
UN Women, IFAD, FAO, WFP

Expert Group Meeting

‘Challenges and opportunities in achieving gender equality and the empowerment of rural women and girls’

Rome, Italy

20-22 September 2017

Gender Equality and Empowerment Under Collective Tenure

Expert paper prepared by

Susana Lastarria-Cornhiel, Urban and Regional Planning, University of Wisconsin*

* The views expressed in this paper are those of the author and do not necessarily represent those of the United Nations.

Introduction

Collective tenure (also called communal tenure or common-pool resource tenure) is based on communal ownership of land and other natural resources and on subsistence production and is generally found in communities or territories with customary tenure. Collective or communal land is not state or public land, but rather, as defined by McKean (1992), is “jointly-owned private property without unilaterally tradable shares” where the group sets up the rules for access to communal resources, natural resource management, and transfers of land. In this paper, access to communal tenure is defined as “the ability to benefit from things” (Ribot & Peluso 2003: 1), specifically the ability of a community and its members to benefit from land and its natural resources. Thus, the community is the owner of the land and the natural resources the land holds, and its individual members have regulated access and use rights to these resources. The majority of collective tenure communities today are based on a system of **common property** with both **common use** (such as forests or pastureland) and **individual use** of agricultural parcels.

The customary **norms** that guide production logic in farming, hunting, fishing, and gathering activities are based on the use of natural resources to meet their basic subsistence needs with no goal to accumulate either wealth or capital. Community members do not individually own, in the proprietary meaning of the word, the land where they live and farm, the forests where they hunt and gather, the grasslands where their animals feed, and the rivers where they fish. While sale of some natural resource products (such as non-timber forest products, herbs, or animal skins) may be permitted by customary norms, the land, trees, and non-domesticated animals are generally considered common property and cannot be bought and sold.

The existence of communal rights may lead one to assume that tenure rights are generally equitable within these communities, particularly in indigenous territories. However, as research experience has shown, not only are there differences in access among families and groups in the community, but women usually have fewer land rights (or, in extreme cases, no rights) than men. In many customary societies, particularly patrilineal one, women are not considered members of the family and of the community. Daughters are expected to move to their husband’s household and community and are therefore considered temporary members of their birth family; and wives, because they have come from another family and community are considered outsiders in their husband’s household. At best, women are secondary members of the communities they spend most of their lives in.

In India among tribal Bhil communities, women’s access to forestland and forest resources are derived from their husband with little or no access to their natal family property (Bose 2011). In patrilineal sub-Saharan Africa, women are generally not allocated land by the community elders nor by their natal families and must depend on their husbands to assign them agricultural plots (Lastarria-Cornhiel 1997). Individual families have long-term use rights to these agricultural parcels, rights that are handed down from father to son; daughters and wives do not control nor dispose of these parcels, but may be given the right to use them for the production of household food. In cases where women have been as active as men in the struggle for

recognition of community land and their customary or indigenous tenure systems, women have often demanded equal or improved rights to that land.

These tenure **norms** of customary societies based on collective tenure are experiencing change as **current practices**, influenced by the impact of the market economy, often do not conform to them. This impact consists of deep changes not only in the logic of production but also in the norms and practices regarding the use of land and natural resources. Changes may also occur in the gender division of labor and equity within the community and the household.

With the introduction of market economy, the logic of production is no longer based on producing for family and community consumption, and the occasional sale to outside markets, but increasingly is influenced by producing for the market, often in the form of cash crops. In forested areas, producing for the market often also includes the sale of timber and non-timber products and other resources found in forests.

This change in the logic of production brings along changes in societal relations, both within the community and within the household. Relations within the community that were based on barter and sharing are now replaced by relations based on buying and selling. Within the household, the clear norms that determine, based on gender and age, which members undertake certain tasks and enjoy certain privileges also change. The gender division of labor assigns reproductive work to women and productive work to men. Women's work is largely invisible and considered housework (Boserup & Liljencrantz 1975; Blumberg 1981; Moser 1993). Whether these changes prove positive for women depends on many factors including the type of customary gender division of labor (Boserup 1970), the kind of market relations introduced into the community (Tinker 1976), and the response of men and women to these changes.

What do these changes in production practices and land use mean for women's land tenure rights? As I have mentioned, producing for and consuming from the market brings about changes in households' and communities' production logic and practices as well as land use. These changing practices, in turn, modify a person's relation to the land and to fellow community members vis-à-vis the land. Rights to land and perhaps to other natural resources becomes individualized and it is the men, who are full community members and control their family parcels, who are recognized by the community (and often the state) as the owners of those land parcels and natural resources. Thus, the conversion of collective/communal land and natural resources to individual private property often results in doing away with women's customary rights and ignoring their existing legal norms that recognize women's equal land rights.

At this point, I would like to present a case from Latin America of an indigenous society based on collective tenure that is experiencing economic and production changes with accompanying changes in communal and gender norms.

The Isoso Nation: an Indigenous Territory in Bolivia

The Isoso territory was the first indigenous territory established in Bolivia when in 1996 it requested land title for 1.9 million hectares. Between 1993 and 1996, indigenous groups had campaigned for recognition as indigenous peoples with their own territories based on the

conviction that formal recognition would increase the legitimacy of their land claims and thus makes it more likely outsiders and the state would respect them (Sikor and Lund 2009). The Bolivian constitution was reformed in 1994 to include a definition of the state as pluri-ethnic and multi-cultural, and in 1996 a new agrarian reform law¹ explicitly recognized indigenous territories, allowing for the existence of communal land ownership and legalizing the creation and titling of indigenous territories.

The Isoso area is situated in the tropical dry forest of the “Gran Chaco Americano” ecoregion in Bolivia’s eastern lowlands which is the continent’s second most extensive forested region after the Amazonia. The forest around the indigenous Guaraní communities in Isoso provides them food, medicine, fuel, building materials, climate regulation, and water sources. Since the Iloseño population has consisted of relatively small communities strung along the Parapetí River, their subsistence use of natural resources has tended to be environmentally sustainable.

Production and Economic Context in Isoso

Subsistence production within the Isoso territory has, for several decades, been supplemented by income-generating activities such as wage employment (mostly migrant or seasonal on surrounding farms and further away cities); the sale of agricultural production (such as surplus crops, domesticated animals, and dairy products), forest products (such as animal skins, honey, and birds), and textiles; petty commerce; and remittances from family members that have migrated (Beneria-Surkin 2003). Their most important production efforts, nevertheless, continue to be the crops grown on their family parcels, the animals and plants harvested from the forest, and their domesticated animals.

While the economic differences among Iloseño families are not great, there is stratification based on status, political power and economic wealth (Beneria-Surkin 1998, 2003). Community representatives who vote in the General Assembly² tend to come from high status (“founder”) families. High status families also tend to be engaged in commerce, have higher monetary income, are more educated (Beneria-Surkin 1998, 2003), and are bilingual (speaking Spanish in addition to the local language, Guaraní). Wealth accumulation is evidenced in heads of cattle and is found among those high-status families that have the few stable local employment positions such as teachers and technicians (Beneria-Surkin 2003). Children who are able to obtain secondary and post-secondary education also tend to come from families that hold important leadership positions and/or those who have a significant number of cattle (Beneria-Surkin 2003).

Encroaching Market Economy in Isoso

As commercial production in Isoso, pushed by both the private sector and state policies, replaces subsistence production, changes are occurring in the customary resource tenure, i.e., access, use, and management of land and other natural resources. Communal tenure is being replaced **in practice** by a private individual tenure system where use of land and other natural

¹ The Ley del Servicio Nacional de Reforma Agraria, No. 1715, known popularly as the INRA law.

² The General Assembly is held at least once a year and consists of representatives from all Isoso communities; these are governance meetings for the entire Isoso nation.

resources is increasingly for commercial enterprises and the accumulation of individual wealth. These changes also impact gender relations within the household and the community. We will consider three types of commercial activities recently introduced in Ioso and their impact on gender relations: livestock raising in herds for sale, cash crops, and micro-enterprises based on natural resources.

The increasing size of cattle and goatherds³ among the Ioseño people is probably the largest source of individual wealth in the Ioseño society (Villaseñor 2007; Barahona et al. 2005). The majority of Ioseños do not own herds of cattle; consequently, livestock ownership introduces a source of economic and political differentiation among the Ioseño people. The accumulation of individual wealth and the resultant differentiation is a current source of conflict. Families with large cattle herds utilize more community land and natural resources (mainly water, forage, and vegetation such as saplings and bushes) than their neighbors without herds. These practices have also begun to have ecological impacts as the livestock degrade the fragile soil and reduce delicate vegetation in this dry tropical forested area.

The other type of commercial agriculture taking place in Ioso is the production of cash crops. Some Ioso families have entered into reversed sharecropping arrangements with Mennonite families, growing cash crops for them on their agricultural parcels using male and female family labor. The Mennonite farmers also advance them agricultural inputs. Other Ioso members are renting out their land to non-Ioso persons for the production of cash crops under the guise of lending out the land.

While these types of arrangement can be beneficial for Ioso farmers (such as access to agricultural inputs, gain of knowledge regarding cash crop technology and markets, increased cash income), there are risks involved (such as reduced income or even debt in bad agricultural years or in drop of cash crop prices) and the loss of traditional land use and crop patterns. Long-term risks include the change, in practice if not in norms, of communal resource tenure to privatized and individual resource tenure, particularly that of land, and even the loss of land.

The third type of market economy activity in Ioso has been, with the support of NGOs, the emergence of micro-enterprises created by groups of women for the production of goods that use natural ingredients found in Ioso. The women who became involved in these activities took a risk undertaking these productive activities because if they failed they might be criticized for bringing bad luck to the community. The personal support from the leader of the top Ioso governance institution (CABI⁴) in the Ioso territory was key in giving the women “space” within their communities and legitimacy for developing these activities.

³ Ioseño families have acquired livestock from several sources: neighboring private landowners, sometimes as payment for work rendered; from NGOs and donor agencies that have implemented animal husbandry projects in the Ioseño communities (Villaseñor 2007); and from a project financed by the Ministry of Agriculture and The World Bank. Just during 2014, the Ministry of Agriculture delivered over 1,200 heads of cattle to the Ioso area.

⁴ CABI: Capitanía de Alto y Bajo Ioso

Empowerment Process in Isoso

The gendered discussion of socio-economic changes in the Isoso case is based on Naila Kabeer's work (1999; 1994) on the change in gender relations seen as a process of empowerment. While changes in gender relations have been seen as part of the increasing influence of the market economy, the championing of these (positive) changes has been justified on various grounds: household welfare, human rights, poverty reduction, economic efficiency, and empowerment. This paper attempts to determine the empowerment "value" (positive and/or negative) of changes in gender relations in Isoso, within the context of increasing market economy influence, as women engage in activities that attempt to blur the lines that divide women's and men's work, status, and power.

Kabeer (1999) defines empowerment as the process of achieving the ability to make strategic choices and identifies three inter-related elements in the process: (1) material, human, and social resources; (2) agency, including negotiation and decision making; and (3) achievements. This section attempts to determine what role the market-driven changes have played in the empowerment of Isoso women.

Resources: Land and Natural Resources

We have discussed three types of non-subsistence production that have moved into the Isoso communities: women's micro-enterprises using natural resource ingredients, cash-crop production using family land, and cattle-raising using community resources such as vegetation, water, and land.

The gendered nature of livestock ownership makes for a gendered nature of wealth accumulation. The norm among the Isoso is for men to raise cattle and for women to raise goats and other small livestock (chickens and pigs) for household consumption. Increasing cattle herds owned by male household heads gives them direct access to wealth and income that women in the household do not have.

The gender implications in cash-crop production are also negative for women since it is Isoso men who enter into these contract agreements and therefore control the income from these contracts on family land. Women have no control over this cash income and, more importantly, may lose their access to family land.

Since family parcels in Isoso are allotted to men and cattle and cash-crop production are controlled by men in the household, there is the very real possibility that as land becomes privatized, whether legally or informally, it will become the exclusive property of men. As land becomes an asset and factor of production, who will end up owning the land as it becomes privatized? Women may retain some use rights, particularly for subsistence agricultural use, but will not gain the control rights over land and other natural resources that men are acquiring, a tendency observed in other customary societies (Lastarria-Cornhiel 1997; Grigsby 2004).

The micro-enterprises have had more positive gendered impacts. Although the income from the micro-enterprises has been quite small, the process of managing the production process, marketing their goods, and deciding how income is used has increased women's visibility and

self-esteem. They report on their activities with great pride at community assemblies and this participation is generally taken seriously.

Agency: Within the Household and the Community

Women's participation in income-producing activities has torn away at the mantle of invisibility that covered them. Although they are a relatively small group of women, their success in creating and maintaining these small enterprises, in contributing to household income and well-being and to community welfare has legitimized women's presence and open participation in the public sphere. In turn, this has made it easier for all women to participate in activities outside the household sphere and to voice their opinions.

Men have begun to realize that women's productive activities are beneficial to the community. For example, if someone in the community is sick and needs to go to hospital, now women, and not just men, can help provide transportation funds. Other benefits, such as better nutrition from some of their food products⁵, have also helped community residents. At the household level, those women who participate in these productive activities contribute to household income, encouraging them to speak out and negotiate from a stronger position.

On the other hand, most domestic activities by women such as tending the house, cultivating the family parcel, and taking care of children have no monetary value, and are therefore taken for granted. There is anecdotal evidence, nevertheless, that some men are willing to take on some household chores, sometimes at night under the cover of darkness to avoid embarrassment. More generally, however, it is other women in the family and the community who step in to fulfill household responsibilities.

Achievements: Governance and Status

Iso women's greatest achievements have been in governance. Traditionally, only men had been selected as community representatives and participated in Iso's top governance institution, CABI. Since 1998, a woman community representative has also been selected from each community. This achievement came about as a result of women's full participation in the early 1990s indigenous movements for recognition of their territory and the efforts of CIMCI⁶, an organization of Iso women. The election of female community representatives has given women representation and voice within the local community and at higher governance levels. It also bestows recognition of women as full members of the community. Women's concerns and needs are heard before those governance bodies that make financial and policy decisions. And women have the opportunity to participate in the making those decisions. They also play important roles in strengthening internal communications, thus helping to build consensus within their communities, and in getting support for the community's needs through projects.

That each community now has both a woman (*capitana*) and a man (*capitán*) representing it within its top governance institution, CABI, has made it a more democratic organization and

⁵ Such as fishmeal and *cupesí* (a type of mesquite) flour.

⁶ CIMCI: Centro Inter-Comunal para Mujeres de las Comunidades Ioseñas.

may be a unique characteristic among indigenous organizations in Bolivia.⁷ Women community representatives are also on CABI's Executive Board since its creation in 2007 and play a stabilizing force in CABI, particularly when CABI has experienced internal conflicts and divisions within its Executive Board.

The changes in women's rights to land and other natural resources as tenure becomes individualized is not yet fully determined. Whether women representatives in the communities and in CABI are able to demand recognition of women's land rights within the household and the community will be an interesting process to monitor.

Conclusions

Have these market-driven changes increased women's empowerment by improving their ability to make strategic choices? The conclusion points to both positive and negative impacts on women's process of empowerment. They have gained access to some material resources, such as NGO projects and CABI funds, while they may potentially lose access to land and other natural resources as land becomes privatized and controlled by household heads. In addition, they have gained legitimacy within society by successfully managing small enterprises and producing cash income. Women's income-producing activities has resulted in men accepting that women might want to do more economically productive work than the traditional ones such as weaving. Women are also gaining increased access to education as traditional attitudes that only boys needed an education have been left behind.

Related to this increased access to resources is women's increased agency: women have set goals with the objective of gaining more rights, voice, and empowerment. And they have often been successful. They pressured for and won the right to have representation. They wanted to create income-producing activities so that women could contribute to household wellbeing, and while the micro-enterprises have not grown in size and number as they initially hoped, these enterprises are still up and running. These early micro-enterprises have also encouraged other women to initiate their own production schemes.⁸

The third element, achievements, is more difficult to discern at this stage. Kabeer considers achievements "as the potential that people have for living the lives they want, of achieving valued ways of 'being and doing'" (1999: 438). In spite of these many successes by women and their organization, women are not equal to men in Isoso.

The recent decision by some communities to make community assembly decisions by vote and to limit each family to one vote should be examined carefully: the most likely outcome is that the male head will decide the vote for the household. It should also be pointed out that there are only two women representatives in the nine-member Consejo Ejecutivo. In addition, women in their daily life have fewer opportunities to improve their life than men because of less education, lack of Spanish language skills, and less mobility.

⁷ For example, only men participate and vote in the Aymara Asamblea Comunal (parlakipawi), the largest indigenous organization in Bolivia.

⁸ CIMCI receives project funds from UNPD, Territorios Vivos, and departmental government agencies to support these activities.

IsoSo society continues to be patriarchal and women are expected to fulfill their domestic reproductive chores. As women take on more responsibilities such as community leaders and micro-enterprises, the gender division of labor nevertheless appears unchanged. In this sense, the productive pilot projects would seem to contain contradictory elements. On the one hand, these activities are based on women's traditional domestic tasks and seem an extension of them. On the other hand, the women's objectives are to work independently and to earn incomes—potentially empowering objectives within the household and the community that may result in women's questioning of the gender division of labor and pressuring for a stronger position within CABI.

IsoSo society has strict norms and codes of gender behavior for its members, enforced by the communities themselves. These norms and practices change slowly, but they do change, and the evolution of women's governance and production activities shows this. The values, norms, and practices of a culture are always changing—change itself does not necessarily destroy a culture. Certainly, it is not a contradiction when IsoSo women aspire both to defend their way of living and to improve their status and rights within the IsoSo community and nation. For them it is clear that insisting on equal rights and empowerment for women does not necessarily jeopardize their culture. Future research would reveal how these activities and changes have contributed to the empowerment process for women and what rights they have gained and possibly lost.

References

- Barahona, Zulema. 2003. Análisis de iniciativas de uso de recursos naturales por grupos de mujeres en el área de influencia del Parque Kaa Iya del Gran Chaco. Santa Cruz: CABI.
- Barahona, Zulema, Cresencio Arambiza, Feliciano Leños, y Verónica Calderón. 2005. Estudio ganadero en el Alto y Bajo Isoso año 2004: Informe de resultados Alto y Bajo Iso-so (Informe Técnico No. 128). Santa Cruz: CABI & WCS.
- Beneria-Surkin, Jordi. 1998. Socio-Economic Study of Five Isoceño Communities (Informe Técnico No.6). Santa Cruz: Wildlife Conservation Society.
- Beneria-Surkin, Jordi. 2003. Power, Conservation, and Indigenous Livelihood: Guaraní Strategies for Conquering Political Space in Decentralization in Izozog, Bolivia (Ph. D. Dissertation in Urban Planning). Los Angeles: University of California.
- Blumberg, Rae Lesser. 1981. "Rural Women in Development" in Women and World-Change: Equity Issues in Development, N. Black and A. Baker Cottrell (eds.). Beverly Hills: Sage Publications
- Bose, Purabi. 2011. "Forest tenure reform: exclusion of tribal women's rights in semi-arid Rajasthan, India" in International Forestry Review, Vol. 13, No. 2, pp. 220-232.
- Boserup, Ester. 1970. Women's Role in Economic Development. New York: St. Martin's Press.
- Boserup, Ester and Christina Liljencrantz. 1975. Integration of Women in Development: Why, When, How. New York: UN Development Program
- Grigsby, William J. 2004. "The Gendered Nature of Subsistence and Its Effect on Custom-ary Land Tenure" in Society and Natural Resources, Vol. 17, pp. 207-222.
- Kabeer, Naila. 1994. Reversed Realities: Gender Hierarchies in Development Thought. London: Verso.
- Kabeer, Naila. 1999. "Resources, Agency, Achievements: Reflections on the Measurement of Women's Empowerment" in Development and Change, Vol. 30, pp 435-464.
- Lastarria-Cornhiel, Susana. 1997. "Impact of Privatization on Gender and Property Rights in Africa" in World Development, Vol. 25, No. 8, pp. 1317-1333.
- McKean, M. A. 1992. "Success on the Commons: A Comparative Examination of Institutions for Common Property Resource Management" in Journal of Theoretical Politics, Vol. 4, No. 3, pp. 247-281.
- Moser, Caroline. 1993. Gender Planning and Development: Theory, Practice & Training. London: Routledge.
- Ribot, Jesse C. & Nancy Lee Peluso. 2003. "A Theory of Access" in Rural Sociology, Vol. 68, No. 2, pp. 153-181.
- Sikor, T. and C. Lund. 2009. "Access and property: a question of power and authority" in Development and Change, Vol. 40, No. 1, pp. 1-22.

Tinker, Irene. 1976. "The Adverse Impact of Development on Women" in Irene Tinker & Michelle Bo Bramsen (eds.), *Women and World Development*. Washington DC: Overseas Development Council

Villaseñor, Verónica. 2007. *The Challenge of Cattle Ranching to Common Property: A Case Study in the Isoso, Bolivia* (Masters Thesis). Gainesville: University of Florida.