

ENVIRONMENTAL GOVERNANCE AND GENDER JUSTICE: From Paradox to Potential

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(Presentation, Forum on Social Wealth, May 18, 2006)

I. FORUM PREMISES

I feel honoured to be asked to speak at this forum. I have seen the videos of some of the earlier speakers and know the wonderful work of the organizers, especially that of Nancy Folbre and Jim Boyce. I feel privileged to be in this distinguished company.

The Forum on Social Wealth has called our attention to something profound – the numerous informal, non-market ways in which value is created in our society, our significant dependence on this common wealth, and our need to preserve and steward it. I congratulate the Forum for sounding the alert that we might lose this invaluable wealth – wealth that enriches our lives but which we take for granted and so make invisible. Indeed Nancy’s and Jim’s own work takes cognizance of these issues in subtle, creative ways.

There is therefore much I agree with in the Forum’s preamble. But my talk today is also in the spirit of critical engagement – the spirit that the Forum evokes in its closing paragraph.

I will focus on an aspect of social wealth on which the Forum’s outline says rather little – namely governance institutions. The family and community which the Forum talks about are of course themselves institutions – but there are also institutions of governance which communities have created since ancient times, institutions for managing natural wealth, for dispensing justice, for cultural expression, for guiding social relationships – which we need to understand better. Some of these are vanishing, some are sustaining, some reemerging in new forms, and some being created. *What and who determines which should be sustained and which allowed to disappear?*

In addition, like a good argumentative Indian – the title of Amartya Sen’s last major work - I wish to argue with some of the implicit premises in the Forum’s framework. One of these premises is that communities and families belong in the camp of good boys and states and markets in the camp of the bad boys. The reality is more complex, much more fluid, and much more - if I may coin such as word – “bargain-mentative,” namely open to bargaining. We might remember that even the state and the market are institutions created by communities and families.

Another Forum premise with which I would argue is that the “values” created by families and communities are necessarily worth preserving. Some are, some are not. Some need preserving, some changing, some restoring and recycling, and some deleting permanently from

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that recycle bin. Communities and families provide invaluable caring labour but they can also be bedrocks of inequality and injustice, of dark social norms and perverse social perceptions which need interrogation and change. And in this project, the state and the market might well come to our aid; as could institutions of civil society, and the media.

I believe that the cognitive framework that the Forum hopes to develop from this discussion needs to take cognizance of these complexities – these greys and sepias in the black and white pictures of yore. In this, the perspective of governance institutions - how they function and change - could prove key.

I will illustrate this through examples from my ongoing work on environmental governance and gender justice in South Asia, supplemented with cases from other contexts.

II. TOLKIEN AND HUMPHRIES

In a wonderful flight of poetic imagination, Tolkien in Part 2 of the *Lord of the Rings – the Two Towers* leads us into a primeval forest in middle earth, inhabited by tree-like creatures - the great Ents. When the hobbits, Pippin and Merry, ask their help against the dark forces, Treebeard, the oldest of the Ents, convenes an Entmoot – the equivalent of a forest council. He explains the purpose of the meeting not only to those who turn up, but also to those who could not come. As he elaborates “I have still got to explain things ... to those that live a long way off ... and [to] those that I could not get round to before the Moot, and after that we have to decide what to do. ... [I]t is no use denying, we shall be here a long time yet: a couple of days very likely”.

What an impressively democratic and inclusive method of decision-making! And yet something or someone is missing. There are no women – none in the Council, none in the forest. The Ent-trees in the Entmoot are all male. Also, in this lush forest there are no women searching for firewood or fodder or medicinal herbs or berries or wild vegetables – all the things that it is in women’s domain to collect. Tolkien with a deft flick of storytelling tells us that the Entwives – female Ents – who kept order and peace and cultivated gardens - have long disappeared. In other words, women and their work have been made invisible. Moreover there is no hint that Entwives were ever invited to an Entmoot.

This story perfectly captures the essence of a term I coined a while ago: participatory exclusions” (exclusions from seemingly participative institutions) – a process that has unfolded over the centuries across the continents: the story of male control of, and women’s dependence on, one of our most valuable sources of natural wealth and biodiversity – forests; the story of male councils of decision- making and of women’s invisibility in these bodies.

We need a giant leap forward from Ent time and the sharp eye of economic historian Jane Humphries to spot the women among the forests of middle England. She describes how these forests were used in the late 18th and 19th centuries when they were commonwealth – and makes women visible again.

Humphries notes, “Women were ... the principle gatherers of fuel: in Cornwall they would cut fruze in early summer from thickets up to ten feet high, ... and in Surrey bring home

prodigious loads of wood or sacks of fir cones picked up in the woods a mile or more away.” She garners evidence of women “bent nearly double under loads of firewood, “toiling painfully alone, with hats and bonnets pushed awry...” with tiny urchins, “clinging to their mothers’ frocks”. And she describes women gathering “all the food that was for free: watercress from running streams, rabbits, pigeons, wild raspberries, wild plum and blackberries, crabapples, hazel nuts, chestnuts, walnuts.” So here we have women drawing on nature’s wealth to create family livelihoods and community wealth and - through the knowledge of nature they acquire and pass to their grandchildren – they create social wealth. All this Humphries makes visible but on governance she is silent.

The enclosure movement restricted even this access, converting common wealth into private wealth. In the process it enhanced women’s burdens and their dependence on husbands and fathers, and adversely affected them in many other ways. Today a different type of enclosure of the commons – this one by communities – is doing something similar to women in other regions.

We see this duality – women’s central stake in and knowledge of forests - and their absence in decision-making for this resource, unfolding across the globe – in the Amazon, in Africa, and most especially in the forests of India and Nepal to which this story now moves.

III. OUTLINE

As I will argue, South Asia’s natural wealth embodied in its forests, depleted rapidly in the late 19th and 20th centuries due to complex factors. The burden of this depletion was borne mainly by poor rural women. In the 1980s, following an intensive global debate on who might be the most effective in conserving local forests – the state, private individuals or communities – a broad consensus emerged in favour of communities. And some of the responsibility of forest governance was shifted to villagers.

This institutional innovation has led to a greening of degraded forest land. But women’s virtual absence from these institutions has produced two paradoxical results. One, forest regeneration is less than what is potentially possible. Two, despite growing plenty women continue to face persistent and even increasing shortages of daily use items like firewood and fodder, in many regions. The very institutions that potentially constitute our social wealth – communities and families - also contain the seeds of poverty for many.

The state similarly is a complex arena which can either reduce or entrench this injustice. Can we transform these institutions so that our environmental wealth is both more equitably shared and more sustainable?

This is the sketch of the story I plan to tell you. Let me now fill it out.

IV. DECLINING SOURCES OF NATURAL WEALTH: the 1970s crisis

South Asia in the early 1970s awoke to a sense of crises. Many saw only an oil crisis. But others also saw a crisis in the alarming depletion of forests and commons. And some few saw a domestic energy crisis.

On forests, satellite images showed that large parts of what was administratively forest land had only shrub, rootstock, or bare rock. Forests had also declined in area – turned into cultivable fields, or submerged by large dams for irrigation and hydro-electricity; or cut down for roads, railways, industry, towns and mega cities.

Parallel to this, village commons were disappearing. Some Indian states saw a 60% decline between 1950 and 1984, especially due to privatization under state policy: (1) illegal encroachments by farmers; (2) Auctioning of parts to contractors for commercial use; and (3) distribution under various anti-poverty programs and land reform schemes. But the land meant for the landless mostly went to the already landed. In some states 70-80% went to the landed. Hence the poor lost out collectively while gaining little individually.

The loss of forests and commons affected all rural households since all depended on them in part for fuel, food, fodder, fibre, etc. But it affected the poor the most since they had little or no private land. In India in the early 1980s village commons supplied poor rural households with 90-100% of firewood and 70-90% of the grazing needs, and accounted for 9-20% of their income. Similarly, forests provided livelihoods or items of daily use – wholly or partly, for most rural dwellers. They were also critical during drought and famine as a source of “famine foods”.

But this dependence on forests and commons was differentiated not just by economic class but also gender. Women of all households, but especially the poor, are much more dependent on common pool resources than men, for four main reasons:

- a) One, the *domestic division of labour*. Women do most of the cooking and cattle care, and much of the firewood and fodder collection.
- b) Two, women typically don't own private land and thus depend more on CPRs.
- c) Three, women usually have less access to cash than men and thus depend more on what they can gather *free*.
- d) Four, rural women's dependence on the commons is everyday since firewood and fodder are daily needs. *In contrast*, rural men's dependence is more sporadic, mainly for small timber for agricultural implements and housebuilding.

Basically, rights in the commons reduced social inequality by giving the poor and women access to resources outside the contexts of private property and markets.

The decline of this commonwealth led to a third type of crisis – that of domestic fuel shortages. Erick Ekholm of Worldwatch Institute (DC) dubbed this as a quiet crisis - in contrast to the loud proclamation of the oil crises. But it was also a quiet crisis because women had little voice in making the energy policies which directly affected their lives. And it was a hidden crisis because its effects were invisible. Yet it affected millions in Asia, Africa and Latin America given their high dependence on it.

Governments and International organisations responded to disappearing forests and growing firewood shortages by launching social forestry (tree planting) programs. As I have elaborated in my 1986 book *Cold Hearths and Barren Slopes*, social forestry promoted in a top-down manner had little success. Typically, trees were planted in community land used by villagers for other purposes and with little discussion on what to plant and how to share the benefits. Some villagers in protest even planted saplings upside down, the roots hanging in the air. Monocultural commercial species like Eucalyptus dominated, useful for the paper and rayon industry rather than people's needs. Tree survival rates were very poor. Forestry targets fell short by upto 90% in some states. In large part, social forestry proved to be neither social nor forestry. It neither revived forests nor meet people's domestic needs.

A real forest as Tolkien describes would have had " many shapes, colors, differences in girth, height, and variety – beach, oak, chestnut, ... or in South Asia, it would have had mahuwa, banj, seesum, neem... Eucalyptus plantations were definitely not forests.

In contrast to the failure of state-driven forestry were emerging stories of successful forest protection by villagers through self-initiated groups, and through forest movements such as Chipko.

These diverse experiences, not just in India but globally, led to a fundamental public debate: what would be the more appropriate institutional arrangement for forest conservation? Neither private control nor state control were working. What appeared to work was protection by village communities themselves. By the late 1980s there was a growing consensus globally in favour of community forest management. And in the early 1990s, both India and Nepal launched programs of participative forest management. No one however sought to define "community". It was simply assumed to be a spatial unit, constituted of people with shared interests.

So far this story unfolds very much along the lines of the bad state good community narrative of the Social Forum preamble. But with one critical difference - *the state I depict was responsive to civil society and media pressure to change the course of policy. It is relevant that India is a democratic state and for all its flaws has space for bargain-tativeness.* The next part of my story further complicates and, to some degree, reverses the Forum narrative.

V. COMMUNITY FORESTRY: 1990s

This part of the story concerns the new institutions of environmental governance with community involvement. In recent years, community forestry groups (CFGs) have mushroomed in S. Asia. The most widespread are the groups constituted under the state-initiated Joint Forest Management (or JFM) launched in India in 1990, in which villagers and the government share the responsibility and benefits of regenerating degraded local forests. It is one of the most interesting experiments in state-community partnership in the co-management of common pool resources.

Today there are some 70,000 JFM groups, covering about 14.5 mha or 21% of India's forest land. In addition, there are a few thousand groups of other types, some self-initiated by youth clubs or village elders, others started by NGOs, others by the colonial government in the 1930s – these last are the forest councils in the Himalayas. In Nepal similarly the government

launched a community forestry program in 1993. Today over 10,000 CFGs cover 1 million households and 11% of forest land. I will call all of these community forestry initiatives CFGs for short.

In both countries, these groups are meant to improve forest condition as well as supplement local needs. Of these the most basic is firewood for domestic fuel. In the early 1990s when community forestry was launched, firewood still provided 62% of India's domestic energy; and 80% of rural households in most states used some. But it was and still is a largely non-monetized good in rural areas - 85% of this firewood is gathered, mostly from common lands, and mostly by women and children. Many other forest items such as fodder, herbs etc are also gathered mainly by women. As the primary subsistence users of forests, women are thus also potentially the main stakeholders in institutions of forest regeneration.

In practice however this is not reflected in CFG formation. In fact, paradoxically, the new institutions have largely excluded women – that is failed to involve precisely those who have the most stake in and could thus make most contribution to forest regeneration. ALSO paradoxically they have left most women no better off and many worse off *after* forest regeneration than they were under the degraded conditions *prior* to CFG formation.

These two paradoxes (if one might call them that) are at the heart of the gendered effects of what I termed “participatory exclusions”. They challenge our notions of communities as benign institutions. They demonstrate that new institutions built on a bedrock of pre-existing inequalities can further entrench those inequalities.

I will illustrate this from my fieldwork done in two phases: first in 1998-99 when I traveled to 87 CFG sites across 7 states of India and two districts of Nepal. Second in 2000-02 when I collected data on a sample of CFGs with varying gender composition in India and Nepal.

VI. GOVERNANCE STRUCTURE AND PARTICIPATION

Consider first the governance structure of the new institutions. The state initiated groups have a two-tier structure: a general body with members drawn from the whole village and an EC of 9-15 persons. Both bodies interactively define the RULES of forest use, punishments for abuse, forms of protection, benefit distribution, and conflict resolution. But the core decision making unit is the EC.

Who has voice in the EC thus bears critically on how well they function, and who gains or loses from them. But participation is a multi-layered concept ranging from *nominal membership* to *empowered* voice. Effective or empowered participation requires not just being a member, but attending meetings, speaking up at them, and being able to influence at least some decisions in your favour.

Most women are not even nominal members: they constitute less than 10% of most JFM general bodies and are usually absent in the self-initiated groups. Their presence in Nepal's CFGs is likewise sparse.

In India, the JFM membership criteria in the GB and EC vary by state. Some 1/3rd of the

JFM states allow membership to only one person/household. What appears to be a gender-neutral rule becomes gendered due to social norms. The person who joins is inevitably the male household head. In some CFGs, a man and his wife can be members. But this still excludes other adults.

Women's presence in ECs is also typically low, and although recent rule changes make it mandatory to include some women, many don't do so, and some include a mandatory 2 women. One or two women among 12-15 men are seldom effective.

Without being members, women usually hear little of what happens at GB or EC meetings. There are few female equivalents to Tolkien's Treebeard to inform the women. Women repeatedly told me: "They don't tell us. When we ask men what happened at the meeting they say: why do you want to know?"

Of the women who are members, most don't attend GB or EC meetings. Those who attend rarely speak up, and if they speak their opinions carry little weight. Some of women's typical responses are: "Men don't listen, except perhaps one or two. They feel they should be the spokespersons."

These participatory exclusions are widespread. In over 80% of the mixed CFGs I visited in 1998-99, women felt they had little voice. Nor were they consulted when forest use rules were framed or plans prepared for forest development.

The exceptions are all-women CFGs, usually in areas of high male outmigration. But their numbers remain small. In Nepal they constitute only 4% of all CFGs, controlling 1% of CFG land. The mixed CFGs control most of the resource and it is in these that women's limited presence in decision making that has specific negative effects.

How far have these groups succeeded in enhancing environmental wealth?

In an immediate sense, many CFGs show successful forest regeneration. Typically when protection begins, the CFGs ban or severely restrict forest entry for both people and animals. Sometimes replanting is needed, but where the rootstock is undamaged, even simple protection allows rapid natural revival. Most protected tracts I visited in 1998-99 across India showed impressive natural growth on land that was near-barren 5 to 10 years ago. In some areas, clusters of 7-8 contiguous villages are protecting the forests, causing entire valleys of brown hills to turn green. And this improvement is also apparent at a macro-level. Recent satellite imagery shows an increase in forest cover and density in India as a whole and in several states.

But these success stories hide the two paradoxes I had mentioned: shortages amidst plenty, and partially realized potential.

VII. PARADOXES

First consider shortages amidst plenty. In many villages women have been barred from collecting even dry twigs. Hence in the early years of JFM, women's firewood collection time and workload

increased several-fold. Sometimes, mothers sought help from school-going daughters, with -ve effects on their education.

I expected these hardships to ease over time with forest regeneration. But even 8-10 years after protection, women reported persistent firewood shortages. In fact many reported a worsening.. In my recent work in Nepal 38% of 70 villages reported persisting shortages and another 25% reported they had no shortages before protection but have shortages now. There were similar reports from many Indian states. As some women put it: “We go in the morning and return at dusk. Since the monsoon ended, we have been going every day. I go, as does my daughter. Earlier too there was a shortage but not as acute.” (Karnataka).

Over 52% the CFGs I studied in 1998-99, still had a ban on firewood collection – of which half did not open the forest at all, and the rest allowed drywood collection for a few days annually.

Where possible, women substitute other fuels. Typically these are inferior fuels such as crop waste, dung or weeds. These take more time to ignite and need tending to keep alight, thus adding to cooking time. They also cause serious health problems. The benzo(a) pyrene inhaled daily from cooking with firewood on an open stove is estimated to equal 20 packs of cigarettes a day. Women’s mortality risk from air pollution in smoky kitchens in India is 50% higher than men’s, as is their incidence of cataracts leading to blindness. Kitchen smoke is also a major cause of death from acute respiratory infections among infants. Firewood is bad enough. Inferior fuels such as cropwaste compound this health problem.

And even inferior fuels are often in short supply. Usually both middle and poor peasant women report domestic energy problems, but the landless are the worst off, with no crops to produce waste or trees, and few cattle for dung. As some said: “We don’t know in the morning what we will cook at night”. Here they resort to stealing, and fights with forest guards are common.

Is this a necessary price to pay for conserving our natural wealth? Not at all, as apparent from a three state study in India which estimated annual woody biomass generation in protected forests, annual firewood extraction, and the annual need for firewood in 12 villages (all with CFGs). The study assumed, as a conservative rule of thumb, that 50% of the biomass regenerated per year can be extracted sustainably.

In 80% of the villages, extractions were far below this sustainably extractable limit. Some villages extracted nothing at all. Overall the forests satisfied only 10-30% of village firewood needs in most cases. If these villages were to extract up to the extractable limit, many could satisfy at least half and in some cases most of the village firewood needs. Hence while firewood shortage might still persist, it would be less acute. In other words there need be no necessary conflict between greater gender equity and sustainable conservation. The current low extraction is enforced without women’s consent. Most of these villages have no women in their ECs.

Hence the new institutional arrangements which should have alleviated the shortages of basic needs have actually exacerbated them in many contexts.

Why don't they extract more? Is it monitoring costs? Not entirely since CFGs do expend efforts to extract fodder, often via quite complicated supervision arrangements. The reason for inadequate attention to firewood lies elsewhere. Firewood is not purchased while fodder is purchased if there is a shortfall. Hence extracting fodder from the forest visibly saves the men money. Extracting firewood saves only women's invisible unpaid labour. Also firewood is seen as women's domain, animal husbandry and hence fodder is in a mixed gender domain

Gender inequities also arise on other counts. For instance, cash collected from membership fees or forest product sales, go into a collective fund which is usually used by the male dominated committees in ways that provide women little benefit. Such funds have never been used to address the cooking fuel problem. Potentially, they could have done so by, say, investing in biogas plants – a clean fuel.

Also, prior to CFG formation, access to common pool resources such as forests were based on village citizenship and helped redress some of the gender and class inequalities arising from the unequal distribution of private property resources. Now rights in the commons are based on membership, compounding in many cases the inequalities in private property resources. What has happened is a kind of enclosure – but by communities – and the creation of community-private property.

The second paradox is that forest regeneration is less than what appears potentially possible because of women's limited involvement in CFG governance. For instance, since it is women who regularly collect forest products, their lack of involvement in framing workable rules creates tendencies to circumvent the rules. Those in acute need often steal and risk being fined. Also all-male patrolling teams, or males guards find it socially difficult to catch women intruders, and risk being accused of molesting women if they do.

Another source of potential inefficiency lies in failing to involve women in forest planning decisions. This means missed opportunities of using women's specific knowledge of plants and species, and so enhancing biodiversity and productivity.

A natural question to then ask is: Would women's greater participation in CFG decision-making make a difference to equity and efficiency outcomes?

VIII. EFFECT OF WOMEN'S PRESENCE – CURRENT RESULTS

I will summarize some answers from my current research in western India and parts of Nepal based on primary data collected in 2000-2002. In particular, I examined whether a larger percentage of women in the EC affected women's effective participation in EC meetings (e.g. attending meetings and speaking up at them), the quality of the forest and reported shortages of firewood and fodder. Based on econometric analysis and controlling for a range of other factors, I find that the EC's gender composition matters on all 3 counts:

First, the larger the percentage of women in the EC the greater the likelihood of women attending meetings, and speaking up in them. As I mentioned earlier, effective participation requires not just membership in a group but also being active in meetings. This result captures effective participation. But a further refinement reveals interesting threshold effects – the likelihood of women speaking up at meetings is significant only with 33% or more women in the EC in the India sample and 25% in the Nepal sample. There is also a greater likelihood of women holding office if they are >25% in the EC. This supports the idea mooted by some political scientists (although rather little tested empirically) that we need a critical mass of women to ensure effective voice.

Second, I find that CFGs with a higher percentage of EC women are associated with better quality forest and more improvement in forest quality since protection began. In other words women's presence would improve efficiency. There can be many reasons for this. Involving women in EC decision-making

- enlarges the pool of citizens committed to resource conservation. Even if the rules made are hard on women, if they are party to the decision they are more likely to follow the rules themselves as well as persuade other women to do so.
- improves the spread of information about rules to other women who tend to get left out of male channels of communication.
- increases the chances of women providing inputs for forest development through their knowledge of plants and species.

Interestingly even in Tolkien's book, when the Entwives vanish the forest stops regenerating. There are no young Ents left.

Third, the larger the percentage of women in the EC the less the likelihood of firewood shortages, although again this makes a difference only after reaching a threshold of 25% or more women in the EC. A critical mass of women in the EC are able to induce the CFG to open up the regenerated forests a few times in the year, so that more firewood can be extracted sustainably.

Overall, therefore, the econometric results show that women's greater presence in decision making is important not only in itself, but also for enlarging our natural wealth and ensuring more gender just outcomes. We thus have a rare win-win situation.

IX. POLITICS OF PRESENCE

Ann Phillips in her insightful book, *The politics of presence*, distinguishes between the politics of ideas and the politics of presence. At an extreme, the politics of ideas could be argued to mean we don't need the disadvantaged to be present personally in decision-making structures as long as those making the decisions share the same ideas. Similarly, at an extreme, the politics of presence could be argued to mean that none can represent an experience not identical to one's own.

I don't hold the latter position. But in the case of village women there are complex factors which support the politics of presence. For several reasons men cannot effectively represent women in the ECs:

(i) There is a lack of consensus on the idea itself. The fact that women are facing firewood shortages is not widely accepted by the men. Their typical claim is that there are no shortages – women are managing quite well with crop waste. That cropwaste is an inferior fuel with health threatening and time consuming effects, or that landless women often don't even have enough cropwaste is not recognized.

(ii) There is the social division of domains into male and female. Cooking fuel is seen as a woman problem and not a community problem. Men who see their wives struggling hesitate to raise this publicly for fear of being ridiculed. It is interesting that studies of Parliaments in western democracies also show differences in issues raised by men and women legislators – some issues are seen as women's issues, such as child care, and more typically raised by women legislators.

(iii) Class also impinges on this. Women from landless households face the most severe shortages. Hence they have most reason to speak up. They are also less restricted by social norms in attending public meetings, so they are more able to speak up. Hence what can make a particular difference is not just women's presence but poor women's presence in the EC.

Given that women's presence can make for a win-win situation, why is it so low?

X. WHY IS WOMEN'S PARTICIPATION LOW?

As I have elaborated elsewhere, several factors underlie low female participation: rules, social norms and perceptions, entrenched male claims and household and individual endowments. Of these I'd like to say something on social norms and perceptions:

(i) *Social norms*: Even when formal membership rules are inclusive, social norms can prevent women from attending meetings or speaking up at them. The gender division of labour is an obvious norm: Women's excessive work burden seriously reduces their ability to attend lengthy meetings, unless relatives help out.

If we go for meetings, the men will say, why didn't you prepare my food on time, what happened to my tea —why didn't you feed the cattle. Yes, men can complain at the drop of a hat, so we live in fear when it comes to going out of the house for something that is not considered work.

Another common response is: "we don't have time to sit around for four hours .. in the middle of the day".

Social norms likewise dictate the gender segregation of public space. A fear of losing their reputation, or being reprimanded by their families prevents women from going to CFG meetings, unless invited by the men. "The meetings are considered for men only. Women are never called. Men's opinions are taken as representative of the whole family."

Norms also govern women's public interaction: In north India for example, many women veil their faces; or they sit at the back of the meeting space where they are less visible and audible, and so less effective.

(ii) *Social perceptions*: Men often perceive women's involvement in CFGs as serving no useful purpose and tend to downplay their potential contributions. Some common responses are: “Women can't make any helpful suggestions” or “Women are illiterate. If they come to meetings we men might as well stay at home.” Several times in interviews I asked the men who mentioned women's illiteracy if they themselves were literate. Many looked embarrassed and admitted they weren't literate either! Their comments stemmed from their perceptions about women's capabilities rather than the fact of female illiteracy.

In the environmental collective action literature, social norms are depicted in a positive light as helping community cooperation. But a gender lens reveals the dark side of many social norms, linked with social exclusion.

XI. OVERCOMING THE CONSTRAINTS

How can the constraints be overcome to help us move from paradox to potential? Not easily. Some factors, such as the gender division of labour or class inequalities are difficult to change. Others are more malleable, such as rules and some norms.

But to understand the potential for change, an analytical framework I find promising is that of bargaining. In this, *women's ability to change outcomes* would depend on their bargaining power with the State, the community, the market and the family.

I emphasize all four arenas because they have an interactive effect. Consider this diagram taken from a theoretical paper of mine “Bargaining and gender relations”— it seeks to depict the interrelatedness of bargaining power in different arenas.

It also illustrates that we can't simply put families and communities as the good guys and state and markets as the bad boys. *Each can be in each camp*. Hence, for example gender progressive state policies can strengthen women's bargaining power in the home and community. Women with good jobs – viz market links - can bargain better at home. Sometimes markets can provide what communities may deny. And so on.

The factors affecting bargaining power in each arena can vary by context. But ground experience suggests that among factors which can enhance bargaining power in all four arenas are whether women function as a group rather than as individuals; the cohesiveness of their group; their command over eco resources; and the support they get from external agents – NGOs, donors, the media. NGO and donor support has been especially important in bargaining with the state, and led to JFM membership rules being made more women inclusive.

Bargaining with the *community* to ensure that women inclusive rules are implemented or that women have effective voice is more difficult. *To some extent* civil society and state officials can again help women overcome restrictive social norms imposed by family and community. For instance, in several cases I found that male forest officials enhanced women's presence in community meetings, by refusing to hold the meeting till the women came. When the village

men said women were busy, the forest officers said they could wait. This forced the village men to call the women, who on being invited came in strength.

In the long run, however, women will need to themselves bargain for change. Here women's group strength and sense of group identity can prove crucial. As noted a critical mass of vocal women is usually needed to give women effective voice. To quote one women's group: "It helps to have more women because then women will not be dominated or feel shy. After all, if there is only one woman and ten men, how will she speak? Women need each other to ... speak up."

Groups can also help women bargain with the family. "Initially men objected to our going to meetings. But we women are now united in our association and they no longer object."

XII. SUMMARIZING

Before moving to the cognitive framework that the Forum is seeking to develop, let me summarize, for emphasis, some key points I have sought to make:

1. In the regeneration and conservation of our natural wealth, participative and equitable governance institutions are key.
2. For creating such institutions, however, we need to question and refine some prevailing grand narratives about communities, about democracy and participation, and about the sharing of environmental wealth. The institutions of community, family, markets and state are complex, with *both bright and dark sides*. Due to State failures and market failures we tend to fall back on informal institutions of communities and families. But communities and households which are meant to provide care also contain a bedrock of gender inequalities. Devolving more resource control to them, *without addressing* these inequalities can create new inequalities. My examples show that not just corporations and governments but also communities can usurp CPRs and exclude significant sections. And these exclusions are often hidden.

To transform the commonwealth of our ecosystems we thus also need to transform the commonwealth of our families and communities. Otherwise the outcomes could be both unjust and unsustainable.

3. We also need a nuanced understanding of the state and markets. Despite their negative features, they have the potential for enhancing women's bargaining power against community and family oppression. *Much depends on the nature of the state and its responsiveness to citizens.*

There are many recent instances in India, for instance, where the state in response to civil society has passed gender progressive laws – such as reservation of one-third seats for women in village councils, or reforming inheritance laws to make them gender equal. An independent judiciary has also responded to public interest litigation to reduce air and water pollution. An independent press has played an important mediating role.

Sometimes civil society and the state may even inter-permeate. When I visited S. Africa in 1997 an NGO was jocularly defined as the next government officer. And in India, the opposite is sometimes found to be the case - many effective NGO activists were former government officers. Such crossover individuals can help build strategic linkages between the disempowered and the state.

XIII: COGNITIVE FRAMEWORK

Let me finally highlight 5 concepts what I feel a cognitive framework that the Forum seeks to develop might contain:

The first key concept is ***Institutions***: I believe institutions are central, both as a constitutive element of social wealth and as instrumental in creating and preserving other forms of social wealth. The challenge is to transform the institutions of family, community, market and state in ways that will enhance and not destroy this wealth.

The second key concept is ***bargaining power***. Power imbalances define all relationships. The bargaining framework is one way of understanding how these imbalances arise and sustain. Here, the family, the community, markets and the state could all be seen as arenas of bargaining. The challenge is to enhance the bargaining power of those that value social wealth in all 4 arenas.

The third key concept is ***agency and voice***. The challenge is to promote the agency and voice of those who today are denied both.

The fourth key concept is ***diversity***. Culture, ecology, economy – are nurtured by diversity. The sources of values, morals and ethics can differ by country and community as can the forms institutions take. Today’s information technology can push uniformity or nurture diversity. The challenge is to promote progressive diversity as an essential component of social wealth.

The fifth key concept is ***strategic alliances***. The challenge is to build strategic alliances across key institutions and individuals.

I would like to end with a poetic piece which bring us full circle to where I began. I had a difficult time choosing between a piece on the enclosure movement, and what I term a “bargaining song” from Tolkien. The song in the form of a conversation between an Ent and an Entwife starts with bargaining but ends in cooperation. However, I decided to read the first piece on enclosures since it is anonymous and so is an unbounded part of our common cultural wealth:

*The law locks up the man or woman
Who steals the goose from off the common.
But leaves the greater villain loose
Who steals the common off the goose.*

*The law demands that we atone
When we take things we do not own
But leaves the lords and ladies fine
Who take things that are yours and mine.*

*The law locks up the man or woman
Who steals the goose from off the common
And geese will still a common lack
Till they go and steal it back.*

We hope we will not need to steal our common wealth back, but rather regain it through persuasion, reason and a transformation of values.