-determination is theoretically inseparable from the question of individual self-determination"⁵⁴. He comments:

On the one hand, a democratic social structure must provide an appropriate space for individual autonomy. Within that space democracy must function negatively; it must refuse to foreclose the possibility of individual choice and self-development by imposing preexisting community norms or given managerial ends. On the other hand, a democratic social structure must also function positively to foster an identification with the processes that enable the collective experience of self-determination.[...]

[W]e could not plausibly characterize as democratic a society in which "the people" were given the power to determine the nature of their government, but in

which the individuals who made up “the people” did not experience themselves as free to choose their own political fate.⁵⁵

Two other U.S. legal scholars, Morris Cohen and Jeremy Waldron, provide the bridge from Post’s observations on democracy to the realm of property in general and women’s property in particular through the intersection of property and power. Waldron points out that the institution of property has to do with who is allowed to be where doing what when and who is not allowed and that therefore property limits freedom.⁵⁶

The obvious corollary to this assertion is that the ownership of property provides the owner with control over people who might need access to that property for their livelihood or residence. We see this principle arising again and again over time. The principle that power over property meant power over the people who lived on it developed considerable currency in the Europe of the Middle Ages.⁵⁷ Morris Cohen in arguing in 1927 against the US Supreme Court’s support of appalling industrial labor practices including child labor, pointed out that private property is sovereignty.⁵⁸ Said Cohen

The law of property helps me directly only to exclude others from using the things that it assigns to me. If, then, somebody else wants to use the food, the house, the land, or the plough that the law calls mine, he has to get my consent. To the extent that these things are necessary to the life of my neighbor, the law thus confers on me a power, limited but real, to make him do what I want.⁵⁹

Evidence of the confluence of property and power in *de facto* sovereignty can be seen in multiple forms. Iain Boal demonstrates that a major use of enclosure has been to exclude people from the means to sustain a livelihood thereby creating the conditions of privation that forces them into exploitative wage labor relations.⁶⁰ This was, of course, a key component of colonial relations in Africa. In a particularly perverse case in the Gambia, an environmental program enabled men to plant trees to push women out of their lucrative vegetable gardens thereby simultaneously drastically undermining women’s financial independence and recapturing women’s labor for their own purposes.⁶¹

From this perspective, we can see that the effect of gendered property rights has been to create and maintain a class of people, namely women, in a state of uncertainty, subservience to and dependence on another class of people, namely men. This status of a subservient dependent is inconsistent with the ability to experience the individual self-determination that is part and parcel of democracy. This is, gendered systems of property rights which discriminate against women are inconsistent with democracy.

One of the key features of democracy is that it involves the willingness to accept uncertainty in outcomes – that is, to put it bluntly, you may lose. While

large national environmental organizations (at least in the US) are still generally headed by white men, the day to day highly local environmental and environmental justice battles are often begun, carried out and sustained by women who found their health, the health of their families, or the health of a local ecosystem threatened. These women, often women of color, have been the primary forces mobilizing friends and neighbors and forcing public officials into action. Women all over the world, including women with no previous political experience, have organized against unsafe nuclear facilities⁶², multiple forms of pollution and hazardous waste⁶³, deforestation⁶⁴ and many other forms of environmental degradation.

While women's environmental activism has been important in terms of each individual victory, it may be even more important for its contribution to the growth of democracy. It has been crucial in democratizing the environmental arena by subjecting traditionally powerful interests (timber companies, mining companies, polluting industries) to the same uncertainty of outcomes as ordinary citizens. Dragged kicking and screaming into the public arena, they now must face the possibility that they will lose. And finally, activists increase the numbers and kind of people who begin to practice collective self-determination – to practice democracy.

Conclusion

All of this has implications for our own practice of both biophysical and social sciences. I address only one – the need for democratization in the academy. This includes recognizing the expertise of non-professionals. It involves opening up spaces, including our professional meetings and lecture halls, where people speak for themselves in their own vibrant words, rather than having us speak for them with algorithms.

Thus we as scholars have a role in saving the planet. But the bigger role is that of ordinary people performing ordinary acts that have an extraordinary cumulative effect. To do this, these ordinary people must have the persistence, bravery and fierce spirit of the 'Woman Warrior'.

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