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The ‘International Gendered Division of Knowledge’: and the place of women in micro communities.

The ‘gender specific impact’ of Intellectual property regimes¹

By
Lisa Palleson-Stallan
M.A. B.A.

Nottingham Trent University.
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Abstract

This thesis analyses the 'gender specific impact' of intellectual property regimes, and looks at what effects they have on women and their knowledge in the South. The thesis argues that many women in the South still rely heavily on knowledge concerning natural medicines and biological diversity. This is supported by qualitative research conducted at the Conference on Biological Diversity with women activists from the South. The thesis argues that an 'International Gendered Division of Knowledge' (IGDK) has occurred through epistemological, ontological and structural biases that exist in the global system. Institutions, multinational firms, globalisation and persistent ideologies have contributed to the IGDK, globally. (Institutions such as the World Trade Organisation (WTO) have also contributed to this global division.) Development discourses have only further entrenched this divide in the South. While macro structures are difficult to alter, this thesis looks at ways women are developing strategies to tackle intellectual property regimes. It examines ways women are addressing macro structures and developing grassroots alternatives that enable women to maintain control of their 'intellectual property'. This thesis focuses on redefining traditional representations of knowledge, and how it is important to make women's knowledge the focal point for sustainable development outside of the powerful discourses that already exist.

Summary:

The Introduction: looks at how traditional representations of women and intellectual property need to be torn down in order to be re-built. It then introduces the problematique that the thesis will address. The introduction tries to introduce and establish some of the claims that the thesis will make and address.

Chapter one: discusses the literature, which has been covered, and areas where gaps exist in the investigation of 'gender and intellectual property regimes.' This thesis establishes that an analysis of the gender specific impacts of intellectual property regimes needs to take place. It will discuss the theoretical literature and looks at how it is relevant to the overall position of this thesis. It also looks at the ontological and epistemological biases of International Relations and discusses how this has contributed to the International Gendered Division of Knowledge (IGDK).

Chapter two: Discusses the methods and methodological choices of the thesis.

Chapter three: sets up the IGDK and argues that women's knowledge is marginalised on all levels, including the economic, the political and the social. It argues that the sexual division of labour is an antecedent to the IGDK. Women's knowledge/intellectual property is important, and yet it is not recognised globally in the same way that women's work is not recognised globally. It looks at women's knowledge within the global economy, and discusses how globalisation and neo-liberal discourses have changed the way women cope with macro structures. This thesis claims that globalisation is a pervasive force, but it does not mean that women are unable to protect their knowledge under global circumstances. It also concludes that economic globalisation is yet another contributing dimension to the IGDK.

Chapter four: discusses how institutions have gender specific impacts on women's knowledge/intellectual property. In particular to this thesis it looks at how intellectual property regimes affect women and their knowledge. It also discusses how institutions such as the WTO venerate 'western knowledge' while completely ignoring women's knowledge.

Chapter five: discusses multinational firms, as they are often the driving force behind the further liberalisation of intellectual property regimes. This chapter places firms within this debate and also looks at how firms affect women and their knowledge. It argues that women's knowledge is valuable to firms and often ignored for numerous reasons.

Chapter six: discusses the ways in which women are fighting or working with macro structures. It looks at international organisations, non-governmental organisations (NGO's), national strategies and movements that women from the South have developed in order to protect their knowledge or fight intellectual property regimes.

Chapter seven: looks at grass-roots strategies women have developed to protect their knowledge from further erosion. It looks at women as active participants of subsistence and empowerment. It also demonstrates that women know what is best for their communities and are willing to share their knowledge and work with outsiders in order to facilitate democratic structures that improve capacity for women in the South. This chapter will discuss the theoretical implications of posing resistance strategies at a micro level.

Conclusions: will look at what the thesis achieved and it will also look at future research areas that this area of research has opened up.

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1.0 Introduction: Women's Knowledge²/Intellectual Property in International Relations.

International Relations³ have adopted a predominantly state-centred orthodox theory, which has shaped ideas on how knowledge is understood.⁴ There are several problems with this interpretation of knowledge and this study will draw on the established critical literature, in an attempt to show how particular discourses of knowledge within International Relations (IR)/International Political Economy (IPE)⁵ shape relations of power. Knowledge and ways of knowing is something that is entrenched at the social, economic and political levels of the global economy.⁶

Examples of what I would term 'enlightened knowledge' are beginning to emerge within the discipline. Enlightened in the sense that multiple accounts of knowledge are not only acknowledged but they are made central within the IR theoretical debates. Stephen Chan argues that 'IR should permit and encourage, after first acknowledging the existence of other histories, genders and perspectives.'⁷ Chan contends that IR has yet to struggle with 'the debate on the access of 'Others' to discourse and how, only after a long process of this (a process IR has yet really to begin,) various tensions and contestations are making a general language possible, *but not a universal language*.'⁸ Moving towards 'enlightened

² There are plural experiences of knowledge, and this thesis explicitly recognises that what we consider knowledge is often seen as a western construction, especially within International Relations literature. However, knowledge is not a definitive term.

³ As set out by Onuf, N World of Our Making (Columbia: University of South Carolina Press, 1998)

⁴ Cox, R. W. & Sinclair, T. J. Approaches to World Order (Cambridge: Cambridge University Press, 1996)

⁵ IPE still tends to concentrate on inter-national relations and more state centric concerns, whereas Global Political Economy is interested in subjects outside the material realm. I choose to use both as sometimes IPE fits better and at times I feel GPE is more appropriate.

⁶ Wendt, A Social Theory of International Politics (Cambridge: Cambridge University Press, 1999)

⁷ Chan, S "An Ontologist strikes back: a further response to Hollis and Smith." *Review of International Studies*, Vol. 24, 441-443, 1998. p. 442.

⁸ *Ibid.*, p. 442, Italics, Hall, S interviewed by Kuan-Hsing Chen, quoted in Chan, S. *ibid.*

knowledge' will entail as Chan claims the 'need to move towards a general language debate, in the absence of a universal one.'⁹ He argues further, "The admission of views that contest Western views does not foreclose the possibilities of discourse, but (a) widens it, (b) makes it more complex and (c) reduces the claim of single epistemologies. Not only do I consider a general language possible, but I consider, through a dynamic process, a general international ethics possible too."¹⁰ Therefore, enlightened knowledge is a process and a product of accepting subjective voices. It entails a challenge to an epistemology based on the 'Western ontology of history, gender and cultural and scientific perspective.'¹¹ It also means refuting an epistemology based on objectivity and moving towards a more inclusive IR.

Non-traditional accounts¹² have begun to receive due attention within the discipline, but constructions of knowledge/intellectual property are not something that is universally shared.¹³ Scholars such as Gill, Cox, Chan, Strange, and Tooze¹⁴ have redefined how knowledge is understood, and emphasise that cultural conceptions and cultural values are embedded in every level of economic life including the global. The thesis will draw on feminist theories, which reformulate ideas about knowledge and recognises that

⁹ Ibid. p. 443.

¹⁰ Ibid. p. 443.

¹¹ Ibid. p. 443.

¹² Cox, R. W. Production, Power and World Order: Social Forces in the Making of History (New York: Columbia University Press, 1987) and Gill, S & Law, D The Global Political Economy. Perspectives, Problems and Policies (Hemel Hempstead: Harvester Wheatsheaf, 1988)

¹³ This notion is widely accepted in the discipline of Anthropology.

¹⁴ Strange, S State and Markets (London: Pinter Publications, 1988) and Strange, S The Retreat of the State: The Diffusion of Power in the World Economy (Cambridge: Cambridge University Press, 1996) and Gill, S (editor) Gramsci, Historical Materialism and International Relations (Cambridge University Press, 1993) and Cox R. W. "Production, Power and the World Order..." op.cit.,

communities of women¹⁵ have 'gender-specific' knowledge. It will examine strategies women are creating in order to resist and understand the implications of intellectual property rights. Essentially, it will attempt to construct a critique of the 'gender specific impact' of intellectual property at the macro level and demonstrate how intellectual property affects women on the micro level. Moreover, it will examine how women are developing strategies to resist the exploitation of intellectual property.

I define 'traditional knowledge' as knowledge that is communal, continuous, propagated by traditional communities and it is often viewed within western epistemology as backward and unscientific. Intellectual property is a term that grants individual/individuals monopoly rights over their ideas and innovations. Many indigenous groups and women from the South cannot accept a reconciliation, as the two cannot be viewed as harmonious, in fact the very essence of both traditional knowledge and intellectual property have opposing epistemic positions.

I define 'indigenous knowledge' as knowledge held by indigenous peoples. They practice their traditions and were often the first inhabitants of their countries. As is the case in North and South America, Africa, India, and the Australasian region. Both men and women practice this knowledge.

Indigenous women are defined as women who still practice traditional knowledge and were inhabitants of their countries long before colonisation. Women who live in the

¹⁵ Why do I focus on communities of women? Communities of women produce and re-produce knowledge

South¹⁶ which, includes women who practice traditional knowledge, have a close connection to biological diversity and are connected to the land as a primary source of survival. Women's knowledge is the focus of this study. I will now elaborate on why it is necessary to separate women's knowledge and why certain elements are gender specific.

Stella Tamang argues that indigenous women have 'played a key role' in preserving indigenous knowledge.¹⁷ Tamang believes that,

"Because of women's intimate relationship with nature and because of their nurturing and caring role, the knowledge system accumulated by indigenous women for the sustainable use of the environment has great potential value because their perception of their environment tends to be comprehensive and multidimensional. It would be more precise to say that women are closer to nature because of the gender-based division of labour, and their role in attending to the everyday needs of the household."¹⁸

She argues it is these everyday needs and tasks that come out of the 'everyday' that cultivate much of this gender specific knowledge. Tamang claims that women have gained knowledge through a diverse range of tasks they perform. These include; "activities related to spiritual activities, traditional and cultural celebration, agricultural or livestock, the processing, cooking and storage of food, childcare, weaving for the family and the care of the sick."¹⁹ She also argues that indigenous knowledge also has a concern for;

"Maintaining diversity in their surrounding environment, and their general concern for the quality and sustainability of natural systems is an experience as individual responsible for a wide range of activities closely related to the survival of their communities (e.g. food production, process, preparation and preservation) and their concern for future generations. Moreover, these experiences of life and the way that

and it is important to look at their knowledge separate from male knowledge. Also it is women's knowledge that is exploited and unrecognised more often than men's knowledge.

¹⁶ This thesis rejects the term 'developing' its modernist slant is not appropriate. Third world is also problematic, as it really is a cold war term that no longer exists. This thesis has chosen to use Southern or low-income countries, these terms are problematic as well, but they are more appropriate than the other available options.

¹⁷ Tamang, S, Indigenous women and their knowledge, Unpublished paper, 1998. p. 1.

¹⁸ Ibid., p. 2.

¹⁹ Ibid., p. 2.

women interact with others and with the natural environment give them a different perspective, indeed, a different kind of knowledge.’²⁰

Norem, Yoder and Martin argue that women and men may have: ‘a different knowledge of similar things, a different knowledge of different things; different ways of organizing knowledge and different ways of preserving and transferring knowledge.’²¹

Tamang maintains that women have specific knowledge in the areas of, agriculture, animal husbandry and food. Tamang cites examples from Nepal and claims that women perform all agricultural tasks except plowing. Women’s input in seed selection is 75%, 70% in fertilizer application, and 67% in weeding and irrigation to note a few examples.²²

Tamang argues that indigenous women have specific knowledge about pest control and harvesting techniques and timing.

“Nepali indigenous women in many communities know exactly when the various crops should be harvested. The selection of wild genetic resources for home planting, of seeds for conserving for the next year’s planting and of vegetative propagatory material, and of the mixture of plant species to intercrop in gardens and fields is usually carried out by women. This selection is a very sophisticated process that takes into account many different genetic characteristics and traits: organoleptic properties that confer taste, colour, palatability and texture; resistance to pests and diseases; adaptation to soil and agro-climatic conditions and so on.”²³

This knowledge is built up through years of experience and is experimental. For example; ‘women’s gardening practices have been instrumental in the preservation, selection, consumption and exchange of non-domesticated plants.’²⁴ She argues that a house garden is a testing site where ‘women can transfer, encourage and tend indigenous species as they try them out and adapt them for use.’²⁵

²⁰ Ibid. p. 2.

²¹ Norem, Yoder and Martin quoted in Tamang, *ibid.* p. 2.

²² Tamang, *op. cit.* p. 3.

²³ Ibid. p. 3.

²⁴ Ibid. p. 4.

²⁵ Ibid. p. 4.

Lucy Mulenkei argues that women are 'reservoirs of indigenous knowledge' because their 'responsibilities in rural production systems extend from propagation, protection, harvesting, processing, storage and to final preparation of food plants and animals.'²⁶ She concludes that women may have the fullest understanding of the usefulness of different species. She maintains that 'home gardens' are a source for traditional vegetables, and medicinal plants that are necessary for the 'nutritional well-being and health of rural families throughout the world.'²⁷

The second area where women have a great deal of knowledge is in the area of animal husbandry. Tamang claims that in all of the activities performed by women on a farm, animal production can be the most important. She argues that women possess knowledge in areas such as animal health, nutrition, reproduction and selection. Women also 'organise and control rotational grazing strategies in such a way that they are able to take advantage of natural rangelands without overgrazing them on fallow plots during the dry season.' Once the seasonal rains come, the growth of weeds are used for grazing, so that the natural pasture has a rest.²⁸ Women also have to cultivate knowledge of medicinal plants for the treatment of animal ailments and they can detect when animals are unwell and can also identify when they have common diseases.²⁹

Tamang claims that women also have a wide range of food related knowledge. One example she cites is of the Newar people in Nepal, who use a mixture of garlic and

²⁶ Mulenkei, L. Women, Indigenous Knowledge and Conservation of Biodiversity, Unpublished paper 1998

²⁷ *Ibid.*, p. 4.

²⁸ Tamang, *op cit.* p. 4.

²⁹ *Ibid.*, p. 5.

chhyapi in their diets as a way of keeping warm and guarding their bodies from cardiovascular diseases. There is a special food that is also prepared for a woman after having a baby to help 'speed up the normalisation process of the body.'³⁰ Tamang also argues that in Nepal, 80% of their food is derived from the forests, and that women have expert knowledge in areas of food preservation.³¹

Indigenous women can also be what I refer to as 'special knowledge holders'. This would include medicine women, midwives and village healers. WAINIMATE (Women's Association for Natural Medicinal Therapy) based in Suva, Fiji is one organisation that recognizes that women that are special knowledge holders need to pass down their knowledge in order to preserve. This is precisely what WAINIMATE does, it insures that traditional medicines are passed on. There are two ways in which WAINIMATE does this; one is by publishing treatment in the vernacular language, and the second is to actually teach women to identify medicinal plants on their own.³²

I often use the term 'women on the micro level', women who live in the context of biodiversity who may or may not be indigenous. The context in which women's knowledge is unique and distinct is primarily at a social-level as the benefits derived from this knowledge affects the communities in which women live.

This thesis will be looking at small pockets throughout the Southern Hemisphere. Communities that still rely heavily on biological diversity and natural medicines and may

³⁰ Ibid., p. 5.

³¹ Ibid., p. 5.

not have access to western medicine due to financial or geographical restraints. (There is a large difference between indigenous communities in the North, which have access to medical treatment, whereas this is not always the case in the South.) The women I interviewed lived in traditional communities some of which were far removed from urban life and some very close to urban centres, what they did share is a separation from 'modern society.' These women were activists and were comfortable operating in a western environment. The women they worked for who lived in traditional villages that practiced traditional medicines were not. In fact, Lucy Mullenkei told me that the women she worked with in Kenya could not believe that people would want to take away their knowledge of medicines, because they saw western medicines as superior.³³ This thesis is focusing on communities in the South that still practice and rely on women's knowledge.

The study of intellectual property in International Relations has concentrated on the interests of powerful nation states and international organisations. However, much of the first studies of the effects of intellectual property on indigenous peoples have come out of development studies and social and cultural anthropology.³⁴ While this thesis is planted within the IR discipline, it will at times turn to development³⁵ discourses to understand strategies and development processes that women are using to protect their knowledge,

³² WAINIMATE pamphlet, Save the Plants, that Save Lives 1998.

³³ Interview with Lucy Mullenkei, Co-ordinator, Indigenous Information Network, Nairobi, Kenya at the CBD, May 6, 1998.

³⁴ Gledhill, J Power and its Disguises: Anthropological Perspectives on Politics (London: Pluto Press, 1994) and Gardner, K & Lewis, D Anthropology, Development and the Post-Modern Challenge (London: Pluto Press, 1996) and Warren, D. M., Slikkerveer, L. J. & Brokensha, D. The Cultural Dimension of Development: Indigenous Knowledge Systems (Bourton Hall: Intermediate Technology, 1995)

³⁵ Once again development is a term that is loaded with ideological baggage, however this is what I will use except when speaking of women at the micro level I will be more inclined to use the term subsistence as it represents a closer ideological framework to the women and organisation found in this thesis. Subsistence is about 'making a living' rather than 'earning a living'.

although these strategies are often grassroots approaches and would hardly fall under the auspices of traditional development theory. This study is interested in how women are challenging and developing 'development' strategies on the macro and micro level. While this thesis will not critique the development industry, it will discuss how the incorporation of women's knowledge into traditional development institutions is an effective way of ensuring the continuation of women's knowledge in areas of agriculture, which could be an effective protection against intellectual property regimes. On the other hand, it is important to recognise that this is also problematic, and that the idea of incorporating women's knowledge into a larger 'development framework' needs to be critiqued.

Traditional International Relations-based investigations ignore marginalised peoples, an argument that will be developed in the following chapter. This marginalisation is tied to western philosophical notions of knowledge in both fields. Our epistemological notions stem from empirical presuppositions of the constitution of knowledge. Many of these ideas are derived from our scientific worldview. This thesis investigates why certain settlements have been accepted in IPE literature and others have not. Orthodox IPE has set out to understand knowledge within the mainstream framework of a positivist and empiricist methodology. The dominance of realism/post realism has led to a concentration on powerful states and on the hegemonic power of the United States.³⁶ Mainstream IPE has had a strong bias towards U.S. issues and policy concerns. Again much of the contemporary literature on intellectual property is reserved for those existing in positions of power. Indigenous people, women and their intellectual property are not

studied on the same levels as security, the business of men, (war, diplomacy, and so forth) the role of the nation state, and the important place that sovereignty holds in International Relations.³⁷ This is still the case despite the interventions of scholars such as Stephen Chan.

The thesis will critique what has been done in IR literature and what needs to be done in the literature review. Within the vast body of literature on intellectual property regimes and the formation of the WTO's Trade Related Intellectual Property Agreement (TRIPS) there has been little, if any gender analysis of intellectual property.³⁸ A gender analysis of intellectual property/traditional knowledge at a macro-level is necessary and long over due.³⁹ The discipline of International Relations has a tradition of epistemic privilege and within this framework there has been little analysis of issues of gender and poverty, this has been left for the 'experts' in development studies.⁴⁰ Often epistemologies (women, indigenous, traditional) commencing from a western intellectual tradition are dislocated within the IR/IPE. 'Intellectual property' is constructed according to a certain epistemological tradition within IR/IPE arena. 'Other' epistemologies such as indigenous

³⁶ Gill, S American Hegemony & the Trilateral Commission (Cambridge University Press, 1990)

³⁷ Tickner, J. A. Gender in International Relations: Feminist Perspectives on Achieving Global Security (New York: Columbia University Press, 1992)

³⁸ See Shiva, V 'WTO, Women and the Environment: An ecological and gender analysis of 'Free Trade' in Haxton, E & Olsson, C (editors) Women in Development: Trade aspects in the Development Process (Stockholm: United Nations Youth and Student Association of Sweden, 1995) and Shiva, V "GATT, Agriculture and Third World Women" in Mies, M and Shiva, V Ecofeminism (London: Zed Books, 1993).

³⁹ There is a vast literature on traditional knowledge and the merits of intellectual property to protect traditional knowledge. A good starting point is Brush, S & Stabinsky, D (editors) Valuing Local Knowledge: Indigenous People and Intellectual Property Rights (Washington: Island Press, 1996) and Greaves, T (editor) Intellectual Property Rights for Indigenous Peoples: A Source Book (Oklahoma City: Society for Applied Anthropology Inc., 1994).

⁴⁰ Rist, G The History of Development (London: Zed Books, 1997)

knowledge and women's traditional knowledge are not recognised. Intellectual property rights have been set up to control knowledge by the appropriation of rights of individuals.

The contemporary intellectual property debate, takes place in the context of a neo-liberal trading system, institutions like the World Trade Organisation control how ideas, innovations and inventions are regulated between nations. Activists have argued that the global system and indigenous communities are "structurally dissimilar members"⁴¹ and mutually incompatible, that indigenous knowledge cannot adequately be integrated into international organisations. The reconstruction of intellectual property rules in the global economy set up the way in which nations interact concerning knowledge.⁴²

Chapter one will set up the conceptual and theoretical perspective which will challenge existing notions of knowledge and will deconstruct the 'politics' of knowledge. This will involve questioning the way knowledge is epistemologically and ontologically structured in International Relations, and, to a larger degree, social science and science itself. These traditions include positivism, which has privileged what is seen as 'truth'. They will be questioned in order to see if the subjective and the inter-subjective knowledge of women are relevant. This thesis will take the view that agency can be taken into account in the international system. It has an emancipatory interest, which stems from feminist arguments.⁴³ In addition the relationship between women and nature is important in the thesis, as are theoretical debates within feminism.

⁴¹ Four Worlds International Institute of Indigenous Sciences <http://www.nucleua.com/4worlds/fwiiiois.html>

⁴² Kaplinsky, R "Industrial and Intellectual Property Rights in the Uruguay Round and Beyond" *Journal of Development Studies* (1989) pp. 373-400.

⁴³ See Murphy, C & Tooze, R "The Epistemology of Poverty and the Poverty of Epistemology in IPE: Mystery, Blindness and Invisibility" *Millennium: Journal of International Studies* Vol. 25 No. 3 (1996)

Chapter two will address the methodological concerns of the thesis and will attempt to offer a fresh perspective on how women and their knowledge are studied from a theoretical standpoint within IR/IPE. This thesis will also address the positionality of the researcher. It will question where I fit in when referring to women in low-income countries, and whether it is problematic for a western educated woman to do this type of research. What could I know about poverty, exploitation and having my rights and thoughts discredited because of gender, location, space and time? Are these legitimate questions to ask from my position? My defence is that constantly placing women into binary distinctions because of geographical location breaks down the ability to work collectively on issues at the international level. As I learned at the United Nations Environmental Program (UNEP) Convention of Biological diversity (CBD), living one's politics is necessary for change. This brings in the issues of politics, and the epistemological question of what knowledge the author is producing, for whom is this knowledge being produced, and what is the purpose of the research.⁴⁴ In my view, feminist research attempts to unsettle hierarchical relationships. This thesis explores its own relationship between researcher and subject. The relationship between power and privilege will be addressed. "The ethics of research is often (although certainly not always) moved by commitments to women" rather than merely pursuing their "own careers and adding knowledge to the world"⁴⁵ These methodological issues will be addressed in chapter two.

pp.681-709 and Murphy, C & Tooze, R The New Political Economy (Michigan: Lynne Rienner Publishing Inc., 1991).

⁴⁴ Silverman, D Interpreting Qualitative Data: Methods for Analysing Talk, Text and Interaction (London: Sage Publications Ltd., 1993)

⁴⁵ Patai quoted in Wolf, D "Situating Feminist Dilemmas in Fieldwork" in Wolf, D (editor) Feminist Dilemmas in Fieldwork. (Oxford: Westview, 1996) pp. 1-41.

Chapter three will continue to argue that IPE and globalisation have lasting effects on women's knowledge. The international system is inherently biased and this thesis will discuss if it is at all possible to incorporate the 'other' into a regime of intellectual property regimes. The question of knowledge and its dissemination is approached very differently and women's epistemologies are accepted as equal with 'scientific' or 'western' knowledge. This thesis will look specifically at what the author calls the "International Gendered Division of Knowledge"(IGDK).⁴⁶ Women's knowledge needs to be critiqued according to a Gender and Development approach (GAD) in which knowledge is analysed in its true complexity encompassing the economic, political, and the social. Women's knowledge is a tremendous asset for community development and is important for the health and well being of their families. The thesis will explore the relationship between the CBD, the World Intellectual Property Organisation (WIPO) and TRIPS in disseminating knowledge; it will explore some of the conflicts within international trade. The thesis will argue that an IGDK occurs and that this is of crucial importance to women. 'Biological resource conservation and development' are important for women in the South.

An analysis of globalisation needs to take place in order to place women in the South within the debate. The structures and mechanisms of intellectual property regimes once again favour the North. Increasingly intellectual property regimes are being governed by international organisations, and the role of the nation state and territorial rights have

⁴⁶ The International Division of Gendered Knowledge is an attempt to set up a model to think about the multi-faceted issues that surround knowledge and its production and dissemination in traditional communities. I began thinking about this 'division' while at the Convention on Biological Diversity in Bratislava, Slovakia, May 4-13, 1998.

diminished with the new role of the WTO.⁴⁷ The TRIPS agreement is set in favour of trade liberalisation and benefits developed countries significantly. The international political economy and globalisation have serious implications for women. International political economists agree that cartels, non-governmental organisations, and multinational firms can be “just as important as states in determining who gets to ask the questions that lay at the centre of the study of politics.”⁴⁸ Globalisation in many ways is furthering the inequalities of poor women. What the rhetoric of globalisation forgets is that ‘global citizenship’ is for a very small number of western elites and the ‘one world order’ has failed the poor once again.⁴⁹

Chapter four will discuss the position of women in low-income countries with regards to international intellectual property regimes, and what the implications of macro decisions such as WTO’s TRIPS agreement are for women at the micro and macro level. It will also look at how poverty and social exclusion are exacerbated by international organisations such as the WTO. There will also be a discussion of the role of non-traditional actors, NGOs and grassroots organisations (GROs).

In Chapter five, the important role of firms will be examined. Firms are increasingly becoming the ‘engines of globalisation’ and have an immense influence on women’s knowledge. They are also the driving force behind trade regulations and the decision for nations to further liberalise their trade relations.

⁴⁷ Anderson, K (editor) Strengthening the Global Trading System: from GATT to WTO (Adelaide, Centre for International Economic Studies, 1996)

⁴⁸ Strange “State and Markets...” op.cit. p. 68.

The thesis will argue that in order to increase participation of women, links need to be strengthened, such as grassroots, national, regional and international and, this will be discussed in chapters six and seven. Agency is possible and achievable but it is not something that happens automatically under global conditions. Women also need to work together with civil society, in particular with large NGOs who have the political clout and resources to pressurise national governments to act at an international level. The CBD would be clearly more efficient if women's epistemologies were taken into consideration.⁵⁰

Chapter six will discuss what organisations can do to facilitate this process. The thesis will focus on the strategies women are developing on international levels through international organisations, in order to protect their traditional knowledge from further exploitation. It will outline the steps women and GROs have made trying to keep a step ahead of intellectual property regimes. In order to develop ways of strengthening and preserving their knowledge and their traditional ways of life through strengthening local, national and international networks through the convention and institutions like WIPO. The thesis will focus on the progress made within the CBD. It will also examine the institutional links of other United Nations (UN) bodies (such as WIPO). It is necessary to examine the CBD in its own right to see if it has the strength to set the agenda for intellectual property regimes. The CBD parties are urging discretion concerning the patenting of plants and animals, which will adversely affect communities of women in

⁴⁹ Baud, I & Smyth, I (editors) Searching for Security: Women's Responses to Economic Transformations (London, UK: Routledge, 1997)

⁵⁰ Rural Advancement Foundation International. (RAFI) Conserving Indigenous Knowledge: Integrating two systems of innovation. (New York: UNDP, 1994)

the South among others. It is also necessary to examine conflicts between the CBD and the TRIPS⁵¹ to see if this could be useful for protecting women's knowledge and examine that the convention is not just an inefficient shadow to the TRIPS agreement. It will ask if the CBD has any 'teeth' as the convention has been criticised for being weak in light of the TRIPS dispute mechanisms. This thesis will examine the impact of the TRIPS agreement on women's knowledge/intellectual property. The argument is whether or not international intellectual property rights foster or protect innovations among women in traditional communities. Their knowledge is often communal and continual and patents of their 'intellectual property' offer little benefits for their communities. Many scholars argue that intellectual property regimes can be used as a tool to protect traditional knowledge.⁵² However, this is not a central theme of the thesis, although it will be examined in relation to women creating strategies to protect their knowledge. Women who are activists around the issues of intellectual property tend to be suspicious of promises of protection of their knowledge through intellectual property regimes. How is it possible for women on a micro level to resist intellectual property regimes decided on a macro level? This thesis will argue that it is possible and can be achieved by developing strategies on a local, national and international level through strengthening institutions such as the CBD, NGOs and GROs. One of the main aims of this thesis is to examine how international organisations help to facilitate the protection of women's knowledge, and how it disseminates or discredits women's knowledge. Is the CBD concerned with

⁵¹ UNEP Conference of Parties, Convention on Biological Diversity Fourth Meeting Bratislava, Slovakia, 4-15 May 1998, Item 12.3 of the Agenda.

⁵² Downes, D Using Intellectual property as a Tool to Protect Traditional Knowledge (Washington: Center for International Environmental Law, 1997)

protecting indigenous knowledge and promoting biological diversity, or will it eventually 'sell' out to corporate interests? This will be discussed in chapter six.

Chapter seven looks directly at the interviews conducted for this thesis and demonstrates ways women at the micro level are protecting themselves from intellectual property regimes. Some are "bottom up" approaches and others are stemming from larger organisational approaches. Time and time again, the importance of women's knowledge has been ignored, manipulated and discredited by development experts. Policy is often a male-oriented process, which avoids addressing the true needs of women. This thesis will address the participatory development literature, as it is essential to give women a voice in managing and creating change and working towards the greater goal of knowledge protection. Women in the South need to lobby together at the local, national and international levels to stop the exploitation of their knowledge. Therefore, this thesis adopts the position that institutions like the WTO are not monolithic and impermeable, although at times they appear so in order to protect the interests of particular industrialised nation-states within a neo-liberal economic system.

1.1 Originality of the thesis

The originality of the thesis lies in research and interviews conducted at the CBD in May 1998. What came out of the conference were original interviews with NGOs and GROs followed by interviews in Geneva at the WTO and WIPO in May 1999. These interviews were transcribed and analysed. It also opened up another area of analysis, which has been

relatively unexplored in international relations, and that is a gender analysis of intellectual property. A further original contribution of this thesis will be to set up a model, which I have called the IGDK, which will focus on intellectual property rights, biological diversity and women's knowledge. The IGDK will highlight two things. Firstly, that women's knowledge is unique and different from its 'other'. In this thesis, the 'other' is referring to men and urbanised women without connections to biological diversity. I am not necessarily claiming that women's knowledge is better, only that it is distinctive and valuable as unique knowledge, especially as a dimension of development.

Secondly, the distinctive qualities and content of women's knowledge/intellectual property is not being recognised as valuable and is discredited at every level by senses of epistemology and ontology that are already secured within the international system. The contribution here is to analyse women's knowledge/intellectual property at a macro-level and conclude that an IGDK occurs internationally. Women's knowledge, innovations and practices will be critiqued in which knowledge/intellectual property is analysed in its true complexity encompassing the economic, political, and the social. This thesis will investigate why women's knowledge is not fully recognised because of the patriarchal relations within the economic, the political and the social. It will also probe what mechanisms and structures have excluded women's knowledge from being examined at macro levels.

1.2 Conclusions

This thesis hopes to set up a new research agenda in the field of intellectual property and the study of gender, as this is an area that has not been researched in International Relations. It will look at how ontological and epistemological conceptions of knowledge have alienated women's knowledge. How this has led to the way organisations and the international political economy affect women's knowledge because it is not recognised, and where it partly is, (as in the case of development policy) it has been seen as sub-standard. I will conclude that all of these factors have led to an IGDK. I will also look at strategies women have set up to fight the existing structures and claim that the international system is not as impermeable as one expects and, therefore, these types of grassroots movements are important to IPE as the traditional units of analysis are constantly changing. While this thesis deals with issues of development, it is not attempting to critique development studies or its epistemology. The thesis is located in International Relations and will look at knowledge in the context of development policy rather than development in general, because knowledge and the development process can not be ignored when discussing women in the South.

2.0 Chapter one-Literature Review

2.1 Introduction

“In today’s world of high-speed communication, ‘intellectual property rights’ (IPRs) is at risk of becoming trendy and, thus, trivialised by its own importance.”⁵³

This chapter will set out to do three things; first, it will place the overall *problematique* within the literature. (It will discuss where the main subjects of the research question, women’s knowledge, biological diversity/nature and intellectual property fit in the discipline of International Relations.) Secondly, it will explain the debates, review the literature and discuss where there are gaps in the discipline of International Relations. Thirdly, it will explain why a gender analysis of intellectual property is long overdue in International Relations and how this thesis will attempt to fill these gaps.

First, this thesis will explain how much knowledge related to biodiversity is being taken from the South by Northern companies and research facilities that search to profit from it, followed by a discussion on how knowledge is understood in International Relations.

In the 1990’s two issues altered the herbal and pharmaceutical segments. As patents were taken out on Southern biodiversity by Northern research institutes and corporations, indigenous communities began to claim that it was their knowledge that was being patented. The second issue was an increase in sales globally, for example the market for

⁵³ Greaves, T “Introduction” in Greaves, T (editor) Intellectual Property Rights for Indigenous Peoples: A Source Book (Oklahoma: Society for Applied Anthropology Inc., 1994) p.1.

herbal medications (i.e. excluding non-company markets like traditional healers) was US \$14 billion, and US demand is estimated to be growing at 15-18% per year.⁵⁴ The following examples will demonstrate the demand for herbal medicines and the profits to be made these are only a few examples, which show the geographical spread in the South:

- *Azadirachta indica* **Neem** used as a pesticide, found in India, Southeast Asia and Africa, price in country of origin (PCO) US \$0.40 per kg for filtered oil, US \$524.00 per kilo in the US.
- *Centella Asiatic* **Gota Kola or Pennyworth** used for stress and depression found in India and Asia, PCO, US \$0.75-1.25 (herbal store price), US \$437.00 per kg in the US.
- *Harpagophytum procumbens* **Harpago or Devil's Claw** used for Arthritis found in Namibia, South Africa and Botswana, PCO, US \$ 0.16- 0.66 (Collectors price), US \$ 702.00 per kg in the US.
- *Piper methysticum* **Kava** used for health and beauty found in the Pacific, PCO, US \$5.95-6.62 roots per kilo. (Local Market price) US \$253-2,486 per kilo in the US.
- *Tabebuia impetiginosa* **Pau d' Arco** used for digestion found in Central/South America, PCO, \$14.87-20.30 per kilo (Peruvian Retail Price), US\$1164.00 per kilo in the US.⁵⁵

In the case of each example, there is a 99%-99.75% profit to be made in Northern markets. These examples are not isolated. There are many more examples to cite.⁵⁶ Although it is argued otherwise, the herbals industry does no more for indigenous communities and the preservation of their knowledge and biodiversity than the pharmaceutical companies. Both the herbal and pharmaceutical industries treat indigenous knowledge with commercial interests which may re-enforce core-periphery

⁵⁴ Kerry, L & Laird, S quoted in GAIA/GRAIN Biodiversity for Sale: Dismantling the hype about benefit sharing. Global Trade and Biodiversity in Conflict Issue No. 4 April 2000. p. 12.

⁵⁵ These examples of prices are per kilogram of active ingredient of sample product for sale in Seattle, July 1999. *ibid.* GAIA/GRAIN. p. 13.

⁵⁶ See *Ibid.*

relationships. "In other words: unless some dramatic changes are made, we are back to the old South-North commodity relationship with all its attendant inequalities."⁵⁷

During the last five years intellectual property/traditional knowledge has become a primary area of research for academics, governmental and non-governmental policy advisors, and intellectual property lawyers. Within the discipline of International Relations/International Political Economy our understanding of knowledge is still linked to an epistemological framework with little room to investigate different constructions of knowledge and marginalised groups.⁵⁸ The agenda of international relations/international political economy has still not escaped a focus on exploring relationships of power. The investigation of knowledge/intellectual property is no exception. The power of knowledge in the international political economy is becoming increasingly important in the world itself.⁵⁹ Knowledge has become the 'capital stock' of knowledge economies and the global trading system as a whole. The WTO and western notions of intellectual property and the implications for development have been studied in depth⁶⁰, yet epistemologies of Southern communities and, in particular, women's epistemologies have almost been ignored on a macro level. Western notions of intellectual property are not homogenous, however they are treated as such within the global system. Both women

⁵⁷ Ibid., p. 14.

⁵⁸ See Murphy, C & Tooze, R "The Epistemology of Poverty and the Poverty of Epistemology in IPE..." op cit., and Cox, R "Production, Power and The World Order" op.cit., and Tickner, J. A. "Searching for the princess?" *Harvard International Review* (Fall 1999) pp. 101-109.

⁵⁹ See Farrands, C "The Globalization of Knowledge" in Kofman, E & Youngs, G (editors) Globalization, Theory and Practice (London: Pinter, 1996) and Strange, S States and Markets op.cit.

⁶⁰ A good starting point is Sell, S. K. Power and Ideas: North-South politics of Intellectual Property and Antitrust (NY: The state University of New York, 1998), Martin, W & Winters, A. L. The Uruguay Round and the developing countries (Cambridge: Cambridge University Press Inc., 1996), UNCTAD The TRIPS agreement and developing countries (Geneva: United Nations, 1995)

and their knowledge are areas that continue to be marginalised in the discipline of International Relations/International Political Economy. Nature too, is something that has been neglected in the discipline, stemming from the way modernity has viewed nature. Therefore, this project deconstructs the 'politics of knowledge' and how it has been formulated, accepted and challenged in international relations. This debate will be advanced in chapter two.

Although the WTO is a relatively 'young' institution (established in 1994), there is already a wide literature on the actual impact of the newly imposed rules and regulations. This study will focus on the relationship between the WTO, states, firms and intergovernmental organisations. It will examine what part these agencies will play in the exploitation of intellectual property/knowledge and what impact the rules and regulations set by the WTO have on women. The growing interest in intellectual property is mainly attributed to intellectual property becoming an issue of global trade fuelled by intellectual property negotiations beginning during the Uruguay Round of the General Agreement on Trade and Tariffs (GATT). The TRIPS agreement was ratified on January 1, 1995.⁶¹ The agreement ensures that all countries adhere to western notions of intellectual property rules set by powerful western states. This section investigates two things; (1) are women affected by intellectual property regimes? And (2) is women's knowledge important to international relations? The answer to both of these questions is yes, and this thesis will demonstrate that a gender analysis of intellectual property is necessary.

and Endeshaw, A Intellectual Property policy for non-industrial countries (USA: Ashgate Publishing, 1996).

Modernity has had the greatest impact on how women and knowledge have been constructed throughout history.⁶² Within many disciplines the modernity project stemming from the enlightenment project has been pronounced dead. International Relations have not divorced itself entirely from the modernity project. There is debate about the direction in which International Relations needs to go, and debate about modernity and post-modernity is still central to the discipline. What this chapter argues is that a state system and a globalise system both have difficulties in addressing women's knowledge. There are both ontological and epistemological reasons for this, which will be discussed later.

2.2 Knowledge/Power nexus in IR

Knowledge, and ways of knowing, is something that is entrenched in every level of the cultural, economic, social and political realm of society. Knowledge and ways of knowing are not something that is universally shared and this position is, to a certain degree, taken for granted within other disciplines. For example, in anthropology this overarching notion of epistemology is commonly accepted. "Ways of knowing is one culture's heritage; it is not globally shared."⁶³ However, within the discipline of International Relations these assumptions are not easily accepted and often epistemologies that are not tied to a western intellectual tradition are dislocated within the discipline. However, the supremacy of this universalistic tradition is now being

⁶¹ Martin, W & Winters, A. L. The Uruguay Round and the developing countries op cit., Harvey, D. P. "Efforts under the GATT, WIPO and other Multinational Organisations against Trade Mark Counterfeiting" *European Intellectual Property Review* (1993) No. 12 (1993) pp. 446-451.

⁶² Scott, C. V. *Gender and Development: Rethinking Modernization and Dependency Theory* (Boulder: Lynne Rienner Publishers Inc., 1995)

questioned.⁶⁴ ‘Intellectual property’ is constructed according to a certain epistemological tradition within International Relations and what is chosen as the subject of analysis in the discipline supports this claim. The term intellectual property is a highly western concept. The categories of knowing are vast and contradictory and yet the discipline of IR is far from engaging in a pluralist form. Many epistemologies have been deemed as invalid because of their inability to attune to western traditions. Indigenous knowledge, local knowledge, folk knowledge or the fourth world within the political space of global relations has been deemed unscientific, irrational, invalid and incorrect.⁶⁵ Knowledge has been wrapped up and tightly packed in a western scientific rationale with a tenaciously conformed universal epistemological framework. Intellectual property regimes have been set up to control knowledge and how following a Western epistemological tradition, structures of power between the North (where knowledge is often seen as material) and the South (where knowledge is seen as often immaterial).⁶⁶ I would argue that this is congruent to International Relations theory that has allowed for one epistemological framework and essentially still *allows*⁶⁷ for a primary epistemological arena of theorising about intellectual property rights. Intellectual property within this epistemology of western tradition has set up the power relations and structures that exist in International Relations today.

⁶³ Gudeman, S “Sketches, Qualms and Other Thoughts on Intellectual Property Rights” in Brush, S & Stabinsky, D (editors) Valuing Local Knowledge: Indigenous People and Intellectual Property Rights (Washington: Island Press, 1996)

⁶⁴ Wendt, A “Social Theory of International Politics” op cit.

⁶⁵ UNDP Consultation on the protection and Conservation of Indigenous Knowledge Available at <http://users.ox.ac.uk/~wgtrr/sabah.html>

⁶⁶ The author wants to avoid generalisations about the third world, but generally speaking, knowledge is not regarded as property in the same sense as the industrialised world.

⁶⁷ The author recognises that feminist IR and critical IPE are changing the nature of what is studied in international relations/IPE. However if you turn to Saurin’s article, Saurin, J “Globalisation, Poverty and the Promises of Modernity” *Millennium: Journal of International Affairs* Vol. 25 (1996) the top three US

2.3 Epistemology and Ontology in IR

Epistemology is often referred to as a 'philosophy of knowledge', 'ways of knowing' or 'what we know'. Ontology on the other hand is referred to as the 'nature of being' 'what exists' or 'what we know or believe'. Traditionally IR has mainly been formed of an 'orthodox' agenda, which has relied on positivist methodology, which uses an empirical account of epistemology and prefers a 'methodological individualism'. (What results are the different ideologies of the political economy as 'liberal', 'realist' and 'radical'.)⁶⁸ "These, in turn, either are implicitly constructed as 'incommensurable' within the 'standards of science', or are reduced to a simplified form that allows comparison on the assumption that what these ideologies represent are different accounts of the behaviour of the 'rational individuals' of neoclassical economics."⁶⁹ According to Smith, "Positivism is a methodological position reliant on an empiricist epistemology which grounds our knowledge of the world in justification by (ultimately brute) experience and thereby licensing methodology and ontology in so far as they are empirically warranted."⁷⁰ Tooze and Murphy argue that there are faults that stem directly from the 'epistemological bases of an IPE constructed from a rationalist version of positivism.'⁷¹

Within International Relations an important debate has taken place in the Review of International Relations over whether ontology or epistemology is prior. One position is that 'epistemology can be relegated to second-order status behind ontology.' This

IR journals still have little room for the analysis of poverty, issues related to poverty or women for that matter.

⁶⁸ Murphy, C & Tooze, R "The Epistemology of Poverty..." op cit., p. 682.

⁶⁹ Ibid., p. 682.

⁷⁰ Ibid., p. 684.

⁷¹ Ibid., p. 684.

position held by Martin Hollis and Steve Smith.⁷² The other main position put forth by Vivienne Jabri & Stephen Chan is that 'post-positivist International Relations requires a shift away from concern over universalistic epistemological legitimacy and a move towards understanding the ontological underpinnings of international social, political and economic life.'⁷³ This is the position also held by Alexander Wendt that an ontological discussion must be prioritised over epistemological questions⁷⁴ and this latter position will be discussed more fully as this is also the author's position concerning this debate.

2.4 Definitions of IP⁷⁵

Property is an important part of many societies. Rich or poor, North or South, property has been passed down through generations and is often shared communally. Property has almost always been reserved for the domain of men. It is only in the early 1900's did we begin to see changes in western legal systems that allowed women access to property. It is interesting to note, that as the old paradigms of property change, the controls are still embedded in the unequal distribution of these resources, for example, intellectual property. Anglo-American systems are typically justified on rule-utilitarian grounds -⁷⁶ a widely accepted version of intellectual property based on an idea or on a set of ideas. Patents and copyrights are granted as a reward with a limited duration to authors and

⁷² Hollis, M. & Smith, S. "A Response: Why Epistemology Matters in International Theory" *Review of International Studies* (1996) 22, pp. 111-116.

⁷³ Jabri, V. & Chan, S. "The ontologist always rings twice: two more stories about structure and agency in reply to Hollis and Smith" *Review of International Studies* No. 22 (1996) p.107.

⁷⁴ Wendt, A. "Bridging the theory/meta-theory gap in international relations" *Review of International Studies* No.17 (1991) pp. 383-392.

⁷⁵ There are many different definitions of what intellectual property is and if 'intellectual property' should be considered property at all, as this thesis can not engage fully in this historical debate fully a good starting point is Chris May's book A Global Political Economy of IPRS: the new enclosures (London: Routledge, 1999).

creators. Intellectual property like any property gives its owner a certain amount of rights. The difference between intellectual property and property is that with the former, many persons can use intellectual property at the same time. It can be seen that intellectual property is able to exist outside of a formal economy where the sharing of an idea can hold great value. While the translation from property to intellectual property has occurred rather smoothly it is not completely unproblematic. Intellectual property needs to be critiqued, as Samuelson argues we need to theorise what intellectual property is before we can attach the term property to intellectual process. According⁷⁷ to Samuelson, little thought has gone into this actual process. There are many different positions on what intellectual property is or what it should be. This thesis adopts the position set out by Martin Khor,

The benefits given to an individual or company for the invention must be balanced by the public good or to the public's right to benefit from technological innovation or knowledge. Without such a counter-balance, the intellectual property privileges granted to the inventor would become purely monopoly rights to collect rentier income. In effect they constitute a form of protectionism, the protection of the inventors benefits, which curbs the diffusion of technology or knowledge and thus prevents technological development...⁷⁸

“Intellectual property rights are a control of knowledge, of who gets it and how they can use it.”⁷⁹ This ability to ‘control’ knowledge through the existence of intellectual property is a western tradition - knowledge in the form of ideas, creations and innovation is the sole property of the innovator/innovators. However, “The TRIPS agreement is about investors not inventors.”⁸⁰ The purpose of intellectual property rights and the

⁷⁶ Moore, A. D. “Towards a Lockean theory of Intellectual Property” *Georgetown Law Journal* No. 77 (1998) pp.197-223.

⁷⁷ Samuelson, P. “Is Information Property? (Legally Speaking)” *Communications of the Associations for Computing Machinery* Vol. 34 No. 3 (March 1991) [Available at the ACM World Wide Web site].

⁷⁸ Khor, M. “Intellectual Property: Tightening TNC Monopoly on Technology” *Third World Network Features* No. 667/90 [Syndicated 1990].

⁷⁹ Farrands, C. “The Globalization of Knowledge...” *op cit.*.

⁸⁰ Interview with Nuno de Pires Carvalho, Senior Intellectual Property Officer at the WTO. The quote came from a one-hour interview that took place at the WTO on the May 11, 1999.

WTO/TRIPS agreement is to extend these “rights” globally. Farrands⁸¹ argues that this is only possible because of the global advent of certain technologies and the necessity to manage these technologies on a global scale.

“Intellectual property rules create a structure of political space which is of the greatest importance in advanced technology industries. They create private property rights within a defined area over a defined category of ideas. It follows from this that the reconstitution of intellectual property rules recreates political space. It both recreates a structure of power and at the same time gives power to certain actors or institutions in the form of capabilities and structural positions at the expense of other actors.”⁸²

The first part of this argument is that with the reconstruction of intellectual property rules, there is a recreation of the political structure that exists within this space. This redistribution of space sets up inequitable relations between actors in the global system. In this case, the structures have been set up once again in favour of the North and in particular in favour of multinational firms.⁸³ The South and in particular, indigenous communities have gained very little in intellectual property negotiations. Intellectual property rights have been understood as territorially linked.

“For one thing, they must reflect the jurisdiction of state courts and jurisdiction, to be clear, must apply in a defined territory where enforcement or other remedies are available. Intellectual property rights have traditionally depended on the state for enforcement and for precise definition through the legal process. But they have more recently been increasingly detached from the individual state through international agreements including those which create extra-territorial rights, and are largely policed by corporations and their lawyers or by international institutions.”⁸⁴

The move from state interpretation of intellectual property rights and how they should be enforced has resulted in the state relinquishing its power to the WTO and enforcing intellectual property rights-either in the interest of trade liberalisation or through the threat of being excluded from the global trading system.⁸⁵ The TRIPS agreement is set in

⁸¹ Farrands, C. “The Globalization of Knowledge...” op cit.,

⁸² Ibid., p. 179.

⁸³ From this point on the term firms will be used to represent multinational firms.

⁸⁴ Farrands, C. “The Globalization of Knowledge...” op.cit., p.184.

⁸⁵ Reichmann, J. N. Implications of the Draft TRIPS Agreement for Developing Countries as Competitors in an Integrated World Market (Geneva: UNCTAD Discussion Paper No. 73, 1993)

favour of trade liberalisation and benefits industrialised countries significantly. What this means for the South is that, increasingly, the regulation of intellectual property rights will be decided outside of domestic jurisdiction and firms and international organisations will 'police' how knowledge is managed in the global system. Activists from the South have argued that the global system and indigenous communities are "structurally dissimilar members"⁸⁶, mutually incompatible and that indigenous knowledge cannot adequately be protected under a western system of intellectual property rules. Harry Hillman-Chartrand argues that "intellectual property rules are essentially vehicles to propel works into the market: they are more instruments of commerce than of culture."⁸⁷ Whereas, indigenous knowledge is argued to be more an 'instrument' of culture than of commerce. Hillman-Chartrand argues further that intellectual property rules are more geared towards companies than creators and that "unfair competition rather than creators' rights is the guiding force behind copyright"⁸⁸ and that these relations are largely economic rather than social or ethical.

Scholars such as Susan Strange⁸⁹ began questioning what was accepted within International Relations. This recent shift within theory has allowed for a rethinking of how we define knowledge. It does not mean, as we can see by the literature, that a transformation of what is studied in international relations has occurred. The very notion that we can separate ideas and creative processes of the mind, and regard this as property,

⁸⁶ Dove, M. "Center, Periphery, and Biodiversity: A Paradox of Governance and a Developmental Challenge in Brush, S & Stabinsky, D (editors) Valuing Local Knowledge: Indigenous People and Intellectual Property Rights (Washington: Island Press, 1996) p.45.

⁸⁷ Harry Hillman-Chartrand, Intellectual property in the Global Village (<http://www.usask.ca/library/gic/vln4/chartrand/chartrand.html>) p. 2

⁸⁸ *Ibid.*, p.10.

is tied heavily to the Cartesian mind/body debate. This modernist concept is that knowledge has certain characteristics that can be disassociated, captured in a process, patented and profited from. Whereas, knowledge is often a communal process with concepts of sharing knowledge and often it is indigenous communities that recognise this.⁹⁰ Moreover, knowledge often extends beyond an individual life span. It is a continuum of knowledge, and is often shared rather than owned in a community. It is often indigenous communities that acknowledge these factors. Therefore, women argue that indigenous knowledge cannot be protected by the TRIPS agreement.⁹¹ The discipline of International Relations has not yet engaged in this debate. Often what is covered in the literature is what the discipline sees as important.

Tradition presents us with a powerful narrative that rejects change. It is about power. Predominant state-centred orthodox theory has shaped ideas on how knowledge is understood in IR and how theories such as post modernism, post-structuralism and feminist theories have reformulated some of the discourse that surrounds knowledge. IR/IPE is shifting from a pedagogical approach in which the discussion of knowledge was separated into subject/object categories of analysis. It denies that knowledge is as considerable as material structures in the international political economy.⁹² The production of knowledge within IR/IPE has been based on a rationalist, empiricist

⁸⁹ Strange, S. "An Eclectic Approach" in Murphy, C. N. & Tooze, R. (editors) The New International Political Economy (Boulder: Lynne Rienner Publishers, 1991).

⁹⁰ Shiva, V. & Holla-Bhar, R. "Intellectual Piracy and the Neem Tree" *The Ecologist* Vol. 23 No. 6 (November/December 1993) pp. 223-227.

⁹¹ Shiva, V. "Why we should say 'no' to GATT-TRIPS" *Third World Resurgence* No. 39 (November, 1993).

⁹² Murphy, C. & Tooze, R. "The Epistemology of Poverty..." op cit., Cox, R. "Power, Production and the World Order..." op cit.,

epistemology. Tooze and Murphy⁹³ explain that this is attributed to the fact that IR/IPE stems from neo-classical economics and that orthodox IPE has adopted many of the concepts of economics. Epistemological IPE has also inherited characteristics from neo-realism as a scientific 'problem solving' discipline. Jabri and Chan argue⁹⁴ that IR is based on western dominance and this has led to a discipline that uses a universalistic epistemological framework. Chan argues that in order to expand this narrow framework it is necessary to incorporate other cultures and knowledge/frameworks, as they are not given enough space in IR. "If International Relations wishes, in turn, to see how it and the world are being variously seen, then it must draw upon the methodologies of other disciplines more sympathetic than International Relations to the multiplicity of claims for universalism."⁹⁵ In order to incorporate women from the South into central debates about poverty, the changing nature of the state, and the globalisation process, a fundamental shift needs to occur which incorporates a discussion of women's knowledge.

Indigenous knowledge cannot be 'measured' according to the criterion held up by western science. Our belief systems constitute our very different, often polar, views of knowledge. Indigenous women of the tropical rain forests, have a deep understanding of their habitat, which makes western scientific knowledge look deficient. However, the traditional knowledge of other people is often regarded as ignorant from the modern viewpoint. The traditional knowledge of peasants, women, slum-dwellers, is increasingly coming to be viewed as a cultural resource as valuable and valid in its own way as

⁹³ Murphy, C. & Tooze, R. "The Epistemology of Poverty..." op cit.

⁹⁴ Jabri, V. & Chan, S. "The ontologist always rings twice: two more stories about structure and agency in reply to Hollis and Smith" *Review of International Studies* No. 22 (1996) pp. 107-110.

anything coming out of a laboratory. The idea that western science is only one narrative seems absurd. Yet in western society this is rarely questioned.⁹⁶ Hobart argues that, 'hegemonic representations constitute the conditions of power, then these critics may unwittingly be caught up in helping to perpetuate what they claim to criticise.'⁹⁷ Our notions of knowledge are so intrinsic that it is easy to dismiss other forms of knowledge as possessing the same validity as western knowledge.⁹⁸ This may happen unintentionally. As a society we may appreciate local knowledge but we have not incorporated it fully into the studies of international relations or academia in general.⁹⁹ For decades academic inquiry has accepted that science is the most valid way of knowing what surrounds us. Development studies have attempted to fit indigenous knowledge into its models of development.¹⁰⁰

2.5 How traditional IR deals with women¹⁰¹

The twentieth-century discipline of International Relations has largely been concerned with the state, security and the global expansion of trade. Within this analysis, gender relations and the role of women have received little attention¹⁰² International Relations has its roots in positivism¹⁰³ and analysis of the benefits of a scientific method continue in

⁹⁵ Chan, S. "Seven Types of Ambiguity in International Relations Theory" *Theoria: A Journal of Social and Political Theory* (June 1997) p. 108.

⁹⁶ Hobart, M. (editor) *An Anthropological critique of development* (London: Routledge, 1993).

⁹⁷ Hobart, M. "Introduction: the growth of ignorance" in *Ibid.*, p. 5.

⁹⁸ Smith, L. T. *Decolonising Methodologies: Research and Indigenous Peoples* (London: Zed Books, 1998)

⁹⁹ *Ibid.*, p. 56.

¹⁰⁰ Kabeer, N. & Subrahmanian, R. (editors) *Institutions, Relations and Outcomes: Framework and case studies for Gender-Aware Planning* (London: Zed Books, 2001).

¹⁰¹ A recent addition to the field and a good starting point on how the orthodox view addresses women is Steans, J. *Gender and International Relations* (New Jersey: Rutgers University Press, 1998).

¹⁰² True, J. "Feminism" in Burchill, S., Linklater, A., Devetak, M. & True, J. (editors) *Theories of International Relations* (London: Macmillan Press Ltd, 1996), p.210.

¹⁰³ Smith, S., Booth, K. & Zalewski, M. (editors) *International Theory: Positivism & Beyond* (Cambridge: Cambridge University Press, 1996)

the discipline today.¹⁰⁴ However, in no way is this thesis attempting an historical analysis of International Relations theoretical literature? That would be a thesis -length work in itself, considering the extensive amount of literature, which has been produced in the last fifteen years. It is trying to look at what has been done in IR in relation to women and to demonstrate why they have been marginalised within the history of the mainstream discipline. As well as illustrating how International Relations has ignored women in its analysis, which has resulted in an IR feminist analysis that is still marginalised within the overall discipline. Ann J. Tickner claims that, “women have been absent from the construction of knowledge and this has been particularly true in the discipline of international relations... Feminists writing about international relations have suggested international relations draws on experiences more typical of men than women under the guise of objectivity.”¹⁰⁵ The three schools of “international relations, liberalism, realism, and radicalism have neglected women’s epistemologies.”¹⁰⁶ When we turn to traditional or orthodox interpretations of IR many of the same images are present. On its level of theory, the subject and object are separated, in order for science to maintain its objectivity. This was adopted from social sciences, and the analysis that takes place within the discipline tends to be an objective analysis with empirical evidence to back its claims. Therefore, analysis of women and nature has not been properly examined, partly because the privileging of objectivity involves something being ‘mastered’ and ‘managed’.¹⁰⁷ Tickner claims that ‘once feminist perspectives have exposed the gendered construction of international theory and the diplomatic practices of states, women’s

¹⁰⁴ Woods, N. (editor) Explaining International Relations Since 1945 (Oxford: Oxford University Press, 1996).

¹⁰⁵ Tickner, J. A. “Searching for the Princess...” op cit.,

¹⁰⁶ Smith, J. ‘Feminism...’ op cit.,

experiences can help us to understand how these hierarchies are created and sustained.’¹⁰⁸ What Feminist IR theory has done is de-construct traditional IR and has given women space within the discipline. Some scholars such as Keohane and Jones¹⁰⁹ are happy to accept feminist theory as long as it does not challenge the overall discipline. The point of feminist IR is not to become some type of sub-discipline, which is only relevant to women, it is necessary to engage in discussion about women’s positions, power relations and gender relations with men. Steans argues that ‘the nature of both gender relations and feminist politics involves thinking across the boundaries of local and global, national and international, public and private.’¹¹⁰ Therefore, we need to make IR as inclusive as possible rather than just accepting what fits. And, as argued later, we need to make room in IR for the subjective as well as the ‘objective’.

Steans argues that the “gender bias in International Relations runs much deeper than use of male-identified roles in the model of ‘state as actor.’”¹¹¹ She argues that while realism is unable to accept that ‘knowledge can be based on specific identities and interests’ it still relies on ‘male-identified roles’ to set up its framework, even if this framework is implicit.¹¹² Steans asserts that, “the idea of ‘sovereign man’ is in some sense held to

¹⁰⁷ Merchant, C. Women and the Environment. (New York: Routledge, 1996).

¹⁰⁸ Tickner, J. A. “Searching for the Princess...” op cit., p. 5.

¹⁰⁹ Keohane, R. O. “Beyond Dichotomy: Conversations between International Relations and Feminist Theory” *International Studies Quarterly* Vol. 4 Part 1 (1998) pp.193-197; Jones, A “Does Gender Make the World Go Around? Feminist critiques of international relations” *Review of International Studies* Vol. 22 Part 4 (1997) pp. 405-421.

¹¹⁰ Steans, J. “The private is global: Feminist politics and Global Political Economy” *New Political Economy* (March 1999) p. 120. This was downloaded off the proquest site and may have re-formatted the pages.

¹¹¹ Steans, J. “Gender and International Relations...” op cit., p. 53.

¹¹² Ibid., p. 53.

embody the 'truth' about international relations."¹¹³ Advancing an argument made by Nancy Hirshmann, Steans claims that the 'social construction of 'maleness' and 'femaleness' has been about power,' and in turn this construction known as the 'masculine experience' is 'epistemologically validated and imposed on women.'¹¹⁴ Therefore men's interpretation of the world is reinforced as the human experience. In other words, 'the assertion that epistemology and ontology are entirely separate is granted the status of objective truth and epistemology comes to be defined as excluding ontological considerations.'¹¹⁵ So, 'explicitly ignoring gender while implicitly exploiting a distinctly masculine meaning of knowledge seeking these epistemologies are able to mask their own bias.'¹¹⁶ Peterson argues that this 'masculine hegemony is being disrupted by shifting divisions of labour, reconfigured sexual identities, and the pressure of feminist critiques.'¹¹⁷

2.6 Why have a Feminist IR?

Cynthia Enloe argues that international relations analysts do not analyse power relations especially in regards to women and marginalised groups. She states that analysts "underestimate the amount and varieties of power operating in any inter-state relationship and mistakenly assume that the narrative's plot is far more simple and unidirectional than it may in truth be."¹¹⁸ This is why Enloe argues for the importance of looking at the

¹¹³ Ibid., p. 53.

¹¹⁴ Hirshmann quoted in Steans, J Ibid., pp. 53- 54.

¹¹⁵ Ibid., pp. 53-54.

¹¹⁶ Ibid., p. 54.

¹¹⁷ Peterson, V. S. "Transgressing Boundaries: Theories of Knowledge, Gender and International Relations" *Millennium: Journal of International Studies* Vol. 21 No. 2 (1992) p. 184.

¹¹⁸ Enloe, C. "Margins, silences and bottom rungs: how to overcome the underestimation of power in the study of international relations" in Smith, S., Booth, K., & Zalewski, M. (editors) *International Theory: Positivism and Beyond* (Cambridge: Cambridge University Press, 1996).

'experiences and responses' of the voiceless to understand how frail this plot is. As Peterson explains, this plot needs to be expanded to include women.

"Global economic and ecological crises cannot be addressed by state-centric decision making. Non-state actors powerfully shape national economies. And new social movements demand more than the absence of war: they raise deeper questions about the nature of power and the meaning of human community."¹¹⁹

One of the purposes of this thesis is to look at what seems to be a marginalised group to see if this power is actually underestimated. It wants to look at the deeper questions about the nature of power to see if women have access to agency in their own lives. Peterson states that, including women does not mean just adding them on the end of the IR discipline, it involves 'rethinking such categories and their relationship to knowledge, power, and community. It simultaneously shifts from treating women as 'knowable' to knowers.'¹²⁰ This is an important shift because it argues that women have something to say, something that should be central to the discipline. Peterson argues that there are three reasons why feminism is important to IR; the idea of 'sovereign man' representing women is not possible either politically or epistemologically.¹²¹ The second reason is that androcentric notions that do not analyse women or gender relations cannot address the 'real world', and the third reason is what Peterson calls the 'current post-positivist movement' feminist thought has a considerable amount to offer to the third debate.¹²² So why is feminism still so marginalised within the overall discipline of IR? Enloe explains that in part it has to do with neo-realism obsession with state relations. She claims that it is only through listening to women, and indigenous groups that we can fully appreciate 'the powers it has taken to provide the state with the apparent stability that has permitted

¹¹⁹ Peterson, V. S. "Transgressing Boundaries..." op cit., p. 186.

¹²⁰ Ibid., p. 194.

¹²¹ Sisson, R. and Peterson, V. S. quoted in *ibid.*, p. 197.

¹²² Peterson, V. S. "Transgressing Boundaries..." op cit.,

its elite to presume to speak on behalf of a coherent whole.’¹²³ Peterson argues it is more subversive that ‘under existing patriarchal relations, resistance to feminism is pervasive, which makes it hard to distinguish between this general resistance and the specific resistance to feminist critiques of international relations.’¹²⁴ This is explained by the fact that the discipline has always been interested in the ‘business of men’ and hence has been dominated by men. To correct this situation would require looking at IR’s ‘androcentric’ nature and looking at how ‘international processes have gender-specific consequences and how gendered categories and orientations shape world politics.’¹²⁵

2.7 Contributions to Feminist IR¹²⁶

There are numerous other books and articles that have had a tremendous impact on IR.¹²⁷ Feminist IR theory is making ground but as Christine Sylvester claims that ‘progression’ of women’s issues is slow to change in IR, in order for conventional IR to adopt a feminist agenda of analysis it needs to alter ‘how the conduct of international relations has depended on men’s control.’¹²⁸ While women have been brought from the periphery into the semi-periphery, theoretically, IR feminists have made some positive strides in addressing women’s needs when theorising about the ‘everyday’. Christine Sylvester’s book, *Feminist Theory and International Relations in a Postmodern Era*, was written in

¹²³ Enloe, C. “Margins, silences and bottom rungs...” op cit., p. 200.

¹²⁴ Peterson, V. S. “Transgressing Boundaries...” op cit., p. 198.

¹²⁵ Halliday quoted in Peterson, V. S. *ibid.*, p. 198.

¹²⁶ This section is focusing on a few key texts within the discipline and just touches on the wealth of literature in IR. For a good overview see True, J in *Theories of International Relations* op.cit.

¹²⁷ Tickner, J. A. *Gender in International Relations: Feminist Perspectives on Achieving Global Security* (New York: Columbia University Press, 1992); Peterson, V. S. *Gendered States: Feminist (Re) visions of International Relations theory* (Boulder: Lynne Rienner Publishers, 1992); Steans, J. *Gender and International Relations* op cit. The last book can be consider a piece of work from ‘the second generation’ of IR feminists pushing in ‘new directions and further eroding disciplinary, territorial, and race/ethnic/class boundaries’ quoted in Peterson, V. S. “Gendered States...” op cit.

1984.¹²⁹ Sylvester argues for a post-modern feminism, which incorporates standpoint feminism with its practical aspects with the skepticism of postmodernist theories. Sylvester claims that IR is 'the proper homestead or place for people called men.'¹³⁰ Peterson argues that 'people called women can only visit these sites, offering support in service to male identified agendas.' She concludes that 'women/gender are effectively evacuated from IR and their homesteading(s) precluded.'¹³¹ Empathetic co-operation is equally important as it forces us to focus on 'relations international-the myriad positions that groups assume towards one another across the many boundaries and identities that defy field-invented parameters.'¹³²

I am particularly interested in how Sylvester proposes the notion of 're-painting the canvas of IR.' She claims that, ' "men" that control knowledge and "women" are either out of place altogether or are issued visitor's passes that enable us to have assigned homelands for temporary support roles in IR.'¹³³ Sylvester argues that there are several ways to incorporate 'difference' and to achieve a tolerant IR. Sylvester claims that 'women' are a contested category, she also asserts that the subtle differences between feminist post-modernism and post-modern feminisms. Post-modern feminism is not as sceptical as feminist post-modernism but both clearly reject any notions of essentialism.¹³⁴ Sylvester herself recognises the problems in feminist post modernism in

¹²⁸ Enloe, C. "Margins, silences and bottom rungs..." op cit., pp. 186-202.

¹²⁹ Sylvester, C. Feminist Theory and International Relations in a Post-modern Era (Cambridge: Cambridge University Press, 1984).

¹³⁰ Sylvester, C. "Feminist Theory..." op cit., p. 4.

¹³¹ Peterson, V. S. "Feminisms and International Relations..." *Gender and History*, 1998, Vol. 10, No. 3 pp. 581-589.

¹³² Sylvester, C. quoted in Peterson, V. S. *ibid.*, p. 586.

¹³³ Sylvester, C. op cit., p. 211.

¹³⁴ Peterson, V. S. "Feminisms and International Relations..." op cit.,

claiming that women no longer exist as 'ontological givens.'¹³⁵ Zalweski argues that Sylvester accepts, 'those 'women' who wish to believe that they are women (despite the latter being 'technically not real' according to Sylvester) and want to use the category of women as a starting point for feminist politics, would be tolerated. At the same time, Sylvester would like to move away from women as the focus of feminist politics towards using the methods of empathetic co-operation.'¹³⁶ The problem is that I do not think she goes far enough. Epistemological inclusion means taking in all kinds of theory but clearly there is a theoretical selectivity that occurs and considering her position I am assuming that Eco-feminism is not something that *should* be included in this re-painting process. While I find Sylvester's epistemological arguments constructive, I have outlined a few points of her work in order to launch into a discussion of essentialism and post modernist feminism and 'repainting the canvas' to include Eco-feminism. I do not agree with her ontological positions. This is one of the points I disagree with in Sylvester's work. If 'woman' is only a constructed term then how can we analyse women's lives as having anything constructive to say? This will be discussed in detail in the following paragraph.

2.8 Re-painting the canvas of IR to include eco-feminism?

Mies and Bennholdt-Thomsen argue that 'in spite of all their differences and their rejection of any 'grand theory', postmodern feminists unanimously reject one theoretical sin: essentialism.'¹³⁷ Postmodern feminists believe that essentialism is the biological separation of man and women and this is at the root of patriarchal relations.

¹³⁵ Peterson, V. S "Transgressing Boundaries..." op cit.

¹³⁶ Zalewski, M. "The Women/ "Women" Question" *Millennium* Vol. 23. No. 2 (1994) pp. 728-32.

¹³⁷ Bennholdt-Thomsen, V. & Mies, M. The Subsistence Perspective: Beyond the Globalised Economy (London: Zed Books, 1999) p. 196.

“For postmodernists, categories like gender, class, race, etcetera are just differences. The criticism of essentialism means that such differences should not be considered as universally valid or quasi-nature-ordained. There is no ‘male’ and ‘female’ essence, only different constructions of maleness and femaleness, dependent on time, culture, history, space, class, race, sexual orientation.”¹³⁸

Bennholdt-Thomsen and Mies argue that they along with postmodern critiques argue against ‘biological determinism which legitimises dominance relations as nature ordained.’¹³⁹ They argue that in trying to avoid essentialism and universal ‘grand narratives’ they fall into several traps:

- First, they practically deny that there is any material and historical reality to the categories ‘women’, ‘men’, and ‘mothers’ etcetera. Thus there are only individual differences, which then, however, are seen as the only feature of human societies. On the basis of such individual and increasingly individualistic differences it is difficult to perceive any commonalities among people and to develop a notion of solidarity.
- Second, the radical constructivism that considers maleness and femaleness as only the result of cultural manipulations not only repeats the old Enlightenment dualistic and hierarchical division between nature and culture but also continues with the old valuation of this division: culture, anything made by humans, is superior to anything given by nature.
- One of the most negative results of this postmodern feminism is that on the basis of this ideology struggle for women’s liberation-or for the liberation of any other group or class-become virtually impossible. First, there are only differences, and these are not seen as enriching diversity, but as competing or antagonistic interests, There is no commonality, no common cause, no common ethics, and no common vision.¹⁴⁰

Bennholdt-Thomsen and Mies argue that in order for women to be politically active they need to reconstruct themselves as ‘subjects and their cause as real, important and part of a long-term perspective. Otherwise they will not have the necessary motivation and strength even to start getting involved in political action. This means they have to consider some issues as essentially important.’¹⁴¹ Bennholdt-Thomsen and Mies assert that this essentialism is not allowed by postmodern feminism, Kristeva and Spivak, two

¹³⁸ Ibid., p. 197.

¹³⁹ Ibid., p. 197.

¹⁴⁰ Ibid., p. 197. Direct quotes, which have been laid out in bullet point format.

¹⁴¹ Ibid., p. 198.

influential figures in postmodern feminism support this claim. In Kristeva's case to 'use the category 'woman' as a political instrument, but without granting it some ontological integrity. Butler quotes Spivak who states that 'feminists should construct an operational essentialism to be able to start their political program.'¹⁴² As Bennholdt-Thomsen and Mies conclude, postmodern feminists also have several traps they have fallen into.

While post-modern notions of power, knowledge and truth have important contributions¹⁴³ to make concerning implications for research practice in IR, this thesis does not rely heavily on its assumptions. Post-structural and post-modern theoretical principles rarely address gender or women as an aim of their research project.¹⁴⁴ In recent years many feminists have grasped post-modern concepts as a mainframe work for analysis. Yet, in its analysis, post-modernity accepts that all reality is bound by space and time and is contextual in its meaning. Post-structural and deconstructionist theories have also become important frameworks in International Relations theoretical debates. Yet, a majority of the leading figures in the post-structural debate are white, European males who do not incorporate a serious gender analysis into their debates. However, it means that everything becomes de-politicised, including women and women's activities. If women as a category are only linguistic or cultural constructions, then how is it possible to fight oppression directed at women? Bennholdt-Thomsen and Mies argue that in order to be political:

¹⁴² Ibid., p. 198.

¹⁴³ Weedon, C. Feminist Practice and Poststructural theory (Oxford: Blackwell Publishers, 1997) Shildrick, M. Leaky Bodies and Boundaries: Feminism, Postmodernism and (Bio) ethics (London: Routledge, 1997).

¹⁴⁴ Norris, C. "Deconstruction: Theory and Practice" (London: Routledge, 1999). Within this book are some of the greatest poststructural and post-modern theorists, there is no mention of gender or of women. According to Walby, Foucault, Derrida, and Lyotard do not seriously consider gender. p. 16.

“This means if woman wants to act politically they have to erect the pretence that the category ‘women’ has any universal, ontological essence. If they want to theorise however, they have to avoid such essentialism by all means. This schizophrenic situation of postmodernist feminist thought is precisely the result of the new idealism that post modernism represents.”¹⁴⁵

They argue that academic post modernism feminists have abandoned politics and have accepted women being given access to the realm of men. The problem being is that simply accessing this realm does not alter its inadequacies and nor does it make it an equitable place for women.¹⁴⁶ Canning argues, ‘experience, as the rendering of meaning, is inextricably entwined with the notion of agency, with a vision of historical subject as actors...’¹⁴⁷. As Scott concludes, ‘To abandon embodied experience in this way, simply in order to avoid the dangers of biological essentialism is, in this way, I would argue, both politically and epistemologically unwise.’¹⁴⁸ Bennholdt-Thomsen and Mies question why postmodern feminism has been so readily accepted;

“We do not understand why women, particularly in the centres of industrial capitalism, embrace this new idealism and even propagate it in the name of women’s emancipation. As we saw, this happens not only in gender studies but also in politics. How was it possible that feminists forgot their roots in the women’s movement and the centrality of ‘body politics’? How could they forget the link between the women’s movement and women’s studies, between practice and theory (Mies 1978) Why did they no longer understand that their enemies were not ‘mothers’ but global capitalist patriarchy? Why did they-again-believe that technology/science could ‘emancipate’ them from their real and symbolic mothers, from Mother Earth, and their organic bodies? Postmodern feminists’ criticism of ‘essentialism’, for example of eco-feminism, has its roots in this denial of our own origins as ‘of woman born’, of real mothers and the symbolic order of mothers and of the female body. For women this denial is self-destructive. Gene and reproductive technologies are then the only means to ‘emancipate’ women from the ‘wilderness’ of their female body. Barbara Duden, in her criticism of Judith Butler calls this postmodern, dematerialized women the ‘women without abdomen’.”¹⁴⁹

While post-modern debates provoke some interesting debates about the nature of power and structures, it is only partly relevant to women’s condition in a global environment.

Where it is relevant is that in order to understand women’s positions we need to

¹⁴⁵ Bennholdt-Thomsen & Mies ‘The Subsistence Principle...’ op cit., p. 199.

¹⁴⁶ Personal conversation with Vandana Shiva, May 13, 1988 at the CBD.

¹⁴⁷ Scott, A. “The Knowledge in our Bones”...op cit., p. 109.

¹⁴⁸ op cit., p. 109.

understand how they have been constructed according to space and time. It is also necessary for this thesis to 'deconstruct' notions of power as well as structural and organisation behaviour in order to think about altering power relations.

2.9 Power in IR

It was in the late 1980s that gender began to receive serious recognition in IR. In 1989 Cythia Enloe wrote *Bananas, Beaches and Bases: Making Feminist Sense of International Relations*.¹⁵⁰ It was a truly woman-centred view of international politics and was received within the discipline as the first feminist interpretation of IR. The entire book really turns our perceptions of world politics around and how the powerful position of men is actually constructed. Women who are the focus and roles that are assumed as natural are suddenly given space because they are seen as valuable contributions to the global economy. This perception is much more in line with the goals of this project. Enloe argues that it is our acceptance of the 'naturalness' of women's roles that precludes the fact that women's contributions are ignored. Enloe argues that this is a constructed hierarchy and in recognising this construction it is necessary to think about reconstructing new systems. Enloe 'takes us behind the scenes to find out what women in international relations do.' She uses illustrative examples of women who work, trade and manage in the global economy. She claims that these women are an important part of the global economy. Tinkner argues that, 'by performing roles that have come to be seen as "natural ones for women, these women and many more are providing the labour that sustains the

¹⁴⁹ Ibid., p. 199.

¹⁵⁰ Enloe, C. *Bananas, Beaches and Bases: Making Feminist Sense of International Relations* (London: Sage Publications, 1989).

power structures of states and markets.¹⁵¹ The labour/knowledge of women is not recognised and yet it sustains power structures that women are often precluded from. This will be discussed later. Once again what is chosen as a subject of analysis is what this thesis brings into question. When Cynthia Enloe¹⁵² decides to write about the Maya people of the Chiapas region in Mexico and their experience of the North America Free Trade Agreement, (NAFTA) she is not only taking the voices of the 'other' seriously. In turn, she also challenges some of the essential underpinning of the discipline of International Relations, where assumptions about state power often still exist.

Notwithstanding this, feminist IR has encountered criticism for imposing a 'western centric' white women's agenda on the 'other'.¹⁵³ Chandra Mohanty has long argued that feminism, in particular western feminism, often portrays the needs and concerns of white women and that issues of class, colour and economic status are rarely addressed. Again it could be argued that white women have been in a more powerful position and their voice is heard more often than women of colour.¹⁵⁴ Why this is important to this particular thesis is that it is attempting to theorise on an international level and therefore needs to look at existing theory in order to set up its analysis.

2.10 Feminist ways forward in IR

This section will discuss different ways of knowing and look largely at why women's epistemologies have been rejected. As I stated earlier in order to incorporate women into

¹⁵¹ Tickner, J. A. "Searching for the Princess" op cit., p.48.

¹⁵² Enloe, C. "Margins, silences and bottom rungs..." op cit.,

¹⁵³ Mohanty, C. "Under Western eyes: Feminist Scholarship and Colonial Discourses" *Feminist Review* No. 30 (1998) pp. 60-86.

the discipline, Enloe argues that we need to look at the marginalised and Peterson argues that the discipline will need to look at the 'relationship to knowledge, power and community' and a shift from women as 'knowable' to 'knowers.' If there is an ontological and epistemological imbalance that favours men then, we need to introduce women's concerns, and how they are embedded in their own epistemologies and ontologies.

"Indigenous women's knowledge, innovations, and practices have contributed to the conservation, development and management of natural resources. Yet, as has always been the case with women, our strength, our wisdom, our identities, our issues are not reflected in any programmes of the CBD, or receive due *attention* on the discussion of parties."¹⁵⁵

Indigenous women argue that within a supportive forum like the CBD their knowledge is excluded, and within their own countries, governments, societies and communities this disregard for their *knowledge*, innovations and practices is even more blatant.¹⁵⁶ From their communities up to the macro economic levels, relations of power suppress women's knowledge. Why it is necessary to emancipate women's knowledge is in order to implement; the integral role women's knowledge has within their communities. Many of these women have experienced failed development projects because they and women in their communities were not consulted on how things actually work within their communities.¹⁵⁷ Although the implementation of gender and development programs is changing the attitudes of many of the development agencies, the 'development specialist'

¹⁵⁴ Ibid.

¹⁵⁵ Recorded statement at the First Indigenous Women's meeting on traditional knowledge, innovations and practices at the CBD on May 11, 1998.

¹⁵⁶ Interview with Victoria Tauli-Corpuz, Director, Tebessa Foundation, Inc. Indigenous People's Centre for Policy Research and Education in Pasay, Philippines. Interview took place at the CBD, May 8, 1998.

¹⁵⁷ Brydon, L. & Chant, S. Women in the Third World. Gender issues in rural and urban areas (Aldershot: Edward Elgar Publishing Limited, 1989).

with their western ways of knowing, still exists.¹⁵⁸ Many women in the South claim that their close proximity to nature has given them an intimate understanding of how biological diversity works. Stella Tamang claims that,

“Women and men may have a different knowledge of similar things; a different knowledge of different things; different ways of organising knowledge; and different ways of perceiving and transferring knowledge. One of the major characteristics of women’s knowledge is that it is ‘holistic’ and our perceptions of the environment tend to be comprehensive and multidimensional. In much of the developing world, the on farm and in situ conservation and use of plants genetic resources begins with indigenous women. Indigenous women play a vital role in dissemination, transmission, protection, and practice of knowledge.”¹⁵⁹

In the 1970s and 1980s it was identified how indigenous knowledge could offer a more culturally sensitive and appropriate means of development. It was also identified that knowledge and experience are linked through local ecology, human geography and *gender*.¹⁶⁰ Critical feminist thought has contributed to many fields and as IPE has become a sub-field of IR, Gender and Development (GAD) has become a sub field of Development Studies and this line of literature is important to this thesis. While there have been discussions of gendered knowledge or women’s knowledge at local levels¹⁶¹, this thesis will examine women’s knowledge at an international level. As Jill Krause argues, it is perhaps in the area of development that one can most clearly see the

¹⁵⁸ Interview with Craig Benjamin, Communications Director, Cultural Survival (Canada). Interview took place at the CBD on May 12, 1998.

¹⁵⁹ Interview with Stella Tamang, Director of the Nepal Tamang Women’s Ghedung, Kathmandu, Nepal, at the CBD on May 7, 1998.

¹⁶⁰ Brokensha, D. W., Warren, D. M. & Werner, O. Indigenous Knowledge Systems and Development (Lanham, M.D.: University Press of America, 1980).

¹⁶¹ Within the Gender and Development (GAD) literature there has been a vast analysis of gendered knowledge at theoretical levels and research has been conducted at micro levels. The GAD Literature has also engaged in discussions concerning gender, development and globalization. There has been analysis of the effects of global restructuring and the effects of macro economic programs, such as, structural adjustment policies on women as well as the feminisation of poverty. See Marchand, M “Reconceptualising ‘Gender and Development’ in the era of ‘Globalisation’” *Millennium: Journal of International Studies* Vol. 25 No. 3 (1996) pp. 577-603; Alcoff, L. & Potter, E. (editors) Feminist Epistemologies (New York: Routledge, 1993) Stanley, L. & Wise, S. Breaking Out Again: Feminist Ontology and Epistemology (London: Routledge, 1993); Marchand, M. & Parpart, J. (editors) Feminism, Postmodernism, Development (London: Routledge, 1995); Crowley, H. & Himmelweit, S. (editors) Knowing Women: Feminism and

importance of gender in IPE, by exploring the gender specific impact of development policies and examining the role played in this process by international organisations and multinational firms.¹⁶² As Elson and Pearson claim, “one cannot understand the characteristics of class and national struggles alone; gender must be incorporated into the analysis.”¹⁶³

The strong point of IR feminist theoretical literature is that it recognises that IR critiques have always been about men.¹⁶⁴ Again, going back to Krause’s argument, IPE has not gone far enough in a gender analysis of development and organisations, and this is essential. A gender analysis of intellectual property involves de-constructing the existing notion of intellectual property. This will be examined in the following section. It also involves reconstructing a new gender equitable framework. This thesis will attempt to do this both in methodological and practical terms, as well as on ontological, epistemological and political levels.

GAD has been about understanding how gender is constructed.¹⁶⁵ Using GAD theories, this thesis analyses these constructions perpetuated by epistemological and ontological discourses, institutions, systems and situations and looks at how women are setting up strategies to protect their knowledge. Maxine Molyneux argues that women’s roles stem

Knowledge (London: Polity Press, 1994) and Leonardo, M. Gender At The Crossroads Of Knowledge: Feminist Anthropology In The Post-modern Era (Berkeley: University of California Press, 1992).

¹⁶² Krause, J. “The international dimension of gender inequality and feminist politics” in Macmillian, J. & Linklater, Boundaries in Question: New Directions in International Relations (London: Pinter Publications, 1995) p.133.

¹⁶³ *Ibid.*, p. 133.

¹⁶⁴ Sylvester, C. “Post-Modernism...”op cit.,

¹⁶⁵ Women are dependent on men both in the private and public sphere and this is one reason why women’s knowledge/intellectual property is marginalized in the global economy.

from two circumstances; that of the sexual division of labour and the unequal access to resources. The first being the vast amount of unremunerated work for which women are responsible and this often expands from the household into the community, particularly in the South. The second is “exclusion from arenas of political and economic power, their inequality within the family and the society, and their lack of control over their lives.”¹⁶⁶

Women’s knowledge/intellectual property has been ignored in IPE. This will be discussed in chapter two. This thesis asserts that GAD is a starting point and is the most practical and acceptable mainstream theory that addresses gender inequalities.

Within IPE there has been little analysis of the macro effects of the global economy and global restructuring, according to Marianne Marchand who addresses this in the 1996 article in the journal, *Millennium*.¹⁶⁷ This is where Marchand argues that IPE could gain from a study of GAD. This thesis will rely on this collaboration with Marchand. While gender analysis of the World Bank and International Monetary Fund (IMF) policies have occurred¹⁶⁸ and there have been vast critiques on the WTO/TRIPS agreement, little has been done on gender and the WTO TRIPS (Trade related intellectual property agreement).¹⁶⁹ One of the important contributions of GAD is its multifaceted approach to globalisation, and how women respond on both the national and international levels. Another interesting point of GAD is that it is more accepting of eco-feminist

¹⁶⁶ Moyneax, M. quoted in Young, K. “Planning from a Gender Perspective” in Visivanathan, N., Duggan, L., Nisonoff, L. & Wieggersma, (editors) The Women, Gender & Development Reader (London: Zed Books, 1997) p 367.

¹⁶⁷ Marchand, M. “Reconceptualising ...” *op cit.* pp. 577-603

¹⁶⁸ Joeke, S. & Weston, A. Women and the New Trade Agenda (New York: UNIFEM, 1994), Joeke, S. Women in the World Economy (Oxford: Oxford University Press, 1987) p. 134. Bakker, I. (editor) The Strategic Silence: Gender and Economic Policy (London: Zed Books/North-South Institute, 1994).

contributions. As Vandana Shiva argues violence against nature and women are built into the very mode of perceiving both.¹⁷⁰ Whether or not one agrees with Shiva's position, she strongly illustrates that western development epistemological assumptions have isolated indigenous knowledge and its contributions.

GAD is a continuation of Women in Development (WID)¹⁷¹ and Women and Development (WAD), both of which are important stepping stones to GAD, but will not be covered here. GAD however is important to this thesis for several reasons. It enters the private sphere, it is political, and women are seen as 'agents of change'. It sees the need for women to organise themselves. GAD is also concerned with upsetting the existing power relations in society and it does not isolate men from this process. The women I interviewed, whether implicitly or explicitly accept in practice many of GAD's principles and this will be demonstrated throughout the thesis. GAD has a 'holistic' approach and therefore, is much more empowering for women than previous development models that did not take women into account. At the moment GAD is the framework within which development agencies claim to be working, and although it is not in their hands to create a perfect framework, it is the best mainstream theory in that it politicises women's positions in society. Often development agencies say they have instituted GAD but it is nothing more than lip service to appease donors. Escobar¹⁷² has

¹⁶⁹ Shiva, V. "WTO, Women and the Environment: An Ecological and Gender Analysis of "Free Trade" in Haxton, E. & Olsson, C. (editors) Women in Development: Trade aspects in the Development Process (Stockholm: United Nations Youth and Student Association of Sweden, 1995)

¹⁷⁰ Argawal, G. "The Gender and Environment Debate: lessons from India" in Visavanathan, N. et al. "The Women, Gender and Development Reader..." op cit.

¹⁷¹ Boserup, E. Women's role in Economic Development (New York: St Martins Press, 1970).

¹⁷² Escobar, A. Encountering Development: The making and unmaking of the third world (Princeton: Princeton University Press Inc., 1995).

argued that GAD comes out of the western development model. Mohanty¹⁷³ questions the universality of GAD and argues that all situations differ and one model cannot address development 'problems,' saying that it is still a framework that addresses social inequalities. This will be discussed in chapter seven.

This thesis states that gender is central to debates concerning intellectual property, and this is where GAD becomes important in the analysis of intellectual property. International relations and development studies have adopted different discourses of feminism and GAD offers an important methodological insight for the analysis of intellectual property. It takes women's subjective and inter-subjective knowledge seriously and there is a strong tradition of the analysis of women's knowledge, especially micro and anthropological based examples in the discipline. GAD has openly critiqued the ways women and women's work has been completely disregarded in the global economy. Reproduction, childcare, housework, caring for elderly parents and often in-laws are not recognised. Of course WID and WAD highlighted these issues as well but GAD was able to narrow in on the issues of gender relation and how this was integral to women's position with their communities. Jill Krause¹⁷⁴ argues that, within IPE gender analysis of the 'private' is still scarce and most of the gender analysis works towards redefining the 'economic' and the 'political.' An analysis of the 'private' is important, as women's knowledge is often practised, produced and re-produced in this milieu. This thesis seriously considers the implications of ignoring women's work and their knowledge in the 'private' milieu, often referred to as the household and the community.

¹⁷³ Mohanty, C. "Under Western eyes: Feminist Scholarship and Colonial Discourses" op cit.,

While GAD and critical/feminist IR/GPE could benefit from a mutual exchange of scholarship, there are several problems that Marianne Marchand believes she needs to address in her article, one of which I will focus on here, and that is concern about the “power of representation and ‘Othering’.”¹⁷⁵ Often the analysis of the effects of globalisation and a new international trade agenda identify women as a ‘vulnerable group’. What this type of language does is dis-empower women and their struggles on a micro level. At the same time she argues that this type of positioning ignores or neglects the strategies of survival and resistance in which women at the grass roots are involved on a daily basis. It is difficult to find a balance between critiquing globalisations’ negative effects and still be able to illustrate women’s empowerment. The women I interviewed admit this is problematic. However, they were the first to criticise globalisations’ negative impact while claiming that they were still able to develop empowerment strategies. Some of these strategies involve fighting macro institutions, like the TRIPS. Others were working with macro institutions like WIPO and the CBD, or international NGO’s. Others still involve grassroots strategies, but no matter what strategies are employed they fight or counteract the negative globalisation process.

Georgina Waylen argues that a GIPE (Gendered International Political Economy) based on GAD literature is the best way for ‘asking what possibilities there are for change.’¹⁷⁶

As argued earlier critical analysis is not only concerned with how things are but how

¹⁷⁴ Krause, J. “The international dimension inequality and feminist politics: a ‘new directions for International Political Economy” in Macmillan, J. & Linklater, A. Boundaries in Question: New Directions in International Relations Ibid., p.130.

¹⁷⁵ Marchand, M. “Reconceptualising Gender and Development” op cit,.

¹⁷⁶ Waylen, G. “International Political Economy, Development and Gender” *Journal of International Relations and Development* Vol. 2 No. 4 (1999).

things can change. The problem that Waylen sees is that critical theory has neglected the study of gender. Waylen claims that a GIPE has several important factors, one, and the 'possibility of changing the dominant gender order.' Two, 'GIPE is not state centric like a lot of mainstream IPE,' because it also focuses on civil society,¹⁷⁷ examining sources of opposition from social movements looking 'from below' which, in this context, take the form of a variety of women's movements and the trans-national links between such movements. She argues that economics and markets are both 'imbued with structural power relations that include a gender dimension.'¹⁷⁸ Waylen also argues that the 'majority of those engaged in gendering all forms of political economy see themselves as feminists, not only to understand women's subordination but also to change it, even if the analyses and solutions advocated vary.'¹⁷⁹ While, Waylen is critical of Kofman and Youngs 1996; Pettman 1996; and Steans 1998; accusing them of being critical of GAD and yet relying 'very heavily on it,' but Waylen claims, 'it is over-simplified in its rendition of the literature.'¹⁸⁰ Yet Waylen could be accused of the same thing. While she claims that a GIPE should include various types of analysis and solutions, her article does not address the place of eco-feminism as theory or practice. If Waylen is arguing for an inclusive GIPE whose 'core is firmly situated in the GAD literature', then eco-feminism must be addressed because eco-feminism is a chosen voice for many women in the South and this is where substantial GAD theory is positioned.

¹⁷⁷ Civil society- referring to formal and informal NGO's, groups, activists focusing on similar causes that affect their daily lives.

¹⁷⁸ Elson quoted in Waylen, Ibid.

¹⁷⁹ Ibid., p. 436.

¹⁸⁰ Ibid., p.436.

2.11 What is essentialism/eco-feminism?

Essentialism is the ‘naturalising reduction of gender to sex’,¹⁸¹ or biology. New argues that essentialism is about upholding power of ‘linked dualisms’ such as man/women, and culture/nature. Peterson argues that ‘the binary association of masculinity with public power, agency, culture, reason, freedom, etc., and the association of femininity with privacy, passivity, nature, irrationality, necessity, etc., justified multiple expressions of gender inequality.’¹⁸² The problem is not the actual categories themselves but what Val Plumwood terms ‘radical exclusion’ which is “an essentialist polarisation which justifies and reproduces certain social practices.”¹⁸³ Women are often seen as the protectors of nature and men as the destroyer.¹⁸⁴ This thesis does not want to set up binary distinctions or romanticise women’s knowledge. What it will do is set up a critique where eco-feminism is taken seriously. Any thesis dealing with women and development needs to look at Eco-feminism. The debates of feminism have always centred on power, who has it and why. But more importantly to this thesis it has also focused on constructivism versus essentialism. Feminism excursion to eco-feminist praxis has often been deeply criticised and regarded as a dangerous position, which posits a step backwards for women. This thesis recognises the vast literature for and against eco-feminism.¹⁸⁵ It wants to move beyond this debate and state that political, social and economic forces shape women’s realities and that eco-feminist thought can be an important tool of mobilisation.

¹⁸¹ Ibid.

¹⁸² Peterson, V. S. “Transgressing Boundaries...” op cit, p. 193.

¹⁸³ Plumwood, V. quote in New, C. “Man Bad, Women Good...” op cit., p. 173.

¹⁸⁴ Interview with Lucy Mulenkei, Co-ordinator, Indigenous Information Network, Nairobi, Kenya. The interview took place on the 6th of May 1998.

¹⁸⁵ See Bradidotti, R., Charkiewicz, E., Hausler, S., & Wieringa, S. Women the Environment and Sustainable Development (London: Zed Books, 1994).

2.12.0 Eco-feminism

Within certain academic communities of women,¹⁸⁶ eco-feminism/essentialism is perceived to be irrelevant and hopelessly out of date. Field argues that there is an 'essentialism-phobia' that exists in feminist scholarship.¹⁸⁷ It is seen as further subjugating men/women into binary positions, viewing women as protectors of nature and men as destroyers of nature. Yet, many of the women I interviewed see essentialism as a valid epistemology in which to voice their opinions.¹⁸⁸ They do not see their essentialist philosophies as committing them to rigid roles within their household and communities, but rather it is the economic, political and social structures that have created a difference in gender in the form of male dominance. The rejection of eco-feminism is seen as a reinforcement of the binary representations of North and South world women, a way of silencing Southern women through rejection of their ideologies. Nussbaum¹⁸⁹ takes this argument further that in rejecting eco-feminism in its totality, (viewing eco-feminism in league with racism and sexism) it does not 'conceptualise' whether it is beneficial for women. Many western feminists reject theorising in meta-narratives and essentialist based theories, yet can these theories be dismissed as an epistemological category of investigation when, for practical and theoretical purposes both can be useful or acceptable representations of women in the South, often by women in the South. This thesis recognises that eco-feminism cannot be so easily dismissed,

¹⁸⁶ Spelman, L. Inessential Women, Problems of Exclusion in Feminist Thought. (Boston: Beacon Books, 1988).

¹⁸⁷ Field, T. "Is the Body Essential for Eco-feminism?" *Organisation and Environment* Vol. 13 No. 1 (March 2000) pp. 39-60.

¹⁸⁸ Return to the first footnote to see the list of the women I am referring to.

¹⁸⁹ Nussbaum, M. in Udayagiri, M. "Challenging Modernization: Gender and Development, Post-modern feminism and activism" in Marchand, M. & Parpart, J. op cit., p. 170.

theoretically or strategically and yet eco-feminism must be critiqued, as it is 'riddled with essentialism.'¹⁹⁰

2.12.1 Eco-feminism-Different streams

Eco-feminism started out as a theoretical position that supports an intrinsic link between the domination of women and of nature. Its mandate promised to 'change dominant power structures whether within the frameworks of meaning, in gender relations, or in economic systems.'¹⁹¹ Eco-feminism may have emerged as a theoretical project but it has expanded into much more than that. Today, eco-feminism is a global social movement that attracts women and men from all over the world. Within eco-feminism there are two distinct streams known as cultural and social feminism.

2.12.2 Cultural/nature feminism

Cultural/nature feminism is associated with essentialism and this stream accepts the connection between women and nature. Nature Eco-feminists recognise men's hierarchical position in society and argue that 'women's essential features, such as empathy, caring and female ways of knowing which are based on connectedness, can help to develop new, better, less violent and more sustainable ways of living and social relations.'¹⁹² Nature eco-feminists accept the connection between women and nature in different forms. These authors 'condemn male culture for its aggression, individualism and hierarchical thinking.' They see both women and nature as oppressed and subjugated,

¹⁹⁰ New, C. "Man Bad, Women Good? Essentialisms and Eco-feminism" in McDowell, L. & Sharp, J. (editors) *Space, Gender and Knowledge* (Arnold Publishers: London, 1993) p.177.

¹⁹¹ Bradidotti, R. et al, "Women in the Environment..."op cit., p. 161.

¹⁹² Ibid., p.163.

the victims of patriarchal power structures.’¹⁹³ Susan Griffin, an early eco-feminist, believes that the connection between women and nature is both ‘material and spiritual.’ Susan Griffin concludes that men have chosen to separate themselves and the domination of nature/women is a product of ‘male conspiracy.’¹⁹⁴ Other feminists have also focussed on women’s spiritual essence. Mary Daly one of the leading figures of the early American feminist movement and the writer of *Pure Lust* argues that women should go on a spiritual journey to overcome male oppression, focusing on women fully understanding their spiritual power. Starhawk, writes on the spiritual relationship women have with the earth; a woman’s sense of ‘responsibility’ causes action to preserve it. To her eco-feminism ‘is not so much fuelled by women’s innate powers, but because it is simply the most holistic theory and practice of liberation.’¹⁹⁵

Rich argues that a women’s closest relation to nature is in motherhood. Rich claims that as an ‘institution for reproduction, it has become a site of women subordination.’¹⁹⁶ She believes that it is because of a women’s ability to create life that men have rendered it as a meaningless activity and have pushed women into a ‘body trap’, where women have rejected their ‘power inherent in female biology’.¹⁹⁷ Vandana Shiva sees ‘women and nature as the producers of life.’¹⁹⁸ Shiva claims that women ‘produce and reproduce life not merely biologically, but also through their social role in providing sustenance.’¹⁹⁹ Mies also supports a similar position in which, women as ‘producers of new life’ are

¹⁹³ Ibid., p. 162.

¹⁹⁴ Bradidotti, R. et al, “Women in the Environment...”op cit., p. 163.

¹⁹⁵ Ibid., p. 164.

¹⁹⁶ Ibid., p. 69.

¹⁹⁷ Ibid., p. 69.

¹⁹⁸ Visivanathan et al. “The Women, Gender and Development Reader...” op cit., p. 62.

¹⁹⁹ Ibid., p. 62.

responsible for both social reproduction and social relations.²⁰⁰ Salleh argues that 'Women's monthly fertility cycle, the tiring symbiosis of pregnancy, the wrench of childbirth and the pleasure of suckling an infant, these things are already ground nature. However tacit or unconscious this identity may be for many women...it is nevertheless "a fact of life".'²⁰¹ This is the strongest claim form of cultural eco-feminism where even a woman's consciousness is directly linked with nature and biology.

However Braidotti et al argues that cultural eco-feminism is problematic for several reasons. This stream recognises a spiritual and material link with nature. Unfortunately, there is very little analysis of race, gender, ethnic or class based issues. In both examples as women having a spiritual connection and a biological connection 'women are homogenised as a category and there is a tendency to romanticise their special powers.'²⁰² Agarwal argues that in constructing women as a 'unitary category' it has ignored forms of 'other than gender, which also impinge critically on women's position'.²⁰³ Not only is there a struggle against subordination but also against poverty, this may be linked to 'material sources of this dominance (based on economic advantage and political power).'²⁰⁴

The problem with the issue in the second paragraph is how exactly did men become disconnected with nature? Sherry Ortner argued that women are associated with nature,

²⁰⁰ Ibid., p. 63.

²⁰¹ Salleh, A. "Deeper than Deep Ecology: The eco-feminist connection', *Environmental Ethics* 16 (Winter 1984) p. 483.

²⁰² Bradidotti, R. et al, "Women in the Environment..."op cit., p. 71.

²⁰³ Agarwal, B. "The Gender and Environmental debate." In Visivanathan et al. "The Women, Gender and Development Reader..." op cit., p. 71.

²⁰⁴ Ibid., p. 71.

while men have this association with culture. However, as Agarwal argues this approach uncritically assumes that nature-culture divide is universal and that terms like 'nature' 'culture' 'man' 'woman' have uniformity, 'what it does not recognise is that men also mediate between cultures.'²⁰⁵ While Braidotti et al claim that this moves it away from the problematic women =nature, however cultural eco-feminism attempts to place women at the 'top of a new gynocentric hierarchies.'²⁰⁶ This approach has been utilised globally and often without a critique of its theoretical framework. Braidotti et al conclude that this is problematic for two reasons. First, can women be granted a special privilege and in placing themselves as guardians of the environment are they just setting up a new set of hierarchies? This issue is addressed by social eco-feminists in the next paragraph.

However, the benefit of cultural eco-feminism is that it has a strong 'framework of collaboration that results in strong policy statements.'²⁰⁷ It is important for this thesis to recognise the difference in eco-feminism but it wants to move beyond the essentialism-constructivism divide. As Victoria Tauli-Corpuz argues, 'Women's political commitments should not be measured by how well a theory holds up. A theory is only a theory if it cannot or does not mobilise women to change their lives. Eco-feminism is more than a theory because it mobilises women and forces change.'²⁰⁸ Braidotti et al sum up getting beyond this division by seeing that,

"Women's reality is both embodied and engendered by class and race/ethnic relations. Women's political commitment is shaped by these intersecting and shifting realities and should not be viewed one-dimensionally. Essentialist claims can have a critical mobilising potential but can also function in a reactionary way. Constructivist analyses can be politically very powerful but if they lead to a disembodied

²⁰⁵ Ibid., p. 69.

²⁰⁶ Ibid., p.164.

²⁰⁷ Salleh, A. Ecofeminism and Politics: Nature, Marx and the Postmodern (London, UK: Zed Books Ltd., 1997).

²⁰⁸ Interview with Victoria Tauli-Corpuz. op cit.,

perspective on women's lives, may lose touch with women's reality. A fruitful position in our mind is the recognition that women and nature are simultaneously subjugated, and that this subjugation takes historically and culturally specific forms. If women take themselves seriously as social agents and as constitutive factors in this process, their praxis to end this double subjugation can be rooted not so much in women's equation with nature, but in taking responsibility for their own lives and environment.²⁰⁹

The position of this thesis is that it incorporates both praxis and academic practice that work toward the emancipation of women and women's knowledge. It is particularly interested in how women develop strategies and how they become agents in resisting the negative influence of institutions and more broadly, the global economy. While this thesis attempts to analyse and incorporate theories that enable women to achieve these goals it also recognises that theories are not perfect and it is important to try to recognise difference without purposely setting up new paradigms which are hierarchical. The purpose here of re-thinking theory and practice is to unify not to set up divisions.

2.12.3 Social Eco-feminism²¹⁰

Social eco-feminism is largely a product of academic thought and does not expand as widely as cultural eco-feminism, which has more of a global following. This is not to say that it is not influential and it is more accepted within academic circles because of its position regarding constructivism. Social eco-feminism approaches the position between women and nature very differently. Social eco-feminism is closely linked with 'feminist standpoint theory'. Feminist standpoint will be discussed later. Scholars such as Carolyn Merchant and Janet Biehl claim that gender is socially constructed. They attempt to

²⁰⁹ Bradidotti, R. et al. "Women, the Environment and Sustainable Development..." op cit., p. 75.

²¹⁰ This is the version of ecofeminism I feel most comfortable with having been raised in an environment where I have had almost no connection to biological diversity. I do not feel capable of claiming this for the women I interviewed as many made it clear that their cultural circumstances made cultural ecofeminism far more relevant to their personal circumstances.

'enrich the socialist-feminist tradition with environmental perspectives.'²¹¹ The contribution of this strain of feminism is that it provides both conceptual and theoretical tools for development. Merchant argues that 'turning the perceived connection between women and biological reproduction upside down becomes the source of women's empowerment and ecological activism.'²¹² This approach 'reverses patriarchal power structures and places women at the top of new gynocentric value hierarchies, it has attracted and mobilised many women to work towards changing their every day and global realities.'²¹³ One example is Planeta Femea, which was the equivalent women's contribution at the 1992 Global Forum, which uncritically presented a case that women were more able and willing to save the planet than men and assumed that women everywhere felt this way.

Social eco-feminists argue that the nature-culture dichotomy is largely constructed in order for men to construct and maintain their dominance over women. The nature-culture divide is nothing more than a 'patriarchal ideological construct, which is then used to maintain gender hierarchy.'²¹⁴ Merchant and King accept the view 'women are ideologically constructed as closer to nature because of their biology.'²¹⁵ Both women identify women with nature, 'especially the earth, with the nurturing mother.'²¹⁶ Merchant believes that combining the egalitarian goals of the women's and environmental movement could set up 'new values and social structures, based not on the

²¹¹ See Bradidotti, R. et al. *Women the Environment and Sustainable Development* op cit., p.165.

²¹² *Ibid.*, p. 164. Merchant quoted in Diamond and Orenstein.

²¹³ *Ibid.*, p. 164.

²¹⁴ Agarwal, B. "The Gender and Environmental debate" op cit., p. 69.

²¹⁵ *Ibid.*, p. 69.

²¹⁶ *Ibid.*, p. 69.

domination of women and nature as resources but on the full expression of both male and female talent and on the maintenance of environmental integrity.’²¹⁷ This is moving towards the direction of ‘deep ecology’, where academics believe that men, women and children need to work together, ‘accepting the need to acknowledge each other’s equitable inputs, to recognise the suppressed longing of many men to be caring and to express feelings, and to recognise that women have not only emulated patriarchal strategies but that at times have also internalised them.’²¹⁸ Social eco-feminists agree but they are also concerned with deep ecology inability to face up to the ‘androcentricism’ that exists. This is important as deep ecologists assume eco-feminists of being ‘gynocentric’ and placing themselves in a privileged position in order to protect the environment. Agarwal argues that eco-feminism highlights several important connections;

- Some of the important conceptual links between the symbolic construction of women and nature and ways of acting on them.
- The underlying premise between the women’s movement and the environmental movement.
- An alternative vision of a more egalitarian and harmonious future society.²¹⁹

Whether women have something to say collectively and have essential differences from men is part of a wider discussion about essentialism in feminist theory.²²⁰ Walby argues that a fundamental part of feminist theory is to link together the common experiences of women.²²¹ Walby argues “most post-modern feminists attack forms of feminist theory

²¹⁷ Ibid., p. 70.

²¹⁸ See Bradidotti, R. et al. *Women the Environment and Sustainable Development* op cit., p. 167.

²¹⁹ Agarwal, B. “The Gender and Environmental debate” op cit., p. 69.

²²⁰ Harding, S. “Is Science multicultural...” op cit., p. 15.

²²¹ Ibid., p.15.

which emphasise the commonalities shared by women.”²²² Whether or not this generalisation is true, there is a feeling among post-modern writers those commonalties is something to be avoided. However this thesis argues that global strategies involve some form of ‘common ground’²²³ and while this ground is problematic. It should not be circumvented. These are important steps towards the notion of women working collectively towards some form of agency.

2.13.0 Critiques of Eco-feminism

Incorporating an eco-feminist approach using GAD, as a theoretical base does not mean that the thesis intends to answer all the questions of inequality or make claims that either are a panacea for global injustice. Both frameworks are merely a starting point in which questions about women and their knowledge can be discussed and sometimes issues can be addressed. Adopting an analysis of eco-feminism requires a critique of how it could be both harmful as well as instrumental to women and the protection of their knowledge.

Bina Agarwal engages in such a critique. She claims that,

“Although eco- feminism is becoming increasingly important in shaping views on women and the environment in international and national forums and among donor agencies, its premises seriously limit its effectiveness as an analytical tool and its potential for promoting gender and equality, both within and outside the context of environmental concerns. By its over dependence on ideological constructions to historically infer the situation of women and of the environment, by being selective even as regards to ideology, and by romanticising specific periods of the past, eco-feminism has tended to obscure, rather than grapple with, the political economy factors underlying women’s subordination, nature’s degradation, and their interlinks. It also mostly ignored gender inequalities that are independent of the environment question.”²²⁴

While eco-feminism is an important means for addressing women and their knowledge and in turn how it can be protected, it is necessary to discuss its shortcomings. In

²²² Ibid., p.15.

²²³ This came across in the indigenous women’s network at the CBD.

Argawal's article, *Environmental Management, Equality and Ecofeminism* she argues there are three fundamental problems with Ecofeminism; (1) The Question of Origins and Historical Representation, (2) a common emancipatory agenda and (3) The Question of women's agency.

Argawal argues that both Carolyn Merchant and Vandana Shiva base their arguments on the suggestion that pre-modern Europe and pre-colonial India were relatively free of gender inequalities. Both build up an argument claiming that women were equal and free from male exploitation and a harmony with nature existed. Argawal claims that prior to the Scientific Revolution in Europe or the British in India there were inequalities in the gender division of labour, property rights, and jural authority and access to public decision making.²²⁵

In the case of pre-modern Europe, she claims that Merchant's argument is flawed.

Argawal argues that,

'she does not grapple with gender inequalities (such as in economic rights and the division of labour) in pre-industrial Europe, or with the institutions that perpetuated them. Although she mentions such inequalities in passing-such as the custom of primogeniture which disinherited women and younger sons, and women's limited presence in public office-she does not note that these contradict her claim that women's subordination originated with the Scientific Revolution.'²²⁶

Argawal claims that she glosses over the gender inequalities that existed prior to the Scientific Revolution. She identifies two main flaws with Merchant's argument which are;

(i) women's position was by no means one of equality with men, nor did it become

²²⁴ Argawal, B. "Environmental Management, Equality and Ecofeminism: Debating India's Experience" *The Journal of Peasant Studies* Vol. 25 No. 4. (July 1998) p. 57.

²²⁵ Agrawal, B. "Environmental Management..." op cit., p. 68.

²²⁶ Ibid., p. 65.

unambiguously worse in the subsequent period; and (ii) there were already notable pressures on the environment, especially on forests and commons.”²²⁷ Therefore, one can conclude that pre-modern Europe was not as free of inequalities as Merchant claims.

She argues that the division of labour is not a new concept and has been observed in pre-colonial India. Indian history proves once again that there are insurmountable differences in property law. Ancient Hindu treaties show that women had few rights in controlling and handling any type of property; in fact few women owned property in pre-colonial India.²²⁸ The final issue is that even when women had inheritance rights, the basic management was still done by men.²²⁹ The idea that tribal or pre-colonial cultures were gender equitable is questionable and Agrawal looks at three main points. The gender division of labour increased work and possible hierarchy, lack of property ownership increases dependence on men, and lack of input in public decision making makes them ‘takers not makers of laws and rules for natural resource management.’²³⁰

According to Agrawal the second important problematic in the eco-feminist discourse is the claim that the women’s/environmental movement stands for ‘egalitarian, non-hierarchical systems and share a common emancipatory agenda.’²³¹ What Agrawal argues is that scholar such as Shiva and Merchant assumes that these movements are one. Agrawal claims that while this would be desirable this is however not the case. In fact it is the opposite, ‘a continued absence on both theory and practice of a gender perspective

²²⁷ Ibid., p. 65.

²²⁸ Agrawal, B. “Environmental Management...”op cit., p. 69.

²²⁹ Ibid., p. 70.

²³⁰ Ibid., Paraphrased in Argawal, B. “Environmental Management...” p. 71.

²³¹ Ibid., p. 71.

in most streams of environmentalism, and of an environmental perspective in most streams of feminism.²³² Agrawal identifies that, 'structures of gender equalities are complex, and interlinked with other structures of social hierarchy such as class, caste and race. The dimensions of women's subordination are many, and are by no means all (or even in large part) connected with the question of man's dominance over nature. Hence they cannot be resolved simply by movements focused on the environmental crisis.'²³³

The third issue Agrawal raises is that eco-feminism 'romanticises the notion of agency and in effect constructs women as full agents. Arguing that women have a special stake in environmental protection, eco-feminism assumes that women have a special stake in environmental protection. Eco-feminism assumes that women are therefore effective agents of change'²³⁴ This is not unique to eco-feminism, Cleaver argues that this assumption regarding agency is also present in participatory development approaches.²³⁵

Both authors agree that there is very little analysis of women having an interest in the environment or participation and then being able to transfer this interest into effective action. I will later develop these arguments on participatory development but for now I will focus on eco-feminism. Agrawal argues that the much published Chipko movement which is often cited by Vandana Shiva as an example of participatory eco-feminism is still rife with gender inequalities and not as full of opportunities for women's agency as one would imagine. According to Agrawal when women make a stance in opposition or disagreement with the men in their community this has often led to 'intra-family tensions,

²³² Ibid., p. 72.

²³³ Ibid., p. 72.

²³⁴ Ibid., p. 72.

²³⁵ Cleaver, F. "Institutions, Agency and the Limitations to Participatory Approaches to Development." In Cooke B &

while important decision-making positions within the movement (barring a few exceptions) remain with men.²³⁶ In Argawal's research she observes that women are not usually 'passive' victims and they recognise the need for environmental protection, but in order to be 'change agents' formal structures that 'control natural resources' need to be changed. She really wants to raise the questions of what factors might constrain women's agency and how these constraints might be challenged in terms of environmental protection.

2.14 Standpoint theory

Feminist standpoint epistemology is important to this thesis for several reasons, it re-thinks how we legitimise what is seen as truth and questions how we then set up a criterion for new ways of understanding knowledge systems. The methodological issues regarding standpoint will be covered in the following chapter but can also be seen here in theoretical terms.

Standpoint follows post-Kuhnian and post-colonial studies that challenge the internalist features of western science. Standpoint theory stresses that every theory is a standpoint, feminism does not speak for all women. However, Northern science has always made an internalist claim that it is universal. This 'epistemological crisis of the west'²³⁷ as Kuhn refers to it not only challenges constructed paradigms but also the very notion of scientific fact and of truth itself. Standpoint is important to this thesis because it is about

Kothari, U eds. *Participation: The New Tyranny?* (London: Zed Books, 2001) p. 36.

²³⁶ Agrawal, B. "Environmental Management..." op cit., p. 74.

²³⁷ Harding, S. "Is Science Multicultural..." op cit., p. 4.

establishing new measuring sticks in a discipline still reliant on old methods.²³⁸ Standpoint is important because it is political and it accepts inter-subjective knowledge as important and argues for an ontological preference within the third debate.²³⁹

Harding argues that standpoint theory is “a philosophy of knowledge, a philosophy of science, a sociology of knowledge, a moral/political advocacy of the expansion of democratic rights to participate in making the social decisions that will affect one’s life, and a proposed research method for the natural and social sciences.”²⁴⁰ Feminist standpoint focuses on gender differences, the notion that women have something very different to say than men and this can be consider the “grounds” for feminist research. Harding argues that women’s lives have been undervalued and neglected as a starting point for scientific research. “Using women’s lives as grounds to criticise the dominant knowledge claims, which have been based primarily in the lives of men in the dominant races, classes, and cultures, can decrease the partialities and distortions in the picture of nature and social life provided by the natural and social sciences.”²⁴¹

Harding claims that knowledge is socially situated and that it puts knowledge and politics at the ‘centre of its account in the sense that it tries to provide causal accounts-to explain- the effects that different kinds of politics have on the production of knowledge.’²⁴²

Standpoint theory states that all knowledge is socially situated, and that ‘starting off from

²³⁸ Ibid.

²³⁹ This will be discussed in the second chapter.

²⁴⁰ Ibid., p. 161.

²⁴¹ Harding, S. Whose Science, Whose Knowledge: Thinking from Women’s Lives (Milton Keynes: Open University Press, 1991) p. 121.

²⁴² Ibid., p. 56.

women's lives will generate less partial and distorted accounts not only of women's lives but also of men's lives and of the whole social order. Women's lives and experiences provide the "grounds" for this knowledge...' In order for standpoint to be more than just a claim, 'we must insist on an objective location-women's lives-as the place which feminist research should begin.'²⁴³

Harding argues that it is 'important to value women's experiences and speech and also to be able to specify carefully their exact role in the production of feminist knowledge.'²⁴⁴

There are many types of 'feminisms' and this thesis is working within many of these different types. Harding has set up categories to describe these resources, she states that they should be thought as complementary although not exhaustive upon which standpoint theory rests.

Women as strangers. Women's knowledge as strangers is valuable as a point of exclusion, "The stranger brings to her research just the combination of nearness and remoteness, concern and indifference, that are central to maximising objectivity...Women are just such outsiders to the dominant institutions in our society, including the natural and social sciences."²⁴⁵ This needs to ground the claim that social order favours men from the dominant group while displacing women and men outside the dominant group. This gives a lead into Harding's next category.

²⁴³ Ibid., p. 56.

²⁴⁴ Ibid., p. 56.

²⁴⁵ Ibid., p. 124.

Women's oppression. "Members of oppressed groups have fewer interests in ignorance about the social order and fewer reasons to invest in maintaining or justifying the social order and fewer reasons to invest in maintaining the status quo than do dominant groups."²⁴⁶ Women are distanced from the social order; therefore they have less to lose than those protecting the social order or status quo.

Women's perspective from the other side. Harding argues that, 'knowledge emerges for the oppressed through the struggles they wage against their oppressors. It is because women have struggled against male supremacy that research starting from their lives can yield up clear and more neatly complete visions of social reality than are available only from the perspective of men's side of these struggles.'²⁴⁷ Harding claims that it is only through trying to change institutions and social order that we understand fully social relations and social order. It is through this struggle that a standpoint is developed, you cannot have a standpoint by saying it, it is a realisation not just a perspective.

Women's perspective from the every day. Another argument for starting from the point of women's lives is the dominant group assigns their daily activities. This argument was developed by Dorothy Smith who asserts that men have assigned women the work they do not want which frees them up to leave the house to perform 'abstract tasks' outside the home.

"Men who are relieved of the need to maintain their own bodies and the local places where they exist come to see as real only what corresponds to their abstracted mental world. This is why men see "women's work" not as real human activity-self chosen and consciously willed (even within the constraints of a male-

²⁴⁶ Ibid., p. 124.

²⁴⁷ Ibid., p. 124.

dominated social order)-but only as a natural activity, a kind of instinctual labour such as bees and ants perform. Women are thus excluded from men's conceptions of culture and history."²⁴⁸

Women's perspective from 'mediating ideological dualisms'. Nancy Hartsock argues that,

"women's labour like that of the male worker is connected with material necessity. Their contribution to subsistence, like that of the male worker, involves them in a world in which the relation to nature and to concrete human requirements is central, both in the form of interaction with natural substances whose, rather than quantity, is important to the production of meals, clothing, etc., and in the form of close attention to the natural changes in these substances. Women's labour both for wages and even more in household production involves a unification of mind and body for the purpose of transforming natural substances into socially defined goods. This too is true of the male worker."²⁴⁹

Hartsock claims that by beginning our research from the starting point of women's lives looking specifically at the gender division of labour we can begin to understand why 'women's transformation of natural objects into cultural ones remains invisible, as a social activity, to men.' According to Hartsock this 'more objective research requires restoring to our vision as necessary human social activity these "lost" processes and their relation to the activities centered in men's discourses.'²⁵⁰

Women as 'outsiders within'. Harding argues that the 'other' can make an important contribution as women who are outsiders within. Women who see both sides of the 'division of human activity.' Women that can see both sides are able to compare and contrast the 'relation between dominant activities and those that arise on the outside.' She claims that 'objectivity is increased by thinking out the gap between the lives of "outsiders" and the lives of "insiders" and their favoured conceptual schemes.'²⁵¹

²⁴⁸ Ibid., p. 128.

²⁴⁹ Nancy Hartsock quoted in Ibid. p. 128.

2.15 Experience and knowledge

Harding argues that there is a strong relationship between knowledge and experience, which is encouraged by standpoint theory. Harding identifies a 'philosophical confusion' about the relationship between experience and knowledge, and this manifests itself in four ways: scientific, epistemological, pedagogical and politically.²⁵² Harding argues that 'within scientific projects, ethnocentric assumptions distort the lives of marginalised peoples.'²⁵³ The four most commonly discussed marginalised groups are women, the sexual minorities, racially marginalised and the poor in both the North and South commonly referred to as the other. Recent work of the 'other' shows how ethnocentric learning distorts the experiences of the 'other' and how the 'conventional ethnocentric perspectives' male, white, economically privileged, cannot adequately represent women. As Harding puts it "We have not *had* their experiences and do not live their lives."²⁵⁴ From an epistemological standpoint, standpoint theory argues that it is an advantage to base thought in the everyday lives of people in oppressed and excluded groups. From a pedagogical viewpoint, Harding claims that, learning is an active process where a relationship between experience and knowledge needs to be encouraged. Change is beginning to occur in this sense as many institutions are beginning to call into question the pre-conceptualised experience of knowledge and how knowledge is represented in many forms.²⁵⁵ Finally Harding argues that there is the political problem, "how do we encourage and energise the democratic tendencies and desires arising in social life...in

²⁵⁰ Nancy Hartsock quoted in *Ibid.*, p. 128.

²⁵¹ *Ibid.*, p. 132.

²⁵² Harding, S. *Whose Science. Whose Knowledge? Thinking from Women's lives* (Open University Press: Milton Keynes, 1991) p. 270.

²⁵³ *Ibid.*, p. 270.

²⁵⁴ *Ibid.*, p. 270.

particular, the question for those of us already engaged in libratory efforts is how to create continuities and encourage progressive relationships between our projects.”²⁵⁶

2.16 Critiques of Standpoint

Standpoint theory has been widely criticised because of its reliance on Marxist epistemology. Defending charges of ‘eurocentricism’ Harding argues, that the mainly white, western feminists that have developed standpoint theories have also been the first to stand up against racism, homophobic behaviour, class-based discrimination, etc. Therefore she claims that drawing on Marxist epistemology should not be seen as problematic because, ‘Marxist analysis on which this epistemology draws could reasonably be regarded as the most insightful and comprehensive analysis of the causes of racism and imperialism, as well as class oppression, until recent decades.’ She also claims that many marginalised groups have drawn on Marxist epistemology to explain their oppression.²⁵⁷

Harding defends charges of essentialism by saying many using standpoints may well be essentialists, but they do not have to be. The critics of standpoint theory also argue that standpoint is ‘regressing in assuming some sort of universal feminine condition that can serve as the grounds for feminist claims.’²⁵⁸ She claims this is difficult even when discussing women’s experiences in the plural this does not ‘succeed in itself in deflecting the essentializing tendency’. She also states that even when one is careful not to use the

²⁵⁵ Ibid., p. 270.

²⁵⁶ Ibid. p. 272.

²⁵⁷ Ibid. p. 176.

²⁵⁸ Harding S, “Whose Science, Whose Knowledge...” op cit., p. 175.

term 'women' to mean all women, the charge of essentialism is never really addressed. In order to talk about 'women's experiences', 'women's activities', 'women's oppressions', some essentializing must take place. However, this thesis refers to this as a 'commonality' rather than taking women's experiences and attempting to set up a 'universal woman' however this thesis recognises that some of the eco-feminists that are being quoted do 'essentialize' entirely down to women's biology. This thesis is an amalgamation of feminisms, and while attempting to critique these 'epistemologies' I am also accepting that their 'epistemologies' are not mine. According to the women I interviewed there were some 'common' struggles that they experienced in regards to protecting their knowledge. Harding argues that standpoint theories are neither held nor doomed by 'epistemological relativism' i.e. "Ok, your claims are valid for you, but mine are valid for me." Harding asserts that, 'recognising the importance of thinking about who such a problem belongs to-identifying its social location-is one of the advantages of standpoint.'²⁵⁹

Standpoint has also been charged with being too fixed in the modernist projects and Flax argues that it should be firmly fixed in post-modern thought. She claims that,

"the notion of such a standpoint also assumes that the oppressed are not in fundamental ways damaged by their social experience. On the contrary, this position assumes that the oppressed have a privileged relation and ability to comprehend a reality that is "out there" waiting for our representation. It also presupposes gendered social relations in which there is a category of beings who are fundamentally like each other by virtue of sex-that is, it assume that otherness men assign to women."²⁶⁰

²⁵⁹ Harding, S 'Rethinking Standpoint Epistemology' in Alcoff, L & Potter, E (editors) "Feminist Epistemologies" (London: Routledge Publications, 1993) p.63.

²⁶⁰ Flax quoted in Ibid., p. 182.

However others argue 'against the location of feminism in the terrain of the postmodern, finds the great strength of feminist theory and politics in its modernist insistence on the importance of gender.'²⁶¹ Christine Di Stefano argues that,

"Contemporary Western feminism is firmly, if ambivalently, located in the modernist ethos, which made possible the feminist identification and critique of gender...The concept of gender has made it possible for the feminist to simultaneously explain and delegitimize the presumed homology between biological and social sex differences. At the same time, however gender (rather than sex) differences have emerged as highly significant, salient features which do more to divide and distinguish men and women from each other than to make them parts of some larger, complementary, humanistic whole."²⁶²

Di Stefano and Hartsock argue that post-modernity offers very little to women. Hartsock argues that 'postmodernist theories merely recapitulate the effects of Enlightenment theories that deny marginalised people the right to participate in defining the terms of interaction with people in the mainstream.'²⁶³ According to Di Stefano,

"The mainstream postmodernist theory (Derrida, Lyotard, Rorty, Foucault) has been remarkably blind and insensitive to questions of gender in its own purportedly politicised re-readings of history, politics, and culture. Finally, that the postmodernist project, if seriously adopted by feminists, would make any semblance of a feminist politics impossible. To the extent that feminist politics is bound up with a specific constituency or subject namely women, the post modernist prohibition against subject-centred inquiry and theory undermines the legitimacy of a broad based organised movement dedicated to articulating and implementing the goals of such a constituency."²⁶⁴

Jill Krause argues that standpoints are 'undoubtedly useful' when it comes to IPE analysis. She argues that IPE needs to address whether or not "our perception and understanding would be different if knowledge was produced from different realities, different versions of the world-from women's experiences."²⁶⁵ Following Harding's argument she states that,

"standpoint theory also provides important resources for meeting the challenge to emphasise differences between women. It insists on the recognition that not just false claims but also true (or less false) one are socially situated... It should be clear that if it is beneficial to start research, scholarship, and theory in white

²⁶¹ Ibid., p. 182.

²⁶² Di Stefano quoted in Ibid., p. 182.

²⁶³ Hartsock quoted in Ibid., p. 182.

²⁶⁴ Di Stefano quoted in Ibid., p. 183.

²⁶⁵ Zalewski quoted in Krause in Macmillan, J. & Linklater, A. "Boundaries in Question..." *op cit.*, p.137.

women's situations, then we should be able to learn even more about the social and natural orders if we start from the situations of women in devalued and oppressed races, classes and cultures."²⁶⁶

I would argue that this shift in epistemology would most definitely alter power relations and change our interpretations of who is observed and what and where, these observations are made in the international political economy.

2.17 Women's knowledge as unique-the need for gender specificity

Sexual discrimination on all the local, national and international level has been exacerbated by colonialism, capitalism and the marginalised position of the South in the world economy. Often, within the South what this means in practical terms are increased workloads, restricted control/women being disadvantaged by new technologies.²⁶⁷

Traditional knowledge in the case of both genders has been virtually ignored, and to a greater extent, women's knowledge, as women has been seen as passive beneficiaries.

What women know is part of their life and their knowledge is implemented in all aspects of productive and reproductive work including subsistence farming, but this labour is not recognised.²⁶⁸ Moreover, the women I interviewed argue that exclusion from certain modes of production have allowed them to develop specific ways of knowing.²⁶⁹

I will also argue, based on the accounts of women from the South, that their knowledge is 'divided' and excluded and how it is unique from men. Women at the local, national and international levels are fighting against the structures that repress their knowledge and

²⁶⁶ Harding, S. "Whose Science, Whose Knowledge..." op cit., p. 180.

²⁶⁷ Joeke, "Women in the World Economy" op cit., p. 124.

²⁶⁸ Interview with Lucy Mullenkei, op cit.,

²⁶⁹ Focus group with the indigenous women's forum at the CBD.

these women are developing strategies to regain control.²⁷⁰ For the purpose of this thesis assumptions will be made about women in the South and in particular women in Southern rural societies where knowledge and bio-diversity are integral. These are as follows: Throughout the Southern world, as in the North, women have fewer political powers and rights than men do. The 'International Gendered Division of Knowledge' attempts to illustrate the exclusion of women's knowledge within economic, political and social levels. The existing structures in the international system on both the macro/micro levels do not validate women's knowledge/intellectual property. When asked the question, "If women are the caretakers of indigenous knowledge and have fewer political powers than men, will this make it more difficult to protect?"

Victoria Tauli -Corpuz responded:

"Yes, definitely, if the main caretakers (women) of bio-diversity are so dis-empowered and they cannot take part in any political process, it will further erode whatever bio-diversity there is. And I think that indigenous women, their capacity, should be built up which furthers the kinds of political activities that they are involved in. Women should actively take part in many of their ways that they have traditionally been doing and involved in and the relationships they have created not only with themselves but also with their communities and the land. It is really a wealth of knowledge and experience that has to be propagated and transferred to the younger generations from the knowledge, bio-diversity, cultural diversity and even language. Women have really played a key role in passing it down and if that role is further undermined, then we are ahead for some frightening times."²⁷¹

The focus on rural women will take place for several reasons. Sometimes women rely on their knowledge for their own physical and cultural survival. Most certainly, knowledge is a key source, which serves for the betterment of their communities. One of the reasons women have the ability to acquire knowledge that is unique is directly linked to the division of labour - women's jobs revolve around sustainable farming and the household. They may have knowledge about bio-diversity and medicines that is built out of their

²⁷⁰ However there is also a division of knowledge between western women operating from a western epistemology and third world women and this is demonstrated in the western woman as development expert.

separate working environments.²⁷² Bina Agrawal argues that ‘if there is a gradual erosion of knowledge of local plants and species’; as the forests and commons disappear so will women’s knowledge. While rural women are by no means the sole repositories of this knowledge, they are often the significant bearers of information on the particular items they collect or use, such as information about local trees, grasses and food-related forest produce which cushions families under severe food shortages conditions.²⁷³ Agarwal argues that while there is little evidence to support Shiva’s notion of knowledge, there is ‘substantial evidence of location and use-related gender-specific knowledge.’²⁷⁴ The relationship between agriculture, biological diversity and women’s traditional knowledge is fundamental. Indigenous women believe that “biodiversity management is a form of worship of mother earth, that indigenous women are closer to nature because of the nurturing role and the role of caring for the everyday needs of the household”.²⁷⁵ Out of this role or isolation, women have developed other ways of knowing innovations and practices specific to their circumstances.²⁷⁶ “Moreover, these experiences of life and the way that women interact with others and with the natural environment give them a different kind of knowledge.”²⁷⁷ Unfortunately, modern discourses have refused to recognise the production of women as farmers and often women are referred to as the ‘invisible farmers’ and have discounted women’s knowledge as a major contribution to farming practices.

²⁷¹ Interview with Victoria Tauli-Corpuz, op cit.,

²⁷² Interview with Stella Tamang, op cit.,

²⁷³ Argawal, B. Environmental Management, Equality and Eco-feminism: Debating India’s Experience. *The Journal of Peasant Studies*. Vol. 25, No. 4. July 1998. p. 57.

²⁷⁴ Ibid.

²⁷⁵ Interview with Stella Tamang, op cit.,

²⁷⁶ Interview with Mia Siscawati, op cit.,

It is the gender-specific aspect of women's knowledge that I would now like to draw attention to. Advocacy is not sufficient without the elaboration and methodological advantage of gender specificity concerning women's knowledge. If women are going to set up effective strategies, work towards empowerment and protect and promote their knowledge, then the 'acceptance' that women's knowledge is gender-specific must be accepted as a key priority within the thesis. The argument that I am drawn to is Argawal, as she does not offer a romantic version of the gender-specific aspect of women's knowledge. Instead she argues that there is substantial evidence of location and use-related women's knowledge. Indigenous communities throughout the world, according to Haverkort and Hiemstra, widely accept that knowledge is gender specific.²⁷⁸ However, it is important to note the use of women's knowledge in development and environmental policies are not uniform with all indigenous communities. According to Heyd, "Certainly there are indigenous people that identify with that goal²⁷⁹, although there are others who clearly express their disapproval with their implication in modern development schemes. This goal, moreover, does seem more appropriate than environmentally unsound and unsustainable development, but it also exemplifies the widespread tendency to assume that "development," especially if it is certified as environmentally sound and sustainable, is universally desirable."²⁸⁰ This is not always the case and women are now beginning to set up their own ways of dealing with their knowledge through grass root schemes. Women's interaction within the community, as seen in the above quote, is vast. Of course, women are not the only ones who perform these tasks. However, when women

²⁷⁷ Stella Tamang, "Indigenous Women and their Knowledge" op cit., p. 2.

²⁷⁸ Haverkort B. and Hiemstra (editors) Food for Thought, ancient visions and new experiments of rural people (London: Zed Books, 1999).

²⁷⁹ The goal of achieving development within the traditional modern development schemes.

do perform these roles they often go unrecognised.²⁸¹ In parts of Asia and Africa, up to 80% of food is produced by women.²⁸² Their responsibility includes diversification of food and herbal medicines and their role includes the maintenance of food security in their communities. This relationship relies on women's knowledge.

"Their concern is rooted in their daily reality, their experience as individual responsibility for a wide range of activities closely related to the survival of their communities (e.g. food production, process, preparation and preservation) and their concern for future generations."²⁸³

Women see their knowledge as an integral part of who they are, and what they know is the only assurance of their own survival.²⁸⁴ Women's knowledge is an important part of the communities' health, nutrition and food security. Their knowledge has incredible value and yet even at grass roots level, within their own communities, it is still marginalised. It is women's knowledge of the usefulness of plants and animals that they share with their families and communities.²⁸⁵

Accepting a different ontological and epistemological argument concerning the gender specificity of women's knowledge is really about letting go of our own ideas and convictions about what knowledge is or what it should be; it is about us 'repainting the canvas of IR.'²⁸⁶ Even if the canvas we paint makes it uncomfortable with what we end up with, I understand 'inclusiveness' to mean not leaving anyone out. Including gender-specific knowledge will make some feminists uncomfortable and at first I found it difficult to accept a different way of knowing that unsettle my notions of the binary

²⁸⁰ Heyd "Indigenous Knowledge, Emancipation and Alienation..." op cit.,

²⁸¹ Lucy Mullenkei, African indigenous knowledge and biodiversity, Unpublished paper.

²⁸² Ibid., p. 5.

²⁸³ Stella Tamang, "Indigenous women and their Knowledge..." op cit., p. 2.

²⁸⁴ Interview with Kesaia Tabunakawai, program officer, WAINMATE, Women's Association for Natural Medicine, Suta, Fiji. The interview took place May, 5, 1998 at the CBD.

²⁸⁵ Interview with Kesaia Tabunakawai. op cit.,

²⁸⁶ Sylvester "Feminist Theory and IR..." op cit., To use Sylvester's phrase.

divisions of male and female. However, introducing gender specific knowledge is important politically, methodologically, epistemologically and ontologically.

The gender-specific aspect of women's knowledge is readily accepted in the communities of the women I interviewed. One Dutch development agency, which has begun really implementing women's knowledge, is *Comparing and Supporting Endogenous Development* (COMPAS). Giving an example in India they claim,

'Gender and Biodiversity are linked not only symbolically but also in the material domain. Women play a major role in conserving seed at the farm level. It is women who decide the amount of seeds that has to be preserved, the variety, and the preservation methods necessary. Women are the one who decide when change is required and that the seed is borrowed or exchanged.'²⁸⁷

There are strong cultural aspects to gender-specific knowledge. In this example, women share power with Shakti,²⁸⁸ which is the female power of reproduction, and also with the seed, so it is women who have the job of selection, conservation and propagation. There are 'intimate aspects of the reproduction of biodiversity through ceremonies and festivals.'²⁸⁹

Another example of the gender-specific aspect of women's knowledge, is my knowledge of and interview with Cultural Studies Canada, (CSC) who like COMPAS now explicitly recognise the gender-specific aspect of knowledge and recognise that women may have special needs and concerns relating to their knowledge. In fact, even institutions like the World Intellectual Property Organisation now recognise and use the term gender-specific

²⁸⁷ Haverkort B and Hiemstra "Food for Thought..." op cit., p. 73.

²⁸⁸ Shakti has a much wider spiritual connotation and embodies entire theological discourses.

²⁸⁹ Ibid., p. 73.

women's knowledge in their jargon.²⁹⁰ As Craig Benjamin²⁹¹ argued, introducing a term into your institution's vocabulary is limited in its effect without action. When we discussed women's knowledge I asked him two questions. Question one: - 'The fact that women have fewer rights²⁹² than men, - does this make their knowledge more difficult to protect?'

CB: "I think that is a really critical issue and if there is a genuine movement today away from raw bio-piracy into negotiated settlements for indigenous people. We can predict that the first effort on the part of governments and corporations will not be to negotiate with the legitimate holders of knowledge. The women, in the communities, but to hive off the communities they can strike a separate deal with the communities and we look at the experience of neo-colonialism and central dynamic it is just that. It is men within communities are approached by companies to sign deals to allow access to resources, even though they are not primary caretakers of those resources, and remembering that gender specific knowledge has an individual and collective component to it and on top of that the influence of western gender divisions of power having filtered into so many indigenous communities wherever they have interacted with western education system, missionaries, the market economy. There is so much potential for significant rifts to develop within communities because men are acting in what they view as the best interest of their community, engaging in deals with corporations over knowledge that they do not have customary or practical capacity to negotiate for."²⁹³

This raises many interesting points; first, the power relations exist first within the household and community. This power is often uncontested and will be dealt with later. Gender-specific knowledge needs protection at even the most micro levels. What is interesting, and something that eco-feminism does not address, is the inequality within communities themselves.²⁹⁴ It also shows that there is wide interest in gender-specific knowledge from outside influences. I will raise some of these issues later in chapter seven and eight. The final issue is that women's knowledge is both individual and communal; this will be discussed further in this chapter.

²⁹⁰ WIPO "Compilation of the Documentation on the Roundtable on Intellectual Property and Indigenous Peoples", (Geneva: WIPO, 1998).

²⁹¹ Interview with Craig Benjamin, op cit.,

²⁹² Political, economic, social and cultural rights.

²⁹³ Interview with Craig Benjamin. op cit.,

This thesis argues that not only do we need to broaden epistemological questions, we also need to prioritise ontological positions that favour subjective knowledge and allow for the agency of women on the micro level. Wendt argues that, “The central point of IR scholarship is to increase our knowledge of how the world works, not to worry about how (or whether) we can know how the world works. What matters for IR is ontology not epistemology...Rather than engaging in gate keeping against each other as the purveyors of false epistemological gods... A reflective critical science of international politics needs every kind of knowledge it can obtain.”²⁹⁵ I have taken Wendt’s argument at face value meaning that international politics can benefit from indigenous women’s knowledge as well. Jabri and Chan argue ‘that there are always “two stories to tell”, both ontological and epistemological, and that because of an assumed causal relationship between agency and structure, epistemology is as important as ontology, or stand on the same footing.’²⁹⁶ Wendt argues that IR scholars spend too much time on epistemology and not enough time ‘doing ontology.’²⁹⁷ He claims that, “We depend on these ontological assumptions particularly when the objects of our inquiry are not observable, as in IR. The problem comes with the fact that in so conditioning our perceptions, ontologies inevitably influence the content of our substantive theories.”²⁹⁸ Therefore, our ontologies colour how we represent the real world. Ontology gives a foundation to agency and agency is what enables ‘agents to act against global structures.’²⁹⁹ Wendt

²⁹⁴ Argawal, A. How Not to Keep Your nor Get to Eat It: Intellectual Property Rights and Indigenous Knowledge Resources. (<http://www.yvwiiusdinvnohii.net/~nlthomas/article/arun.html>).

²⁹⁵ Wendt, A. “On constitution and causation in International Relations.” *Review of International Studies*, 1998, Vol. 24. p. 115.

²⁹⁶ Jabri, V. and Chan S “The Ontologist Always Rings Twice...” op cit., p. 107.

²⁹⁷ Wendt, A. Social Theory of International Politics (Cambridge: Cambridge University Press, 1999) p. 370.

²⁹⁸ Ibid., p. 370.

²⁹⁹ Personal conversation with Stephen Chan.

claims that, 'How agents perceive the world is important in explaining their actions, and they always have a choice in defining their identities and interests.'³⁰⁰ Therefore, decisions are made within social structures, which are found within certain discussions and these discussions make up part of the knowledge, which is distributed to each social actor. Some of these ideas are shared and some are not.'³⁰¹ This is important. Women also see their knowledge, as having an individual and group agency and this will be discussed later. I will argue that there are three categories of ontology; individual, group, and gender; and two categories of gendered knowledge, individual and group.

2.18.0 Ontologies-Individual, group gendered and women's.

This would represent individual women; in this case women have private knowledge and are able to obtain 'individual agency.' Knowledge 'can be private or shared' and is a resource for development, improving the infrastructure of local communities, strengthening food security, as well as preserving bio-diversity.³⁰² Recently non-governmental development agencies have begun to recognise the importance of women's knowledge in implementing development programs. Within their communities, women play a crucial part in how the affairs of the community are managed. Their input is great, although often it is undermined by their knowledge being rejected as unimportant.³⁰³ Again this happens through the structures that they have to confront on a daily basis. Implementing programs that make women's knowledge central will strengthen communities, as women are the backbone of the community and an integral part of

³⁰⁰Ibid., p. 307.

³⁰¹ Ibid., p. 309.

³⁰² Interview with Lame Futah, Director, Sandama Women Empowerment Union, Accra, Ghana. The interview took place at the CBD on May,7,1998.

community management. "In much of the developing world, the conservation and use of genetic resources begins with women. As farmers, they are responsible for growing and collecting food and raising livestock. The processing and storage of food crops and animal products are also mainly their responsibility. As mothers, women are responsible for the domestic needs of their households and it is their job to gather and use food, fodder, fuel, medicinal plants and fibre. For this reason, women often determine which crop varieties to grow, which livestock breeds and species to raise, which food to keep for home consumption and which food to sell at the local market."³⁰⁴ As the women I interviewed argued, their knowledge makes up who they are as women.

The second argument Wendt puts forth is that of 'socially shared knowledge,' or culture,

"Culture takes many specific forms, including norms, rules, institutions, ideologies, organisations, threat-systems, and so on, ...Finally, this perspective implies that culture is not a sector or sphere of society distinct from the economy or polity, but present wherever shared knowledge is found."³⁰⁵

This thesis focuses on what Wendt refers to as 'having in common as cultural forms'.³⁰⁶

While this thesis recognises the importance of a cultural analysis, it also admits that trying to bridge many cultures are difficult. One of the problems women have when, setting up common strategies for knowledge protection is agreeing on common ontological positions, in order to set up political organisations that can work on collective agency. Group ontology is always different than the sum of its members' individual ontologies, but that is not to say that group ontology leading to collective agency is not a possibility. For this thesis, collective ontology is build on the fact these women identify themselves as 'caretakers of knowledge' and as women. This thesis accepts the

³⁰³ Interview with Lame Futah, op cit,.

³⁰⁴ Interview with Lucy Mullenkei. op cit,.

³⁰⁵ Wendt, A. 'Social Theory of International Politics' op cit., p. 142.

ontological status of women, as with Enloe's book, it recognises that women's lives are an ontological starting point. Not recognising women as an ontological starting point, as discussed earlier, is extremely problematic. Instead, as women are recognised as an ontological starting point, we can then analyse what their experiences and situations mean to IR. Enloe has focused on 'where the women are,' which gives us a very different picture of international relations. When women are an ontological starting point, we do not have to worry about erecting the presence of women in order to act politically. The women's movement has historically been based on this ontological prioritisation and I would argue that for the majority of women it still is a priority. I agree with the Zalewski review, that while there is a great amount of theorising, "I am not sure of the necessity of the move from women (having an ontological status) to 'women' (where this ontological status is called into question)." There is a huge debate about the essentialist nature of the category of women in feminist theorising but it is not clear to me that it is necessary to spell out in great detail that women are not real, in the sense of being ontologically prior."³⁰⁷ Instead Zalewski argues that it is not a good idea to, 'provide ammunition for a discipline altogether too content to go on colluding in the illusion that women are not part of the international landscape.'³⁰⁸

2.18.1 The gendered agency of women's knowledge

Wendt argues that it is difficult for IR scholars raised on a diet of neo-realism to see the international system as a 'social rather than material phenomenon.'³⁰⁹ He argues that

³⁰⁶ Ibid., p. 142.

³⁰⁷ Zalewski, M. "The Women/ "Women" Question" in *Millennium*, Vol. 23, No. 2, 1994.

³⁰⁸ Ibid., p. 420.

³⁰⁹ Wendt, A. 'Social Theory of International Politics' op cit., p. 20.

sociality is nothing more than a 'distribution of knowledge' and the 'character of international life is determined by the beliefs and expectations that states have about each other, and these are constituted largely by social rather than material structures.'³¹⁰ He argues that 'the meaning of the distribution of power in international relations is constituted in important part by the distribution of interests, and that the content of interests are in turn constituted in important part by ideas...ideas constitute the material base in the first place, that is, as it is "ideas all the way down."³¹¹ If the distribution of knowledge as Wendt claimed earlier is either private or shared, then women knowledge can be either individual or a communal knowledge. It would argue that although there is a *possibility* of women's individual knowledge having a sense of agency, that said, it is easier for this agency to be achieved in a group setting. Biological diversity management and women's knowledge work together in the sustainable use of natural resources. It is in their interest to protect their natural environment and maintain diversity in order to continue to use and conserve bio-diversity. The women I interviewed are concerned with maintaining diversity. Their concern for quality and sustainability is an intimate part of women's life. "It is because of the close interaction with their natural environment that the indigenous knowledge with women has become so important, especially with regard to the management of natural resources."³¹²

"Women's indigenous knowledge of the value of livestock products and of the value and diverse uses of plants for nutrition, health and income has important implications for the conservation of genetic resources. This is because the decision to conserve a plant variety depends, to a large extent, on its usefulness to the farmer and the community. Because women rely on diverse biological resources to provide food and income for their families, they are reservoirs of, on where useful species are found, and how they should be grown and used."³¹³

³¹⁰ Ibid.

³¹¹ Ibid., p. 135.

³¹² Interview with Lame Futih op cit.,

³¹³ Lucy Mullenkei, op cit., in note 54.

Traditional women's knowledge is ignored on the micro and macro levels and although strides are being made in policy, in development programs and in the South it is occurring slowly. "If women lack the opportunity and the means to develop their capacities and obtain control of the decisions regarding their knowledge, innovations and practices, then there is a danger that women's ecological knowledge will be exploited and will disappear."³¹⁴ The fact that some knowledge is individual as in the case of women healers and shamans, may make it more difficult to protect than communal knowledge, because it is secret knowledge and this means it is easily lost.³¹⁵ COMPAS use an example where *gurus* passed down knowledge and deliberately retained some from their students this was called *guru mushtiya*. This knowledge was given on the *guru's* deathbed, of course often death occurred before the knowledge was passed on.³¹⁶ It has a 'gendered agency' because for many women it is a source of food, and medicines that not only help them but their families and to a greater extent the community. "This is what women may know and use by themselves within their homes that has been taught to them, it gives them power, power to decide."³¹⁷

The other aspect of the gender agency of women knowledge is communal. This is where several women may interact together. One example is when several women all have a certain step within a certain process; all of these steps are needed in order to produce the final outcome.³¹⁸ 'Often there is a strong innovative step involved, one woman may discover a better or more time-efficient way and consult the others, then they will

³¹⁴ Stella Tamang, "Indigenous women and their knowledge" op cit., p.2.

³¹⁵ Interview with Victoria Tauli-Corpuz. op cit.,.

³¹⁶ Haverkort and Hiemstra "Food for Thought..." op cit., p. 117.

³¹⁷ Interview with Kesaia op cit.,.

implement and change it if necessary. It is a very democratic process from what I have seen.³¹⁹ COMPAS has also made similar observations and write of an example in their book; they also claim that communal knowledge is an important part of indigenous institutions and that modern science has not seriously studied indigenous knowledge. Indigenous knowledge is also important in ceremonies and cultural practice where each person has a role concerning knowledge.

2.19 Traditional Knowledge as ‘Intellectual Property’ literature

There is a wide literature on traditional knowledge as intellectual property, which could fall under the auspices of development studies or anthropological studies. Anthropologists have agreed for years that if you strip a culture of its knowledge you take away everything they have.³²⁰ It is indigenous communities that still maintain the world’s biological diversity.³²¹ It is governments that seek to profit over new sources of intellectual property like ‘rain forest species’ and ‘exotic plants.’ It is not only the exploitation of the world’s biological diversity but their knowledge as well.³²² Intellectual property rights for indigenous women stir up issues of cultural difference in a profound way. Over the years researchers have begun to understand the richness of their cultural and intellectual heritage. When this thesis refers to indigenous knowledge it has women’s knowledge in mind, although the two may or may not always be separate.³²³ Clearly there are some differences between scientific and traditional ecological knowledge. In this case

³¹⁸ Haverkort and Hiemstra “Food for Thought...” op cit,.

³¹⁹ Interview with Victoria Tauli-Corpuz. op cit,.

³²⁰ Purcell, T. “Indigenous Knowledge and applied anthropology: Question of definition and direction. Human Organization” *Human Organization* Vol. 57 No. 3 (Fall 1998) pp. 258-272.

³²¹ Kothari, A. Understanding Biodiversity, Life Sustainability and Equity (New Delhi: Orient Longman: 1997).

³²² Interview with Craig Benjamin, op cit,.

I am speaking specifically about women's knowledge. According to Berkes, "traditional ecological knowledge is integrated in a social context that implicates a) a dimension of symbolic meaning for various environmental features; b) "a distinct cosmology or world view; i.e., a conceptualization of the environment that is different from that of Western science of which ecology is a part"; and c) "relations based on reciprocity and obligations towards both community members and other beings, and communal resource management institutions based on shared knowledge and meaning"³²⁴ Heyd argues that the importance of Berkes argument is that it recognises the social content. This is important as decisions and the process of agency occur within women's social framework. Heyd argues that differences between traditional and scientific knowledge ('traditional, indigenous knowledge) seems to comprise relatively reliable, usually practically verified, frequently tacit, beliefs, and it arises in distinctive, i.e., indigenous, socio-cultural contexts."³²⁵

There is fierce debate over whether or not indigenous knowledge should be protected under a western notion of intellectual property rights. Indigenous people for the most part opposed protections under the existing system. "The euro-centric notion of ownership is destroying our peoples. We must return to our own view of the world, of the land and of development. The issue cannot be separated from indigenous peoples rights."³²⁶ It is important to understand how intellectual property and bio-diversity are linked, as the two

³²³ Gudeman quoted in Brush, S. B. & Stabinsky, D. (editors) 'Traditional Knowledge...' op cit.,

³²⁴ Berke quoted in Heyd, T. "Indigenous Knowledge, Emancipation and Alienation Knowledge and Policy".

The International Journal of Knowledge Transfer and Utilization Vol. 8 No. 1 (Spring 1995) pp. 63-73.

³²⁵ *Ibid.*, pp. 67.

³²⁶ Statement from the Kari-oca Declaration, Rio de Janeiro, Brazil, May 25-30, 1992.

are seen as integral. As Susan Strange³²⁷ argues, the natural environment and environmental protection are important to the analysis of theoretical critiques of International Relations. This thesis challenges the notion of how we view nature through our roots in modernist thought and how nature continues to be constructed in western thought. Max Horkheimer was one of the first to critique Francis Bacon's concept of the domination of nature.

“legitimate control over whatever has been assigned by culture to a lower place in the natural order of things. It thus maintains a hierarchical domination of subject over object, male over female, and culture over nature. In fact, this conceptual system can be used to justify the subordination of women when compounded by the separation of productive (public, male) and reproductive (private, female) spheres in modern industrialised society. Historically, nature and the female have been conflated, and cultural ideology has legitimated the domination over both.”³²⁸

Francis Bacon, one of the founders of the scientific method, advocated the domination of nature. It is the very language science has adopted that has excluded women from the canons of science. It is argued³²⁹ that historically the environment has been seen to be unproductive, something that needed taming. The environmental discourse has been invented, “as a resource to be administered by technologically sophisticated state systems constituted by the and instrumental in the reproduction of the patterns of knowledge, practice and power which continue to inform the emerging institutions of global environmental management.”³³⁰ In many ways one can see how comparisons of women and of nature have been made, as both stem from modernity's treatment of the environment and of women. This thesis is not only concerned with women's knowledge/intellectual property, but with biological diversity as well. An interesting

³²⁷ Strange, S. S The retreat of the State: The Diffusion of Power in the World Economy (Cambridge: Cambridge University Press, 1996).

³²⁸ Merchant, C. Women and the Environment, op cit.,

³²⁹ Braidotti, et al Women, the Environment and Sustainable Development op cit.,

thing is that women and the environment often have shared similar marginalisation in the light of modernity in the social sciences. The formulation of Global Environmental Policy (GEP) is starting to receive attention and in the last few years a strong analysis has begun to emerge. GEP has often been completely marginalised in International Relations but is now receiving some space within the discipline. Part of this thesis is interested in how international environmental agreements like the CBD affect women, and how women are using global fora to voice their concerns. Intellectual property rules and their effects on biological diversity are an emerging and important area of global environmental policy. Over the last two decades we have seen a considerable amount of multilateral environmental legal agreements, both binding and non-binding.

2.20 Indigenous knowledge as custom and practice

In many parts of the South, 'holistic and spiritual worldviews continue to be of major importance...despite efforts of religious organisations, colonial powers, formal science and education to neglect, forbid or ridicule them.'³³¹ One Dutch organisation, Comparing and Supporting Endogenous Development (COMPAS) made this observation when working with farmers in Bolivia, "In working together with rural communities the technicians learned that farmers in their traditions were not only practising organic farming, but that their knowledge was based on a comprehensive philosophy."³³² It is important to recognise that indigenous knowledge is often practised as a part of one's customs or ritual. Often it is not even recognised as knowledge because it is a part of

³³⁰ Doran, P. "Earth, Power, Knowledge" in Macmillan, J. & Linklater, A. Boundaries in Questions. New Directions in International Relations (London: Pinter Publications, 1995) p. 207.

³³¹ Haverkort, B. & Hiemstra, W. (editors) Food for Thought. Ancient Visions and New Experiments of Rural Peoples (London: Zed Books, 1999) p. 10

which that person is. “Traditions are hardly ever considered on their own merit. Age, gender, profession, traditional status, migratory experience may influence the orientation to tradition and to the modern world.”³³³ It is also important to recognise that tensions or conflicts may exist between subgroups in relation to this. Traditional knowledge, “can have both positive and negative effects on human rights, women’s rights, equality, land use and sustainability.”³³⁴ Often these traditions are ‘experimental practices’ which are practised by certain individuals such as traditional spiritual leaders.³³⁵ These traditional leaders may combine their practices with their political powers.

“Indigenous knowledge is not always equally spread in the communities some persons may monopolise and misuse certain knowledge...It can not be concluded that indigenous cosmos-visions and traditional practices have always been effective in preventing overexploitation of soils, overgrazing, deforestation, pollution of water, erosion or environmental disaster. Nor have they always led to maintaining social stability or equity.”³³⁶

Finally, it is important to note ‘the notion of ownership rights relating to knowledge or the use of genetic resources is often non-existent in the local communities. Genetic resources and knowledge are the products of generations of improvement by indigenous farmers.’³³⁷ Unfortunately they are rarely in a position to negotiate a fair deal in regards to their knowledge and intellectual property rights.

³³² Ibid., p. 14.

³³³ Ibid., p. 214.

³³⁴ Ibid., p. 25.

³³⁵ Ibid., p. 14.

³³⁶ Ibid., p. 21.

³³⁷ Ibid., p. 21.

2.21 Neorealist/neoliberal Explanations of Intellectual Property³³⁸

The traditional accounts of international relations, neo-realism and neo-liberalism, while they have had wide recognition within the discipline, are 'ill-equipped' to address the place of intellectual property in the international political economy. As Susan Sell³³⁹ argues, neo-realism focuses on power and its constraints. It has always argued that states are the primary unit in the global economy, while intellectual property is something that can no longer be contained within the borders of a state. As Sell³⁴⁰ claims, neo-realism misses many of the important questions that need to be addressed when speaking of intellectual property, such as where do interests derive from? What is the connection between ideas and interests? Neoliberal institutionalism also treats interests as exogenous. While it has many similar assumptions, it has more of a role in the place of international institutions. Within traditional IR theory perhaps neo-liberal theories are most equipped to address intellectual property regimes. According to Sell, she states³⁴¹ that neo-liberal theories pay attention to the role of actors in interpreting their circumstances. They also have a role for human agency. " People learn, change their minds, and redefine their interests in ways that make a difference in international politics."³⁴² Getting institutions right for women, improving accountability, looking at the institutional context and the role of political mobilisation are important. Intellectual Property has not yet become a subject of analysis for feminist debate. Although Susan

³³⁸ There is an extended literature on the philosophical roots of intellectual property. See Moore, A. D. "Towards a Lockean Theory of Intellectual Property" op.cit., and Hughes, J. "The Philosophy of Intellectual property" *Georgetown Law Journal* 77 (1988) pp.287- 366.

³³⁹ Sell, S. K., *Power and Ideas...* op cit.,

³⁴⁰ Ibid.

³⁴¹ Ibid.

³⁴² Ibid., p.13.

Sell's³⁴³ book is an excellent account of recent changes in North-South intellectual property regimes, there is no mention of indigenous knowledge or women. Much of the IPE literature is not as willing to recognise this type of knowledge as legitimate as other more orthodox versions are. This will become more apparent as the literature is reviewed in further sections.

As the technological era churns on, intellectual property cannot be and is not ignored in academic study. Copyrights, computer programs, patents, information research and development and liability are topics of great interest to those in economics, business and politics.³⁴⁴ Intellectual property is now about bartering in power. Firms, the WTO, and policy makers affect how knowledge/intellectual property is circulated through the global economy. Governments, firms and the WTO have significant roles concerning knowledge/intellectual property and how it is managed in the international political economy. Governments agree, or disagree, on how to protect intellectual property. The WTO attempts to set up rules and regulations to which signatory countries adhere. Multinationals and intergovernmental agencies then oversee how these rules and protections are implemented. It is important to look at the regulations imposed by the WTO and how states and firms respond to these regulations with regard to women's knowledge. While there has been vast interest in intellectual property, there has been virtually no interest in women's knowledge. Perhaps this is because it is not seen as important in the global economy. It does not shift market prices, alter mortgage rates, drive firms or do anything that is of much 'value' in a global economy. At the same time,

³⁴³ Ibid.

women's knowledge has the potential to cure modern diseases,³⁴⁵ which even baffle the western scientific community. The US National Cancer Institute has been conducting research on 'plants, microbes, insects, marine organisms, and other viral infections. It recognises, the 'utility of local peoples' intellectual contributions'. Yet, under United States (US) patent law, if a cure is found there is no guarantee that the true inventor will receive credit. In such cases, however, discounting women's knowledge as unimportant may be hasty.

Interest in the field of intellectual property has increased, as there are still many unanswered questions about the repercussions of intellectual property rights for developed and developing countries. Yet, within this vast body of literature on intellectual property/traditional knowledge, little if any analysis of gender has occurred. The traditional approach to development and economic policy ignores the role of women in managing their own economic lives. Moreover, "the international context has affected the economic lives of women everywhere"³⁴⁶ Macro-economic programs ignore the role of women and traditional knowledge, and the Two's TRIPS agreement is no exception. Such policies make assumptions about predominant cultural structure in Southern societies or they do not bother to make these assumptions at all.³⁴⁷

"The negotiators of the TRIPS agreement' didn't have human rights on their agenda, they didn't have women's rights on their agenda. The TRIPS agreement talks about right holders, these right holders are

³⁴⁴ Madeley, J. Big Business, Poor Peoples: The impact of Transnational Corporations on the World's Poor (London: Zed Books, 1999).

³⁴⁵ The extensive uses and cures found in biological processes are too vast to mention. We only know a fraction of what indigenous communities have known for centuries regarding these processes.

³⁴⁶ Joekes, S. Women in the World Economy (Oxford: Oxford University Press, 1987) p. 134

³⁴⁷ Stevens, C. Developing Countries and Multilateralism IDS Briefing Paper No 1. (Brighton: Institute of Development Studies, 1999).

employers, they are firms, and whether women or their inventions deserve special consideration is a matter of opinion.”³⁴⁸

According to the drafted version of the TRIPS agreement it has divorced itself from any responsibility that macro decisions like the TRIPS have on women’s knowledge. Like many development policies that went before the TRIPS the inclusion of women into policy is not viewed as paramount. With the incorporation of a dominant epistemology, the profession of development has implemented development policy without looking at the political or cultural, including the knowledge and knowledgeable aspects of communities. “It has, for instance, resulted in the dichotomization between the modern, technocratic knowledge and traditional, indigenous expertise. Due to this dichotomization, the latter has often been silenced, ignored or subjugated.”³⁴⁹

To summarise quickly, we can see both women’s knowledge, and biological diversity have received little attention in light of its importance in international relations. We have seen that intellectual property has been analysed to a greater degree because it fits into the epistemological framework of social scientific discourse. The next section will discuss what the literature has accomplished and the contemporary debates in the field.

2.22 The WTO’s TRIPS agreement

This chapter wants to outline what has been written about the TRIPS agreement rather than an explanation of what it is. However, a brief explanation will occur here. Without reservation the TRIPS agreement is the single most important international agreement in

³⁴⁸ Interview with Nuno de Pires Carvalho, Senior Intellectual Property Officer at the World Trade Organisation, Geneva, Switzerland. Interview took place May, 13, 1999.

the history of management of intellectual property. The TRIPS agreement is novel on two points. First, intellectual property has always fallen under the jurisdiction of states and primarily the state was concerned about the level of technological development within its borders. The globalisation of trade has extended intellectual property regimes far beyond the realm of domestic jurisdiction. Second, "From the trade perspective, the TRIPS agreement embodies the relatively novel and counterintuitive notions that trade restrictions, such as embargoes on "counterfeit" goods that imitate copyrighted or trademarked products, are necessary to promote trade liberalisation."³⁵⁰ The TRIPS agreement is definitely the strongest agreement on intellectual property to date. This has to do with the dispute-settlement mechanism. The dispute-settlement body means that a member of the WTO can take another member before a dispute-settlement panel if a settlement cannot be achieved elsewhere. If the chargeable member is in violation of the WTO rules it must correct this violation. If it does not make such a correction the offending member will have to pay a fine or may be on the receiving end of retaliatory trade measures. Governments are now trying to establish a *Sui Generis* system to protect plant varieties. It will affect countries in the South in varied ways. There are no unilateral examples to follow. However, saying that, there is a strong belief that the TRIPS agreement will have a detrimental affect on development and bio-diversity. Applying a *Sui Generis* system to biological processes has many varied meanings. For the first time, the South will have to develop intellectual property rights over biological diversity. A *Sui Generis* system may include a plant variety system (PVP), which is a 'soft' patenting

³⁴⁹ Marchand, M. "Knowledge, Development and Praxis" in Marchand, M. & Parpart, J. "Feminism, Postmodernism, Development..." op cit., p.179.

³⁵⁰ Bragdon, S. & Downes, D. 'Recent Policy Trends and Developments Related to the Conservation...' op cit., p.11.

system for agriculture. Adopting a PVP is not necessary for the benefit of farmers but to meet the criteria of TRIPS. Many countries could be lured into developing a UPOV model of PVP, which may turn out to be unsatisfactory. The effects on farming communities are numerous. It will affect farmer's rights to save and exchange seed, and seed prices are likely to rise because of increasing monopolies by the seed industry. Corporations will be able to obtain legal ownership of plant varieties, which they could choose to sell back to farmers. All of this could result in a decline in food security and agricultural innovation.

What the TRIPS agreement has done is started a heated debate about who it will benefit and how. It must be said that this is largely a Northern concept as this group of countries has the most to lose and the most to gain. The nature of the WTO dispute-settlement mechanism makes most Northern countries shudder at the thought of exclusion. This will be explained later. Of course there are variations in the wants and needs of the TRIPS for each country in the North and division still exists - this is one of the reasons the Uruguay Round took so long to complete.³⁵¹ In the end, these divisions wasted a lot of time.

The TRIPS agreement was not the product of carefully co-ordinated economic analysis. Rather it was the manifestation of rent-seeking multinational firms that saw opportunities for themselves in redefining and globalising intellectual property rights.³⁵² The TRIPS agreement has now been in effect for nearly five years for many countries and according

³⁵¹ Chin, J. C. & Grossman, G. M. "Intellectual Property and North-South Trade" in Jones, R. W. & Kreuger, A. O.(editors) *The Political Economy of International Trade* (Oxford: Basil Blackwell, 1990).

³⁵² Drahos, P. 'Global law reform and rent-seeking: the case of intellectual property' *Australian Journal of Corporate Law* 1996 vol. 7, pp. 45-61.

to the letter of the agreement 'developing countries' have to comply with the agreement by the year 2000. 'Least developed countries' have been given until the year 2006 to comply. This deadline is approaching and many countries are finding it extremely difficult to implement this broad and complex agreement.³⁵³ Many industrialised countries with the technological support and infrastructure have found the implementation of the TRIPS agreement an extremely daunting task. A senior intellectual property lawyer from Canada³⁵⁴ that I spoke to at the CBD claimed that the TRIPS agreement was one of the most confusing documents he has dealt with in his working career. He feels that countries without a strong tradition of intellectual property would have a difficult time implementing TRIPS in time. This tradition is non-existent in most developing countries. As Nuno de Pires Carvalho³⁵⁵ of the WTO claims, the TRIPS is complex, and you need an understanding of patents and patent law to fully comprehend this document. While "TRIPS for the developing country"³⁵⁶ is emerging, there is still a lot of confusion and misunderstanding among the experts. However, two broad areas of literature have developed, those trying to understand the implications of the TRIPS agreement and those extremely critical of its process.

The TRIPS literature falls into three broad categories, the first, critical but instructive of how developing countries can comply, is not focusing on indigenous knowledge at the

³⁵³ Footer, M. Intellectual Property Rights IDS Briefing Paper No 6. (Brighton: Institute of Development Studies, 1999)

³⁵⁴ Interview with Jock Langford, Senior Intellectual Property Lawyer for Industry, Canada. Interview took place 6th of May, 1998.

³⁵⁵ Interview with Nuno de Pires Carvalho, op cit.,

³⁵⁶ Options for Implementing the TRIPs Agreement in Developing Countries (Penang: Third World Network, 1998) Penang, PP. 1-36., Correa, C.M. Intellectual Property Rights, the WTO and Developing Countries: The TRIPS agreement and policy options (London: Zed Books, 1998).

present.³⁵⁷ This literature is focused on relationships between nations, trade links and the actual implementation of the TRIPS agreement. The second is a critical approach and wary, but still looking for ways of protecting indigenous knowledge. Many leading academics such as David Downes, of the centre for environmental law,³⁵⁸ believe that indigenous knowledge can be protected under TRIPS and that fighting the TRIPS is counterproductive - in other words TRIPS is here to stay. The third body of literature comes out of many of the NGO's and from leading activists who are emphatically opposed to the TRIPS agreement.³⁵⁹ Many of the women I interviewed fall into this line of thinking about the TRIPS and they believe that there is no room to consider otherwise.

2.23 Intellectual property and the South- two different views

Many countries from the South regard intellectual property protection as advancing the interests of the North and further subjugating countries in the South.³⁶⁰ The South has become cynical at the 'fairness' of the international trading system. Many of the problematic issues that remain are centred on the issue of the 'patenting of life', which the US pushed, and will almost surely procure, in the Millennial round of TRIPS.³⁶¹ The patenting of life includes extending patents to life forms, genes, crops, livestock, and

³⁵⁷ Das, B.L. The World Trade Organisation: A Guide to the new Framework for International Trade (London: Zed Books, 1999). Das, B.L. The WTO agreements: Deficiencies, Imbalances and Required Changes (London: Zed Books, 1998). Das, B.L. An Introduction to the WTO Agreements (London: Zed Books, 1998).

³⁵⁸ Interview with David Downes, Senior Attorney for the Center of International Law in Washington, D.C. The interview took place at the CBD, May 13, 1998.

³⁵⁹ See (<http://www.cscanada.org>); (<http://www.rafi.ca>); (<http://twn.org>)

³⁶⁰ This was evident at the Conference of Biological Diversity as many of the interventions made by third world countries condemn the actions of the WTO, TRIPS agreement.

³⁶¹ Interview with David Downes op cit.

human cells. This will have dire consequences for the South.³⁶² Pushing for the patenting of life are multinational corporations who want these patent rights in order to increase their profits from food, drug and technology sales. This is of special interest because the vast majority of biological wealth is in the South and the extension of intellectual property will specifically affect biological diversity and traditional knowledge of different life forms.³⁶³ There has been much discussion about intellectual property rights protecting indigenous knowledge and less discussion on whether or not intellectual property rights will further intensify the inequities for women and traditional communities in the South. At the moment traditional communities have unrestricted access to bio-diversity and they can practice their traditions and customs. However the rules of the WTO as it stands could dramatically change this historical relationship.³⁶⁴

“The LDCs³⁶⁵ generally tout the public goods principle to justify weak protection regimes, whereas the principle that intellectual products are primarily private property has inspired the stronger protection regimes of many industrialised nations. The principle is that knowledge is common property (or even God-given), and it should be made available at minimal cost to every human being.”³⁶⁶

Much of the literature on ‘development’ speaks largely in economic terms, where marginalised countries can participate in the global trading system; with the hopes that growth in Gross Domestic Product and diversifying the economy through trade will improve overall standard of living for the citizens of that particular country.³⁶⁷ Low-income countries have fought against protectionist rules over the domain of intellectual

³⁶² There are serious implications for the first world as consumers are no longer informed as to what food is ‘genetically engineered’ on our supermarket shelves, essentially TRIPS is granting control to a limited group with corporate interests.

³⁶³ Footer, M. ‘Intellectual Property Rights...’ op cit.

³⁶⁴ Richardson, J. Trade and Environmental Standards IDS Briefing Paper No 8. (Brighton: Institute of Development Studies, 1999).

³⁶⁵ LDC is an acronym for Less Developed Countries.

³⁶⁶ Bondzi-Simpson P, E. The Law and Economic Development in the Third World. (New York: Greenwood Publishing Group, Inc. 1989).

³⁶⁷ World Bank World Development Report 1999 (Washington D.C: World Bank: 1999).

property. Although many low-income countries have now become signatories to the TRIPS agreement, many have not yet signed on to protection of plant varieties, chemical or pharmaceutical products. The eventual outcome seems to be that low-income countries have little choice but to sign on as full members long before their grace period expires.

The second argument within the literature is that intellectual property protection is only creating monopolies through protectionism and is increasingly distancing the world's poorest communities' access to biotechnology and medicines. Power in the South in areas of ecological resources and biological-diversity has been limited through the TRIPS agreement. There is debate that intellectual property protections create a monopoly. In many nations in the South, governments create monopolies and firms are the objects of protection. Sherwood³⁶⁸ argues that protection of intellectual property protects the idea, innovation, and invention; therefore the individual seeks to benefit, not the firm. But in this case, how could Southern communities enhance control of their own knowledge? One of the study's central problems is how knowledge in the South can be better protected in order to enhance development, or should it be 'protected' at all. The notion that the South should abide by the rules of the WTO, which governs international trade, seems most unfair, in that Southern countries have never been in a weaker position to bargain.³⁶⁹ Because knowledge of indigenous is considered communal it is difficult to protect but it is not impossible.

“ The genetic stock of LDC's should not be afforded intellectual property rights. Patents rights serve as incentives for the discovery of useful knowledge. The genetic stock of LDC's is simply raw data with secrets waiting to be discovered and riches waiting to be tapped. Physical possession will not yield those

³⁶⁸ Sherwood, R. M. Intellectual Property and Economic Development (Oxford: Westview Press, 1990).

³⁶⁹ *Ibid.*, p.23.

rewards: only intensive research can. Patenting the genetic stock of LDC's without understanding the uses of the genes will hinder, not help, the use of those resources."³⁷⁰

However, the WTO does not recognise knowledge that is passed down from generations because it extends beyond the life span of an individual. In the meantime pharmaceutical firms are rushing in to discover age-old medicines in the south and turn around and patent these 'discoveries' in order to make a tremendous profit. Industrialised countries see intellectual property as information with commercial value in the form of ideas, inventions and creative expression that are protected in the way of patents, copyrights, industrial design, geographic indicators and trademarks.³⁷¹ Northern countries see strong protection as an intrinsic part of economic development. It has been noted that northern countries are interested in protecting intellectual property and largely controlling the global trade policy through harmonising a set of unilateral rules.³⁷² Every nation has to adhere to these unilateral rules, either by choice or by force, the threat being further exclusion from the global trading system. Strong protections not only safeguard innovation, but also facilitate technological growth. Is it then somehow possible to bridge these conflicting views? The thrust to tighten intellectual property rights came from multinational firms who as it was quoted earlier have something to gain from globalising intellectual property. Firms now have the rights to apply for patents anywhere in the world.³⁷³

³⁷⁰Lasics, A. (http://www.owl.net.rice.edu/~lasics/Work/genetic_resources.html).

³⁷¹ Martin & Winters, 'The Uruguay Round and the Developing Countries' op cit.,

³⁷² FitzGerald, V. International Investment Treaties and Developing Countries IDS Briefing paper No. 9 (Brighton: Institute of Development Studies, 1998).

³⁷³ Drahos, P. "Thinking Strategically about intellectual property." in Telecommunications Policy. (1997) Vol. 21 Pp. 201-11.

The excluded have been traditional knowledge holders in the South and this is both systematic and intentional exclusion,³⁷⁴ primarily, because of the 'exclusive' behaviour of the Organisation for Economic Co-operation and Development (OECD), the G7, the Bretton Woods organisations³⁷⁵ and other powerful state and non-state actors. This has led to the exclusion of the South from full participation in the global system. Dependency scholars argue, the North has kept the South poor in order to exploit and capitalise on the raw commodities that are exported from the North and imported for processing in the South. Looking at the TRIPS agreement, the South is once again being excluded from global decision-making, because global decision-making is about power.

2.24 Negativity towards the WTO

A vast amount of the literature on the WTO/TRIPS agreement has been opposed to the agreement; many NGOs³⁷⁶ have questioned what the result of the TRIPS agreement will be on indigenous people and their knowledge and traditional ways of life. These NGOs find that the most disturbing aspects of the TRIPS agreement are the move towards the ability to patent biological processes. This is almost certain to change in the Millennial round of the TRIPS, when plants, animal varieties and human cells will be patentable. While it is now illegal to patent life, many patents have already been granted, which include patent on human DNA material.³⁷⁷

³⁷⁴ Interview with Victoria Tauli-Corpuz. op cit.,

³⁷⁵ Korten, D. 'The failure of Bretton Woods' in Manders, Jerry and Goldsmith, Edward, (editors) The Case against the Global Economy: and for a turn toward the local. (San Francisco: Sierra Books, 1996).

³⁷⁶ RAFI, (Rural Advancement Foundation International) CSC (Cultural Studies Canada), GAIA, GRAIN, (Genetic Resources Action International) WWF (Worldwide Wildlife Fund) IUCN, (The World Conservation Union).

Since the formation of the WTO in 1995, it has received serious criticisms, to the point that the WTO itself has begun publishing its own literature to defend its position. The WTO has always maintained that developing countries seek to benefit from joining. While that could be the case in some areas of WTO policy, this thesis is limited to intellectual property. This chapter is interested in what has been written on the WTO rather than what it does, which will be covered in the third chapter. Again, much has been written on the WTO from a legal standpoint, which is interested in what it means for the global economy. The WTO has written a fair amount of literature both in hard copy and on its web site³⁷⁸ defending its position and touting the benefits for development. In fact, the WTO has its own development site³⁷⁹, which discusses the participation of developing countries in world trade and gives an overview of major trends and underlying factors. The WTO has also published, "*Ten common misunderstandings about the WTO*" and "*Ten most commonly asked questions about the WTO.*"³⁸⁰, in an attempt to improve its overall image.

What occurred recently at the Seattle round³⁸¹ is the largest demonstration in US history since the Vietnam War. It was estimated that between 50,000 and 100,000 activists were present. What it demonstrated is that the WTO has been targeted as an institution that needs to be constrained. What is certain is that much of civil society is no longer willing

³⁷⁷ See Patenting, Piracy and Perverted Promises: Patenting life: the last assault on the commons. (Madrid: Genetic Resources Action International, 1998).

³⁷⁸ World Trade Organisation, www.wto.org assessed on May, 1, 1999.

³⁷⁹ www.wto.org/develop/w15.html assessed on May 1, 1999.

³⁸⁰ The World Trade Organisation. (World Trade Organisation, Switzerland: WTO Publications, 1999)
The World Trade Organisation, 10 common misunderstandings about the WTO (The World Trade Organisation, Switzerland: WTO Publications, 1999).

to allow capital to flow without any consequences.³⁸² Another interesting point to come out of the Seattle round is the reaction of the third world representatives, many claiming that they were intentionally railroaded at the WTO meeting. Many Southern countries are now beginning to resist areas that they detect as harmful to their further development.³⁸³

2.25 Women and Intellectual property

While the disciplines of IR/IPE have not begun researching gender and intellectual property, there has been some work done on the subject, often by members of civil society and their concern of the effects of intellectual property regimes on women.³⁸⁴ The WTO claims that gender is not an issue, that the WTO is purely an economic agreement but, as we have seen, trade liberalisation has different effects on women, in terms of the double burden of production and re-production, unpaid work, raising children, and care for the elderly. These are important contributions completely marginalised by trade liberalisation. Women volunteer and have social and communal responsibilities, earning potential and what has been referred to as the feminisation of poverty. This must be taken into consideration. In the South, where women still walk for hours to fetch water, and do not have even the most basic of social services, these effects are even greater.

³⁸¹ The Seattle round took place in Seattle, November 17-19, 1999. For one full day the summit was brought to a stand still by protestors.

³⁸² Starr, A. Naming the Enemy: Anti-Corporate Movements Confront Globalization (London: Zed Books, 2001).

³⁸³ Stevens, C. Towards a Development Round IDS Briefing Paper No 8. (Brighton: Institute of Development Studies, 1999).

2.26 Critiques of Gender and intellectual property

A gender analysis of intellectual property-traditional knowledge at a macro-level is necessary and long over due.³⁸⁵ The discipline of international relations has a tradition of epistemic privilege and within this framework there has been little analysis of issues of gender and poverty, this has been left for the 'experts' in development studies.³⁸⁶ A critique is needed because indigenous women and their knowledge are important. Within the field of International Relations there are major gaps (in the study of micro level of study of women and their knowledge). Although feminist IR has engaged in studies of women/knowledge it has yet to engage in the study of women and intellectual property rules. It is also necessary to acknowledge that the content of knowledge cannot be divorced from the male producer of knowledge. As Mia Siscawati states;

"Women need to express their social needs, their economic needs, their political needs, political meaning for the women from the village not only for women elites, and certainly not only for men which is usually the circumstance. Women in the village say that governments promise to do this, this and this, what needs to happen is women need to be part of the political process, to create solutions not just listen to promises. This participation needs to take place on the local, national and international levels."³⁸⁷

The decisions of the international trading system that are made outside the control of women have a huge impact on their day-to-day lives. All of the women I interviewed and spoke to at the Conference on Biological Diversity (CBD) May 4-13, in Bratislava, Slovakia, are heavily involved in education and awareness raising around issues of intellectual property and biological diversity. Many women have an in-depth knowledge

³⁸⁴ RAFI, GRAIN, UNIFEM are all beginning to look at the connections between women's knowledge and intellectual property.

³⁸⁵ There is a vast literature on traditional knowledge and the merits of intellectual property to protect traditional knowledge. A good starting point is Brush, S. B. & Stabinsky, D. (editors) Valuing Local Knowledge: Indigenous People and Intellectual Property Rights (Washington: Island Press, 1996), and Greaves, T. (editor) Intellectual Property Rights for Indigenous Peoples: A Source Book. (Oklahoma City: Society for Applied Anthropology, 1994).

³⁸⁶ Gilbert, R. The History of Development. (London: Zed Books, 1997).

of the working of the WTO and the implications on their communities. Many of these women are classifying and claiming communal 'ownership' over their knowledge. As Lucy Mudenkei stated, "we are not standing by waiting to see what intellectual property will mean for our communities - we will fight, we will educate the women in our communities - we will not be exploited."³⁸⁸ At the CBD, the first workshop on women, indigenous knowledge and biological diversity was held. Women unequivocally agreed it was long overdue and issued in this statement.

"We strongly reject and condemn those international legal instruments, such as the agreement on Trade Related Aspects of Intellectual Property rights, or TRIPS, which violate the spirit and the letter of the CBD by promoting and imposing western intellectual property rights regimes which are predatory upon the knowledge of indigenous women, the resources of indigenous communities, and indeed the very survival of indigenous peoples"³⁸⁹

While a gender analysis of the issues is beginning to take place at local levels within third world countries, it is now time to incorporate a gender analysis into the study of intellectual property and to understand that representations of knowledge are representations of power. The movement in the international trading system has gone from a position of national sovereignty to multilateral negotiations.

2.27 Conclusions

As this chapter has identified, there are some major gaps that this thesis will fill. The analysis of women, their knowledge and bio-diversity has been marginalised in the discipline of IR. This chapter has focused on issues that are important to major global players, powerful states and multinational corporations. This is where the thesis tries to

³⁸⁷ Interview with Mia Siscawati, Executive Director, The Indonesian Institute of Forests, and Bogor, Indonesia. The interview took place at the CBD on May 11, 1998.

³⁸⁸ Interview with Lucy Mudenkei, op cit.,

expand its level of analysis, by including women's intellectual property as an important area of debate for international relations. Conventional IR and IPE have not addressed two very important subjects in this thesis - women and their knowledge. This is where the thesis turns to feminist theory to set up a conceptual framework for the claims the thesis makes.

Wendt, being one of the key IR theorists that has argued for the recognition of favouring ontology over epistemology, has opened up a dialogue regarding the gap in IR theory. Wendt claims that, "the objective of this type of theorising is also to increase our understanding of world politics, but it does so indirectly by focusing on the ontological and epistemological issues of what constitutes important or legitimate questions and answers for IR scholarship, rather than on the structure and dynamics of the international system *per se*."³⁹⁰ Favouring ontology over epistemology allows us to ask questions regarding the legitimacy of subjective knowledge and the knowledge of 'others'. While Wendt has made a strong contribution in this area, I have chosen to use another theorist who has also produced a strong contribution to the necessity of prioritising ontology over epistemology. Like Wendt, Chan's contributions can be seen in the Review of International Studies.³⁹¹ Chan's position focuses on a call for clearing the ground for a plurality of cultures. In order to achieve this, he argues that IR needs to move beyond its established western universal legacy. What I am arguing is that IR Chan's concern for

³⁸⁹Written statement issued at the First Indigenous Women's meeting on traditional knowledge, innovations and practices at the CBD on May 11, 1998.

³⁹⁰Wendt, A. "Bridging the theory/ meta -theory gap in international relations..." op cit., p. 383.

³⁹¹Chan, S. "An ontologist strikes back: a further response to Hollis and Smith" in *Review of International Studies* (1998) 24, 441-443. and Jabri, V & Chan, S. "The ontologist always rings twice: two more stories about structure and agency in reply to Hollis and Smith" *Review of International Studies* No. 22 (1996) pp. 107-110.

culture can be transposed to my concern for gender and culture. Women's ontologies as expressed by women in micro communities and have a plural nature. As Harding has argued, it is this plural nature that gives academics an in road to argue for a distinct plurality which can in both theoretical and practical terms be set up as a 'commonality' in order to work towards eliminating oppression.³⁹²

This may also be transposed to my argument on agency and structure where a position of strength is being built on both the macro and micro level through theory and practice. Open up the discipline of IR to more apposite experiences of women at all levels and different types and concentrations of experiences. Starting from a theoretical position such as standpoint theory and eco-feminism allows women's experience to be a starting point rather than an adage to the discipline. The hope is that this will work towards women entering and staying more engaged within the discipline of IR.

³⁹² Harding, S. "Whose Science, Whose Knowledge..." op cit.,

3.0 Chapter two, Methods, methodology and change in International Relations

“Fictions have power over our lives and how we subscribe to them, therefore the withdrawal of support and co-operation in the construction and the rule of those fictions is the first biggest step. There is nothing more powerful than withdrawing their Cupertino from a system of rule, just the withdrawal of the Cupertino makes that fiction evaporate.”³⁹³

This chapter will argue that IR has created fictions that ‘men’ are central to the study of IR. Not only does this thesis want to withdraw from this fiction; it also wants to tell stories about women in international relations that do not support this fiction. This chapter will set out to do four things. The first section will discuss who is being studied, and also a discussion of the methodology of the thesis and the methodological choices the thesis makes. The second section will present the micro/macro methodological links and will begin a discussion of the ontological and epistemological concerns of this thesis. The third section will explain why women’s knowledge needs the elaboration and methodological advantage of gender specificity. Finally, this discussion will continue using the theoretical choices this thesis makes.

It will critique some of the theoretical work already done on women’s knowledge and how it is applicable to this thesis. This chapter will outline some of the theoretical debates in order to have a more meaningful discussion of the normative implications of this thesis.³⁹⁴

³⁹³ Presentation by Vandana Shiva, “Stealing the loaf and leaving the crumbs.” CBD May 13, 1998.

3.1 The Women central to this study

This thesis is based on and around the lives of women and their experiences. The women I interviewed are from the South. This thesis recognises that this term is no longer used as a universal term and this thesis rejects any implications that women in the South are a single unit that can be understood by generalisations. Most women that live in the South are increasingly becoming urbanised and have little knowledge of biodiversity.³⁹⁴ Of course, women that are educated/cosmopolitan are still women of the South, however they are as distant from biological processes as most women from the North or from most men. When I discuss women of the 'South', I am talking about women that have an integral connection to biological diversity, just as I will use the term women of the 'North' in exactly the same way. Women are also capitalists and can often be the worst abusers of biological diversity. This thesis is covering a small percentage of people with a type of knowledge that has value to others regardless of their geographical location. Women from the North have valuable knowledge about biological diversity, but as demonstrated earlier the vast majority of this biological wealth is in the South. Therefore this thesis focuses on women in the South. The issue is much more about the effects of intellectual property on the ability to protect individual or communal knowledge. This thesis identified that this is most problematic in the South and that there is a wealth of knowledge that exists within this region.³⁹⁵ However in the North farming, planting and collecting have increasingly become industrialised that farming in the North is now largely a mechanical process. Women from indigenous communities have lost much of

³⁹⁴ It will not engage in an exhaustive review of the theoretical literature due to time restraints. Therefore the limitations of this chapter are a condensed view of the overall theoretical picture.

³⁹⁴ Thank you to Parvati Raghuram for reminding me of this fact.

³⁹⁵ Kothari, A 'Understanding Biodiversity, Life Sustainability and Equity...' op cit.

their knowledge through the anglonisation³⁹⁶ of their cultures.³⁹⁷ These groups of women from the North of course are affected by the TRIPS but often it is not a question of stripping them of their only way of survival, or the main source of cultural enhancement. Hence the urgency of this issue does not make this group a focal point for this thesis, but it does not mean that it is not a valuable topic for research. In the light of what has been said there are many opportunities for women from the South to come together and resist the negative aspects of the commercialisation of their knowledge and to also set up schemes to protect their knowledge from further appropriation.

3.2 Field work

This thesis is based on ideas that stemmed from semi-structured interviews that occurred at the CBD. The interviews were taped and later transcribed. I then searched for areas of similarity and differences when analysing the interviews. The women I interviewed were representatives of their countries that worked for NGOs on areas of women's knowledge and biological diversity. Their purpose was twofold, firstly to represent their NGOs, and secondly to learn and take part in an international forum. I conducted interviews at the CBD with women from grassroots organisations that were involved with traditional knowledge on some level. The women I interviewed are as follows, Kesaia, Lucy, Lame, Victoria, Mia, Stella, Alicia, Lucenzia,

³⁹⁶ An example of this is in Canada, where Native Canadians were sent to residential schools where they were forced to abandon their cultural heritage and were forced to speak English, adapt a foreign religion, and dress as English children. Unfortunately a lot of traditional knowledge was lost, due to the fact that it was an oral culture, fortunately many of these cultural practices went 'underground' and they are now being revived and practiced today.

³⁹⁷ When I attended the CBD there were many indigenous Americans, Australians, and Canadians, which had many of the same issues in common with indigenous communities from the South.

I asked a series of questions but tried to let them drive the direction of the interview. The interviews looked at how women's knowledge is understood by women within the context of a macro system. The main focus is placed on the newly formed intellectual property rules. The women I interviewed believe their epistemologies are disseminated differently from men's knowledge. This thesis will try to represent the women as accurately as possible. The organisations³⁹⁸ they worked for also reflect the new ways of incorporating difference into the thesis by accepting the subjective knowledges of women. I also conducted interviews at the WTO and WIPO and with workers from various NGOs in order to discuss the multifaceted issues surrounding this debate.

3.3.0 Methods

The methodological approach will investigate the idea of knowledge/intellectual property in the IPE. I will draw on feminist theories to reformulate some of the ideas about knowledge. This study will also recognise the relationship between knowledge and power, and how nations, firms and organisations in the North recognise this relationship and set up rules/protections to gain from, or exploit, this knowledge. This thesis accepts that women operate within a global patriarchy meaning that the majority of 'directors, managers, politicians, and bureaucrats are men.'³⁹⁹ A methodology is a theory and analysis of how research should proceed. This thesis will incorporate feminist methodologies, to include standpoint and actor-oriented methodologies. Harding argues that standpoint methodology means, one 'must engage in the intellectual and political struggle necessary to see nature and social from the point of view of that disdained

³⁹⁸ I do not name all of the organisations for various reasons, unless I am speaking specifically about the organisation.

activity which produces women's social experiences instead of from the partial and perverse perspective available from the "ruling gender" experience of men.⁴⁰⁰ This has led Harding to ask the following questions of what questions we need to address in order to move towards a feminist methodology. Throughout this chapter I will come back and address the following questions.

Who can be a knower (only men?)

What test beliefs must pass in order to be legitimised as knowledge (only tests against men's experiences and observations?)

What is the appropriate relationship between researcher and her/his research subjects (must the researcher be disinterested, dispassionate, and socially invisible to the subject?)

What kinds of things can be known (can "subjective truths," ones that only women-or only some women-count as knowledge?)

What should be the purposes of the pursuit of knowledge (to produce information for men?)⁴⁰¹

In order to address the following questions; which can be a knower (only men?) What test beliefs must pass in order to be legitimised as knowledge (only tests against men's experiences and observations?). I would like to return to eco-feminism and standpoint theories as both theories have argued that women are 'knowers' in the case of eco-feminism it would be argued that they are the only knowers in relation to their position as women. Standpoint theory referring back to Harding's set of criterion argues that women as a starting point for research is legitimised through their unique 'standpoints, lives and experiences'.⁴⁰² However, Sandra Harding et al⁴⁰³ argues that feminist methodology and feminist approaches are already taking a stand in challenging traditional male-orientated social science. Harding claims, "It is 'internalise' because it attributes the successes of science to science's internal epistemological features-its distinctive method, standards for

³⁹⁹ Salleh, A. 'Eco-feminism as Politics...' op cit., p. 87.

⁴⁰⁰ Harding, S. "Feminism and Methodology..." op cit., p. 185.

⁴⁰¹ Ibid., p. 181.

⁴⁰² Harding, S. "Whose Science, Whose Knowledge..." op cit., p. 123.

objectivity, and so on. In contrast, the post-internalist studies attribute the successes also in a large part to larger social formation- the historical eras- within which modern scientific projects and their epistemologies co-evolved.”⁴⁰⁴ Walby argues that feminist methodology is improved when using qualitative methods and ‘allowing women to speak for themselves.’⁴⁰⁵ Harding argues that,

“Feminist standpoint theory mapped the different scientific and epistemic resources that hierarchical gender relations create for starting off research or thought from women’s lives as the latter have been understood in various feminist discourses. It shows how positions of political disadvantage can also be turned into sites of analytic advantage.”⁴⁰⁶

Since this discussion has already taken place the methodological issues have implicitly been discussed and now they are being stated explicitly, that women are both ‘knowers’ and a starting point to legitimate research.

This takes us to the third question; What is the appropriate relationship between researcher and her/his research subjects (must the researcher be disinterested, dispassionate, and socially invisible to the subject?) The answer to this is no, they mustn’t. Dorothy Smith argues that this is impossibility, we can not avoid entering ‘into relations with the object of knowledge.’ She goes on to describe as the ‘subject.’⁴⁰⁷ She states further that ‘no amount of observation of face to face relations, no amount of analysis of common-sense knowledge of everyday life will take us beyond our essential

⁴⁰³ Harding, S. “Is there a Feminist Method?” in Harding, S. (editor) Feminism and Methodology (Bloomington: Indiana University Press, 1987) pp. 1-14.

⁴⁰⁴ Harding, S. Is Science Multicultural: Postcolonialisms, Feminism and Epistemologies (Bloomington: Indiana University Press, 1998).

⁴⁰⁵ Walby, S. Theorising Patriarchy (Oxford: Blackwell, 1990) p.17.

⁴⁰⁶ Harding, S. “Is Science multicultural:” op cit., p. 91.

⁴⁰⁷ Smith, D. “Women’s Perspective as a Radical Critique of Sociology” in Harding, S Feminism and methodology (Indiana: Indiana University Press, 1987) p. 93.

ignorance of how it is put together.’⁴⁰⁸ In her case it is Sociology she is referring to but it illustrates how ‘traditional disciplines’ have had a difficult time acknowledging their methods and changing existing methodologies.⁴⁰⁹

Attention to method may, in the non-academic world, be sometimes seen as an indulgent activity, which serves the researcher rather than the subjects that are being researched. This section will analyse the relations of power between the researcher and the researched. ‘Feminist theory and practice, probably more deeper than any other approach, have dealt with the problematic issues of knowledge, power, representation, and authority.’⁴¹⁰ A dilemma sometimes occurs especially when the researched are women from poor countries and women of colour. Where do I as an educated white western woman fit in as a researcher and what can I claim to know about the globalisation of poverty, the commodification of knowledge and situations completely foreign to myself? I would argue that one of the central concerns for feminist research is ‘power and the unequal hierarchies or levels of control that are often maintained, perpetuated, created and re-created during and after field research.’⁴¹¹ This is based on western concepts of power. Power relations stem from different positions of the researcher. One way of addressing this, is by ‘study up’ as a way of ‘subverting this particular power structure’.⁴¹² The women I researched were in such positions. They were directors and executive directors of grass roots organisations (Gross) in their country of origin. I went

⁴⁰⁸ Ibid., p. 94.

⁴⁰⁹ Ibid., p. 94-95.

⁴¹⁰ Schrivers, J. “Participation and Power: a transformative feminist research perspective.” In Nelson and Wright (editors) Power and Participatory development: Theory and Practice. (London: Intermediate Technology Publications, 1995).

⁴¹¹ Wolf, D. ‘Situating Feminist Dilemmas in Fieldwork’ in Wolf, D. (Editor) Feminist Dilemmas in Fieldwork (Oxford: West view Publications, 1996) p. 39.

to the CBD with the intent of arranging interviews. Another way I tried to adopt a feminist research methodology⁴¹³ was by allowing the women to steer the interviews. The interviews were semi-structured and I would allow the conversations to follow what their concerns were of intellectual property and women's knowledge. I went to indigenous women's meetings at the CBD to identify what was important to the activists involved in the intellectual property debate. When I interviewed these women from the meetings I allowed them to refrain from certain questions and develop their own areas of expertise. My research is attempting to draw attention to an issue that has been virtually ignored in international relations and that is the issue of women's knowledge and intellectual property regimes. My research attempts to understand women's positions in the South and understand how to improve their overall conditions. One of the advantages of doing fieldwork at a UN conference is that I did not have to alter my dress or behaviour to fit in to the field. I did not have to draw on my culture or alter it in order to gain acceptance because a UN conference, at least, at the outset respects cultural difference.⁴¹⁴

Raghuram et al⁴¹⁵ argues that adopting a feminist methodology involves analysing the interviews in a flexible, non-hierarchical way. The following paragraphs address some of the areas raised in their article. I attempted to accept the fact that these women are the real experts and this thesis recognises the legitimacy of subjective knowledge and

⁴¹² Ibid., p. 13.

⁴¹³ Raghuram, P., Madge, C and Skelton, T. "Feminist Research Methodologies and Student Projects in Geography" *Journal of Geography in Higher Education*, Vol. 22, No 1, 1998, p. 37.

⁴¹⁴ Ibid.

⁴¹⁵ Raghuram, P. Madge, C., & Skelton, T. op cit.,

knowledge of the other.⁴¹⁶ I attempted to highlight existing inequalities of women's knowledge and look at the multi-faceted issues involved. I also try to represent the women as accurately as possible and sent them copies of chapters for comments and critiques. This has helped me identify the issues that are important to them. This has been helpful, as many of the women I interviewed also conduct fieldwork with local women and experience the same issues and concerns when analysing their fieldwork.⁴¹⁷

"As a researcher you have opted to be an intellectual intermediary in this transformational process, by trying to enter the perspectives and the interests of those for whom you have chosen within the given context. You interrogate yourself time and again: in whose interests do I make my choice of perspectives out of the heterogeneous reality existing in the research situation, and how relevant is the acquired knowledge from their perspective? What possibilities do I have for returning the insights gained back to them? There is a great temptation to omit or forget these sorts of questions, because academic rewards are not judged on the people on whom the research is based."⁴¹⁸

This was much more difficult than I anticipated. Before I interviewed these women I had never really thought much of eco-feminism or women's knowledge. In fact I found the idea of gender-specific knowledge very foreign and rather uncomfortable. When I first began writing I found it difficult to argue from their perspectives. As this section demonstrates, I am acknowledging that positionality is important in a research project. The topic I chose and how I have identified what is important is tied to my own beliefs of political emancipation. I am committed to the ideals of the feminist project and improving the status of women globally. I do not have faith that the market can solve the conditions of poverty, and encouraging women into the market and creating the 'double burden' is not addressing the issue. The economies of 'reproduction' are as important as 'production.'⁴¹⁹ The women I interviewed all held this position and much of their

⁴¹⁶ North, N. "Narratives of Cambodian Refugees: Issues in the Collection of Refugee Stories" in *Oral History, Working with Memories*, Autumn 1995, 32-39.

⁴¹⁷ Interview with Lucy Mullenkei, op cit.,

⁴¹⁸ Schrivers, J. "Participation and Power: a transformative feminist research perspective..." op cit., p. 25.

⁴¹⁹ Visivanathan, N. "The Women, Gender and Development Reader" op cit.,

knowledge about medicinals revolve around reproductive activities. This became apparent in the interviews conducted at the WTO and the types of questions that were asked. Interviews conducted at NGOs were very different, as this expression of civil society has the same political assertions as my project, which are the goals of protecting and preserving women's knowledge.

When I decided on my project it was agreed that these interviews at the WTO would take place. I arranged my interviews over the email. I am surprised and impressed with the personal and efficient service at the WTO. It was better than some civil society organisations, which continually attack the WTO for being non-transparent.⁴²⁰ I suppose this was the biggest 'eye opener' when conducting research. Nuno Pires de Carvalho⁴²¹ could not have been kinder or more helpful. I really changed my impression of the members of WTO staff, after the interviews.⁴²² I let the interviewees speak for themselves and attempted to allow the research to progress by itself. These interviews took place one year after the initial interviews at the CBD. I had learnt a lot about my project and was much more confident with where it was going. I have a specific epistemological concern for how I constructed interpretations and how they are represented in the text.⁴²³

⁴²⁰ I thank Lloyd Pettiford for pointing out that, The WTO may 'appear' to be non-transparent in their external policy while they are still 'ruthlessly market oriented.' He pointed me to, Tellam, Rhetoric verses Reality (London: Zed Books, 2000).

⁴²¹ Interview with Nuno Pires de Carvalho, op cit.

⁴²² Again this could be official policy, which does not reflect the nature of policy decisions.

⁴²³ Marcus, G. & Cushman, D. "Ethnographies as Texts", *Annual Review Anthropology*, Volume 11, No. 1. 1982.

3.3.1 Actor oriented methodologies

Actor-orientated methodology will address the last two of Harding's questions; What kinds of things can be known? Can subjective truths, ones that only women-or only some women-count as knowledge? What should be the purposes of the pursuit of knowledge? To produce information for men?⁴²⁴

Actor-orientated methodology necessitates looking at how the relationship between structure/agency affects women on the micro level. An actor-orientated methodology treats women's knowledge as legitimate. Long argues that, "In general terms, the notion of agency attributes to the individual actor the capacity to process social experience and to devise ways of coping with life, even under the most extreme forms of coercion. Within the limits of information, uncertainty and the other constraints (e.g. physical, normative or political-economic) that exist, social actors are 'knowledgeable' and 'capable'".⁴²⁵ This is where the thesis develops an argument to examine that women's knowledge in its own right can be argued to have an epistemological authority. Therefore, this type of analysis of women's subjective experiences is both necessary and makes a contribution by looking at how women have a very real impact on households, institutions and processes that have subjugated their knowledge. According to Long, "An actor-oriented approach, emphasises the detailed analysis of the life-worlds, struggles and exchanges within and between specific social groups and networks of individuals."⁴²⁶ One of the criticisms of IR is that in its attempts to view international relations on an objective

⁴²⁴ Harding, S. "Feminism and Methodology..." op cit., p. 181.

⁴²⁵ Long "From paradigm lost..." op cit., p. 17.

⁴²⁶ Long "From paradigm lost..." op cit., p. 38.

level it has ignored those with subjective claims to make.⁴²⁷ According to Fardon, 'knowledge is highly context-specific and may have different meaning for different people or groups.'⁴²⁸ According to Verschoor that, "seen from this perspective, knowledge is not some objective but a social construction."⁴²⁹ This thesis claims that subjective knowledge is important in telling the stories of international relations. The role of agency is important in this thesis, because if the subjects that are being studied did not have power and a voice, although often marginalised, it would be pointless to analyse the topic. This thesis will argue that the epistemological biases of IR overlook the contribution of women's knowledge. I will argue that in order to fully incorporate women's knowledge into the discipline of IR it is necessary to support an ontological position that supports subjective knowledge that is not acknowledged by traditional IR theory. This thesis will attempt to link the activities of women on the micro levels and the effects of intellectual property regimes on the macro level by drawing on relationships within the larger framework of the activities of development agencies. This is where the thesis turns to development studies, as it is an actor-oriented approach meaning that it looks at women's circumstances and how institutions and their policies⁴³⁰ affect women directly. As it looks at how women respond to their circumstance it makes room for women's agency. According to Long "Agency-which we recognise when particular actions make a difference to pre-existing state of affairs or course of events-is composed of social relations and can only become effective through them. Effective agency,

⁴²⁷ Thanks to Stephen Chan for making this point.

⁴²⁸ Fardon quoted in Verschoor, G. "Identity, networks, and space: New dimensions in the study of small-scale enterprise and commodization" in Long, N. & Long, A. Battlefields of Knowledge: The Interlocking of Theory and Practice in Social Research and Development (London: Routledge Publications, 1992) p. 177.

⁴²⁹ Ibid., p. 177.

⁴³⁰ This thesis uses the example of Intellectual Property Regimes.

therefore, organising capacities; it is not simply the result of possessing certain persuasive powers or forms of charisma.”⁴³¹ This looks at women as agents and the fact that these agents can act against the global structure of intellectual property is important for this thesis for two reasons. The first is this type of methodology recognises the agency of women in development relationships and how there is room for women to forge a position and a strategy in relation to their knowledge. This thesis recognises that structures can work for or against achieving the above objective. One of the objectives of this thesis is to look at ways women are interacting with macro structures and developing micro strategies to protect and promote their knowledge. It is the plurality of women’s experiences, which adds weight to the field of research. Harding argues that,

“Once we realised that there is no universal man, but only culturally different men and women, the man’s eternal companion woman also disappeared. That is, women come only in different classes, races and cultures, there is no woman and no woman’s experience. Masculine and feminine are always categories within every class, race, and culture in the sense that women’s and men’s experiences, desires, and interests differ within every class, race, and culture.”⁴³²

These different experiences can produce knowledge about women and for women.

The theoretical shift from WID to GAD has moved ‘women from passive recipients of change and as victims of forces they do not control.’⁴³³ WID accepted the existing social structures and did not challenge the sources of inequality. Whereas, GAD sees women as ‘agents for change rather than passive recipients of development assistance.’⁴³⁴ This then

⁴³¹ Long “From paradigm lost...” op cit., p. 38.

⁴³² Harding, S. Eds. Feminism & Methodology (Indiana: Indiana University Press, 1987).

⁴³³ Beneria and Roldan quoted in Rowbotham, S. and Mitter, S. (editors) Dignity and Daily Bread: New forms of economic organising among poor women in the Third World and the First. (London: Routledge, 1994).

⁴³⁴ Visivanathan, N., Duggan, L., Nisonoff, L. & Wiegiersma (editors) The Women, Gender & Development Reader (London: Zed Books, 1997).

implies that social structures are not just imposed on women but rather they materialise through dialogue, struggles and interactions, which occur on a daily basis.

Women's movements are not a new occurrence. The women and their movements that I focus on challenge traditional understanding of praxis and practice. They challenge representations of women, whose knowledge is a resource and how it is then represented in IR. It unsettles how women on the micro-level are often understood within the backdrop of development. Women at the grass-roots level are developing alliances and manipulating power to their advantage, yet they are under-documented in IPE because conventional IPE has a difficult time accounting for the 'invisible economy'. The 'invisible economy' meaning work that is not accounted for in national GDP's and women's movements often volunteer and set up forms of protests in and around this invisible economy. This thesis challenges neo-liberal complacency both through practical/methodological and theoretical implications. Women's knowledge is recognised in feminist, eco-feminist and gender and development literature and fits within the aims set out in this thesis. Women's knowledge is powerful in itself, it is extremely valuable and women are developing strategies for resistance.

3.4 Limitations of the field work

There are several limitations of the fieldwork, some of which are addressed throughout the text, some that are not. The women I interviewed were at an international conference; therefore they were educated, middle class women that spoke English.⁴³⁵ Their interpretations may be different from the women they work with in the field. Another

limitation is not seeing how 'their strategies work on the micro level'. Again, this is an interpretation by the women who run the organisations and will lead to a different interpretation from the women they work with. However I do not think these issues distract from the fact that *these* women have something interesting to tell us about their situations and to investigate if women are able to 'empower' themselves.

Is it really possible to speak about women on a universal level? Of course, an international level of analysis is not necessarily universal and does not necessarily involve universalising epistemological claims. That said, however, I would argue that theorising on an international level is possible, as the structures on both micro/macro levels are already in place and reject women's knowledge/intellectual property. The people at the organisations I interviewed all stated that their organisations are seeking links globally in order for women's knowledge to be recognised on both the micro/macro levels.⁴³⁶ Feminist post-modernism rejects universal theories and grand narratives, as these theories sometimes attempt to minimise the broader experience of women. It is also problematic for feminist post-modernism to completely abandon old frameworks of epistemology, as this may not be the answer either as new frameworks may be 'unstable' and 'non foundational'.⁴³⁷ As Mridula Udayagiri argues,

" Post modernist analysis by itself offers little by way of potential for political action, especially if the experiences of women in the South are understood as local, fragmented and contextual... In practical terms, we need international coalitions to unify our fragmented experiences and to provide a sense of shared experiences. But this means lobbying for humane policies, and attempts to influence public policy, both at the domestic and international level."⁴³⁸

⁴³⁵ All of the women I interviewed spoke English fluently as a second or third language.

⁴³⁶ Interviews with women's groups refer to the first footnote.

⁴³⁷ Sandra, Harding, S. The Science Question in Feminism (Ithaca, NY: Corn University Press, 1986).

much of the eco-feminist development literature addresses the need for incorporating women and giving them a voice in development policy.⁴³⁹ This will be addressed in chapter seven. In no way is this thesis portraying Southern women as 'passive and powerless', but rather aims to illustrate the structures, such as the household, the community, national governments, and macro structures, that make decisions concerning women without their consultation or consent.⁴⁴⁰ At the same time it tries hard not to view Southern women as a homogenous group. There are as many images and experiences as there are women.

IPE constructs epistemologies of poverty and this is important concerning issues that have traditionally been dealt with as 'third world issues' within IR. According to Tooze and Murphy 'invisibility' is the product of epistemology. In its attempts to view international relations on an objective level of analysis, it has ignored those with subjective claims to make. In other words, the issue of women's knowledge being marginalized in our discipline, is an issue of what researcher construct as a research agenda. They conclude that, "If, as we assert, power is about the contestation of knowledge, ideas, and claims to truth, then questions of epistemology, ontology and methodology are fundamental to all matters of international political economy."⁴⁴¹ The construction of poor women, or I would argue, the lack of construction, has everything to do with how the discipline has a hierarchical scale of analysis. Or as Chan and Jabri

⁴³⁸ Mridula Udayagiri, 'Challenging Modernization: Gender and Development, post-modern feminism and activism', in Marchand & Parpart (editors.) 'Postmodernism and Development...' op cit., p. 169.

⁴³⁹ Marchand & Parpart (editors) op cit., and Gardner, K. & Lewis, D. Anthropology, Development and the Post-Modern Challenge (London: Pluto Press, 1996).

⁴⁴⁰ Interview with Alicia Canuiri, Director of Centro de Desarrollo Integral de la Muyer Aymara, and Casilla, Bolivia at the CBD on May 11, 1998.

argue, IR's epistemological preferences have disabled subjective viewpoints from having a central influence on the discipline.⁴⁴² Poor peasant women are not seen as important in the analysis of orthodox IPE. Bernice Carroll⁴⁴³ argues that this has to do with the Cult of Power, which involves de-constructing concepts of power, institutions, people and groups that are powerful, or are conceived to be powerful. Therefore, women and their knowledge, which are often outside this realm of power, are frequently not subjects of analysis.

3.5 New ways of legitimising knowledge

What makes up, and what is then considered legitimate knowledge, is important to who is being studied in IPE. Tooze and Murphy argue that what is considered legitimate knowledge is fixed according to rationalistic scientific thought stemming from enlightenment.⁴⁴⁴ They argue that in order to expand this space to include the 'other' we need to make sure that our epistemology is critical, democratic and ameliorative. The first has already been discussed. The second means that it reaches the largest audience possible and feminist writers emphasise the importance of this. The third point is that epistemology and its truth claims are about making things better for the less advantaged. Only in this way can truth speak to power. Tooze and Murphy claim that moral issues are part of epistemology.⁴⁴⁵ They argue that if we want to develop an inclusionary epistemology we need to incorporate these aspects. They claim that it is not just a

⁴⁴¹ Tooze & Murphy "The Epistemology of Poverty" op cit., p.681.

⁴⁴² Jabri, V. and Chan, S. "The ontologist always rings twice: two more stories about structure and agency in reply to Hollis and Smith", *Review of International Studies*, 1996, 22:107-110.

⁴⁴³ Carroll, B. quoted in Tooze and Murphy, "The epistemology of poverty..." p. 681.

⁴⁴⁴ Tooze and Murphy; "The epistemology of poverty..." op cit., p. 696.

⁴⁴⁵ Ibid., p. 698.

theoretical academic position; it is also an important part of many NGOs that deal with the impoverished. While realism and neo-realism focuses on traditional accounts of power, Carroll argues that there is a wide range of power that is completely ignored by conventional IR/IPE. This thesis wants to pick up on these forms of power, as it is important to the argument, that agency in a global economy is possible. While Carroll focuses on many different types of power, I want to discuss the following four typologies of power she identifies:

(i)“Disintegrative power... the power that large masses of people always have by undirected but convergent individual action, to break down social organisations, economic institutions and political structures...(ii) Innovative power - the power of imagining fundamentally new social arrangements. (iii) Explosive power...the power of the ‘powerless’ to express their discontent or even rage by behaviour and demands which exceed... the moral norms which ordinarily bind most members of society...(iv) Collective or co-operative power [the power of new social arrangements].”⁴⁴⁶

All of these types of power are related to the poor and especially relevant to this thesis. Looking at representations of power means changing the priorities of IPE but altering epistemology is never simple. Scott asserts that a ‘legitimate epistemology’ needs to incorporate three elements; social discourse, critical reason and embodied experience. Because of the ‘essentialism-phobia’ that exists, feminists have not taken up the last one for fear of being labelled a biological reductionist.⁴⁴⁷ Scott claims that we need to move away from the Cartesian⁴⁴⁸ body. Scott argues for a new model of the body, one used regularly in alternative health systems, like the quantum body. This body would be ‘fluid; it is capable of intentionality and transformation’ also this “natural body cannot ground a politics of biological reductionism. By discarding our essentialist anxieties and re-conceptualising the biological body as dynamic and aware, we may be able to solve

⁴⁴⁶Carroll, B. quoted in Tooze and Murphy, “The epistemology of poverty...” op cit., p.687.

⁴⁴⁷ Scott, C. “The Knowledge in our Bones...” op cit., p. 117.

⁴⁴⁸Ibid. Chopra argues, that “recent discoveries regarding neuro-peptides make the argument for a sharp division between the mind and body increasingly difficult to maintain.” p. 109.

some of the problems hindering the development of an effective feminist epistemology.”⁴⁴⁹

3.6 Conclusions

This chapter has set up the methodological and theoretical framework of the thesis. It argues that we need to include women and in particular women’s indigenous knowledge into the equation. It argues that women’s knowledge can be incorporated through theoretical arguments based on eco-feminism and this does not necessarily mean presenting an essentialist version entirely. It also argues that development studies can be looked at as a way of making a methodological bridge between the micro and macro level. This chapter calls for a gender-specific methodology that prioritizes the ontological side of the agent/structure debate. It has also been demonstrated that even within their own communities, women’s knowledge needs to be protected.

⁴⁴⁹ Ibid., p. 117. I was drawn to this argument because it incorporates Chinese and ayurvedic philosophies; (even though they have very different methods) this is an extremely interesting and complex argument, which unfortunately cannot be incorporated in full here.

4.0 Chapter three: The International Gendered Division of Knowledge⁴⁵⁰ within globalisation, and the Global Political Economy.⁴⁵¹

“On every level of political discourse, The dominant ideology of the elite and the powerful has submerged and devalued traditional knowledge, even in the eyes of women themselves. Consequently, women tend to consider their own knowledge as worthless and themselves as ignorant. For example, the knowledge of herbal medicines among tribal women is known as mumbo-jumbo or at best as second-class medicine.”⁴⁵²

Power resides not in government nor even in institutions but in the dominant political culture.⁴⁵³

The globalisation of economic affairs forces virtually all countries of the world (and people of the world) to embrace the world market if they wish to achieve economic development. Globalisation in the current has involved, first of all, a progressive deregulation of the international movement of goods and capital.⁴⁵⁴

This chapter will look at how women and women’s work, in both the reproductive and productive realms, has been socially constructed as having less meaning and value than men or men’s work. It is only when women enter professions that their work is deemed valuable and important. The IGDK occurs on both the macro and micro levels. As with the international division of labour, it is tied to an epistemic and ontological framework that marginalises what women do and how they do it. If gender is a key factor in the development of the social division of labour, then this thesis makes the assertion that gender is a key factor in the social and political division of knowledge.

This chapter will look at the global political economy and what this means to women and their knowledge in both theoretical and practical terms. It will critique globalisation and

⁴⁵⁰ I would also like to thank Chris Farrands, Heikki Palomaki and Parvati Raguhram for comments on earlier drafts.

⁴⁵¹ This author has chosen to use the term GPE instead of IPE for this chapter to stress the influence of globalization on the discipline.

⁴⁵² M.A. Singamma Sreenivasan Foundation, “Intergrating women in development planning: the role of traditional wisdom.” in Joycelin Massiah (Editor) Women in Developing Economies: Making Visible the Invisible (Oxford: Berg, 1993) pp. 280-300.

⁴⁵³ Zapata, E. and Townsend, J. “Outsiders and Self-Empowerment” In Townsend et al Women and Power: Fighting Patriarchy and Poverty. (London: Zed Books, 1999) p. 51.

⁴⁵⁴ MacEwan, A. Neoliberalism or Democracy: Economic Strategy, Markets and Alternatives for the 21st Century. (London: Zed Books, 1999) p. 151.

how it affects women's knowledge. It will also look at how women are reacting to a global environment and will conclude that GPE and globalisation contribute to the IGDK. This thesis will examine Southern women beyond the traditional view as passive marginalised victims of global restructuring. It will examine the 'other' as encountering struggle in an increasingly disordered global society, but will also question if globalisation can work in positive ways in regards to knowledge protection. The first section will critique globalisation and place the 'other' within the debate. Briefly, this section will discuss how this 'other' is created within the available limited space of the international system. The second section will examine women's subordination and conclude that globalisation/neo-liberalist trade regimes are a contributing factor to their marginalisation.

While chapter four and five will demonstrate the importance of international trade, international organisations and multinational firms and the way that intellectual property has gender impacts on women's knowledge, this chapter will discuss how the globalisation narrative affects women on many different levels. This chapter will discuss the importance of the global political economy and how globalisation affects women's knowledge. One of the hangovers of modernity is the persistent misnomer that the marketplace offers solutions to poverty. The essence of the neo-liberal position on international commerce is the proposition that economic growth will be the most rapid when the movement of goods, services and capital is unimpeded by government regulations.⁴⁵⁵

4.1 Unproductive domestic labour -Myths and Fallacies respun

Feminist scholars have shown that gender relations of inequality and women's double burden are not only important to individual women, but to whole communities world wide.⁴⁵⁶ There have been many studies of women in economics and yet few studies of women's 'home economics.' Mazumdar and Sharma argue that because most women were assumed to be engaging in unproductive labour this has led to "consistent neglect of women's considerable economic contribution in the non-monetized sectors and their unrecorded employment in the informal sectors."⁴⁵⁷ It is in the non-monetized informal sectors, because this is where much of women's knowledge is created, taught, passed on, and where it thrives. This is also the case in the largely unrecorded employment of women in the informal sector.

A case of both is women's contribution in agriculture. D.D. Kosambi conducted a study in 1970, which claimed that women were the first managers of 'negligible surplus'⁴⁵⁸ and this role was shifted to chief and patriarch much later.⁴⁵⁹ This typology of women as having a connection to nature has grown since then. M.S. Swaminathan (1989)⁴⁶⁰ argues that highly specialised skills that have developed through women's knowledge have existed for generations, such as fertilising plants through hand pollination. He also

⁴⁵⁵ Ibid.

⁴⁵⁶ Seager and Olson quoted in Krause, J. "Gender inequalities and Feminist Politics in a Global Perspective' in Kofman, E. & Youngs, G. (editors) Globalization: Theory and Practice (London: Pinter Publications, 1996) p. 228.

⁴⁵⁷ Mazumdar and Sharma quoted in Tinker 'Persistent Inequalities: Women and World Development' ... Ibid., p. 192.

⁴⁵⁸ Extra income.

⁴⁵⁹ Ibid., p. 192.

⁴⁶⁰ Ibid., p. 192.

supports the claim that women were the first to cultivate rice in South and Southeast Asia.

4.2 Gendered sites of Knowledge

It is important to look at the connections between agriculture/bio-diversity and women's knowledge. The fact that women from low-income countries perceive their knowledge as holistic and multidimensional does not mean that it is specific to them, but rather it is a way in which they view their knowledge with regard to their relationship with their environment. Harding argues that, "Gathering food, and maintaining subsistence agriculture, herding and forestry-bring women into yet more distinctive interactions with natural environments. Women's biology and their culturally distinctive activities enable them to have some different interactions with natural environments than those their brothers have."⁴⁶¹ Women's knowledge plays an integral role in conservation, yet it largely goes unrecognised. Susan Joeques argues that, "the 'gender dimension' is not a supplementary consequence of variation in agricultural practices but a fundamental organising principle in labour use..."⁴⁶² I would argue that knowledge production and its similarities are related through the same organising principle. The divisions of labour, which shape experience also, shape the knowledge of that experience. Through similar experiences in agriculture and a separation from the mainstream modes of production, women have developed an epistemology that is divided by their experience and is exclusive to their gender. According to Harding, "Gendered social structures are

⁴⁶¹ Harding, S. "Is Science Multicultural..." op cit., p. 97.

⁴⁶² Joeques, S. Women in the world economy. (Oxford: Oxford University Press, 1987). p. 63.

produced by assigning some work and activities to women and others to men.”⁴⁶³ “ On the basis of their understanding and knowledge, they could provide a special perspective on the processes of environmental regeneration, one that needs to inform our view of alternative approaches to development.”⁴⁶⁴ The sexual division of labour is much more than a nature-culture hypothesis. Culture determines duties and roles that women perform and how they are performed. What makes a ‘good’ woman varies according to time and space. The experiences of elite women, rural women, unskilled women and urban women ensure that there are no universal or absolutes to what this ‘good women’ is. However, we can see that roles such as ‘caregiver’, does not stop at raising children. In some societies it means caring for elderly parents, in-laws or grand children.

4.3 Reproduction - A women’s lot?

A woman’s lot refers to the reproductive activities of childbearing, rearing, caring and all associated housework that this entails. A women’s lot means that they,

‘Reproduce the conditions of production’: something like setting a stage? Not seen as an actor herself, not as a producer, the mothering labourer gives life to, and attends the material needs and emotional support of those who do ‘produce’. This reproductive sector, as Marxists call it, is the realm of necessity par excellence and despised as such, But it is poorly understood by make theorists whose lack of activity in that sphere has given them odd notions about what women do.’⁴⁶⁵

As Ariel Salleh put forth, ‘there is no reason in the world why one exertion should be canonised as a labour creating ‘value’ and the other not.’⁴⁶⁶ There are many different theories on the role of reproduction and in relation to this thesis the role of how these ‘experiences’ affect knowledge creation. According to space and time this tends to

⁴⁶³ Harding, S. “Is Science Multicultural...”op cit., p. 92.

⁴⁶⁴ Victoria Tauli-Corpuz, op cit.,

⁴⁶⁵ Salleh, A. Ecofeminism...’ op cit., p. 76.

⁴⁶⁶ Ibid., p. 81.

'interpret' and 'organise' motherhood in ways that focus on difference.⁴⁶⁷ Nancy Chodorow argues that the primary role of women in 'bearing, nursing, and socialising children leads to a different psychological dynamic for each sex. Girls learn their gender identity by imitations...they become more present-oriented and subjective than boys, who must learn to identify with a sex that is frequently absent and less accessible and who can only do so by learning an abstract male role.'⁴⁶⁸ One of the problems is that Chowdrow's work does not address why women are systematically dominated in the majority of societies. Ortner argues that gender identification can lead to the 'denigration of adult women on the part of both sexes by arguing that women's biology and domestic role make her appear close to nature. Nature is in turn seen as lower than culture so that women are perceived as lower in the scale and subject to the restrictions that culture puts on both the nature and the domestic unit.'⁴⁶⁹ However, Coontz and Henderson argue that the above formulations tend to support a 'western dualism and hierarchy that do not do justice to the complexity of other cultural behaviour and belief systems.'⁴⁷⁰

However this thesis will take up the position articulated by eco-feminist theorists, in particular the position postulated by Ariel Salleh. "Women's labour is 'freely given' behind the curtains of domestic decorum. What women do 'gratis', whether birthing labour or sustaining labour, is called 'reproduction' as opposed to production. Yet, the

⁴⁶⁷ Coontz, S. & Henderson, P Women's work, men's property: the origins of gender and class (London: Verso Publications, 1986) p. 12.

⁴⁶⁸ Chodorow quoted in *Ibid.*, p. 13.

⁴⁶⁹ Ortner quoted in *Ibid.*, p. 13.

⁴⁷⁰ *Ibid.*, p. 14.

word 'reproduce' here connotes a secondary or diminutive activity."⁴⁷¹ Salleh argues that this is tied to a 'classic Capitalist patriarchal ontology which includes;

- An artificial distinction between History and Nature;
- An assumption that Men are active historical Subjects and Women passive Objects;
- An assumption that historical action is necessarily Progressive and activities grounded in Nature necessarily Regressive;
- An association of Masculinity with the historical order of nature through Production and association of Femininity with the order of Nature through Re-production;
- Valued production and de-valorised reproduction.⁴⁷²

However, Salleh argues, using the capital patriarchal model we can see that women's work in the 'reproductive' arena can be easily measured using this model's criteria. For a capital patriarchal model an eco-feminist's view of reproduction is a polar opposite to its imposing beliefs. "An eco-feminist standpoint may make little sense to the international minority whose minds and bodies are alienated from reproductive and sustaining labour by years spent in offices or factories, and by a high tech lifestyle at home."⁴⁷³ However understanding the role reproduction has in relation to knowledge creation and how this separation from 'males modes of knowledge' is important. In order to begin to understand how knowledge is divided.

4.4 IGDK, contemplating women and intellectual property.

I began thinking about this 'division' of knowledge while at the CBD, as many of the women I interviewed and spoke to, often operated from a similar epistemological framework despite being from very diverse regions. They also expressed common grievances about the lack of attention given to women's knowledge at the local, national and international levels. While there are some loose similarities to the international

⁴⁷¹ Ibid., p. 95.

⁴⁷² Ibid., p. 95.

division of labour⁴⁷⁴ in which certain roles are 'gendered'. I would argue that knowledge production is gendered, just as knowledge can be patriarchal it can also be matriarchal.⁴⁷⁵ Women's innovations, then become important, especially in the area of agriculture/biological diversity, which is important when talking about intellectual property and when discussing the uniqueness of women's knowledge. Women's productive role is closely connected to the natural environment.⁴⁷⁶ Their day-to-day survival often depends on the plants; food and fuel they collect from the forests and fauna that surround them. In this sense, their connection to nature for their source of food, medicines and fuel cannot be underestimated. I would also argue that women's knowledge has been perceived on all levels (economic, political, within families and households), as well as at the international level (which is what is the primary concern here), as being more 'backward' and 'unscientific' than men's knowledge in the South. This has been demonstrated consistently during the implementation of development projects in the South.

The division of knowledge occurs at three levels; the economic, the political and the social. In theorising about an IGDK, I am arguing that the realities of economic, political and social structures divide and exclude women's knowledge from structures of power at every level because of the existing epistemological framework already at work, and 'other' epistemologies are held at bay. When I discuss structures of power, I am not

⁴⁷³ Ibid., p. 108.

⁴⁷⁴ See, for example, Nash, J. & Fernandez-Kelly, M.P. (editors) Women, Men and the International Division of Labour (Albany, NY: State University of New York Press, 1983) and Stichter, S. & Parpart, J. Women, Employment and the Family in the International Division of Labour (London: Macmillan, 1990).

⁴⁷⁵ Walby, S. Theorising Patriarchy (Oxford: Blackwell, 1990).

⁴⁷⁶ See Shiva, V. and Mies, M. Eco-feminism (London: Zed Books, 1993).

divorcing any of these structures from the fact that political decisions are made at all levels. However, when I discuss the political level I am referring to political activity.

4.4 1. Economic sphere: women's knowledge, exclusion at the micro level.

Economic factors contribute to the IGDK in two ways. First, the gender division of labour contributes to the separation of women from modes of male production; therefore women develop different knowledge, innovations and practices.⁴⁷⁷ Second, this theory has some common links with the international division of labour as it is partly economic, because their knowledge often does not seem to have immediate economic benefit as it becomes invisible, and is excluded. On both the micro/macro level women's knowledge is not recognised.⁴⁷⁸ The capitalist systems within the South and the internationalisation of production has set up a division of labour that has separated women and men into different modes and sites of production. As Mellor argues, "what is incorporated in the sphere of 'production' does not just represent the interest of capital, it represents the interest of men"⁴⁷⁹ Productivity is often equated with cash income making most of women's work insignificant. Women's knowledge becomes distinct through this separation of production, as a woman's productive role entails a closer relationship with nature, due to the responsibility of tending to food, collecting water, fuel and medicines from the natural environment that surrounds them. Women's knowledge is then unrecognised because of the patriarchal household, as the 'knowledge vilifying

⁴⁷⁷ Tamang, S. "Women, Indigenous Knowledge, and Biodiversity" Paper presented at the workshop on Women, Indigenous Knowledge and Biodiversity at the CBD 1998.

⁴⁷⁸ Ibid., p. 7.

⁴⁷⁹ Mary Mellor, "Eco-feminism and Eco-socialism: Dilemmas of Essentialism and Materialism." *Capitalism, Nature and Socialism* Vol. 3, no. 2, pp. 43-63. p. 51.

structure'⁴⁸⁰ fails to recognise the woman's role as a legitimate producer. Different patterns of knowledge production can occur and because of women's unique circumstances knowledge production is not a static process. Women are involved in knowledge creation because of their own circumstances and experiences. Gender and Development literature proves that there is a connection between women and their productive, reproductive and management responsibilities in the community.

The way in which women have claimed separate knowledge is only accepted when it is articulated in certain ways and within certain existing structures (economic, political, and societal) - they do not validate women's knowledge/intellectual property. As Lucenzia Pisquil concludes, "It is because of western thoughts and western structures that have become so much a part of our societies that our knowledge and our positions as women are relegated to the background."⁴⁸¹ Women's labour is still not accounted for in the majority of nations, yet it is becoming more analytically visible. One of the difficulties is the actual measurement of women's work, how it should be treated as equal with other forms of labour.⁴⁸² The issues are how do you draw a line between what is perceived as economic and non-economic work, and the difference between housework and economic work.⁴⁸³ Women's worth on the micro level is vast. Gardiner argues that:

Household human capital formation involves bringing together human effort; time and skills with purchased goods and services. These human and purchased resources are combined to provide nutrition, shelter, health and safety, personal care, personal development and sustainable interpersonal relationships.

⁴⁸⁰ What is meant is, a 'structure of power' has already validated knowledge, often men's knowledge or western 'knowledge' as the primary or accepted form of knowledge, therefore women's knowledge is marginalized or excluded from input, or from forcing change when involved with this structure, i.e. the household. A dominant epistemology is already in place.

⁴⁸¹ Interview with Lucrecia Pisquil, Coordinator, Guatemala Women's Network, at the CBD, on May, 11, 1998.

⁴⁸² Beneria, L. (editor) Women and Development (New York: Praeger, 1982).

⁴⁸³ *Ibid.*, p. 136.

If these processes are effective, the outcome will be mature people who are physically and psychologically healthy and equipped with a range of skills, knowledge and values, the capacity to work and to develop further, to care for themselves and others in particular historical and cultural environment in which they love, Where these processes break down, major social costs will be incurred, not just in terms of economic competitiveness but also in relation to the social infrastructure and quality of life.⁴⁸⁴

Further she argues that raising children draws out all types of skills and relies on women's knowledge, yet these skills are not recognised by the macro or formal sector. In fact women's skills are seen as 'depreciating during absences from the labour market and domestic labour is viewed as disinvestments, not investment, in human capital. Care-giving activity is seen to detract from performance at work, instead of enriching it, and the interpersonal skills developed through it are viewed as natural, undervalued attributes, not skills acquired through a complex learning process.'⁴⁸⁵ Gardiner argues that the 'devaluation of skills acquired through domestic or voluntary work reflects a masculine analysis of human capital which may have less relevance in an era of 'flexible' labour. "A feminist analysis of human capital would recognise that skills acquired in unpaid work are transferable to paid work situations."⁴⁸⁶

4.4 2. Economic: Women's knowledge exclusion at the macro level

"The main basic tension between capitalism and patriarchy is over the exploitation of women's labour. On the one hand capitalists have interests in the recruitment and exploitation of female labour, which is cheaper than that of men because of patriarchal structures. On the other, there is resistance to this by that patriarchal strategy which seeks to maintain the exploitation of women in the household."⁴⁸⁷

One of the thrusts of early development policy was to bring women into paid employment, which was meant to be the main means in which to empower them. Women in Development (WID) focused on the need to increase women's employment through

⁴⁸⁴ Gardiner, Jean, Beyond Human Capital: Households in the Macro Economy. *New Political Economy*, June 1998.

⁴⁸⁵ Ibid., p. 6.

⁴⁸⁶ Ibid., p. 7.

legal and political means and to maximise women's role in paid employment and minimise barriers or disadvantages. This is based on modernisation theory, which is as a starting point extremely problematic for women. Rita Felski argues that, "The view of modernity as driven by the logic of productive forces gives way to recognition that consumer demand is not simply a passive reflection of economic interests, but is shaped by a variety of relatively independent cultural and ideological factors..."⁴⁸⁸ Harvey quoting Habermas, relates that the project of modernity was 'to develop objective science, universal morality and law.'⁴⁸⁹ As Felski argues, these are very much male institutions. Modernisation theory recognised traditional or Southern communities as authoritarian and male-dominated and modern ones as democratic and egalitarian.⁴⁹⁰ Of course neither is exact. So the starting point of modernisation theory, which focuses on getting women into economic employment, is already problematic. Modernisation theory focuses on making a profit; it is not a 'neutral process.'⁴⁹¹ This means that being drawn into a system of capital accumulation has an effect on women's knowledge. Arun Agrawal argues in his article, *How Not to Keep Your Cake nor Get to eat it*, that there are two concerns that need to be looked at - the ethical, and the managerial. "Ethical tensions arise because indigenous knowledge resources lie mainly in marginal environments, in developing countries, with poverty-stricken populations, and are being lost at a rapid

⁴⁸⁷ Walby, S. "Theorising Patriarchy"... op cit., p. 185.

⁴⁸⁸ Felski, R. The gender of modernity (Cambridge, M.A: Harvard University Press, 1995) p. 61.

⁴⁸⁹ Habermas quoted in Harvey, D. The Condition of Post-modernity (Oxford: Blackwell Books, 1990).

⁴⁹⁰ Visivanathan, N. "Introduction to Part one" in Visivanathan, N., Duggan, L., Nisonoff, L. & Wiegiersma (editors) The Women, Gender & Development Reader (London: Zed Books, 1997).

⁴⁹¹ Beneria, L. and Sen, G. "Women's role in Economic Development" in Visivanathan, N., Duggan, L., Nisonoff, L. & Wiegiersma (editors) The Women, Gender & Development Reader (London: Zed Books, 1997).

pace.”⁴⁹² Furthermore, the technological advances to realise full commercial potential of indigenous knowledge can only be realised with the backing of capital-intensive research facilities. Also important is the managerial aspect, how to create rights of ownership and to ensure compensation to the knowledge producers. In other words, how can indigenous women become managers of *their* knowledge resources? The author explains why both of these ‘solutions’ are problematic. Agrawal argues that indigenous women’s knowledge has two common forms: the marginal location and collective nature of it. He further argues that capital and the need of raw materials are eroding indigenous women’s knowledge, that assigning ownership is only buying in to this process and promoting a system that they are fighting against or at least trying to exist in on their own.⁴⁹³

The introduction of western farming methods and commercial agriculture as superior has meant that women have been affected in many ways, such as creating a double burden, increasing work loads, and women losing control over their production. This is just to name a few examples of the effects.⁴⁹⁴ Knowledge is lost through the introduction of ‘dynamic export agriculture’,⁴⁹⁵ and different farming practices have meant a loss of women’s knowledge. When women are taught to use highly mechanical ways of farming, their traditional knowledge is ignored or forgotten. One early example is hand pollination; if women are taught different methods then eventually this knowledge will be

⁴⁹² Arun Agrawal, “How Not to Keep Your Cake nor Get to Eat it.” P. 4. Accessed at www.yvwjiusdivnohii.net/~nlthomas/articles/aron.html read on the 23 of January 1998.

⁴⁹³ Ibid., p. 3.

⁴⁹⁴ For an excellent example of how strategies aimed at increasing agricultural and industrial productivity and economic growth have been harmful for women see chapter one of Sen, G and Grown, K Development Crises and Alternative Visions. (Great Britain: Earthscan Publications, 1988). While it is a concise overview it does not discuss how these processes affect women’s knowledge.

⁴⁹⁵ Ibid., p 32.

lost forever. In fact technologization is a contributing factor for global hunger.⁴⁹⁶ Modernity affects women's knowledge in another way, as there becomes commercial interest in timber. Many of the tropical forests are chopped down and they hold a wealth of what women know about plants and natural medicinals.⁴⁹⁷ The second issue is when modernisation calls women away from subsistence farming into factory work per se - this is also another way knowledge is lost. This could be in areas of declining handicrafts, home based production, or subsistence farming⁴⁹⁸

Finally, modernisation has largely meant that women have been told what to do, rather than asked what to do. So much knowledge that could have been utilised was not. When I interviewed Nuno de Pires Carvalho, I asked him the following question. "Surely, before the TRIPS agreement had been ratified, was there not some indication that macro decisions do affect women on micro levels?" He responded, "The TRIPS agreement did not have human rights on its agenda, it did not have women's rights on its agenda, because the TRIPS agreement is not about human rights."⁴⁹⁹ One of the main criticisms of neo-liberalism is the belief that macro decisions affect people equally. However, Nuno de Pires Carvalho argued that women may be affected more than men, for the most part he argued that TRIPS agreement does not discriminate against women directly.

⁴⁹⁶ See Bennholdt-Thomsen, V. and Mies, M. The Subsistence Perspective: Beyond the Globalised Economy (London: Zed Books, 1999).

⁴⁹⁷ Shiva, V. Monocultures of the Minds (London: Zed Books, 1993).

⁴⁹⁸ Sen, G. and Grown, K. "Development Crises and Alternative Visions..." p.37.

4.4 3. WTO-TRIPS agreement: a gender-discriminate organisation?

Is it possible that the TRIPS agreement will take gender seriously? For the time being it is unlikely. It is important to remember that WTO is Member State driven and unless there is an impetus for member states to push for gender sensitive policies it is unlikely the organisation will recognise gender.⁵⁰⁰ It is an economic agreement divorced of human rights and as this thesis has demonstrated, neo-liberalism and women's rights are separated by an immense gulf. Possibly after years of women's knowledge being discredited, any protection for women's knowledge may come too late.

One example of macro decisions having serious implications for women is policy making that comes out of the development apparatus. Agencies come in, make changes and rarely implement women's knowledge. Although development agencies claim to have taken women's knowledge on board, it is still only a cursory note often added in on the end of a program. The development industry will be discussed in more depth in chapter seven. There are countless examples of how macro structures discount knowledge on the macro level and how neo-liberal decisions affect women. These types of economic decisions are made without any thought of how they may affect women. Only when the damage is done will it be recognised that macro decisions do affect women differently from men.

⁴⁹⁹ Interview with Nuno de Pires Carvalho, op cit.,

⁵⁰⁰ Paraphrased from an interview with Nuno de Pires Carvalho. Ibid.

4.4 4. Political sphere

“Women are effectively absent from the centres of powers everywhere.”⁵⁰¹ This is especially true within positions of decision-making on local, national and international levels. As Sen and Grown argue, it would take a considerable amount of time for a re-orientation of political structures in a post-colonial world.⁵⁰² It is important to recognise that ‘politics’ within microstructures (especially the household) and institutions also affect and are affected by gender differences. The introduction of GAD theory and gender planning tries to address the issues of redistributing political power to women in the South. The political structures within society are tightly entrenched with an accepted epistemology. Therefore, women’s epistemologies that exist outside these structures are excluded. On all levels, the political structures (whether it is decision-making at community or international levels) concerning policy or law-making exclude women’s knowledge and this has consequences for women and their communities. One of the policy criticisms of GAD is that it is still ‘dominated by economic perspectives on development’ which means that development agencies still try to adopt ‘women’s economic empowerment as their main strategy for achieving gender equality.’⁵⁰³ Unfortunately, it is their political roles that are not addressed. The following section will discuss why this is the case.

⁵⁰¹ Walker, R. B. J One World, Many Worlds: Struggles for a Just World Peace (London: Zed Books, 1988) p. 48.

⁵⁰² Sen, G. and Grown, K. Development Crises and Alternative Visions. (Great Britain: Earthscan Publications, 1988.) p. 31.

⁵⁰³ El-Bushra, J. Rethinking gender and development practice for the twenty-first century. *Gender and Development* Vol. 8, No. 1, March 2000.

Women and their ability to influence are underrepresented in all levels of local, national and international politics universally. In the South, women have a higher representation rate in local rather than national government, although this rate is still much lower than men. One issue is the lack of political connections and networks that are often developed through traditionally male networks; another issue is the demands of the job and time away from family. Culture, religion, tradition and patriarchy are all elements that have kept women out of powerful roles. When I asked Stella Tamang how important female representation is in politics this was her response:

“Very. Everything is so political and women do not have proper access. When a man is making a decision for you, then how much you do and how you should do it is greatly affected that is why indigenous women need to have access to decision-making. This is so difficult because we are marginalised even more than non-indigenous women,”⁵⁰⁴

When women do have access to political participation, according to Lucy Mulenkei, “men really listen to what women are saying not like before, in tradition where a woman had to kneel down to talk to a man.”⁵⁰⁵

4.4 5. Societal sphere

Discourses of women in the South are socially constructed as client discourses in order to give meaning to the agent’s (development expert, planner, researcher) interaction with them.⁵⁰⁶ As Stella Tamang states, “Indigenous women in general have a low status in their societies and are often not directly represented at the local, regional and national political decision making structures where important issues are discussed.”⁵⁰⁷ Societal structures affect what access women have to legal representation, levels of legal status

⁵⁰⁴ Interview with Stella Tamang op cit.,

⁵⁰⁵ Interview with Lucy Mulenkei op cit.,

⁵⁰⁶ Escobar, Encountering Development: The making and unmaking of the third world (Princeton: Princeton University Press, 1995) p.107.

⁵⁰⁷ Stella Tamang, “Indigenous women and their knowledge...” op cit., p.9.

within their communities, as well as to what extent women can participate in the marketplace, community, and household. The structure of family is central and it is the 'family that determines women's participation in the labour market, not vice versa.'⁵⁰⁸ Caroline Moser argues, "Consequently, it is around human reproduction that gender division of labour is identified most strongly as 'natural'. Any changes are perceived as a serious threat to established forms of masculine and feminine gender identity"

The subordination of women often results in the subordination of their knowledge and the subordination of their knowledge results in the subordination of women; it is cyclical. This is perpetuated in both the public and private sphere. "Women are far behind, they are not consulted, or they are not involved. It is very strange - if you look at the household, women have a very powerful role but if you look at society a women's political role is very minimal."⁵⁰⁹

Women in the South working around areas of biological diversity and knowledge protection realise that the structures that exist within a society need to be altered and become more equitable in order for their knowledge to be recognised and protected. As Alicia Canauri states, "Within our Aimara community there is a dualism that men and women are one, but within Bolivian society it is men who have more decision making power and women are relegated into our communities. Our society does not recognise the importance of women's knowledge. Instead of spreading our knowledge and improving

⁵⁰⁸ Walby, S. "Theorising Patriarchy" p. 88

⁵⁰⁹ Interview with Stella Tamang, op cit.,

our rights, we remain a bit behind and this can really affect the protection of women's knowledge."⁵¹⁰

Social institutions within societies operate from an epistemology, which discounts women's knowledge at every level within society.⁵¹¹ When social institutions dismiss half⁵¹² of the available knowledge, then they are incomplete structures that are not functioning at full capacity. The GAD critique seeks to turn development on its head by restructuring social relations and social institutions by shaking up these institutions and ridding them of inequalities. It is interesting to note "the feminist theory of knowledge is inextricable from the feminist critique of power because the male point of view forces itself upon the world as its way of apprehending it."⁵¹³ As argued at the outset, this is further linked to the idea of objectivity and masculinity being inter-connected, especially in terms of public discourse. The globalisation process affects social institutions on both the macro and micro levels.

4.5 A Globalisation of Hierarchies

While globalisation has re-altered or shifted some of the hegemonic power of states or international institutions, neo-liberalism and international capital have set up a new hegemonic relationship in which the unrestricted movement of goods and capital are at the centre of economic globalisation. New international hierarchies are indeed very much

⁵¹⁰ Interview with Alicia Canauiri, op cit.,

⁵¹¹ McDowell, L. & Pringle, R. Social Institutions and Gender Division (Cambridge: Polity Press, 1994).

⁵¹² Often the population in developing countries is roughly divided as fifty percent being women and often this number is higher, The United Nations Development Report (Oxford: Oxford University Press, 1997).

⁵¹³ Harding, S. "Strong Objectivity and Socially Situated Knowledge" Harding, S. Whose Science? Whose Knowledge? Thinking from Women's lives (Milton Keynes: Open University Press, 1991) p. 139.

a part of the globalisation process as women are shifted in both positions in the labour force/household and in proximity. Women in vast numbers migrating to factory work become the sole provider or head of the household, as partners have had to migrate to find work and increase moving to perform work as domestics.⁵¹⁴ As Pettman argues, this has much deeper implications for women. In her subsection *Women on the move* she describes how many women are forced pressured or chose to move away from home. Globalisation contributes to movement of capital to developing countries in which women are employed in unsafe conditions. Pettman claims that the changing international division of labour exploits young women. This occurs through illicit activities and this often extends to a woman's or child's 'nationality, ethnicity and citizenship become part of the equation, often putting them at further risk.'⁵¹⁵ New international hierarchies means addressing issues and concerns that have much wider implications for women. Kofman argues that, " Women appear to be a group that have fared badly from globalisation and are providing, along with environmentalists, indigenous peoples, peace groups, etc., new social forces, represented spaces and forms of organisation. Beyond this vague internationalism, there is little examination of how such groups might achieve a voice and a place in a less exploitative global system..."⁵¹⁶ While this thesis cannot undertake the full extent of the above research project, it hopes that the preceding chapters has demonstrated how women can achieve a voice when protecting and promoting their knowledge, at the micro and macro level. In order to achieve this voice, it is also necessary to look at how 'power over' can be replaced by new coalitions of

⁵¹⁴ Pettman, J. "An International Political Economy of Sex." in Kofman, E. and Youngs, G. (editors) *Globalization, Theory and Practice* (London: Pinter, 1996).

⁵¹⁵ Op cit., p. 194.

'power to'. Keith asserts that, 'reframing international development' involves the identification of difference, "to depict certain kinds of political exclusion experienced by particular social groups and interests, largely because of characteristic differences they possess. Examples include race, ethnicity and gender which have not been appropriately accommodated within certain renditions of democratic practice."⁵¹⁷ Keith argues that we must examine difference against the backdrop of 'the changing nature of global economic practice', which includes the way that it affects social structures and power relations. He claims that difference has not been examined because of the unequal distribution of power that pervades the global system. He states that, "Indigenous practices and habits of mind were largely excluded from the developmental calculus. They are the backward and the primitive that metropolitan models of development, traceable in a direct line to the Cartesian perspective, dismissed as products of matter that were inappropriate for rational economic development."⁵¹⁸ In other words, 'difference' was not recognised simply because it was that very 'difference' that made it ineligible within the existing framework. The 'dominant political culture' constructs power relations in both political economy and international development.⁵¹⁹ According to Nelson and Wright looking at decanted power raises two points. International agencies that set up participatory development programs (PDP) which they then try to 'decentre' power to try and 'base development on the realities of marginalised people and non-governmental organisations.'⁵²⁰ One of the difficulties that Rowlands points out is that international

⁵¹⁶Kofman, E. "Feminism, Gender Relations and Geopolitics" In Kofman, E. and Youngs, G (editors) *Globalization, Theory and Practice* (London: Pinter, 1996) p. 214.

⁵¹⁷ Phillips quoted in Keith N "Reframing International Development" (London: Sage Publications, 1997) pp. 21-22.

⁵¹⁸ Ibid., p. 171.

⁵¹⁹ Ibid.

⁵²⁰ Nelson and Wright. Op cit., p. 10.

agencies or NGOs 'may face problems in complying with their own accountability processes. Reporting cycles and criteria for success or failure as conditions for funding, provide pressures that work against an empowerment approach.'⁵²¹ Rowlands argues this is due to the fact empowerment is a lengthy process and it cannot yield short-term results that can be measured. If organisations want to incorporate an empowerment approach this 'involves women themselves setting the agenda and managing the pace of change.'⁵²² The second issue is if development workers are a part of the apparatus and 'do not look reflexively at how it is working, how can they 'empower' others?'⁵²³ Rowlands states that this potential bottom up concept can be used to perpetuate and disguise continued top-down attitudes and approaches.'⁵²⁴ Rowlands argues that unless organisations are 'feminist women's organisations', they are unlikely to have incorporated an empowerment approach. She believes that organisations use language trends to get funding. 'The empowerment of women' being one such phrase.'⁵²⁵ Rowland claims that in order for development workers to look at 'how it is working' there needs to be a shift to measuring empowerment. It needs to be an explicit aim. She looks at Womankind Worldwide, a British NGO, which has managed to look at themselves and the internal working of their organisation before they went on to claim empowerment for others. Womankind Worldwide has set up appraisal, monitoring and evaluation criteria of women's empowerment.⁵²⁶

⁵²¹ Rowlands, J. Questioning Empowerment: Working with Women in Honduras (London: Oxfam Publications, 1997) p. 137.

⁵²² Ibid., p. 137.

⁵²³ Nelson and Wright. Op cit., p. 11.

⁵²⁴ Rowlands quoted in Ibid., p. 11.

⁵²⁵ Ibid., p. 138.

⁵²⁶ Ibid., p. 140.

4.6 Women's Knowledge and the global economy.

The global process affects women's knowledge, but this is not to say that women's knowledge in the pre-globalisation era was unproblematic. Power hierarchies existed in both pre-modern and pre-colonial societies. As Bina Agrawal argues, 'structures of gender inequalities are complex, and interlinked with other structures of social hierarchy such as class, caste and race. The dimensions of women's subordination are many, and by no means all (or even in large part) connected with the question of man's dominance over nature.'⁵²⁷ Although structures on both the micro and macro levels subjugate women's knowledge, there are many factors involved - some of which the next few chapters engage in - and others that are outside of the scope of this thesis.

International Relations is increasingly sharing its title or disciplinary space with global political economy. A 'new' international political economy attempts to go beyond traditional images of the state/market contradiction.⁵²⁸ What we can be sure of, is that shifts in the role of markets and states are changing rapidly with the changing role of technology and the advent of globalisation. The changing role of the state is important to women who could often count or not count on its role as the most powerful unit of negotiator. The bargaining rules have changed and this is important. As chapter three illustrated, a global economy, and international institutions affect women differently from a state led system. One consistent factor exists within the GPE, old or new system, the feminisation of poverty continues and in many circumstances is increasing. Thus, the study of the global political economy involves the study of gender relations. Krause

⁵²⁷ Argawal, B. "Environmental Management, Equality and Eco-feminism" p. 72. op cit.,

⁵²⁸ Murphy, G. & Tooze, R. "The epistemology of poverty..." op cit., p. 199.

argues that there are disparities in how women benefit from 'economic, technological changes and social progress.'⁵²⁹

4.7 Knowledge Erosion

There are factors that contribute to the erosion of indigenous women's knowledge. Western science has 'replaced the notion of an organic, living and spiritual universe with the notion of the world as a machine.'⁵³⁰ While Cartesian scientific concepts and technology has in many ways made things better in the area of agriculture, this was not always the case in the tropics. According to Havekort and Hiemstra, 'Agricultural development programmes have, in most cases, been a failure here, as production did not increase. These approaches often led to erosion of soils, of indigenous knowledge and genetic diversity.'⁵³¹ Governments and mainly the development industry have also been responsible for the erosion of women's knowledge. Vandana Shiva argues that 'Modern reductionist science, like development, turns out to be a patriarchal project, which has excluded women as experts, and has simultaneously excluded ecology and holistic ways of knowing which understand and respect nature's processes and interconnectedness as science.'⁵³² Capitalism, human activity and globalisation have also contributed to knowledge erosion. In the last few decades there has been a large-scale loss of biodiversity.

⁵²⁹ Krause, J. "Gender Inequalities and Feminist Politics in a Global Perspective." In Kofman, E. and Youngs, G. (editors) Globalization, Theory and Practice (London: Pinter, 1996) p. 226.

⁵³⁰ Havekort & Hiemstra "Food for Thought..." op cit., p. 12.

⁵³¹ Ibid., p. 12.

⁵³² Shiva, V. Staying Alive: Women, Ecology and Survival (London: Zed, Books, 1988) p. 14-15.

'The global loss of wild plants and animal diversity can lead to communities losing knowledge about these biological resources.'⁵³³ The increasing pressure in developing countries to modernise has left many countries allowing mining, logging and other projects that take a heavy toll on the environment. Globalisation too has an effect on knowledge erosion as the TRIPS agreement and the commercialisation of knowledge could lead to further erosion as monetary value replace the sanctity of women's knowledge. Increasingly, globalisation is luring many generations into urban centres and the knowledge is not being passed on to the next generation. Kesaia Tabunakawai says that many women have had to relearn traditions as they were viewed as pointless and old-fashioned when they were children.⁵³⁴ This is not an exhaustive list and is only meant to illustrate that there are many factors contributing towards the erosion of women's knowledge.

4.8 GPE-New forms of power

As argued in chapter two, there is not enough analysis of power and in particular the analysis of women's power in the global economy which, has been picked up by development studies and women's studies. How women organise and protest against intellectual property is important. Patriarchy is fairly universal, in that men in the home, the state and the corporation hold the majority of power, and those women have less power. This does not mean women are powerless, only that the balance of power almost always favours men. However, this is challenged when women form groups or collectives and begin actively protesting against the things that need to be changed.

⁵³³ Kothari, A. Understanding Biodiversity: Life, Sustainability and Equity (Hyderabad: Orient Longman Limited, 1997).

Women working for change tend to 'democratise knowledge and to prevent its use to uphold privilege and domination.'⁵³⁵ Already we have seen movements of women that have great influence on the political and social landscapes. However, as argued earlier this thesis does not assume that this is an easy or automatic process. As the connection between women's knowledge and biological diversity are integral, movements of women protecting their landscapes in turn are protecting their knowledge. Shiva argues that women's knowledge is threatened in the areas of agriculture and bio-diversity. "What TRIPS does is exclude the creative contributions of women, third world peasants, and tribals and treats them as being engaged in unthinking, repetitive, biological processes."⁵³⁶ However, women are fighting back and setting up strategies to resist global restructuring and intellectual property regimes. Global political economists argue that security is not the primary issue of world society. The increasing disparity between rich and poor, access to health care, and the state of the environment are all important to the study of global relations. (Dalby argues that, 'decentring the state, focusing on world politics rather than just international relations, and analysing the functions and territorial reach of states as well as other political issues, which can now be addressed.')⁵³⁷

4.9 The Global Village-woman as villager.

The global village is a term that became popular in social analysis in the eighties. To illustrate the global village, it would look like this, ten percent of the population living in

⁵³⁴ Interview with Kesaia Tabunakawai Op cit.,

⁵³⁵ Harcourt, W. (editor) Power, Reproduction and Gender: The intergenerational Transfer of Knowledge (London: Zed Books, 1999) p. 33.

⁵³⁶ Shiva, V. "WTO and Women..." op cit., p. 27.

⁵³⁷ Dalby, S. " Political Geography and International Relations after the Cold War." in Kofman, E. & Youngs, G. (editors) Globalization: Theory & Practice p. 37.

the prosperous northern suburbs, while ten percent live in southern suburbs in absolute poverty. Between thirty and forty percent live impoverished.

“According to the logic of capitalist development that has brought about the affluence of the North, there is no economic necessity to save and help the starving 10 percent of the world’s population. For the world’s capitalist system, these people are structurally dispensable or disposable. If they die of hunger, there will be no adverse effect on world capitalism. Indeed, world capitalism might even be better off if it could save the expenditure on development aid for those people it does not need as part of its drive for economic growth and efficiency. In sum, then, the fundamental paradox here is the very structure which has given rise to the global disparity makes it possible for the people in the North to forget, ignore or evade the problem.”⁵³⁸

Globalisation is a phenomenon that supports the liberalisation of international trade and investment. Strong critiques of globalisation continue to emerge.

“The apparently universal appeal of neo-liberalism under the unstoppable march of ‘globalisation’ is matched only by the grand antinomies of its particularisation. In the local and regional contexts, therefore, one is likely to uncover contradictory and uneven processes of growth and decline, integration and fragmentation, homogenisation and localisation. The promise of material salvation is intensely refuted by the simultaneous presence of grotesque concentrations of wealth and privilege, on one hand, and an unprecedented scale of poverty, squalor, inequality, and marginalization on the other. Above all, globalisation exposes vast populations in virtually all parts of the world to relentless market rationality. Furthering already existing disparities and deepening social destitution.”⁵³⁹

One of the main obstacles women face when setting up strategies to protect their knowledge is the very force of globalisation. By the ‘promise of material salvation’ women on micro levels are being drawn into an economic framework. The commodification of their knowledge is not going to make things better, but many of the strategies women create are focused around the economic, because that is the only framework that exists. In many ways it is too late to reverse the process of globalisation. The promise of modernity and the process of development are about drawing women into

⁵³⁸ Sakamoto quoted in Hettne, B. (editor) International Political Economy: Understanding Global Disorder (Halifax, Nova Scotia: Fernwood Books Ltd., 1995) p. 135.

⁵³⁹ Kamal Pasha, M. ‘Globalisation and poverty in South Asia’ *Millennium: Journal of International Studies*, 1996, Vol. 25, No. 3. p. 637.

the economic realm. Even the GAD literature does not critique the western development models' privileging modernity and its growth-oriented underpinnings.⁵⁴⁰

An analysis of the effects global restructuring has on women began in the 1980s with the analysis of structural adjustment programmes. It is important to this thesis to analyse the "complexities" and "contradictions" of global restructuring and to look at the gendered nature of institutions, states and policy.⁵⁴¹ Diane Elson, claims that; "In other words, institutions such as markets, firms, and public sector agencies are gendered through their embeddedness in social (gendered) norms and networks."⁵⁴² Macro economic processes take the reproductive economy for granted,⁵⁴³ although an analysis of the gender specific impacts of trade is occurring. Janice Goodson Forde argues that new trade agendas such as the WTO are "tools for development which have gender specific effects on men and women. International and regional trade policies must be monitored, analysed and influenced in order to enhance and not worsen women's economic prospects."⁵⁴⁴ While I agree that the WTO policies affect women differently, the WTO is not a tool for development nor are it policies. The WTO has never made this claim. It claims that countries outside of a neo-liberal trading framework have more to lose than gain. This is clear in its mandate. Victoria Tauli-Corpuz argues that it demonstrates how this type of institutional underpinning leaves its policies without any gender analysis.⁵⁴⁵ Susan

⁵⁴⁰Connelly et al, in Marianne Marchand, 'Reconceptualising ' GAD' in an Era of Globalisation.' *Millennium: Journal of International Studies* Vol. 25, No.3 1996 p. 579.

⁵⁴¹ Marchand, M. "Reconceptualising Gender and Development..." op cit., p. 587.

⁵⁴² Ibid., p. 587.

⁵⁴³ Ibid.

⁵⁴⁴ Goodson Forde, J. 'Trade Aspects of Women's Role in the Development Process, Cairo-Copenhagen-Beijing' in Haxton E and Olsson, C. (editors) Women in Development: Trade aspects in the Development Process (Stockholm: United Nations Youth and Student Association of Sweden, 1995) p. 595.

⁵⁴⁵ Interview with Victoria Tauli-Corpuz. Op cit.,

Joeke argues that international trade needs to have a gender sensitive approach when there are negative distributive effects for women.⁵⁴⁶ Yet even the trickling down effects of any positive aspects need to be a concern for feminist researchers. Marianne Marchand in her analysis identifies a fifth type of examination, which formulates the most radical form of critique. Led by Maria Mies, Vandana Shiva, Veronika Bennholdt-Thomsen and Claudia von Werlhof, they set out to challenge the 'global capitalist-patriarchal model of accumulation' for being premised upon the exploitation of women, colonial peoples, and nature. They tend to make a case that "the marginalisation and exploitation of the labour of women is tied to its invisibility in economic models and social theory."⁵⁴⁷

4.10 Women's reactions to global conditions

From an epistemological position women are beginning to understand the value of their knowledge and the 'poverty' of epistemological analysis that exist in the global society and the study of international relations. Their knowledge is both changing and challenging the existing systems. This section wants to look at ways women are challenging systems ontologically and epistemologically. Chapter six and seven will look at actual strategies women have set up to conquer the macro and micro levels. The CBD is an international legally binding agreement. (However, when indigenous groups were given the same status (as a nation state at the negotiation table) this was an important step forward). The women who were interviewed agree that their knowledge is only 'second class' because it has been made so through the epistemological and ontological positions

⁵⁴⁶ Goodson Forde, J. "Trade Aspects of Women's Role..." op cit., p. 588.

⁵⁴⁷ Ibid., p. 588.

of neo-liberalism, the project of modernity and how people live within it. At the CBD women lobbied effectively for the CBD to acknowledge gender. Women are also putting WIPO under pressure to address the 'gender dimension.' As Shakeel Bhatti said, "the gender dimension keeps coming up and it is important to WIPO, but the organisation is working on so many aspects of indigenous property rights."⁵⁴⁸ Organisations are slow to change but this change is beginning to occur slowly. Development agencies are realising the importance of changing policy so they are gender sensitive, although changing an organisation's epistemological and ontological frameworks does not happen overnight. Here are the thoughts of a development worker working on gender programs. "Even when we have the best intentions to incorporate gender we are working in a bureaucratic environment."⁵⁴⁹ In my case, working with women in Afghanistan, we have direct interaction and try to identify their needs. For example, "I go into a community and ask the women what they need, they may say money, we need money. However, they are often suffering from acute malnutrition and health issues. As a project manager I see their needs for health care and nutrition."⁵⁵⁰ The problem is that without money they cannot buy things, so often it is communication that is lacking and addressing what they mean. Epistemologically speaking, this is a shift in that is right and what needs should be addressed. Historically, the development industry told women what to do, rather than consult them on how to improve conditions; this is a huge paradigm shift, which cannot be underestimated.

⁵⁴⁸ Interview with Shakeel Bhatti. Op cit.

⁵⁴⁹ Interview with Teresa Poppelwell, UNCHS op cit.

4.11 0. Agency and agents

Starr argues that one of the defining features of post-modernism and post-structuralism is ‘postmodernism’s obsession with defining the structure in such a way as to supply the material and space for freewheeling, undetermined agency. From this perspective naming the enemy fails to prioritise the structure’s incompleteness, which crucially provides the space for agency.’⁵⁵¹ The enemy being globalisation, Starr asserts that globalisation is not all encompassing and her concern is with its ‘dis-empowering effects of a totalized view of the enemy.’⁵⁵² Gibson-Graham also argues that agency is not lost within globalisation but within the language of globalisation. “It was an article on rape by Sharon Marcus that first drove home to me the force of globalisation. The force of it as a discourse, that is, as a language of domination, a tightly scripted narrative of differential power.”⁵⁵³ Haraway argues that her view of active agency is not new in western philosophy ‘but it has a special feminist edge to it in relation to the science question in feminism and to the linked questions of gender as situated difference and of female embodiment. Eco-feminists have perhaps been most insistent on some version of the world as active subject, not as resource to be mapped and appropriated in bourgeois, Marxist, or masculinist projects.’⁵⁵⁴ Starr then questions why some scholars such as Vandana Shiva, renowned eco-feminist, have chosen to use terms such as re-colonisation Starr argues that perhaps ‘clarity about your enemy and his intentions, while certainly terrifying is *not* always dis-

⁵⁵⁰ Ibid.

⁵⁵¹ Starr, A. Naming the Enemy: Anti-corporate movements confront Globalisation. (London: Zed Books, 2000) p. 27.

⁵⁵² Ibid., p. 28.

⁵⁵³ The End of Capitalism (as we knew it) A Feminist Critique of Political Economy. Oxford: Blackwell Publishers, 1996) p. 120.

⁵⁵⁴ Haraway, D. Simians, Cyborgs and Women: The reinvention of Nature (London: Free Association Books, 1991) p. 199.

empowering.⁵⁵⁵ Especially when you recognise the globalisation project has been set up in order to further dis-empower the South and that is why a re-colonisation makes sense as far as terminology. It does not in Starr's view take away from individual or collective agency.⁵⁵⁶

4.11 1. Women and Agency

One contentious area of this thesis is whether women have any power to alter their circumstances under global conditions. Up to this point, the thesis has argued that globalisation adversely affects women. This is true. At the same time, while globalisation has many negative consequences for women, this thesis argues that women, to some degree, can use globalisation to advance their individual circumstances or resist globalisation entirely. However, in order for this thesis to examine how macro processes affect women on micro levels, it is important to analyse how globalisation affects women and how women are setting up coping strategies. At the same time, while globalisation marginalises women, this thesis does not support the notion that women are 'invisible' or rendered powerless. However, does globalisation benefit women at all? According to Scholte we need to look at this as well. 'For example, global trade and finance have played a part in more than trebling world per capita income since 1945, and the proportion of humanity living in poverty (though not absolute numbers) as measured by the United Nations 'human development index', more than halved between 1960 and 1992 (UNDP, 1994: 1-2) globalisation has helped to increase ecological consciousness

⁵⁵⁵ Starr, "Naming the Enemy..." op cit., p. 29.

⁵⁵⁶ Ibid., p. 30.

and programmes to enhance environmental sustainability.⁵⁵⁷ Scholte argues that in certain incidents global communications has 'encouraged worldwide humanitarian concern, for example in famine relief and the anti-apartheid movement. Various subordinated groups-including women, the disabled, lesbians and gay men, and indigenous peoples-have grasped possibilities of global organisation in expanded campaigns to reverse discrimination.'⁵⁵⁸ Scholte claims that for some, globalisation has created more awareness and in turn more tolerance for different cultures. However, he argues that to all of the above points, globalisation is still an overwhelmingly negative force. He states that globalisation has not decreased the disparities between incomes, or improved working and social conditions. He asserts that 'In spite of the impressive rise of trans-national feminism, women have borne by far the greater brunt of global restructuring, and global governance has generally been a little less patriarchal than sovereign statehood'.⁵⁵⁹

Scholte argues that,

"Globalisation has to date mostly been an extension of modernisation. At the same time, the rapid rise and wide-ranging reach of this transformation of social space-the transcendence of territoriality-has brought great instability to capitalism, made traditional conceptions of sovereignty un-viable, heightened worries about ecological sustainability, injected much confusion into the construction of identity and encouraged reactions against reason. To this extent, globalisation has opened space for critical theory and a fundamental rethink of production, governance, ecology and community, as well as the nature and purpose of knowledge itself."⁵⁶⁰

This thesis is interested in conditions in which local cultures thrive. In order to examine this, Hannertz argues that we must get beyond the global homogenisation thesis. He argues that concentrating on this ignores that alternatives exist.⁵⁶¹

⁵⁵⁷ Scholte, J. A. "Towards a Critical Theory of Globalization" in Kofman, E. & Youngs, G. (editors) *Globalization: Theory & Practice* p. 53.

⁵⁵⁸ *Ibid.*, p. 53.

⁵⁵⁹ Peterson and Runyan quoted in *Ibid.*, p. 54.

⁵⁶⁰ *Ibid.*, p. 55.

⁵⁶¹ Interview with Teresa Poppelwell, UNCHS op cit.,

“The research, development and teaching agenda of the international and national research organisations and universities generally follow the Cartesian tradition. One can say that these efforts have the tendency to enhance globalisation. Initiatives for supporting endogenous development and cultural diversity may also need the help of these institutions. Globalisation and diversification are not necessarily in conflict with each other. They can be complementary as well.”⁵⁶²

This thesis argues that there are alternatives to globalisation. Under global conditions women from the South are developing strategies to empower themselves. There are ways of resisting globalisation and ways in which women can thrive under global conditions. TINA (There is no alternative) would have us to believe otherwise, because as consumers and activists if we believe there are no alternatives, we have no reason to resist or challenge. However, powerful resistance to globalisation is occurring on every level. This section will discuss resistance to globalisation as a general process, and then the following chapters will look at specific institutions and agencies. If we rejected the TINA thesis, then what are the viable alternatives to economic globalisation? MacEwan argues that the;

“Difference between a democratic strategy and a neo-liberal strategy is not that the former involves the state in managing the economy while the latter ‘relies on the market’ to manage the economy. Even in a thoroughly market-dominated economy, the state manages private economic activity, both by establishing and enforcing rules that structure markets and by direct interventions-including taxing and spending practices-that favour particular private actors and groups of private actors... Markets do not exist outside government policy, and the slogan of ‘leaving things to the market’ is simply a slogan, not a prescription for policy.”⁵⁶³

Democratic strategy involves challenging and altering many levels of society. This section will touch on areas that are most relevant to women. Although saying that all levels of the macro are relevant, MacEwan argues that there are two⁵⁶⁴ founding principles, which would counter neo-liberal theory. One, “a non-regressive expansion of taxes combined with a reallocation of existing spending towards social programmes

⁵⁶² Haverkort, B. and Hiemstra, W. “Food for thought...” op cit., p. 230.

⁵⁶³ MacEwan, A. “Neoliberalism or Democracy...” op cit., p.198.

(made possible by reduction of military spending and of corruption and waste.” Two, “a defining emphasis on the expansion of social programmes, especially education, health and environmental preservation programmes.” First, let it be said that MacEwan is not proposing raising taxes against a deficit, this would only lead to inflation and possibly to further social inequality. Many proponents of neo-liberalism falsely assume that any change or broadening of social programmes equates to this type of scenario. Why these two are especially important to women, is that policy directly affects women and women are major benefactors of social programmes, especially in low-income countries. Moreover, any change that challenges neo-liberal assumptions/Globalisation and are more democratically based is generally better for micro women, for, as we have seen, the ‘trickle down affect’ rarely reaches women in low-income countries. Cuts to social programmes and structural adjustment programmes certainly do. Democratic strategy also means popular participation in the formation of policy, as seen below.

MacEwan has argued that,

“Indigenous peoples and farmers often have knowledge about local environments that provide an essential part of any analysis of policy impacts. Also, in understanding the impacts of policies on the structures of communities, the knowledge of people in those communities can be very valuable. The importance of popular participation in policy formulation, however, is not simply a matter of knowledge, but is also a matter of power.”⁵⁶⁵

Once again this returns to our previous discussion on how decisions are constructed and how ‘power over’ is embedded in decisions and structures. The formation of policy must look at empowerment as ‘being given by one group to another.’

⁵⁶⁴ There are many more principles within his book, I have chosen to look at only a few, as they are relevant.

4.12 Conclusions

The implications of the arguments here are that women's knowledge, and how it is disseminated, needs to be understood before it can be repackaged. Therefore, we need to re-think gender constructions and how we think about development as a whole. Without understanding how women's knowledge is excluded globally, it is difficult to know what structures of power hinder women from becoming the *active* owners of their knowledge. Women own their knowledge, but do they have control or is control evaded because of the epistemic privilege that exists within the structures of power that confront women and their knowledge on a daily basis?

As this chapter has demonstrated, women's knowledge is excluded on the micro and macro levels, within levels of society, politics and economics. This occurs locally, nationally and internationally. The consequences of a gendered division of knowledge means that women are removed from controlling their knowledge/intellectual property, due to the fact that in certain circumstances they have limited control over the macro/micro economics that influence their lives. Political on all levels, their knowledge is excluded by different forces, patriarchy, trade officials, and development agencies, to name a few. This ties into society as well, especially when society recognises women's knowledge as being inferior. All these factors cannot be divorced from one another, as they cross over and influence the construction and dissemination of knowledge. The outcome is that women's knowledge as a valuable resource is excluded from these structures and local communities are the ones that are directly missing the benefits. While international structures, like the TRIPS agreement, are excluding women's

⁵⁶⁵ MacEwan, A. "Neo-liberalism or Democracy..." op cit., p. 199.

knowledge, it is also failing to strengthen women's knowledge. This too is occurring in policy and lawmaking when the neglect of women's knowledge can often mean the erosion of women's knowledge, whether, intentionally or unintentionally. As Kesaia Tabunakawai states,

"Unless we really pressurise the people in power, power will not be given up easily, but we will continue to fight to have our knowledge recognised and protected in order to protect what has always been ours and that is our right to survive and co-exist with nature without having to fear that one day our knowledge, innovations and practices will no longer exist."⁵⁶⁶

If knowledge is power, and then the rightful place of power needs to be shifted to the ones that create the knowledge firsthand and that is the women whose knowledge and bio-diversity is their source of existence.

This chapter has tried to demonstrate how important globalisation is as a dominant paradigm; one that is patriarchal structured. It has shown that gender is a concern of global analysis and women's knowledge must be analysed within this context. It is a process that often makes things more difficult for women, but there is ways to control and tackle any negative results of the globalisation process. This chapter continues to argue that women's knowledge is secondary due to the environment in which women's knowledge functions.

⁵⁶⁶ Interview with Kesaia Tabunakawai. op cit,.

5.0 Chapter four, international organisations, intellectual property and women's knowledge.

“We demand that the Western concept and practice of intellectual property rights as defined by the TRIPS in GATT not be applied to indigenous peoples' communities and territories. We demand that the World Trade Organisation recognise our intellectual and cultural rights and not allow the domain of private intellectual rights and corporate monopolies to violate these.”⁵⁶⁷

This chapter is about institutions, and how those institutions affect women's knowledge.⁵⁶⁸ One thing that struck me is how much the women I interviewed knew about the potential affects of institutions like the WTO. The contributions of women have not advanced far enough in terms of intellectual property regulations. As discussed in chapter one, this is dependent on the universal epistemological legacy IR has inherited and further established. This chapter will argue that international organisations continue to support this position by implementing policies that exclude women's knowledge. As previously mentioned, the WTO's TRIPS agreement strengthens intellectual property rules in a global trading environment. As an international organisation the WTO completely ignored women's knowledge in its draft and implementation stages. Intellectual property is a term that provokes both misunderstanding and fear in people in the North as well as in the South. This chapter sets out to do four things. First, it will discuss the hegemonic ideology of neo-liberalism and will discuss regimes and epistemic communities. To find out if they have an influence on how agendas and policies are set in the light of international trade. Chapter five will discuss counter hegemonic regimes. Second, it will look at how international organisations such as the WTO and the CBD play important roles in the regulation and management of IP/WTK and it will also

⁵⁶⁷ Beijing Indigenous Women's Declaration, Beijing, China, 1995.

⁵⁶⁸ One thing that struck me is how much the women I interviewed knew about the potential affects of institutions like the WTO.

examine some of the conflicts between them using the same framework. Third, it will outline how biological diversity fits into the debate. It will then briefly outline other players in the intellectual property debate. Fourth, it will also discuss how intellectual property regimes affect women's traditional knowledge. This chapter sets out to explain the current debate within intellectual property and how it affects women on micro levels.

Humphreys argues that there are three tenets of neo-liberalism hegemonic ideology. First is the establishment of a 'multilateral free trading system.' Second, is that states have sovereign rights over their resources, and third, is economic development.⁵⁶⁹ This ideology is the one in which states, institutions and all other agents of the global economy interact on a macro level. This chapter will discuss how this affects women, agenda setting and interaction between global agents. It will also look at possible alternatives to neo-liberalism.

5.1 International trade

International trade has undergone huge transformations within a hegemonic neo-liberal ideology. Trade is much more than the trade of goods and services and, in many senses, the TRIPS agreement has made this statement clear "Trade also brings together know-how as the means and vehicle for the dissemination of technical knowledge and transmission of innovations."⁵⁷⁰ Therefore, women's knowledge and how it is disseminated is an important aspect of trade, although it is not explicitly recognised. International trade is perhaps the single most important economic activity that states

⁵⁶⁹ Humphreys, D. "Hegemonic Ideology and the International Tropical Timber Organisation." In Vogler, J. and Imber, M. The Environment of International Relations (London: Routledge, 1996). P. 216-217.

engage in within the arena of international relations. Trade can expand economic activity within nations, but at the same time trade can also cause dependency, which some see as an inevitable part of the international capitalist process.⁵⁷¹ Deacon et al argue that free trade has had consequences that, “Once global movements of capital took place and once governments consequently lost control of investment policies through Keynesian economic management, capital could in principle go ‘regime shopping’ and engage in ‘social dumping’ whereby firms leave areas where the taxation (for social purposes) is high.”⁵⁷²

This has altered how global relations take place, and this makes an important difference to women in areas where foreign investment is a temporary site. The purpose of this thesis is not to engage in this debate, only to recognise it exists. Trade has resulted in an unequal distribution of wealth between North and South, which extends beyond the Bretton Woods Institutions and the New International Economic Order.⁵⁷³ Historically, it used to be land and cheap labour that were colonised; now it is unrestricted access to markets and cheap labour.⁵⁷⁴ In fact Deacon et al argue that ‘global capitalist economic competition may indeed have eroded for all time the conditions that generated the universalistic welfare states of social democracy.’⁵⁷⁵ This has serious implications for women, as they are the main benefactors of social services. This will be discussed in chapter seven.

⁵⁷⁰ Cho, G. Trade, Aid and Global Independence (London, UK: Routledge, 1995) p.3.

⁵⁷¹ Madeley, J. Trade and the Poor. (London: Intermediate Technology Publications Ltd, 1992).

⁵⁷² Deacon et al “Global Social Policy...” op cit., p. 11.

⁵⁷³ Madeley, J. ‘Trade and the Poor...’ op cit.,

⁵⁷⁴ Ibid.

⁵⁷⁵ Deacon et al “Global Social Policy...” op cit., p. 13.

One of the dominant themes of trade in the 1990's was the Uruguay Round of the GATT. This was a momentous step towards trade liberalisation.⁵⁷⁶ Out of this the TRIPS agreement was born, and alarm bells rang for many poor farmers who were aware of the consequences of further liberalisation. The ironic part of TRIPS is that it furthers a form of protectionism, the very antithesis of 'free trade'. One of the main issues in this process is that the WTO determines if patents will affect farmers. These interests it is argued are 'commercially, not socially or ecologically, driven.'⁵⁷⁷ According to Madeley the arguments for free trade are seductive but they are deeply flawed,

"Free Trade no longer exists; effectively the international trading system has been captured by the corporations. And while, historically, free trade has raised the living standards of most people, it has not done this for the poorest people. It has not helped to raise the poorest out of poverty. Many of the poor have little to trade, but the theory of comparative advantage suggests that poor countries will gain if they trade and that those gains can be used to help the poor."⁵⁷⁸

As women are often the 'poorest of the poor' it is important not to underestimate the effects of trade liberalisation and intellectual property rights on women.⁵⁷⁹ It is argued that "poor women need a transformation of structures which hold them down; they need radical change in law, property rights, and other institutions that perpetuate men's control over them."⁵⁸⁰ This thesis expands this argument and claims that intellectual property could be included as one of these structures that need transformation. Women's knowledge is a "special knowledge, which supports the livelihood of a group."⁵⁸¹ It is integral to women who live in communities and practice traditional ways of life, whose existence depends on the eco-systems with which they live in harmony. At the same

⁵⁷⁶ Madeley, J. "Trade and the Poor..." op cit.,

⁵⁷⁷ Interview with Stella Tamang Op cit.,

⁵⁷⁸ Madeley, J. Hungry for Trade: How the Poor pay for Free Trade. (London: Zed Books, 2000).

⁵⁷⁹ Interview with Lame Futah. Op cit.,

⁵⁸⁰ Srilatha Batliwala quoted in Townsend et al; "Women and Power" op cit.,

⁵⁸¹ Interview with Mia Siscawati. Op cit.,

time, this thesis does not make claims that women are not destroyers of nature and the author would like to avoid the distinctions that all scientific knowledge is harmful while all rural knowledge is beneficial.

5.2 Nation states and the impact of trade on women.

The international arena is dramatically changing the way in which relations are formed. In many forms trade is one of the primary reasons states have relationships in the first place. International trade is not a recent phenomenon. The way states conduct trade relations has changed dramatically. The WTO is now the primary trade arbitrator rather than the state. In many ways this changes the relationship between women and states, as the state is no longer the most powerful arbitrator. According to Marshall the modern state is gendered, so too is the separation of household and economy.⁵⁸² Marshall claims the state was set up in order to give paternal privilege, which permitted the 'exclusion of women from society.'⁵⁸³

Historically, it was the state that defined how intellectual property rules were regulated. Willets argues that the considerable changes the state has undergone in the last fifty years leave little resemblance to its former counterpart. According to Willets, 'Governments are still the focus of policy-making, but the systems of interaction have changed, not only in terms of the values that are dominant but also structurally.'⁵⁸⁴ One example is the

⁵⁸² Marshall, B. Feminism, Social Theory and Social Change (Boston: North-eastern University Press, 1994)

⁵⁸³ Ibid., p. 11.

⁵⁸⁴ Willets, P. "Who Cares about the Environment?" in Vogler, J. and Imber M The Environment of International Relations (London: Routledge, 1996) p. 126.

WTO, as it has become a 'hegemonic regime'.⁵⁸⁵ The TRIPS decision is one such example of the changing structure of the state. Of course the state still has a role to play in intellectual property, but this role has diminished since the TRIPS agreement because of its unilateral position on intellectual property and the fact that the WTO has a dispute settlement mechanism⁵⁸⁶ that is able to force states to comply. In response to the TRIPS agreement and the question of applying broader patents to life forms, many national patents laws have had to be updated or have learnt the hard way. An example is the Basmati rice patent.⁵⁸⁷ The cultivating skill of Punjabi farmers was ignored when the company Rice Tech declared that they had 'discovered' Basmati rice. Indian/Pakistani laws were unable to protect farmers from this US patent. A decision is still pending. Often patents are being taken out on indigenous innovations and governments in the South, let alone indigenous communities, who do not have the means to challenge these decisions.⁵⁸⁸

According to Willets these 'structural changes' and the power of NGOs to set agendas have forced states to engage in 'Ozone Diplomacy' which has changed how nations negotiate global environmental issues: both intellectual property rights and biological diversity fall into this category. This is an area where women, possibly with the help of international non-governmental organisations and social movements, can pressurise nations into action. According to Willets, "Governments are nodes of communication and

⁵⁸⁵ I mean this in the sense of a prevailing or chief system, this will be discussed more fully later in the chapter.

⁵⁸⁶ This was explained in chapter two.

⁵⁸⁷ RAFI "The Basmati Rice Patent, The Merchant Price and the (Punjabi) Paupers" (Winnipeg: Rafi publications, April, 1998).

⁵⁸⁸ (<http://www.web.net/~csc/text/trips3.html>).

decision-making, interacting with domestic NGOs, international NGOs, local and trans-national companies, other governments and intergovernmental organisations.”⁵⁸⁹ This can be good or bad news for women depending on who the governments side with, and what type of agendas are set - as we can see in the following statement. Victoria Tauli-Corpuz⁵⁹⁰ claims that nation states have never been sympathetic to women’s rights, especially indigenous rights. In fact they have always sided with big business and have been an oppressive force concerning women’s knowledge and its protection. Other women argue that while the state may have been ‘difficult’ to work with, at least it was a concrete actor, with a set epistemological stance. These are two separate issues, how the state deals with women on the one hand and indigenous rights on the other. However, for the women who this study focuses on, the issues are even more contentious. Changes in the global system have made negotiations very much a ‘smoke’ and ‘mirrors’ process, where rules are constantly changing. However, the role of the state becomes important at the negotiating table. The power of state apparatus becomes important. Nuno de Pires Carvalho⁵⁹¹ admits that this power is important when bargaining and when a country decides to take the case to the WTO. He states that some members have more power, often due to the resources and pressure they can bring to bear on the WTO. However, he sees the WTO as a body that has a degree of impartiality. States may no longer be involved in directly setting national agendas on intellectual property in an unfettered manner. However their role as negotiator before an arbitrator such as the WTO is still important. Although nations no longer set the rule of how intellectual property is organised, they do monitor how intellectual property is conducted in the global arena.

⁵⁸⁹ Willets, P. “Who Cares about the Environment...” op cit., p. 132.

⁵⁹⁰ Interview with Vicky Tauli-Corpuz. Op cit.,

States can also dictate what interests are important and put the pressure on when negotiating.⁵⁹² They implement the new intellectual property rules and challenge other countries that may not be complying.⁵⁹³ States also have an important role in what they are willing to commit to as far as environmental protections. This is also important, as preserving biological diversity is necessary to preserving women's knowledge and this is where the state still has an important role.⁵⁹⁴ The state is also important in which patents are actually granted to the 'inventor'. For example the US is interested in granting patents that other states interpret as not meeting the criteria of the WTO, while states like the Philippines and Thailand speak about setting up a national database to protect indigenous knowledge. The role of the state can still be important in setting up protection strategies.⁵⁹⁵

Political economy is concerned with "historically constituted frameworks or structures within which political and economic activity takes place."⁵⁹⁶ It stands back from the apparent fixity of the present to ask how the existing structures came into being and how they may change.⁵⁹⁷ Structures are not favoured one over the other. For example, the 'state' does not exist as the primary unit of analysis. According to Gill, the opposite may be the case, where the state may actually be more subordinate to global conditions of economic determinism. Gill claims, "The domestic and the international are increasingly

⁵⁹¹ Interview with Nuno Pires de Carvalho. Op cit.,

⁵⁹² Ibid.

⁵⁹³ Options for Implementing the TRIPS Agreement in Developing Countries, (New Delhi: Third World Network, 1998).

⁵⁹⁴ Interview with Lucenzia Pisquil, Co-ordinator of FUMEDI, Guatemala. The interview took place at the CBD on May 13, 1998.

⁵⁹⁵ Interview with Alicia Canauiri. Op cit.,

⁵⁹⁶ Cox quoted in Hettne, B. (editor) International Political Economy: Understanding Global Disorder Halifax, Nova Scotia: Fernwood Books Ltd., 1995. p. 33.

articulated through the interplay of capital based on more global structures of production, finance and exchange.”⁵⁹⁸

An analysis of the role of the state is important, as the state was historically the primary unit that enforced rules on intellectual property. It has always been argued that the state is a patriarchal and oppressive force that is especially oppressive towards women and minorities. Until recent changes in the multilateral system, indigenous people have always argued that the state is the single most difficult structure to penetrate. As Gill⁵⁹⁹ argues from a concept developed by Gramsci, ‘globalizing capital’ has redefined the role of the state and civil society. This is what we commonly refer to as the economic globalisation of the state. These concepts are important to women because of the way their knowledge/intellectual property is disseminated, and controlled by outside actors. The changing role of the state does not mean that lobbying national governments is ineffective or that the state power no longer exists.⁶⁰⁰ What this thesis is trying to demonstrate is that the state now shares its role and that its role has shifted considerably with the advent of the globalisation process. Women from the South know that globalisation affects their knowledge at local levels. Cox has argued that we are moving towards a system where ‘states are bursting away from the bonds of national societies’.

⁵⁹⁷ Cox quoted in Hettne, B. *International Political Economy...* Ibid., p. 33.

⁵⁹⁸ Gill quoted in Hettne, B. *International Political Economy...* Ibid., ip.64.

⁵⁹⁹ Ibid.

⁶⁰⁰ Laird, S. Access Controls to Genetic Resources (Switzerland: WWF Publications, 1995) Flitner, M. Leskien, D. & Myers, D. Review of National Action on Access to Genetic Resources and IPRs in Several Developing Countries (Switzerland, WWF Publications, 1995).

5.3 0. International Organisations (IO)

This section will discuss the role of international organisations concerning intellectual property rules. Firstly, it will discuss the role of institutions on the periphery of the debate, but which are still important in understanding the overall climate of the intellectual property debate concerning women's knowledge and biological diversity. It will also discuss the role of the WIPO in managing intellectual property. It will not look at the history of intellectual property negotiations prior to the TRIPS agreement as this has been done elsewhere.⁶⁰¹ However, it will focus on TRIPS' role as the primary international arbitrator of intellectual property. Secondly, it will discuss the role of the WTO. Thirdly, it will look at the role of the CBD as an alternative to the TRIPS agreement.

5.3 1. Epistemic Regimes

Before we discuss particular international organisations, it is important to recognise and acknowledge that institutions have certain biases and leanings within dominant ideologies that can support or contradict the present regime. Deacon et al have a good discussion on 'epistemic communities'⁶⁰² and how institutions and trans-national powers operate and set agendas.⁶⁰³ They argue that national interests no longer shape social policy alone. Supranational agencies, like the WTO and the IMF, as well as Global NGOs like OXFAM, are moving in different ideological directions. "These agencies work in

⁶⁰¹ See Evan, P. Unpacking the GATT: A Step by Step Guide to the Uruguay Round (London: The International Organization of Consumer Unions, 1994).

⁶⁰² Epistemic regimes meaning knowledge based experts that inform policy makers, an example is economists at the World Bank.

⁶⁰³ Deacon, B., Hulse, M. & Stubbs, P. Global Social Policy: International Organizations and the Future of Welfare (London: Sage Publications, 1997) p. 121.

contradictory directions and are... increasing the focus of the future ideological and political struggles for better global and national social policies".⁶⁰⁴ Their positions could be ecological or neo-liberal depending on their slant. Boardman argues that there are three views of international organisations, "(1) as a means of transforming international society, (2) as instruments of state policy or (3) as reflecting a pluralistic world community."⁶⁰⁵

Arguably there has been a lack of study on the socio-political aspects of IOs. Deacon et al attempt to fill this gap by studying the 'trans-national networks,' as they may have an 'influence on national policy making in various direct and indirect ways.'⁶⁰⁶ As the following institutions are formed within a neo-liberal hegemonic state system, I argue in line with Marshall that they may have a patriarchal slant.⁶⁰⁷ Walby goes further and claims that the state, the separation of public and private, production and institutions are patriarchal. Some are more so than others and this varies according to space and time.⁶⁰⁸

5.3 2. Global Non-governmental organisations (GNGOs)

This section will discuss the setting of global social policy. Deacon looked at certain elements of 'global social empowerment' to see if such a project should be categorised as being on the side of 'global angels' or merely another trick of the imperialist 'global gangsters.'⁶⁰⁹ As there are as many GNGOs, there are as many standpoints. Some of them may operate in close proximity, while others may have very different epistemic positions.

⁶⁰⁴ Ibid., p. 10.

⁶⁰⁵ Deacon, B. et al "Global Social Policy: International Organizations..." op cit., p. 59.

⁶⁰⁶ Ibid., p. 60.

⁶⁰⁷ Marshall, "Engendering Modernity..." op cit.,

⁶⁰⁸ Walby, "Theorizing Patriarchy..." op cit.,

This thesis deals specifically with NGOs that are working with Women in the South and intellectual property. As discussed in much more depth in chapter seven, there are many criticisms of working with GNGOs, however GNGOs are a powerful force in 'empowering international civil society.' Putting aside their many negative points, GNGOs can set powerful agendas concerning intellectual property. There are many such examples in *Hungry for Trade*.⁶¹⁰ While GNGOs are beginning to have effective campaigns of action, especially in relation to the protest against the WTO, it is relatively early to see what influence they will have on national policy-making. In the future this will be an interesting debate.

5.3 3. The International Union for the Protection of New Varieties of Plants (UPOV)

Although the following institutions need to be mentioned in this debate, they do not feature strongly in the rest of this thesis. Plant variety rights are one such form of intellectual property rules being aggressively imposed upon the South. This is especially relevant to women as much of their knowledge surrounds the usage of plants as food and medicines. In turn this is related to food security and access to medicines. "Plant variety laws are just as threatening as industrial patents on biological diversity, and also represent an attack on the rights of farming and other communities at the local level."⁶¹¹ UPOV aims to maximise plant-breeding efforts. It provides a model for securing protection under UPOV for plant breeders' rights for plant varieties. (Although this model is not

⁶⁰⁹ Wheeler quoted in Deacon et al "Global Social Policy..." op cit., p. 202.

⁶¹⁰ Madeley, J. "Hungry for Trade..." op cit.,

⁶¹¹ GAIA Foundation and GRAIN, Ten reasons not to join UPOV, Global Trade and Biodiversity in Conflict, Issue no.2 -May 1998.

always widely acceptable in the South.)⁶¹² The WTO's TRIPS agreement requires the South to protect their plant varieties through a *Sui Generis* or patent system. Taking this into account, there is tremendous pressure for the South to meet this requirement quickly. UPOV is touting itself as the quickest and most effective way to meet the TRIPS criteria. While Southern countries do not have to choose the UPOV model, there is intense pressure to do so. Corporate interests backed by industrialised governments are mounting the pressure. As GAIA and GRAIN state,

“joining UPOV or adopting a similar standard of *Sui Generis* protection to implement TRIPS is about as dangerous a thing as any country committed to the CBD or sustainable agriculture could contemplate. The reason for the very strong negative views people have about UPOV and the reason why the union has been slow to attract membership since 1961, can be explained by the consequences experienced first-hand by the industrialised countries.”⁶¹³

According to Kothari who works in the field of IP/Biodiversity UPOV, they have a strong neo-liberal leaning. They go further and claim that UPOV is a group of industrialised countries⁶¹⁴ that strengthens the right of corporations in favour of weakening the rights of farmers. Eighty-five percent of its members are from industrialised countries that control the global seed companies. As the WTO is dictating the future direction of intellectual property rights, it is not at all surprising that institutions such as UPOV and WIPO are acting as bodies that ensure WTO policy is implemented by member states, although UPOV is seen as having a negative effect on the implementation of TRIPS.⁶¹⁵ UPOV does not recognise the needs of women and has a ‘gender neutral’ or gender blind approach depending on how you perceive it. The 1978 UPOV Convention allows governments to decide what specimens need protection and

⁶¹² Interview with Ashish Kothari, South Asian Regional Review of Community Involvement in Wildlife Conservation, Maharashtra, India. Interview took place at the CBD, May 8th, 1998.

⁶¹³ GAIA Foundation and GRAIN, ‘Ten reasons not to join UPOV, Global Trade and Biodiversity in Conflict...’ op cit., p. 8.

what seeds farmers can save or exchange for the following season. The 1991 Convention requires that all plant specimens must be protected and does not permit farmers to save or exchange protected seed.⁶¹⁶ As the next chapter describes, women have an important role in how seed is managed and it has gender implications. However, UPOV does not recognise a woman's separate role in farming practices or how UPOV policy may affect women differently.⁶¹⁷

5.3 4. World Intellectual Property Organisation

The WIPO up until the change of Director General was a non-transparent secretive institution. According to Ashish Kothari, WIPO is very supportive of neo-liberal tenets, which further the interests of both state and corporate rights.⁶¹⁸ WIPO did not recognise the rights of indigenous people: The former Director General of WIPO stated that intellectual property is "distinguished by the type of intellectual creation and not by the groups responsible for its creation."⁶¹⁹ WIPO with a change of Director General in 1997 has set up a new mandate and an apparent shift in ideology. WIPO is now conducting a fact-finding mission and has completed a roundtable on intellectual property and indigenous peoples, held in Geneva, from July 23-24, 1998.⁶²⁰ The knowledge of traditional people has recently been 'discovered' with the backdrop of the Rio Summit in

⁶¹⁴ Any country can join UPOV however it must comply with its 1995 conventions of application.

⁶¹⁵ GAIA Foundation and GRAIN. Op cit., p.13.

⁶¹⁶ The Crucible Group People, Plants and Patents (Ottawa: International Development Research Centre, 1994) p. xxi.

⁶¹⁷ The Women I interviewed refer to the list on the first footnote.

⁶¹⁸ Interview with Ashish Kothari. op cit.,

⁶¹⁹ Chapman, Audrey, R. Human Rights Implications of Indigenous Peoples' Intellectual Property Rights.

⁶²⁰ WIPO "Compilation of the Documentation on the Roundtable on Intellectual Property and Indigenous Peoples", (Geneva: WIPO, 1998) and WIPO, Interim Mission Report, "South Pacific Fact Finding Mission on Traditional Knowledge, Innovations and Culture of Indigenous Peoples, Local Communities and other

1992, or perhaps it is their wealth of knowledge in areas of biological-diversity. According to Posey, “the knowledge of traditional people is nothing more than the latest frontier.”⁶²¹

WIPO was established in 1967. It is a UN agency, which aims to promote intellectual property protections throughout the world between nations. However, the role of WIPO has been minimised greatly with the recent TRIPS negotiations. This is not to say that it has been wiped out completely. WIPO still has an important technical role in the management of intellectual property. WIPO is still important in resolving the problems with passing national legislation to implement the requirements of the TRIPS agreement. In fact, WIPO and the WTO have agreed to work together on areas such as technical assistance and information sharing.⁶²² In 1997 WIPO created the global intellectual property division (GIPID) to examine ‘emerging intellectual property issues’ such as knowledge, innovations and practices of indigenous communities.⁶²³ It is a positive step for WIPO to recognise indigenous knowledge, as they have now begun to incorporate the term ‘gender-specific’ knowledge into their institutional jargon. The fundamental

holders of Traditional Knowledge and Culture” (Geneva: WIPO, 1998) These documents were given to the author by Shakeel Bhatti, intellectual property officer, at WIPO in Geneva.

⁶²¹ Posey, D. “International Agreements and Intellectual Property Right Protection for Indigenous Peoples.” In Greaves, T Intellectual Property Rights for Indigenous Peoples: A Sourcebook. (Oklahoma City: Society for Applied Anthropology, 1994) p. 225.

⁶²² Bragdon, S. & Downes, D. “Recent Policy Trends and Developments Related to the Conservation, Use and Development of Genetic Resources” (IPGRI: 1998) Pre-Publication paper.

⁶²³ WIPO is attempting to (1) “investigate the need for, and possible nature and scope of, new or adapted forms of protection for expressions of folklore, including a possible new international treaty. (2) “conducting pilot projects on employing the existing intellectual projects on employing the existing intellectual property system for the sustainable use and beneficial commercialisation of expressions of folklore: Production of multimedia products for beneficial commercialisation of folklore feasibility study on databases of traditional knowledge. The work of GIPID will also pay attention to “current approaches to the protection of intellectual property systems of TK holders and future possibilities for the protection of intellectual property rights of TK-holders.” Work Plan, given to the author by Richard Owens, the Director of WIPO, at the CBD.

problem with WIPO is that it is operating from a diametrically opposed framework from women's knowledge. While it is trying to incorporate an expanded mandate that explores 'other' forms of knowledge, it does not address the absence of a serious discussion of gender in intellectual property debate. However, WIPO's new mandate has opened up an interesting dialogue between indigenous peoples and intellectual property. The recent Roundtable on Intellectual Property and Indigenous Peoples, held in Geneva on July 23 and 24, 1998, strengthened this dialogue. WIPO will later be discussed as a possible international body with the potential of strengthening women's knowledge. Really, 'it is a wait and see approach to see if this ideological shift amounts to anything more than lip service.'⁶²⁴

5.3 5. WTO- the new global parliament

The WTO is seen by critics as an autocratic, self-regulated bureaucracy where decisions are made that affect billions of people. "Un-elected bureaucrats who sit in Geneva" make these decisions.⁶²⁵ In contrast with its predecessor the GATT, the WTO gives,

"the trade rules both a permanent organisational structure and the kind of 'legal personality' enjoyed by the U.N., the World Bank, and the I.M.F. The binding provisions that define the WTO's functions and scope do not incorporate any environmental, health, labour, or human rights considerations. Moreover, there is nothing in the institutional principles of the WTO to inject any procedural safeguards of openness, participation, or accountability. The WTO provides no mechanism for non-governmental organisations to participate in its activities and, in several key provisions, requires that documents and proceeding remain confidential."⁶²⁶

The WTO 'dispute resolution mechanism' forces governments to comply with decisions made by un-democratically elected officials. Only bureaucrats from national governments are able to attend. The WTO has gained more power in more areas than the GATT. All

⁶²⁴ Interview with Ashish Kothari. Op cit,.

member states are bound to the Uruguay round. As Nuno de Carvalho said, "It is a bastion of neo-liberalism, we are not ashamed of that."⁶²⁷ Countries no longer authorise ongoing negotiations as under the GATT. The WTO has been given this authorisation, which means that the "new rules lead to a higher potential for coercion of small nations by larger ones."⁶²⁸ As Ralph Nader and Lori Wallach argue, the most ominous change is that lawmaking at every level must conform to WTO rules across the board. Another WTO provision states that a law of a member state can be challenged if it does not comply with a WTO provision. All of these WTO provisions are enormous steps towards removing the democratic powers of nation states. One further fundamental difference that Nader and Wallach mention is the WTO's attack on Member State 'democratic and sovereign decision-making.'⁶²⁹

Under the new rules of the WTO, all rules remain binding.

"This is another case where antidemocratic procedural rules determine much of the outcome; the obvious result is that few, if any tribunal decisions would ever be voted down unanimously. This requirement of consensus is to stop the action of an international institution rather than to authorise it. It is uniquely empowering for the WTO; it means its bureaucratic decisions will be honoured and feared, thus further intimidating any resistant strains among nations."⁶³⁰

Not only does the WTO have more power than the GATT, but also in many ways it has become an undemocratic global parliament, which is unaccountable to nation states. Not only has it been granted unanimous powers in the area of intellectual property, but in every area of global trade.

⁶²⁵ Manders, Jerry and Goldsmith, Edward, (editors.) The Case against the Global Economy: and for a turn toward the local. San Francisco: Sierra Books, 1996. p. 102.

⁶²⁶ *Ibid.*, p. 102.

⁶²⁷ Interview with Nuno Carvalho. *Op cit.*,

⁶²⁸ Manders and Goldsmith "The Case against the Global Economy:" *op cit.*, p. 104.

⁶²⁹ Nader, R. & Wallach, L. "GATT, NAFTA, and the Subversion of the Democratic process" *op. cit.*, p. 104.

⁶³⁰ *Ibid.*, p. 104.

As with many of the structures at a macro level, women are left out of such negotiations and decisions that directly affect their daily lives.⁶³¹ Getting beyond the rhetoric one can quickly perceive that the TRIPS agreement has in no way considered Southern episteme, let alone women's epistememes. According to Nuno de Carvalho, 'how the TRIPS would affect women was never on the agenda, because the TRIPS agreement talks about right holders and these right holders are firms.'⁶³²

The 'inventor' is not necessarily the person who has a cultural connection to the biological diversity and the knowledge in the first place. The 'inventor' may be a researcher, or a bio-pro prospector who has simply taken the knowledge and then later recovers the profits from women's knowledge.⁶³³

The WTO will potentially have serious consequences for women's knowledge. Under the TRIPS agreement biological processes and their products can be patented. Examples like the Neem tree, Cava and the Ayahusa plant are common.⁶³⁴ The knowledge of women behind the actual use of such plants is not accounted for.⁶³⁵ Granting patents to biological processes means also that the patent holder can charge others for its use. For example, century old medicinals once patented can now have a charge by the very women who invented them in the first place. This is a brief summary of some of the issues women face, and how intellectual property has a 'gender specific impact' on women's knowledge. The TRIPS agreement excludes people from the management of biological

⁶³¹ Interview with Vicky Tauli-Corpuz. Op cit.

⁶³² Interview with Nuno Carvalho. Op cit.

⁶³³ Brush & Stabinsky 'Valuing Local Knowledge...' op cit.

⁶³⁴ Greaves, T. 'Intellectual Property Rights for Indigenous People.' op cit.

diversity through privileging intellectual property rights.⁶³⁶ It assumes that life forms are separable from the public domain and can be privatised. One conclusion arising from the Keystone International Dialogue on Plant Genetic Resources (1988-91) was the acknowledgement that, if GATT-TRIPS were adopted, the only intellectual property in the world that would not be protected would be that of indigenous communities.⁶³⁷ The purpose of this chapter is to outline the situation in the contemporary intellectual property debate. Chapter seven will discuss strategies for resistance. Indigenous peoples are wary of intellectual property rights with the new developments in biotechnology and intellectual property, while governments and industry are trying to take control of exotic plant species.⁶³⁸ This is referred to as bio-colonialism. The TRIPS agreement recognises and rewards what is novel and protects those innovations. The majority of indigenous knowledge is shared within a community and is passed down from generation to generation. According to the TRIPS regulations, this type of knowledge is part of the public domain and therefore unrecognised. Patents protect an innovation for approximately fifteen to twenty years. Therefore, knowledge that is passed down does not qualify. Indigenous communities are under an extreme disadvantage for several reasons. Generational knowledge is not protected. Indigenous communities cannot make a profit if they decide to commercialise their knowledge, and more times than not, they cannot choose if they want to commercialise their knowledge.⁶³⁹ The western system of

⁶³⁵ Interview with Kesaia Tabunakawai. Op. cit.,

⁶³⁶ Ibid.

⁶³⁷ This section relies on a paper Cultural Studies Canada, starting point paper, COPS or Robbers? The Biodiversity Convention and Indigenous people. (Ottawa: CSC Publications, 1998) p. 65

⁶³⁸ Interview with Mia Siscawati. Op cit.,

⁶³⁹ Interview with Alicia Tamang Op. cit.,

intellectual property rights does not recognise that some knowledge should not be commercialised because it is sacred to the community that produces it.⁶⁴⁰

5.3 6. The Convention on Biological Diversity

On December 29, 1993, the CBD became law. It sets a precedent as both the single most important environmental agreement international law has ratified, as well as, being pre-eminent to the TRIPS agreement. Its central concerns are that nation states which are signatory to the convention work towards protecting and promoting biological diversity.⁶⁴¹ The CBD is closer to the goals of micro communities than the TRIPS for example. The CBD supports the following: The CBD recognises the contribution of local communities to the enhancement, diffusion and conservation of biological diversity. The basic principles of the CBD are as follows: The CBD affirms: the importance of the contribution of the peoples of 'developing countries' to the world biological diversity. Biological diversity is not a gift of nature but the result of community activities where women in particular play a vital role. Biological diversity is intrinsically co-dependent with diverse cultures, knowledge systems, and lifestyles, which generate and maintain it. Some further recommendations are: that *in situ* (local) conservation of biological resources be used to encourage protection and preservation. Programmes and policies must be implemented to promote conservation and sustainable use, as well as the sharing of benefits arising from the use of biological resources. Also the rights for local communities, as well as states, are necessary to protect biological resources and to

⁶⁴⁰ (<http://www.nativeweb.org/saiic/biodiv2.html>).

⁶⁴¹ IUCN Report of the Sixth Global Biodiversity Forum 1997: Exploring Biodiversity Indicators and Targets under the Convention on Biological Diversity. (Washington DC, Huff Printing, 1998).

encourage conservation. It also gives recognition to indigenous communities as mentioned above.⁶⁴²

I will discuss the common ground and the differences women share with the convention. The CBD is an agreement that promotes biological diversity, and is beginning to incorporate indigenous voices. However, it has little to say about the input of women and their knowledge. The CBD's main components are the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits of the use of genetic resources.⁶⁴³ As Shiva argues, 'It was shaping up into a reflexive document in which both biodiversity and biotechnology, and both the North and the South, would be internationally regulated.'⁶⁴⁴ On the surface all of these principles would run in accordance with what micro communities of women would support, but the nature of conservation, the sustainable use of resources by whom and for whom, as well as what is fair and who shares the benefits of these genetic resources, needs to be called into question. First, conservation in its own right is a slippery term. One could certainly argue that the very mechanisms of the capital-driven neo-liberal system have very little use for conservation if it changes the tenets of neo-liberalism and indeed it is argued that this is why the environmental movement is ineffective. However, changes could occur with the "greening of business."⁶⁴⁵ Moreover, micro communities of women do have different approaches to conservation. This will be addressed in chapter seven. Again, 'sustainable use' is very difficult to achieve. What may be sustainable to macro decisions

⁶⁴² Ibid.

⁶⁴³ Ibid.

⁶⁴⁴ Shiva, V. *Monocultures of the Mind* (London: Zed Books, 1993) p. 151.

⁶⁴⁵ *Business and Biodiversity: A Guide for the Private Sector*. (Switzerland: WBCSD/IUCN, 1997).

may not translate with micro communities of women. Moreover, the final component is what has widely been regarded as benefit-sharing which means transferring the economic benefits. As Vandana Shiva stated at a presentation at the CBD, it is “a sign of our times that something simple like benefit-sharing could have been distorted so heavily that we actually have to discuss it and decode it and deconstruct it.”⁶⁴⁶

During the Preparatory meetings of the United Nations Conference on Environment and Development in 1991, the issues of regulation of biotechnology were at the forefront. Shiva argues that the CBD was beginning to be a reflexive document that was showing real signs of protecting biological diversity and was making good progress in areas like indigenous rights.⁶⁴⁷ So what happened to this ‘reflexive document?’ At the last minute, US president George Bush pulled out - saying the convention was not strong enough regarding patents and intellectual property.⁶⁴⁸ One of the main problems of the CBD is it is very much an international agreement that privileges the hierarchical position of the state. Indigenous communities of women fear what this will mean to them through the interpretation of the agreement. The convention is still open for interpretation.⁶⁴⁹ Indigenous groups are working hard to ensure that the implementation of the Convention supports and extends rather than erodes and compromises their rights under international law and nation. This fear is certainly not without precedence. Multilateral agreements have, for the most part, been about securing and augmenting the position of the powerful. Within the CBD national sovereignty once again reigns supreme and women are

⁶⁴⁶ Shiva, V. “Stealing the loaf...” Presentation. Op cit.,

⁶⁴⁷ Shiva, V. *Monocultures of the Mind* op cit, p. 152.

⁶⁴⁸ *Ibid.*, p. 152.

⁶⁴⁹ UNEP “Convention for Biological Diversity...” op cit.

concerned that the CBD has not sufficiently addressed the concerns of indigenous communities, let alone the concerns of women. The fact that the CBD has had little to say on the issue of indigenous rights concerns the women I interviewed.⁶⁵⁰ Although the CBD is slowly recognising the rights of indigenous peoples, it has not taken any great strides to incorporate women. The fundamental interests of the CBD and women on the micro level and how these interests are achieved are intrinsically different from one another.⁶⁵¹ Victoria Tauli-Corpuz states that, "On one hand the achievements of the conference cannot be underestimated. It is the first legally binding international agreement that recognises the value of indigenous knowledge in preserving biological diversity. Of course, for women it does not go far enough. Traditional women, like their counterparts in the North, have not escaped social structures that advantage men. This inequality will be explored in-depth in the following chapter, especially in relation to the position of intellectual property. However, the 'CBD is not the miraculous cure it is sometimes touted as.'⁶⁵² The CBD as an international organisation is important to indigenous communities to assert their rights against the privatisation of biological diversity. Yet, there is a serious risk that the CBD could become obsolete because of its lack of bargaining power. Unlike the WTO, the CBD does not have a powerful dispute mechanism. What is occurring within this debate is the brokering of access and benefit-sharing agreements aimed to facilitate the trade in biological diversity. The main aim of such a deal is to establish codes of conduct, to extract knowledge about biological diversity in order to commercialise it. This is done under the guise of giving communities a fair deal on their knowledge/intellectual property. Benefit sharing often

⁶⁵⁰ The women I interviewed refer to footnote one for their names.

⁶⁵¹ Interview with Vicky Tauli-Corpuz. Op cit.,

means that the small royalties go to middlemen, or government elites. Often the communities that have the knowledge are unaware their knowledge is being taken.⁶⁵³

“There is enormous pressure to make the CBD supportive of intellectual property rights rather than the other way around.”⁶⁵⁴

5.4 Two agreements, two communities

The ratification of the TRIPS agreement was for many a tragic trade milestone in terms of biological diversity. The importance of biological diversity to human survival has always been minimised by free enterprise and modern science.⁶⁵⁵ New technologies have forced a revolution in intellectual property regimes and yet, thousands of years of exploiting the environment has taught us that in many ways ‘modern’ human civilisation has entered into a cyclical relationship of greed and destruction that may end up costing us our existence.⁶⁵⁶ Apocalyptic paranoia? The urban dweller may tend to agree, but “in the rural communities of Africa, Asia and Latin America, where the majority of the world’s people live, the dependence on biomaterial can run to over 90% of human survival requirements.”⁶⁵⁷ Overall 40% of the world’s markets are based on biological products and processes.⁶⁵⁸ The statistics are far too reaching to go into an in-depth

⁶⁵² Kothari, A. “The political and economic weekly...” op cit.,

⁶⁵³ For examples see Greaves, T. ‘Intellectual Property Rights for Indigenous People.’ op cit., and Kimbrell, M. Biocolonization: ‘The Patenting of Life and the Global Market in Body Parts.’ In Manders & Goldsmith, ‘The Case against the Global Economy...’ op cit.,

⁶⁵⁴ Interview with David Downes. Op cit.,

⁶⁵⁵ Goldsmith, E. ‘Global Trade and the Environment.’ In Manders & Goldsmith, ‘The Case against the Global Economy...’ op. cit.,

⁶⁵⁶ Leakey, R. & Lewin, R. The Sixth Extinction: Bio-diversity and its Survival (London: Orion Books, 1996)

⁶⁵⁷ The Crucible Group “People, Plants and Patents...” op cit., p. 23.

⁶⁵⁸ Ibid., p. 23.

analysis of how dependent we are on biological diversity.⁶⁵⁹ Knowing this, it is a wonder that big business and government took so long to tighten up international intellectual property standards.⁶⁶⁰ The birth of the TRIPS agreement ensured that trade/profit preceded biological diversity/protection. This section reviews some of the main conflicts between the TRIPS and the CBD. With the adoption of TRIPS, signatory countries need to adopt a patent system for microorganisms and to establish either patents or some *Sui Generis*⁶⁶¹ system of protection for plant specimens. Most experts in this field suspect that 'the patenting of life' will be included in the millennial round.⁶⁶² Once inconceivable, the patenting of life is already occurring.⁶⁶³ Genes, plant, animal and even human genetic material could become subject to exclusive monopoly control. This is now standard practice in many industrialised nations and is gaining ground in the rest of the world under the weight of legally binding international agreements.⁶⁶⁴ The CBD recognises the importance of indigenous and local communities in conserving and making available knowledge and genetic resources, but it also provides that intellectual property rights will be protected. The TRIPS agreement gives firm's new economic controls and the access to patent biological processes.

One of the first problems is that many countries are signatories of both agreements. Therefore, which agreement takes precedence over the other? Both are legally binding agreements, yet because of the dispute mechanism of the WTO, TRIPS is taking

⁶⁵⁹ Leakey, R. & Lewin, R. "The Sixth Extinction: Bio-diversity and its Survival" op cit.,

⁶⁶⁰ Ibid., p. 24.

⁶⁶¹ A unique form of intellectual property protection, especially designed to meet certain criteria and needs.

⁶⁶² Interview with David Downes, op cit.,

⁶⁶³ GRAIN See Patenting, Piracy and Perverted Promises, Patenting life: the last assault on the commons, (Madrid: GRAIN, 1998).

precedence. The second problem is a continuance of the first; the CBD and TRIPS are in opposition to one another, as argued in the previous section. They are “embodying and promoting conflicting objectives”. The TRIPS is promoting intellectual property privileges fuelled by firms willing to privatise biological diversity and the CBD is setting goals of conserving and working towards the sustainable use of biological diversity, especially in the South where collective rights are important to biological diversity.⁶⁶⁵ Essentially, the WTO/TRIPS, which does not respect national sovereignty over national biological resources, which means countries, may decide whether or not to patent life forms. The TRIPS agreement requires the provision of intellectual property regimes on micro-organisms. The privatisation of TRIPS runs counter to the benefit-sharing provisions of the CBD. The CBD places public interest and common good first. The CBD gives the South a legal basis to demand a share of benefits. The TRIPS agreement militates against those legal rights. CBD now gives states legal authority to diminish the incidence of bio-piracy by requiring prior informed consent. The TRIPS agreement ignores this authority and is thus able to promote bio-piracy.⁶⁶⁶

In order for some of the issues to be dealt with above, it is largely left up to the interpretation of certain exceptions within the TRIPS itself. Article 27(2) recognises that states can exclude from patent ability inventions, the prevention of whose commercial exploitation is necessary to avoid serious prejudice to the environment. This implies that

⁶⁶⁴ RAFI Biopiracy, Biodiversity and People. The right to say no to monopoly patents on the south's resources and knowledge. (RAFI: Vol.21 No.4, January 1998).

⁶⁶⁵ Interview with Victoria Tauli-Corpuz op cit.,

⁶⁶⁶ GAIA Foundation and GRAIN TRIPS versus CBD: Conflicts between the WTO regime of intellectual property rights and sustainable biodiversity management. London: GAIA; Barcelona: GRAIN publications, 1998).

the WTO can determine what is 'serious prejudice to the environment'. Also 'exclusion from patent ability should be preceded by prevention of commercial exploitation.'⁶⁶⁷ Most intellectual property experts agree that the conflicts between the CBD and TRIPS are too extensive to allow both to have equal footing in the international community. Therefore, one must take precedence over the other and there is fear that the CBD will lose out to commercial exploitation.⁶⁶⁸

5.5 Intellectual property effects on women

One of the main questions of this thesis is, How do intellectual property rights affect women in the South, and why is there controversy surrounding new intellectual property regimes? One argument put forth is that intellectual property must be protected in order to enhance development. This is based on a neo-liberal economic model and that there is an economic rationale for intellectual property protection. Knowledge and intellectual property has been touted as the 'capital stock' for the next century. The very term 'intellectual property indicates it is the 'property' of someone's intellectual processes. This term is agreeable with the US and other large developed patent producing countries. Countries and corporations are both concerned about protecting their intellectual assets. The TRIPS agreement has ensured that both parties will have stronger powers in areas of patent protections and are beneficial to both sides. The argument that strengthening intellectual property in the South will foster innovation and technological transfer is only

⁶⁶⁷ Kothari, A. "Economic and Political weekly..." op cit.

⁶⁶⁸ Ibid.

true for countries that already have a strong capacity for research and development already in place.⁶⁶⁹

Perhaps, the most influential and in-depth analysis on the subject of women's knowledge and intellectual property is written by Vandana Shiva⁶⁷⁰. Other sources have been more general on the subject, but at least it has been occasionally broached in their documents.⁶⁷¹ One of the documents I did come across was a United Nations Fund for Women (UNIFEM), UNDP document, entitled *Intellectual Property and Women's Knowledge*.⁶⁷² What this article argues is that the full impact of TRIPS means that women farmers from developing countries will no longer be the custodians and owners of seed. As Shiva outlines in her article, in 1991, the International Convention of the UPOV removed the clause that had always allowed farmers to save seed. The new clause of UPOV and TRIPS can now insist on royalty payments from some of the poorest farmers on the planet. What once was a process that occurred naturally; (the ability for seed to germinate the following year,) has now been commercialised. Not nearly as sinister as what has been dubbed 'Terminator Technology' (RAFI) a genetically engineered seed which after one planting, terminates itself.⁶⁷³ Another area that UNIFEM is concerned about is Article 34 of the TRIPS agreement, which places the rights of patent holders

⁶⁶⁹ Interview with Craig Benjamin. op cit.,

⁶⁷⁰ Shiva, V. "WTO and women..." op cit.,

⁶⁷¹ After an exhaustive search of the inter-net, as well as traditional sources, I came up with very little on gender. There was very little on gender at the CBD, while there is a lot of discussion of gender, there is very little that has been published.

⁶⁷² (www.unifem.undp.org/trade/sa11.html).

⁶⁷³ RAFI "Terminating Food Security? The Terminator Technology that Sterilizes seed." (Winnipeg: RAFI publications, March 1998). RAFI, "The Terminator Technology, New Genetic Technology Aims to Prevent Farmers from Saving Seed" (Winnipeg: RAFI, April, 1998).

over the rights of Southern farmers applying their indigenous knowledge.⁶⁷⁴ Multinational firms are now taking out broad patents on biological material, claiming to invent or own traits and characteristics of this material. Therefore, corporations can then turn around and charge women royalties who 'invented' the process in the first place. This will be discussed further in chapter five.

5.6 What does IP mean to micro communities of women⁶⁷⁵?

All the women I interviewed at the CBD had a very strong and informed opinion about intellectual property and the TRIPS agreement regarding women's knowledge. Victoria Tauli-Corpuz states, 'that intellectual property gives more rights to corporations and individuals in the North, while eroding the ownership of this knowledge of women in the South. The North wants to appropriate the knowledge concerning biological diversity in the South and intellectual property rights is an effective way of going about this.'⁶⁷⁶

When Alicia Canabiris from Bolivia was asked the same question, she replied,

"In the Aimara world we do not talk about intellectual property, we think that knowledge belongs to everyone because all the existing knowledge has gone through a process for centuries. And for that reason when people talk about intellectual property it seems as if you were talking about the property of one person and this is not the way for us. As women we know that we have knowledge, our knowledge cannot be replaced and we think that this will continue. And when people talk about intellectual property and our knowledge being patented, that is when women are concerned because it is not fair that this collective knowledge that has been passed down through such a long process is being appropriated by individual interests."⁶⁷⁷

Despite their different experiences, all the women I interviewed felt that intellectual property could not serve their interests. They agreed that the TRIPS agreement does not recognise the importance of women's knowledge and did not account for it in

⁶⁷⁴ (www.unifem.undp.org/trade/sa11.html) op cit.,

⁶⁷⁵ Micro communities of women refer to women who still see biological diversity as having an important role in the communities.

⁶⁷⁶ Interview with Vicky Tauli-Corpuz. op cit.,

⁶⁷⁷ Interview with Alicia Tamang. op cit.,

international law. Women are willing to share their knowledge for the benefit of humankind but they do not want their knowledge to become a monopoly or a commodity.⁶⁷⁸ Fundamentally, the problem lies in the philosophy of intellectual property and the philosophy of women's knowledge. The TRIPS agreement does not recognise that traditional women's knowledge is not about securing a profit for one 'inventor' or group of beneficiaries.⁶⁷⁹ Rather, women's knowledge is often about passing down shared knowledge for the benefit of the community. The TRIPS agreement does not grant patents that are continual, in other words that extend beyond a person's lifetime, therefore, and it cannot be applied in the case of women's knowledge. The TRIPS agreement completely excludes the value of women's knowledge in macro processes.⁶⁸⁰ If women's knowledge were recognised in the TRIPS agreement it would have been a very different agreement. It would have been less concerned about the profiting of biological diversity in the South, and more concerned with the preservation and promotion of women's knowledge. However, being ratified within a neo-liberal environment, this proposal seems highly unlikely. Possibly Article 27:3(b)⁶⁸¹ of the agreement could have been strengthened in the favour of knowledge creating communities, and protection could be offered through a *Sui Generis* system that classifies and protects women's knowledge. Article 27:3(b) provides that member states may exclude the plants and animals from being patented but not biological processes from the production of plants and animals. Member states are required to set up either a *Sui Generis* system or a patent system for the intellectual property protection for plant

⁶⁷⁸ Interview with Vicky Tauli-Corpuz. op cit.,

⁶⁷⁹ Interview with Lame Futah op cit.,

⁶⁸⁰ Interview with Nuno Carvalho, op cit.,

⁶⁸¹ The TRIPS agreement.

varieties. If Southern countries were to set up a *Sui Generis* system and classified plants for their own protection, this would be a step in working towards the protection of women's knowledge, especially in areas of biological diversity.⁶⁸²

Other than NGOs and civil society in general, there are not any other 'actors' who are interested in protecting the environment. It has been argued that the Uruguay Round was the last round that did not directly negotiate a green round.⁶⁸³ With the recent pressure from global civil society, it will be interesting to see if the environment will be set in the WTO agenda in the near future.

5.7 Conclusions

This chapter has introduced the role of international institutions and states, in the intellectual property debate. These 'actors' will continue in our discussion of women's knowledge and intellectual property. It has also placed women and their knowledge in the debate. A discussion on how these 'actors' have had an affect on women's knowledge has occurred. This is an overall sketch of intellectual property. It should also be recognised that there is both a vast historical and contemporary debate around intellectual property that cannot be covered in this thesis. This chapter simply wanted to outline the main debates and issues where they concern women's knowledge. The following chapter will discuss the role of multinational firms.

⁶⁸² An in-depth analysis is need of TRIPS and the implications of intellectual property rights for women but

6.0 Chapter five: Multinational firms⁶⁸⁴ and Women's knowledge.

'If corporations continue to have access to biological resources without having either to pay a fair amount for the right or to share the benefits of their research, then Southern countries argue that northern institutions are guilty of "bio-piracy."⁶⁸⁵

This chapter sets out to accomplish three things: first, to place the powerful position of firms within the intellectual property debate. Second, to demonstrate how firms affect women's knowledge. This chapter wants to investigate if firms can be instrumental in women receiving royalties and 'just compensation' as a way of empowering themselves against the exploitation of knowledge. The third section will explore if 'intellectual property regimes' are an option in order for women to protect their knowledge.

Within the context of development, households, societies, communities, governments and institutions, women's knowledge has been subjugated and ignored. Their knowledge is seen as invaluable or secondary or it is simply just ignored. The firm is not any different; in fact in many ways it is the worst abuser of women's knowledge.⁶⁸⁶ In International Business, the analysis of gender is not central within the overall discipline. However, recently firms and researchers with commercial interest have begun looking at indigenous knowledge in a new light and 'what has been dubbed the green gold' of biological diversity.⁶⁸⁷ Women's vast knowledge of traditional medicines has caught the attention of the pharmaceutical industry, as the Western world is moving towards the use of herbal

again it is beyond the scope of this article.

⁶⁸³ Canadian Sierra Club, *The WTO and the Environment*, Vol. 3, No. 4. 1997.

⁶⁸⁴ This thesis focuses on multinational firms as opposed to national firms because national firms do not have the power to exploit women's knowledge in the same way. In many ways they are as much as victim of globalisation as anyone, this is particularly evident in the pharmaceutical industries in the South, where firms do not have the power to compete with multinational firms because of the TRIPS agreement and hence do not have the same power to exploit women's knowledge.

⁶⁸⁵ Posey & Dutfield, "Beyond Intellectual Property..." op cit., p. 94.

⁶⁸⁶ Personal conversation with Vandana Shiva at the conference of Biological Diversity.

⁶⁸⁷ [Http://hawaii-nation.org/iitc/bioethics.html](http://hawaii-nation.org/iitc/bioethics.html).

and natural medicines. For example, in Germany alone, sales of Ginkgo Biloba products reached US \$280 million.⁶⁸⁸ Women's knowledge is becoming prey to economic interests. Intellectual property is about the commercial protection of knowledge for the benefit of profit. This thesis does not support that 'intellectual property' is a mechanism, which encourages innovation, because great societies have existed without the notion of privatising knowledge for commercial benefit.⁶⁸⁹

Within this debate there are proponents who claim intellectual property could protect the rights of indigenous peoples and their indigenous knowledge.⁶⁹⁰ However, my respondents did not see the propagation of western intellectual property rights as protective at all.⁶⁹¹ TRIPS focuses primarily on the economic aspect of intellectual property and its implications for trade. The agreement has 'strengthened TNCs'⁶⁹² considerably because it means that governments are less able to regulate and control them. The corporations had a considerable influence over the rules embodied in the agreement.⁶⁹³ TRIPS have for the first time standardised what intellectual property is and has introduced a globalise conception of intellectual property protections. However, there is the argument that women have a connection to nature, and therefore, are stewards of much of the knowledge around biological diversity as well. Women rely on biological diversity as a means of survival. The inclination is that women are heavily involved in

⁶⁸⁸ <http://ww.web.net/~csc/text/CBD1.html>

⁶⁸⁹ Patel, S. 'Can the Intellectual Property Rights System Serve the Interests of Indigenous Knowledge? In Brush and Stabinsky, 'Valuing Local Knowledge..' op cit.

⁶⁹⁰ Interview with David Downes, op cit.

⁶⁹¹ Interview with Kesaia Tabunakawai, op cit.

⁶⁹² Trans national Corporations.

⁶⁹³ Madeley "Hungry for Trade..." p. 92.

food production and agriculture.⁶⁹⁴ Women are largely responsible for food security in their communities, as well as the health of their families.⁶⁹⁵ Women in the South are more vulnerable and have fewer opportunities for adequate health care. Higher costs for drugs and the vulnerability of food security put women at even further risk with the implementation of TRIPS. According to Lucy Mulenkei, “In rural areas of Africa, they produce up to 80% of private consumption.”⁶⁹⁶ Women have an integral part in the biological diversity process and areas of cultivation. It is through the value and necessity to their own lives that women protect biological diversity. Rather women involved in the debate see intellectual property as a new form of colonisation, instead of conquering their lands; their ideas are being conquered through bio prospecting. Within this debate, as with many development debates in the not too distant past, women are once again seen as ‘invisible’. Women are often invisible within the intellectual property debate as they lack the political power to place them within this debate. Women are often referred to as the ‘caretakers’ of traditional knowledge and it is often their ‘intellectual property’ that is sought after by bio-prospectors and pharmaceutical companies.⁶⁹⁷

6.1 Firms and women

As discussed in the proceeding chapter’s entities can be patriarchal. I will draw on the same arguments and justifications that I explored in chapter three; therefore I will not elaborate on this concept, only to point out the correlation. This thesis argues that the

⁶⁹⁴ Personal Conversation with Lucy Mulenkei, op cit,.

⁶⁹⁵ Ibid.

⁶⁹⁶ Interview with Lucy Mulenkei op cit,.

⁶⁹⁷ Interview with Kesaia Tabunakawai op cit,.

structure and nature of a firm makes it a patriarchal structure.⁶⁹⁸ Men run corporations, you need not look further than the top 500 biggest corporations and you will see the majority of top-level decision-makers are men.⁶⁹⁹ Again if you look at shareholders and directors on corporate boards the same statistics exist.⁷⁰⁰ Men are highly involved in the activity of steering capital but there is ‘a systematic bias towards patriarchal interests in its policies and actions.’⁷⁰¹ The relationship between women in export processing zones (EPZs) and multinational firms has always been tenuous.⁷⁰² Multinational firms began shifting manufacturing work overseas to save money and in turn increase profit. Women were employed in massive numbers. Firms targeted women for several reasons. One, their labour is cheap. Maria Mies argues that ‘housewifeization’ means that, “the wageless reproduction of labour power but also the cheapest kind of production work, is mainly done by women in home, working, or similar work relations.”⁷⁰³ The argument is that housewives are not involved in ‘productive work’ because it does not generate an income. If women work outside the home their income is then seen as ‘supplementary’ to their husband’s main wage. Of course neither is necessarily true, but firms were able to justify poor wages on this assumption.⁷⁰⁴ As most women in EPZs are poor, they are willing to accept appalling conditions, safety and health risks and environmental dangers

⁶⁹⁸ Madeley, J. *Big Business, Poor Peoples the impact of Trans national Corporations on the Worlds Poor* (London: Zed Books, 2001).

⁶⁹⁹ The Independent, Is the ceiling coming down? May 26, 1998.

⁷⁰⁰ Ibid.

⁷⁰¹ Walby, S. “Theorising Patriarchy” ...op cit, p. 21.

⁷⁰² Alexander Goldsmith, “Seeds of Exploitation: Free Trade Zones in the Global Economy”, in Manders, Jerry and Goldsmith, Edward, (editors) The Case against the Global Economy: and for a turn toward the local. San Francisco: Sierra Books, 1996.

⁷⁰³ Mies, M. & Bennholdt-Thomsen, V. The Subsistence Perspective: Beyond the Globalised Economy (London; Zed Books, 1999) p. 34.

⁷⁰⁴ Rogers, B. The domestication of women: Discrimination in Developing Societies. (Tavisstock Publications, London: 1980).

to which workers in the North would not be subjected. In many EPZs labour unions are illegal and firms set up with this in mind.⁷⁰⁵

6.2 Firms and Power

This section argues that power is a fluid concept especially in relation to intellectual property. An important shift has taken place in international relations. Once intellectual property was the domain for powerful states that controlled and regulated its circulation in the global economy. Now it is multinational firms driving the circulation of intellectual property although they sometimes hide under the auspices of states. The role of firms and intellectual property regimes is interesting.

“In effect, what has taken place is a massive shift in power, out of the hands of nation-states and democratic governments and into the hands of TNCs⁷⁰⁶ and Banks. It is now the TNCs that effectively govern the lives of the vast majority of the people on Earth; yet these new world realities are seldom reflected in the strategies of citizens’ movements for democratic social change. All too often, strategies are aimed primarily at changing government policies, while the real *power* being exercised by TNCs behind the scenes is rarely dismantled.”⁷⁰⁷

Trade advisory boards⁷⁰⁸ are often nothing more than exclusive clubs for multinational corporations to assert tremendous power in areas of trade and government policy. Corporations are often regarded as principal architects of international trade policy.⁷⁰⁹ During the negotiations, ‘representatives from TNCs staffed all of the 15 advisory groups set up by the Reagan administration to draw up the US position.’⁷¹⁰ The regulation of

⁷⁰⁵ Palleson, L. Political assessment: Firms operating in the developing world. Unpublished master’s paper, 1995.

⁷⁰⁶ Trans-national corporations.

⁷⁰⁷ Clarke, T. “Mechanisms of Corporate rule” Manders, J. and Goldsmith, E. (editors.) The Case against the Global Economy: and for a turn toward the local. San Francisco: Sierra Books, 1996. P. 298.

⁷⁰⁸ Korten, D. When Corporations rule the world. (United Kingdom: Earthscan Publications, 1996) See For an in-depth analysis of the power of corporation in trade advisory boards.

⁷⁰⁹ Drahos, P. ‘Global law reform and rent seeking: the case of intellectual property’ *Australian Journal of Corporate Law*. 1996 vol. 7, p. 45-61.

⁷¹⁰ Madeley, J. “Hungry for Trade...” op cit., p. 93.

intellectual property regimes is now decided outside of domestic jurisdiction: multinational firms and international organisations, such as the WTO, have increasing control of knowledge and how it is managed in the global economy. Increasingly, intellectual property regimes are furthering the interests of corporations rather than the people whose innovations make these corporations money. To sum up, what the GATT/WTO has done is created a “corporate bill of rights protecting the rights of the world’s largest corporations against the intrusion of people, communities, and democratically elected governments.”⁷¹¹

Many women in the South are often unaware of the dangers of intellectual property regimes and what they will mean for their communities. Firms are a major player in international trade and this position of power is only increasing. As Victoria Tauli-Corpuz argues, “our governments have signed the WTO agreement which has opened up the country (The Philippines) to mining corporations, logging corporations and pharmaceutical firms and this is the main reason all the biological diversity is getting out.”⁷¹² Madeley states that, ‘Six corporations handle about 85 per cent of world trade in grain, eight TNCs account for between 55 to 60 per cent of world coffee sales, seven account for 90 percent of the tea consumed in western countries, three account for 83 per cent of world trade in cocoa, three account for 80 per cent of bananas, food products account for three-quarters of agricultural trade. We then are perplexed at the rising levels

⁷¹¹ Korten, D. “When Corporations rule the world” op cit., p. 181.

⁷¹² Interview with Victoria Tauli-Corpuz, op cit.,

of poverty and starvation, as people in the South are forced to 'eat what they do not produce, and produce what they do not eat.'⁷¹³

Of course this has huge implications for poor women. Multinational corporations are perhaps the most powerful adjunct for industrialised countries and the tightening of intellectual property rules. The effects of multinationals are often difficult to quantify, but in the case of intellectual property the examples become quite clear. As discussed in the former paragraph, states and international organisations are not the only actors who have a huge interest in intellectual property and women's knowledge. In fact no single structure has more of a stake in women's knowledge than multinational firms do. Increasingly firms want more control and power over intellectual property and this is being secured.

In chapter three, the role of international institutions was discussed. What was demonstrated is that the state as primary unit of negotiator, has now been joined by international organisations and international firms. Farrands suggests that rather than only accept that intellectual property regimes are a form of power in the global system, we need to examine why this "power is constituted, who uses it and benefits from it, and who is excluded from it, how and why."⁷¹⁴ He argues that within the capitalist global economy there is a natural assumption of private property and this is, therefore, naturally extended to the area of intellectual property regimes. By now, it is clear that power was originally constructed by powerful states. This power flows and is shared by other non-

⁷¹³ Interview with Lame Futah op cit.,

⁷¹⁴ Farrands, C. "The Globalization of Knowledge" op cit.,

state actors such as international organisations and multinational firms in varying degrees at varying times in varying spaces within the global system. In the case of intellectual property the re-distribution of power changes former bargaining positions of states and alters many of the theories that have supported the state as primary unit of analysis in the international system. This construction is set and maintained in order to exploit and I would argue that powerful state and non-state actors share this power. The reason this power is now easily maintainable is linked to the universal Western epistemological framework in which international relations/international business operates. The fact that this framework exists is linked to the justification of a western universalistic system of intellectual property regimes.

Firms and international organisations manage and control intellectual property regimes in the global economy. This is done regardless of borders or territorial jurisdiction. Therefore, it is more difficult to attach 'power' and the role of intellectual property regime management to indigenous knowledge, because of its relatively marginalized position within the structures of globalism. This seems increasingly more difficult as the power of states to independently monitor intellectual property regimes is shifting in the context of globalisation. Again, it is the private sector that is interested in intellectual property regimes. The final point I would like to raise in Farrands'⁷¹⁵ article is that intellectual property regimes construct power in all levels of global relations, but it also cuts across cultural lines. People and cultures that do not have access to legal systems and legal representatives are already disadvantaged in a system of intellectual property rights set up around a judicial framework.

“They give legitimacy to groups and interests which can sustain certain kinds of arguments. The US company, which learned traditional Indian clothing manufacturing techniques, took them home and perfected them in an industrial system, patenting them in the USA, illustrates this. They then went back to India, where the techniques were established as so much part of tradition that they were un-patented (and in Indian national law, un-patentable because inalienable by any individual or firm). The firm appealed to the Indian national courts to enforce international law, because the US patent was enforceable in international law. They argued that the Indian government had conceded this right in agreeing to the GATT Treaty, a step which led to rioting and violent outbursts against the Indian Government as well as against the USA and the GATT.”⁷¹⁶

While it sounds absurd that India was powerless in this case concerning the GATT, these types of examples are becoming more frequent and more common, as the power relations change and players learn to re-negotiate their roles.

6.3 Firms affecting women’s knowledge

This section discusses how multinational firms affect women’s knowledge. Many pharmaceutical innovations are developed from a starting point of knowledge derived from the biological activities of natural organisms.⁷¹⁷ This plant-based knowledge (often women’s) is known to have value to pharmaceutical companies.⁷¹⁸ In many cases, civil society has been the largest political ally for women’s knowledge. They have come to understand the integral connection between women’s knowledge and biological diversity. Organisations such as the WWF (World Wildlife Fund) and IUCN (International Union for the Conservation of Nature)⁷¹⁹ have become important in facilitating community schemes on a grass roots level. David Korten argues that one of the most ‘ominous’

⁷¹⁵ Ibid.

⁷¹⁶ Ibid.

⁷¹⁷ DiMasi, J., Hansen, R., Grabowski, H. & Lasagna, L. “The Cost of Innovation in the Pharmaceutical Industry” *Journal of Health Economics*, Vol. 10 pp. 107-142.

⁷¹⁸ Cox, P.A. “Ethnopharmacology and the Search for New Drugs.” Chandwick, D.J. & Marsh, J. (editors) *Bioactive Compounds from Plants* (New York: John Wiley and Sons, 1990).

⁷¹⁹ Glowka, L. “A Guide to Designing Legal Frameworks to Determine Access to Genetic Resources” (Switzerland: IUCN Environmental Law Centre, 1998).

aspects of the WTO is the extension of patents to genetic materials.⁷²⁰ Under the new trade rules, women would be unable to save their own seed and could be forced to pay a royalty to multinational seed companies.⁷²¹

6.4 Bio-diversity and traditional medicines, the impact of intellectual property rights and counter hegemonic regimes.

“Through patenting, the North is seeking to exploit what is essentially a Southern resource. Biodiversity is a key resource, both for people in developing countries and for the billion-dollar biotechnology industry. Herein lie the seeds of the conflict. The key question is whether this resource is harnessed for food security, for the survival of millions, or is patented for the benefit of a small number of TNCs and their shareholders.”⁷²²

There are two counter-hegemonic regimes that this thesis will address. One ideology that challenges neo-liberalism is the new international economic order (NIEO) in which ‘Southern political elites have conceded a degree of acceptance to neo-liberalism, while simultaneously, however, seeking to modify its norms.’⁷²³ According to Humphreys the destruction of biological diversity has given ‘a new lease of life to NIEO demands.’⁷²⁴ Biological diversity is the life forms and the habitats with which women live. In the last two decades the human race has destroyed vast amounts of biological diversity. The impact of this devastation cannot be measured in economic or social terms. Women rely heavily on biological diversity, and their knowledge about biological diversity is immense. This knowledge develops out of their use of biological diversity and how it benefits their health and their communities. The present regime is leading to the extinction and degradation of biological diversity, meaning that knowledge about

⁷²⁰ Korten, D. “When Corporations rule the World” op cit., p. 180.

⁷²¹ Ibid., p. 180.

⁷²² Madeley, “Hungry for Trade...” op cit., p. 95.

⁷²³ Humphreys, D. “Hegemonic ideology and the ITTO...” op cit., 216.

⁷²⁴ Ibid., p. 216.

biological diversity will eventually disappear. What indigenous women are doing around the issues of intellectual property is informing and educating women, as well as seeking out strategies for resistance to intellectual property regimes. Biological diversity is a method that involves selecting the best seeds and planting them in a way that takes into consideration the soil and watering conditions of various regions. Generations of farms have employed this practice and passed it down through the generations. 'Advocates of the NIEO seek to redefine the hegemonic ideology in terms of the perceived interests of the South.'⁷²⁵ Looking at the agenda of the South and the NIEO, protecting biological diversity and stopping bio-piracy is certainly a primary interest.⁷²⁶

6.5 Genetic erosion

"In the world's most critical food crops, seed is not only the means of production, it is also the end product for consumption. Without proper conservation, the replacement of one crop with another or a farmers' variety with a semi-dwarf variety, for example can mean that the discarded genetic material is eaten. A hundred generations of farmer-bred diversity can disappear in a morning pot of porridge."⁷²⁷

However the NIEO has had limited success. Any ideology, which wants to replace neo-liberalism, would constitute a 'far more radical ideology.'⁷²⁸ The issue of genetic erosion is of great consequence to traditional women as well as the entire global population. "Humanity shares a common bowl containing only 20 cultivated crops that sustain 90% of our calorie requirements. All are alarmingly vulnerable to pests and diseases and depend on genetic diversity for their continued survival."⁷²⁹ While the average Western consumer goes to the supermarket and gives very little thought to where our food comes

⁷²⁵ Ibid., p. 216.

⁷²⁶ UN'Convention on Biological Diversity,' 4-15 May, 1998 (COP/4/1) United Nations Environmental Programme, Bratislava.

⁷²⁷ Crucible Group, "People, Plants and Patents" op cit., p. 25.

⁷²⁸ Humphreys, D. "Hegemonic ideology and the ITTO..." op cit.,

from, crops are being adapted in accordance to their shopping behaviour. When farmers grow for profit they sow different “commercially viable varieties”.⁷³⁰ “Intellectual property systems and patents encourage commercial agriculture and may accelerate genetic erosion.”⁷³¹ Market pressures determine what crops are grown and diversity is suffering because of this. According to Madeley,

“the development of international markets for agricultural products is leading to monocropping (single crops usually grown on large plots) and creating genetic uniformity. History has shown that large areas planted to single crops are highly vulnerable to new strains of pathogens or insect pests. The widespread use of homogeneous transgenic varieties will unavoidably lead to ‘genetic erosion’ as new seeds replace the local varieties used by thousands of farmers in the developing world. TNCs favour mono-cropping and, wherever possible, will require farmers to buy their brand of inputs and forbid them from keeping or selling seed.”⁷³²

The concern is that intellectual property is further commercialising this process and “intellectual property can contribute to a market and regulatory environment unfriendly to unprotected commercial seed and farmers’ varieties or both.”⁷³³ The issue is that neo-liberal ideology dictates that the market takes precedence over the environment. The present neo-liberal system has proven that environmentalism is ‘unable to tackle successfully the major symptoms or cause of environmental destruction.’⁷³⁴ Although they recognise the seriousness of the environmental crisis, policymakers have not been willing to deal with environmental degradation if it threatens the hegemonic stance of neo-liberalism.

The difference between environmentalism and ecologism is that the former works with the present hegemonic regime while the latter is a hegemonic regime unto its own.

⁷²⁹ Crucible Group, “People, Plants and Patents” op cit., p. 5.

⁷³⁰ Ibid., p. 24.

⁷³¹ Ibid., p. 25.

⁷³² Madeley “Hungry for Trade...” p. 94.

⁷³³ Crucible Group, “People, Plants and Patents” op cit., p.5

⁷³⁴ Humphreys, op cit., p. 217.

According to Owen Green,

“Knowledge is clearly a key condition for the rational management of natural resources and the environmental movement. Moreover, scientific and policy processes are in continual interaction, and they shape each other. Thus, scientists and environmental knowledge will be influenced by international environmental institutions. But scientific institutions, advisory bodies, ‘epistemic communities’ and individual scientists also typically play a major if not structural role in the development and implementation of such regimes.”⁷³⁵

Environmentalism is a ‘top down approach’ in which; “governments should integrate the views of local peoples into the national policy-making process.” Insure that, “Environmental economics should internalise social and environmental costs. Market and non-market incentives should be used to promote environmentally friendly policies.” As well as, “Environmental values should prevail over developmental values to yield ‘sustainable development.’”⁷³⁶ Whereas Ecologism maintains, “A shift in power relations from the national to the local level is necessary. The rights and basic needs of local communities and indigenous peoples should prevail over the perceived ‘national interest’ as determined by governments,” Also, “The environment has infinite value and cannot be internalised into a price mechanism or assigned a monetary figure.” Finally, “Development” is a driving force of environmental degradation. “Sustainable development’ is seen as a rescue hypothesis.”⁷³⁷ As Humphreys sums up, “Ecologism stresses the empowerment of local peoples, local modes of exchange free from the influence of the market, and opposition to top-down economic development.”⁷³⁸

⁷³⁵ Green, O. “Environmental Regimes” in In Vogler, J. and Imber, M. The Environment of International Relations (London: Routledge, 1996) p. 196

⁷³⁶ Humphreys, op cit., p. 219.

⁷³⁷ Ibid., p. 219.

⁷³⁸ Ibid., p. 219.

Whereas, environmentalism tries to “control the effects on the environment of industrialisation and development.”⁷³⁹ Ecologism with its critique of ‘consumption’ and ‘production patterns’ meets the classification of an ideology, which is a ‘description of ... “political reality” {and} a prescription for the future. Ecologism is not “simply embedded in other political ideologies-it is an ideology of its own right.”⁷⁴⁰ This ideological shift is important as it addresses positions of power and the place that women are at with the environmental movement.

6.6 Women’s Knowledge and Food Security

“The system of patents and the corporate role in genetically modified foods pose a potentially huge threat to food security.”⁷⁴¹ While genetically modified foods and longer shelf lives may increase profit margins, it does not improve ‘conditions in South.’ Biotechnology is forcing farmers to accept genetic uniformity and Monocultures production, which, in turn, erodes bio-diversity. There is concern that crops could become genetically polluted. Once genetic alterations enter the food chain, they reproduce themselves independently. This is causing disruption of ecological and biological processes.⁷⁴² At present, the hegemonic regime of neo-liberalism means ‘environmentalism’ is just working within this system and it does not recognise women’s knowledge, whereas Ecologism shifts its perspective completely. At this point in time there are many circumstances that lead to the disproportionate allocation of food in the world. The TRIPS agreement is about to make matters a lot worse. As discussed earlier,

⁷³⁹Dobson quoted in *Ibid.*, p. 218.

⁷⁴⁰ *Ibid.*, p.218.

⁷⁴¹ Madeley, “Hungry for Trade...” *op cit.*, p. 94.

⁷⁴² www.access.ch/evb/bd/food.html

a patent system for biological processes offers little protection for indigenous communities. Prior to the TRIPS, national governments were responsible for intellectual property, now with the TRIPS agreement these rights have undergone a momentous shift. By the year 2000 developing countries will have to implement a regime of private property rights on their own biological diversity for the benefit of Northern multi-national corporations.⁷⁴³ Countries that extend patent laws to plant varieties will privatise the system and fewer individuals will have access to plants. Women will not have the same access to seeds that they have had in the past and this will have serious implications for food security and in turn women's knowledge. At the moment women have little access to policy-making concerning these issues. Humphreys argues that Ecologism calls for a shift in power relations from the national to the local level. The rights of local and indigenous communities should come before the government's 'national interest'. This ideology calls for a transformation of the distribution of power and within 'social relations.' Ecologists also claim that 'Environmental degradation is seen as an intrinsic feature, rather than an accidental condition, of modernising development.'⁷⁴⁴ Neoliberalism/Environmentalism and Ecologism are really ontological opposites with one supporting trade and fitting in the environment, and the other supporting the environment while fitting in trade and what is implied here are opposing styles of living and support for opposing styles globally. However, even when a counter-hegemonic ideology is not fully incorporated into the existing norm parts of it can still have influence, "Ideas from a counter-hegemonic ideology articulating the aspirations of a

⁷⁴³ Cultural Survival Canada "From Columbus' Voyage To GATT's TRIPS: Indigenous Peoples, International Trade and Intellectual Property (Ottawa: CSC Publications, July 1997).

⁷⁴⁴ Humphreys, "Hegemonic ideology and the ITTO..."op cit., p. 218.

sizeable peripheral group may be absorbed into, and may redefine the norms of, the hegemonic ideology.”⁷⁴⁵

The full impact of the TRIPS agreement will not be seen for years to come.⁷⁴⁶ However, taking away the role of women as custodians of their seeds will further the power of the seed industry.⁷⁴⁷ One issue that is important to women in the South is the issue of food security, an often volatile and unpredictable situation that changes from year to year and is driven by many factors. Women are no longer the custodians of seeds, as Firms now control 70% of grains in the world.⁷⁴⁸ The UPOV had always protected the rights of farmers to save seed. However this has been altered. In 1991 this protection was reversed. Instead it was replaced with a new clause in UPOV and TRIPS stating that farmers who do save seed can be charged with a royalty payment from a multinational corporation.⁷⁴⁹

6.7 Patents-the corporations bloodline

Firms have lobbied intensely to tighten intellectual property rules, while many non-governmental organisations have lobbied to control the advancement of intellectual property regimes as they also have vested interests in the protection of women’s knowledge.⁷⁵⁰ However, having said that, “In fact the TRIPs agreement was the brainchild of an industrial coalition made up of people from the United States, the

⁷⁴⁵ Ibid., op cit., p. 218.

⁷⁴⁶ Interview with Stella Tamang op cit.,

⁷⁴⁷ Personal conversation with Vandana Shiva at the CBD.

⁷⁴⁸ Madeley, J. “Big Business, Poor Peoples...” op cit., p. 66.

⁷⁴⁹ www.unifem.undp.org, Assessed on April 4, 2000.

⁷⁵⁰ This is not to say that having a vested interest is always negative.

European Union and Japan.”⁷⁵¹ When I asked Victoria Tauli-Corpuz if it is possible to empower women’s knowledge under the TRIPS agreement. She responded, “I don’t think so, it facilitates the patenting of all these micro-organisms or patenting a particular plant, essentially it has given firms more power over our knowledge.”⁷⁵² The TRIPS Article 27.3 (b) concerns life patents and plant variety protection, which is set to come up for review in 1999. This provision was insisted upon by the US who wanted to include patents on plants and animals. One other point of the WTO is that three quarters of the members must approve any amendments made. Therefore, it will be interesting to see what happens in the next round concerning Article 27.3 (b).⁷⁵³ Under the new TRIPS agreement plants and biological processes cannot be patented but any reproduced in a laboratory may. However, this will change, as it is almost a guarantee that TRIPS will be extended to the patenting of life in the Millennial round.⁷⁵⁴

The International Labour Organisation suggests possible employment losses in the developing world of up to 50% due to the implementation of TRIPS⁷⁵⁵ and its allowance of patents on biotechnology. Another direct consequence may be that patents discourage the sharing of knowledge and may discourage the transfer of technology in countries in the South because researchers are contractually obliged to working in secret. The uncertainty surrounding the TRIPS agreement has called for a general review in 1999.⁷⁵⁶

Of course little was accomplished in Seattle as the talks were hampered by the protests in

⁷⁵¹ Madeley, J. “Hungry for Trade...” op cit., p. 96.

⁷⁵² Interview with Victoria Tauli-Corpuz, op cit.,

⁷⁵³ Ibid., p. 13.

⁷⁵⁴ Interview with David Downes, op cit.,

⁷⁵⁵ UNEP Convention on Biological Diversity, Fourth meeting of the Conference of Parties Convention on Biological Diversity, 4-15 May 1998, Bratislava, Slovakia. (Official Documents, 1998).

⁷⁵⁶ These talks occurred in Seattle, the talks staled and nothing was accomplished.

Seattle. The WTO's TRIPS agreement has tightened the control multinational firms have over information monopolies. "The world's major trans-national corporations have had a highly influential role in GATT negotiations and will be similarly active in the WTO... The corporate interest, in contrast to the public interest was well represented."⁷⁵⁷ It is argued that the WTO provisions are there to ensure free trade and fair competition. Yet, Korten argues that the WTO in no way "limits the ability of trans-national corporations to use their economic power to drive competitors to share technology, production facilities, and markets. Indeed, one area in which GATT calls for strengthening government regulation and the standards is its agreement on intellectual property rights—patents, copyrights, and trademarks. Here the call is for strong government intervention to protect corporate monopoly rights over information and technology."⁷⁵⁸

First, it is important to understand how corporations extract knowledge about ethnobiology from women. There are two ways, the first being bio-prospecting and the second from academic research already published. Bio prospecting is a term that refers to the active collection of biological material. This involves co-operation and cohesion. Often the communities are unaware of what sharing their knowledge will eventually entail.⁷⁵⁹ Within this debate on intellectual property rights, bio-piracy is one of the most hotly-debated topics. Perhaps it reaffirms the NGOs within civil society's common belief about the global corporation. There are countless examples of bio-piracy,⁷⁶⁰ where corporations go in and take ideas from indigenous peoples and in turn give them nothing.

⁷⁵⁷ Korten, D. "When Corporations rule the World..." op cit.,

⁷⁵⁸ *Ibid.*, p. 179-180.

⁷⁵⁹ Interview with Kesaia Tabunakawai, op cit.,

⁷⁶⁰ Kothari, A. "Biopiracy Unlimited" *Frontline*, April 17, 1998.

These researchers come in many forms as scientists, researchers and even as 'tourists'. One such example is Ayagwasca⁷⁶¹ (*Banisteropsis caapi*), which is a medicinal plant that has been in use for at least 600 years. When a US company went in and gathered the plant and the knowledge of what it is used for from indigenous people, there was nothing those people could do to stop the patent. After continued requests to overturn the patent by indigenous groups the patent is still being honoured. As Mia states,

"In terms of bio-piracy we are telling women that we have the right to say no to anyone who wants to take seed or plants and our knowledge. Sometimes this is difficult because they will offer them money or will just be deceptive in why they are taking it. In the end a little bit of money does not compensate, if in the future it will mean the loss of more knowledge and biological diversity for our communities."⁷⁶²

Ever since the first global patent system established with the Paris Union in 1883, there has been a continual move towards making the patent system suit the interests of business. With the recognition that biological processes and products make up 45% of the world's economy, corporations are trying to make a patent system designed for inventions to apply to biology, life cells and biological processes.⁷⁶³ Second, the way corporations acquire ethno-biological information is through published academic findings. Sarah Laird⁷⁶⁴ argues that once academic research reaches the public domain, "communities lose the ability to control and monitor its commercial use. Academic literature is commonly consulted by industry researchers, and ethno-botanical information can quietly make its way into the R&D efforts of commercial enterprises."⁷⁶⁵

One example that Laird cites is the case of Rosy Perwinkle, *Catharanthus roseus*, which

⁷⁶¹ RAFI, Biopiracy, Biodiversity, and People. The right to say "No" to monopoly patents on the South's resources and knowledge. *EcoForum: Journal of Environmental Liason Centre International*, Vol. 21, No. 4, January 1998.

⁷⁶² Interview with Mia Siscawati, op cit.,

⁷⁶³ Crucible Group, 'People, Patents and Plants' op cit., p. 20.

was 'discovered' by Eli Lilly, the pharmaceutical giant. Rosy Periwinkle was found to have insulin like effects.⁷⁶⁶ This was not discovered in the field but through an extensive literature review conducted by a researcher in the company. The medicinal purpose of the plant will need to have some type of novelty. If an 'inventor' can claim they have invented a novel purpose for the plant, they can patent it.⁷⁶⁷

Corporations are now applying and receiving patents that are derived from women's knowledge.⁷⁶⁸ Many have argued that the TRIPS agreement is driven in the name of corporate interests. Biotechnology firms, most of which are owned and operated in the North, extract the resources of bio-diversity from the South. This is normally a free exchange and this process has been contested in the South. Patents are there to ensure that companies receive royalties for their inventions. Yet, the South freely exchanges these materials, which are taken without corporations having to pay charges.

The erosive effect of privatising knowledge is difficult to qualify, however this section will attempt to do just that. Women's knowledge is under constant threat by governments and international agreements, in particular, the TRIPS agreement and multinational firms. Essentially these units are patriarchal and privilege western epistemology. Some intellectual property experts are touting the idea that women can empower their knowledge under the TRIPS agreement and that IP can be used as a tool to

⁷⁶⁴ Laird, S. "Natural Products and the Commercialization of Traditional Knowledge,' Greaves, T. (editor) Intellectual Property Rights for Indigenous Peoples. A Source book. (Society for Applied Anthropology, Oklahoma City, USA: 1994).

⁷⁶⁵ Ibid., p. 150.

⁷⁶⁶ Ibid., p.150.

⁷⁶⁷ www.rafi.ca/misc/courtrips.html Assessed on March 13, 1999.

⁷⁶⁸ Madeley, J. "Hungry for Trade..." op cit., p. 96.

protect knowledge. This will be discussed later. However, women that are activists on the community and international level do not see how this is possible as Lucenzia Piquil states, women's knowledge and intellectual level property are epistemically opposed, there cannot be a conciliatory process between them.

As Noam Chomsky argues the more patents there are will mean more deaths in the South.

"The overall effect, then, of the TRIPS Agreement, is a much-strengthened patent system. The results for countries with weaker systems will be a significant decline in the generic manufacturing industry, and significant increase in prices of protected drugs. In India, where protections are weak, the drugs Ranitidine (Zantac) and Diclofenac Sodium (Voveran) sell for 57 and 68 times less, respectively, than they do in the United States, which has a strong system. To the large pharmaceutical firms it means profits but to citizens of the developing world it means survival."⁷⁶⁹

Of course access to medicines, whether they are synthetic or natural, is extremely important to the health and welfare of women. Pharmaceutical firms now also have a distinct advantage. Article 34 of the TRIPS places the burden of proof on Southern manufacturers. Small firms fearing legal action may not be willing to enter the market. This would set up even more powerful monopolies for drug producers. Many grass roots and health organisations have stated the idea of patenting intellectual property in areas of health, medicine, and food products could mean that it would push up the prices and eliminate access to these vital products. Many of the drugs now commonly available in Southern countries have patents that have expired and access to new drugs will become increasingly difficult. Access to new drugs such as AZT used in the treatment of AIDS is essential in countries in Africa/Asia, where AIDS is spreading at alarming rates.

⁷⁶⁹ Cosby, A. Wider effects of the TRIPS on Drug Distribution.
<http://www.iisd.ca/linkages/vol09/o967501.e.html> assessed on March 13, 1999.

Traditional knowledge is not protected under the “Farmer’s Rights Agreement.”⁷⁷⁰ While the product is protected under the TRIPS patent provisions, the process or traditional knowledge is not. This is a concern as the process is often what makes a plant marketable. Both indigenous women and indigenous communities recognise that their biotechnology can make an important contribution to humanity. However, they also understand that the international system and the institutions within do not acknowledge the past, present or future contribution they have made. The protection of their knowledge vis-a-vis patents and percentages of profit are not acceptable to many women. Pharmaceutical firms offer royalties of between 1-3% for the knowledge, which is the women’s knowledge in the first place, so it seems ludicrous to have to barter over a price.⁷⁷¹ Many women I interviewed are not concerned with gaining commercial value, but with the protection and preservation of their knowledge. However that standpoint, the right to say resist intellectual property, will be dealt with later.

While there are ways to counter firms, it is not easy to make these giant corporations accountable in any way other than using consumer power and to lobby governments for tighter controls. One of the problems is that global capital is now understood as a completely self-regulated entity, which cannot be controlled. There are two reasons why it is difficult to set up resistance strategies regarding firms. One is the power they wield as they have few restrictions in the global arena, and the second is their accountability to their shareholders, not their consumers. However, saying that, if we speak with our

⁷⁷⁰ World wide fund for Nature (WWF) Measures to Control Access and Promote Benefit Sharing: A Selection of Case Studies (Switzerland: WWF Publications,1998).

wallets, results do occur. Women in low-income countries do have some power in resisting multinational firms; their biggest weapon is education. This will be discussed further in chapter seven. If they understand their knowledge is extremely valuable to these firms, they then have power to decide what to do with it. The following section will look specifically at firms sharing royalties with indigenous women.

Some communities of indigenous people⁷⁷² have already set up schemes where they get something back from the corporation. They know their knowledge is valuable and they want some financial compensation. While this is problematic to many involved in the intellectual property debate, others argue that empowerment is about choice and if one is part of the market they should derive as much benefit as they can from the marketplace. As Vandana Shiva and Radhu Holla-Bhar argue, some communities have begun developing alternative forms of intellectual property. Collective intellectual property rights (CIPR's) 'invest the right to benefit commercially from traditional knowledge in the community that developed it.'⁷⁷³ Unfortunately, this means becoming part of the patent system. However, this logic has developed as Indian farmers have seen companies like W.R. Grace, (the patent holder of the Neem Tree) come in and be granted to them. What has emerged is that India's traditional lack of patent protection does not protect local farmers and CIPR's have developed out of a lack of protection against outsiders. CIPR's also,

⁷⁷¹Development of the Andean regime regarding Access to genetic resources Identification of Biodiversity and its benefits: Elements for national studies regarding a regime for protecting traditional knowledge. (Bogota: International Seminar paper, September 29-October 1st, 1997).

⁷⁷² Why I do not make a gender distinction in this case is because protecting knowledge against firms is a communal concern and does not necessarily exclude communities of men.

⁷⁷³ Shiva, V and H-B, Radha. "Piracy by Patent: The case of the Neem Tree," Manders, J. and Goldsmith, E. (editors) The Case against the Global Economy: and for a turn toward the local.

'Recognise knowledge as a social product subject to local common rights, rather than an element adrift in a limbo of free global access until the first commercial venture snatches it up. Any company purloining local knowledge and local resources is engaging in intellectual piracy, and the farmers' organisations see it as their right to punish such violators. Hence, farmers are demanding that disputes between multinational companies and Third World farmers be settled through village organisations rather than in GATT/WTO panels.'⁷⁷⁴

With the increasing interest in indigenous knowledge and the profit made from this knowledge this issue is not going to dissipate, and at the same time if protections are not granted for indigenous people they, and their know-how and intellectual processes, will be exploited at very little advantage to themselves. The options are to become part of the system and exploit their ideas for material gain and, as Arun states, we may have to come to terms with the "conclusion that the indigenous cannot survive as long as interest in it endures on the part of powerful economic and political actors, and indigenous peoples do not organise and unite in the defence of their own knowledge and livelihoods."⁷⁷⁵ While ethno-botanists have recognised a need for some type of compensation there are still few examples to cite.⁷⁷⁶

One such company, which is touted as a pioneer in its field, is Shaman Pharmaceuticals. The following paragraph will discuss receiving compensation through private business transactions. Shaman Pharmaceuticals in Costa Rica, channel back money to indigenous people, they do not pay direct royalty payments. The concern is that the sharing of profits will solve some of these issues that are being raised?⁷⁷⁷ According to RAFI⁷⁷⁸ there are currently no royalty payments being received by indigenous communities. NGOs such as

(San Francisco: Sierra Books, 1996) p. 298.

⁷⁷⁴ Ibid., p. 298.

⁷⁷⁵ Argawal, A. "How not to have your cake..." op cit., p. 4.

⁷⁷⁶ It is important to recognise that most firms at this point are unwilling to set up reciprocal relationships between themselves and indigenous communities.

⁷⁷⁷ [Http://www.rafi.ca/communique/fltxt/19976.html](http://www.rafi.ca/communique/fltxt/19976.html) Assessed on April 21, 2000.

RAFI monitor patent applications to see if the rights of indigenous people are exploited. The example of the Neem tree (*Azadirachta indica*) is perhaps the best example of exploitation of indigenous knowledge. Two companies received patents in the U.S. for derivatives of the Neem tree.⁷⁷⁹

Both Shaman Pharmaceuticals and The Body Shop are companies that work directly with communities. They set up 'immediate reciprocal' agreements, which means the community receives some immediate assistance. "As the medicinal value of this biological and cultural diversity, or 'bio-cultural diversity', becomes more apparent, its conservation for present and future generations world-wide becomes more urgent."⁷⁸⁰

While Shaman Pharmaceuticals is the best example of a pharmaceutical company that works towards promoting bio-cultural diversity, the majority of global pharmaceutical firms are not interested in these types of agreements. According to Laird, "the majority of companies loathe becoming involved in direct negotiations with communities, seeing it as extrinsic to their area of expertise."⁷⁸¹

6.8 Intellectual property protecting women's knowledge?

Can women's interests be served by an intellectual property regimes system? As discussed previously, the differences between women and intellectual property regimes are great. Many women do not want to apply an intellectual property system to their

⁷⁷⁸ Ibid.

⁷⁷⁹ GRAIN Patenting, Piracy and Perverted Promises: Patenting life: the last assault on the commons (Barcelona: GRAIN, 1998).

⁷⁸⁰ Moran, K. "Biocultural Diversity Conservation Through The Healing Forest Conservancy" Greaves, T. (editor) Intellectual Property Rights for Indigenous Peoples. A Source book. (Society for Applied Anthropology, Oklahoma city, USA: 1994).

⁷⁸¹ Laird, S. "Natural Products..." op cit., p. 153.

knowledge. According to Vicky Tauli-Corpuz, when I asked her if there was any room to consider this notion,

“How can you empower traditional knowledge under the TRIPS agreement that really facilitates the patenting of all these micro-organisms or patenting a particular plant or animal. The entire agreement is so dis-empowering for indigenous women, who have relied on the kind of harmonious relationship between them and the nature around them. It is a big mistake to even imagine that this type of provision can serve their interests.”⁷⁸²

David Downes starts his paper⁷⁸³ admitting that there is a lack of practical examples of how intellectual property rights may be used to protect indigenous knowledge. Stephen Brush admits that intellectual property in its conventional definition is not an appropriate protection, but this does not mean it is necessary to abandon all such attempts to protect the biological resources of indigenous people. What both authors are saying is that there is a possibility of protecting, in this case women’s knowledge, under a non-monopolistic, non- market approach to intellectual property rights.

This leads to the question of whether intellectual property rights can be used as a means of protecting knowledge. The women I interviewed disagreed with intellectual property rules and are actively opposing them at grass roots levels. Many of the women have had firsthand experience with bio-prospectors and as community leaders who are in a position to build capacity within their communities this is what they are telling women.

“We are trying to make them realise the knowledge is theirs and no one else has that knowledge, the reason outsiders and corporations are interested in what they know is because it is important. At this stage we do not know what the WTO Intellectual property rules will mean for us, but if we can let women know they have control and can guard themselves in the future.”⁷⁸⁴

⁷⁸² Interview with Victoria Tauli-Corpuz, op cit,.

⁷⁸³ CIEL, Using Intellectual Property as a Tool to Protect Traditional Knowledge: Recommendations for Next Steps. Prepared for the CBD workshop on Traditional Knowledge Madrid, November 1997.

⁷⁸⁴ Interview with Kesaia Tabunakawai, op cit,.

While it is evident that traditional women as well as indigenous communities need some form of protection against bio-piracy such as profit sharing schemes and benefit sharing, these are often strategies started by institutions. Chapter eight will deal with empowerment strategies developed by women on micro levels.⁷⁸⁵ The nature of multinational firms makes it difficult to set up effective strategies for lobbying multinational firms. The *Multilateral Agreement on Investment* has been attacked by NGOs within global civil society and it is a concern that this will give corporations even more power concerning intellectual property and patents.

6.9 Conclusions

Firms play an important role in the intellectual property debate. This thesis was only able to briefly outline the effects on women's knowledge. However, as firms are granted more and take more control over global intellectual property regimes, the effects and outcomes on women's knowledge will steadily increase. As many of the activists in the debate claim, it is early days and it is difficult to predict what new powers will be granted to firms, but they are certain to be unilateral and intense power regimes.

⁷⁸⁵ Chapter six will also look at national conservation initiatives as national governments see there is a link between conservation and community strategies.

7.0 Chapter Six: Women's knowledge, Macro structures, and Macro agencies: Battling the Giants.

"If women's empowerment is to transform society, it must be a political force, an organised mass movement capable of challenging and transforming existing structures of power. Empowerment must ultimately include poor women in regional, national and international mass organisations."⁷⁸⁶

This chapter will look at strategies women have created in order to tackle macro structures and or to resist their negative influences. The IGDK is perpetuated by 'development' and then contributes to the existence of the development apparatus. Development is a contributing factor to how women's knowledge is perceived as secondary in the South.⁷⁸⁷ It contributes to the IGDK. Once the IGDK has been established epistemologically, that is in the power structures of knowledge, ontologically, that is in its determination of women's lives and structurally, that is (only thirdly) in the traditional sense of economically, women's knowledge may be seen as secondary within the global economy.

First, this section will look at women's differences in how they understand conservation, which leads to a discussion on development. It will then look at challenging the development industry as a macro structure. I will focus solely on women's knowledge. This chapter will also talk about development and women's knowledge as a way of preserving knowledge and implementing knowledge into modernist development schemes. Second, it will discuss the role of women in government and the role of the

⁷⁸⁶ Batliwala, S. 'The Meaning of Women's Empowerment: New Concepts from Action', in Sen, G., Germain, A. & Chen, L. (editors) *Population Policies Reconsidered: Health, Empowerment and Rights* (Boston: Harvard University Press, 1994) p. 129.

⁷⁸⁷ This is not exclusively a 'Southern' concern as it has been argued that we needn't look further than conventional IR to see that women's epistemologies has been relegated to a secondary position.

state must be considered in mainstreaming gender equity. The role of the state is under pressure in the international bargaining arena over environmental protection (especially international agreements). The state needs to be seen as representing indigenous interests according to the agenda for many civil activists. Third, it will also look at the strengths and limitations of organisations, such as the WIPO and CBD. However, the WTO is not a development agency and is Member State driven so activism needs to also take place at a state level. However, looking at the recent activity at the WTO conference in Seattle, focusing on the WTO's limitations directly can also be effective in drawing attention to the issues at hand. It will also discuss the role of international non-governmental organisations as an ally to political lobbying and look at some regional and national strategies.

One of the main problems is that women's knowledge and their worldview is epistemologically and ontologically different and often in direct conflict with dominant paradigms. Women's knowledge is not accepted within the general framework of dominant paradigms. Women have always run into conflict regarding the way women view development. Development has always worked on the principle, that there is no development without economic growth.⁷⁸⁸ However, women through experience and local knowledge, have maintained that subsistence is about social and cultural behaviour. Subsistence is about 'making a living' not 'earning a living', women draw 'assurance from their knowledge that their own basis level of existence will be safe.

⁷⁸⁸ Escobar, A. "Encountering Development..." op cit,.

7.1 Development-‘experts’ looking down

The development agencies that come in to ‘develop’ a region have spent four decades trying to develop the South with very little result.⁷⁸⁹ Some of the main issues are trying to look at economic growth rather than the overall picture. Others are imposing an ethnocentric model that does not translate unilaterally in different historical and cultural settings. Development agencies have started embracing gender needs over the last decade and in the 1990’s agencies have incorporated gender into their policies and projects. Epistemologically, introducing women and including women is problematic as most praxis and practice and their rationales have a western cultural bias and have seen men as the ‘universal point of reference’ within development. Escobar⁷⁹⁰ is critical of sustainable development and GAD as they operate out of the same modernist framework. However, GAD is by no means perfect and neither are few solutions, but it challenges the sub-standard position of women in the South and that is a starting point for women’s emancipation. GAD emphasises the ‘necessary role of the state in promoting women’s emancipation.’⁷⁹¹ GAD also ‘looks at the role of local communities to provide support for women in some ways and see organisations of women at this level as the precursor of organisations at higher levels.’⁷⁹² This is critical because of all the women I interviewed emancipation begins in the household and that is the first step. Finally, GAD sees the economic and political as inter-related, ‘the mal-distribution of social wealth and capital, the unbalanced distribution of political power, but also the structures of inequality between men and women which weaken both in their common struggle for survival and

⁷⁸⁹ Escobar, A., op cit.,

⁷⁹⁰ Ibid.

⁷⁹¹ Young, K. “Gender and Development” in Visivanathan, N., Duggan, L., Nisonoff, L. & Wiegiersma, (editors) The Women, Gender & Development Reader (London: Zed Books, 1997) p. 53.

for betterment.’⁷⁹³ Rounaq Jahan argues in her book, *The Elusive Agenda: Mainstreaming Women in Development*, if the last twenty years trying to accelerate women’s advancement has reached all or any of its goals. This chapter would like to concentrate on Jahan’s critique of empowerment. She states that, “Over the years, there has been gradual recognition that mere access to resources or provisioning of services is not adequate to challenge the root causes of gender inequality; that women need to assert their own agency, and only through self-empowerment can they aspire to break out of gender subordination.”⁷⁹⁴

One of the problems starts with the structure of Northern NGOs, and the funding of local projects where there is often the existence of hierarchical relationships.⁷⁹⁵ ‘Development is couched in terms that avoid the unequal distributions of power. Words like partnerships, partner and donor, which makes all the problems look structural, avoiding any recognition of power or power imbalance.’⁷⁹⁶ According to Zapata et al, ‘empowerment means letting go of control over the consequences,’ and ‘they may no longer have any thing to say in what happens. *Otherwise it is not empowerment.*’⁷⁹⁷ Not only does this entail a radical shift of what NGOs view development to ‘be’, but also altering significance from ‘tangible’ results to processes, such as the development of women’s agency.⁷⁹⁸ Rowlands argues that there are many layers and types of relationships in regards to empowerment, personal empowerment, collective

⁷⁹² Ibid., p. 53.

⁷⁹³ Ibid., p. 54.

⁷⁹⁴ Jahan, R. *The Elusive Agenda: Mainstreaming Women in Development* (London: Zed Book, 2001) p. 7.

⁷⁹⁵ Kloppenburg.

⁷⁹⁶ Zapata E., Alberti, P., Townsend, G., Rowlands, J., “Where Next?” In Townsend et al *Women and Power: Fighting Patriarchy and Poverty*. (London: Zed Books, 1999).

⁷⁹⁷ Italics added, *ibid.*, p. 177.

empowerment and empowerment in relationships. This will be discussed in more detail in chapter seven.⁷⁹⁹

Much of this thesis has focused on challenging the way we produce and re-produce knowledge in the global economy. It has argued that epistemological choices occur on both the macro and micro levels. Incorporating women's knowledge into development projects can only be a healthy conclusion to getting beyond modernist ideals. Women's knowledge needs to be incorporated for several reasons; women know more about their environment than an outsider.⁸⁰⁰ Women's knowledge can foster the well being of the entire community.

7.2 Notions of Community

The 'community in participatory approaches to development is often seen as a 'natural' social entity characterised by solidaristic relations. It is assumed that these can be represented and channelled in simple organisational forms.⁸⁰¹ Guilt and Shah argues that viewing a community as 'homogenous, static and harmonious units within which people share common interests and needs, underestimates divisions of power and 'further masks biases in interests and needs based on, for example, age, class, caste, ethnicity, religion and gender.'⁸⁰² As Nelson and Wright put forth, 'community is a concept often

⁷⁹⁸ Ibid., p. 177.

⁷⁹⁹ Rowlands, J. "Questioning Empowerment..." *op cit.*,

⁸⁰⁰ Interview with Lane Futah, *op cit.*,

⁸⁰¹ Cleaver, F. "Institutions, Agency and the Limitations to Participatory Approaches to Development." In Cooke, B. & Kothari, U., (editors) *Participation: The New Tyranny* (London: Zed Books, 2001) p. 45.

⁸⁰² Nelson, N. & Wright, S. (editors) *Power and Participatory development: Theory and Practice* (London: Intermediate Technology Publications, 1995) p. 15.

used by state and other organisations, rather than the people themselves, and it carries connotations of consensus and “needs” determined within parameters set by outsiders.’⁸⁰³

Development practitioners who believe further perpetuate this ‘myth’;

‘Communities are capable of anything that all that is required is sufficient mobilisation (through institutions) and the latent capacities of the community will be unleashed in the interests of development. The evidence does little to support such claims. Even where a community appears well motivated, dynamic and well organised, several limitations are presented by an inadequacy of material resources, by the very real structural constraints that impede the functioning of community-based institutions.’⁸⁰⁴

It is important to recognize the limitations of a ‘community’ and the women whom I interviewed were the first to admit problems and issues within their own communities. One of the issues is that many of their communities are strongly ‘male-oriented’. Communities can also be a source of ‘exclusion as well as inclusion, that associating concepts of responsibility, ownership and social cohesion with local entities (which may draw on religious, ethnic, location differences in definition) is not necessarily compatible with the universalizing of equality or with the rights of particular individuals.’⁸⁰⁵

It is important to outline what ‘real’ communities look like, Townsend et al argues that, “We do not see the settlements we studied as ideal (mythical?) communities where all are equal, loving and co-operative, but the community does provide a real framework.”⁸⁰⁶ Cleaver argues that, we should start by seeing the community as the ‘site of both solidarity and conflict, shifting alliances, power and social structures.’⁸⁰⁷

⁸⁰³ Nelson, N. & Wright, S. (editors) Power and Participatory development: Theory and Practice (London: Intermediate Technology Publications, 1995) p. 15.

⁸⁰⁴ Cleaver, F. “Institutions, Agency, and the Limitations...” op cit., p. 46.

⁸⁰⁵ Cleaver, F. “Agency, Institutions and Limitations...” op cit., p. 53.

⁸⁰⁵ Townsend J. et al.

⁸⁰⁶ Townsend, J. (editors) Women’s Voices from the Rainforest (London: Routledge, 1995) p. 125.

⁸⁰⁷ Cleaver, F. “Agency, Institutions and Limitations...” op cit., p. 47.

The community can also act as a positive force even though we recognize its inherent limitations, 'women are responding to government encouragement and international trends by seeing new possibilities for themselves if they work in groups, hoping to find in them the strength to deal with the market, the bureaucracy and their men.'⁸⁰⁸ The view of this thesis is to recognize 'communities' as a site of oppression and progress, places that are not static, but dynamic places with power divisions, gender concerns, and numerous issues depending on space and time, but also to recognize they are fluid sites that can be capable of collective action, empowerment, change and the betterment of women's positions.

7.3 Who are the experts?

Development has had a difficult time incorporating the shift in epistemology from the all-knowing Western development 'expert' to rural peasant women.⁸⁰⁹ This premise challenges the whole idea that the objective opinion of development expert is superior. Robert Chambers has been an influential and instrumental writer within the development debate. Most of the 'major' subject matters can be found in *Whose Reality Counts? Putting the Last First*. One of the problems with Chambers' work as articulated by Henkel and Stirrat is the binary opposite that he sets up.⁸¹⁰ "Chambers' view of the world is structured in terms of binary oppositions: rich versus poor; powerful versus powerless; male versus female; urban versus rural, and so on."⁸¹¹ As Brown points out, there is a tendency in Chambers' work to 'romanticise and essentialise the poor and the social

⁸⁰⁸ Townsend, J. "Women's voices from the Rainforest..." op cit., p. 127.

⁸⁰⁹ Townsend et al. "Women and Power..." op cit.,

⁸¹⁰ Henkel, H. & Stirrat, R. "Participation as Spiritual Duty; Empowerment as Secular Subject." In Cooke, B. & Kothari, U. (editors) *Participation: The New Tyranny?* (London: Zed Books, 2001) p. 175.

systems by which they operate. The 'poor' are set against an unspecified 'elite' whose only defining feature is their 'non-poorness', with the former group and the latter utilising the 'modern' methods of state channels.'⁸¹² The danger in valorising local knowledge means that development discourse often set up binary categories between the 'good' knowledge from local people from the South, and knowledge from the 'North' is set up as an 'outsider knowledge' with little to offer in improving impoverished conditions.⁸¹³

Cleaver asks if by setting up these divisions, "Are we not in danger of swinging from one untenable position (we know best) to an equally untenable and damaging one (they know best)?"⁸¹⁴ The problem with treating indigenous knowledge as a cure-all, and scientific or external technical knowledge as 'antipathetic' means that the latter is often 'deprecated.'⁸¹⁵ What ends up happening is that all knowledge from 'the North' is seen as tainted or destructive,

'And prevents genuine dialogue and learning; even though in practice, as we have seen, facilitators intervene, which biases knowledge away from locals. This homogenising and demonising of Western discourses repeats earlier criticisms of Orientals in that 'everything that originates in Europe should be consigned so unilaterally to the "heritage of imperialism", unless we subscribe to an essentialist notion of an undifferentiated "Europe" where everything and everyone is imperialist.'⁸¹⁶

Kothari argues that we need to get beyond the 'self/other and insider/outsider' distinctions.⁸¹⁷ Katz states it this way that, 'this is not a project of getting "others" to

⁸¹¹ Ibid., p. 175.

⁸¹² Mohan, G. "Beyond Participation, Strategies for deeper empowerment." In Cooke, B. & Kothari, U (editors) *Participation: The New Tyranny?* (London: Zed Books, 2001) p. 160.

⁸¹³ Mosse, D. "People's Knowledge," *Participation and Patronage: Operations and Representation in Rural Development* In Cooke B & Kothari, U. (editors) *Participation: The New Tyranny?* (London: Zed Books, 2001) p. 17.

⁸¹⁴ Cleaver, F. "Agency, Institutions and Limitations..." op cit., p. 47.

⁸¹⁵ Mohan, G. "Beyond Participation..." op cit., p. 171.

⁸¹⁶ Ahmad quoted in Kothari, U. "Power, Knowledge and Social Control in Participatory Development" in In Cooke, B. & Kothari, U. (editors) *Participation: The New Tyranny?* (London: Zed Books, 2001) p. 162.

⁸¹⁷ Ibid., p. 164.

speak as all knowing subjects of others...but rather to undermine this very construction and recognise that none of us are all knowing subjectivities.’⁸¹⁸ As Fine argues, ‘we need to “work the hyphen” between dualisms because it is within these inter-subjective worlds that meaning, knowledge and political action will emerge.’⁸¹⁹ Kothari argues that most participatory approaches tend to ‘study down to the local level, but more transformative approaches would also study the global economy and transnational organisations such as the major development agencies and be prepared to criticise bad practice.’⁸²⁰ It is hoped that this thesis is moving towards an amalgamation of knowledge that looks beyond the focus of the local level.

7.4 Empowerment critiques and the development industry

“The language of empowerment masks a real concern for managerialist effectiveness; the quasi-religious associations of participatory rhetoric and practice; and how an emphasis on the micro level of intervention can obscure, and indeed sustain, broader macro-level inequalities and injustice.”⁸²¹

This section wants to engage in a discussion, which occurs in *Participation: the new tyranny?* The authors in this book discuss if ‘empowerment’ has been ‘simplified in the theory and practice of participation, the meanings ascribed to the condition of empowerment and the claims made for its attainment for those who have been marginalized must also be subjected to further scrutiny.’⁸²² Kothari argues that ‘participatory development in an espoused attempt to enable those individuals and groups previously excluded by more top-down planning processes, and who are often

⁸¹⁸ Katz quoted in p. 164.

⁸¹⁹ Ibid., p. 164.

⁸²⁰ Ibid., p. 164.

⁸²¹ Cooke, B. & Kothari, U. “The case for Participation as Tyranny” in Cooke, B. & Kothari, U. (editors) *Participation: The New Tyranny?* (London: Zed Books, 2001) p. 14.

⁸²² Ibid., p. 14.

marginalized by their separation and isolation for the production of knowledge and the formulation of policies and practices, to be included in decisions that affect their lives.’⁸²³

While there are many proponents of this approach, it also has its critiques, asking if empowerment actually empowers? First it needs to be recognised that they are different forms of power. Jo Rowlands has outlined four ‘forms of power’ that will be used throughout the following chapters:⁸²⁴

- **Power over:** controlling power, which may be responded to with compliance, resistance (which weakens processes of victimisation) or manipulation.
- **Power to:** generative or productive power (sometimes incorporating or manifesting as forms of resistance or manipulation), which creates new possibilities and actions without domination.
- **Power with:** ‘a sense of the whole being greater than the sum of the individuals, especially when a group tackles problems together.’⁸²⁵
- **Power from within:** ‘the spiritual strength and uniqueness that resides in each one of us and makes us truly human. Its basis is self-acceptance and self-respect, which extend, in turn, to respect for and acceptance of others as equals.’⁸²⁶

Having established the different forms of power, we can return to the question of whether empowerment empowers the right individuals. As Rowlands argues the conventional definition of ‘power over’ empowerment is about ‘bringing people who are outside the decision-making process into it. This means that a lot of emphasis is placed on economic, political and formal decision-making. “Individuals are empowered when they are able to maximise the opportunities available to them without constraints.”⁸²⁷ White argues that ‘bottom up’ does not necessarily mean that power divisions are addressed and this has been a ‘failure to address the political dynamics of participation, not least the complex conflicts of interest between driving it ‘top-down’ and those involved from ‘bottom

⁸²³ Kothari, U. “Power, Knowledge and Social Control in Participatory Development...” op cit., p. 140.

⁸²⁴ Rowlands, J. “Questioning Empowerment...” p. 12.

⁸²⁵ Rowlands, J. “Questioning Empowerment...” p. 12.

⁸²⁶ Rowlands, J. “Questioning Empowerment...” p. 12.

⁸²⁷ Ibid., p. 13.

up'.⁸²⁸ Fundamentally it must be remembered that 'empowerment strategies' and participatory development were made central and prioritised by the development industry. Henkel and Stirrat argue that what is actually needed is 'more knowledge and better tools for analysis not so much of the people 'out there' who are to be developed or empowered, but of the whole process of 'development': its discourses, institutions and practices; in other words, an Anthropology of Development.'⁸²⁹ When talking about development agencies, they

'Cannot give empowerment to their 'beneficiaries', 'targets of development' or 'clients': to be 'participants', people have to be able to use their 'power to' to negotiate and transform those hopefully willing partners who have institutional and structural 'power over'. Indeed, perhaps the first step that agencies that are serious about participation and pluralism might take is not to reach for the latest handbook on participatory techniques, but to put their own house in order.'⁸³⁰

Kabeer and Subrahmanian argues that one of the goals for institutional frameworks needs to be the shift from concept to practice to ensure, 'poor women have the ability to exercise agency and choice over their lives.'⁸³¹ However, this is easier in theory than in practice as the following section will illustrate.

7.5 In practice, does empowerment empower?

This question must be asked in relation to the former paragraphs that explore 'empowerment' as a means of 'fashionable rhetoric', while this section will explore empowerment as a reality to women's lives. One of the issues Henkel and Stirrat address;

⁸²⁸ White in Cooke, B. "The Social Psychological Limits of Participation" in Cooke, B. & Kothari, U. (editors) *Participation: The New Tyranny?* (London: Zed Books, 2001) p. 105.

⁸²⁹ Henkel, H. & Stirrat, R. "Participation as Spiritual Duty..." op cit., p. 183.

⁸³⁰ Hildyard, N., Hedge, P., Wolvekamp, P. & Reddy, S. "Pluralism, Participation and Power: Joint Forest Management in India" in Cooke, B. & Kothari, U. (editors) *Participation: The New Tyranny?* (London: Zed Books, 2001) p. 57.

⁸³¹ Kabeer, N. & Subrahmanian, R. *Institutions, Relations and Outcomes: Framework and Case Study for Gender Awareness Planning* (London: Zed Books, 2001) p.201.

“there is often a connection between empowerment and poverty elevation; but what is neglected is what empowerment involves; and empowerment often becomes the objective of development rather than the means towards development.”⁸³²

The following paragraph will explore what true ‘empowerment’ should mean for women. Participation and empowerment have the potential to shift certain paradigms within development and address that development is actually for. It is important to recognise that participatory development with its focus on ‘empowerment’ has issues and needs to be critiqued as an alternative to traditional development strategies. ‘Bottom up’ strategies will still have many of the same issues as ‘top down’ strategies such as power divisions, gender inequalities, and faulty policy decisions.⁸³³ However, not all of the ‘bottom up’ strategies are necessarily better, and should not be automatically accepted because they have attached a ‘bottom up’ label. As Kothari argues, it is better not to assume that any strategy has all the answers. ‘Homogenising’ thesis issues will not get us to where we want to go, but rather we need to raise questions about the extent to which it (participatory development) represents true knowledge.”⁸³⁴ Empowerment in its true form must enable women to run the show, not make minor changes on opening night.⁸³⁵ While focusing on the structuring disposition of social relations, the ability for women to act on their own or within groups is possible within their personal circumstances.⁸³⁶

⁸³² Henkel, H. & Stirrat, R. “Participation as Spiritual Duty...” op cit., p. 183.

⁸³³ Cooke, B. & Kothari, U. “Participation: The New Tyranny...” op cit.,

⁸³⁴ Kothari, U. “Power, Knowledge and Social Control...” op cit., p. 140.

⁸³⁵ Interview with Victoria Corpez-Tauli, op cit.,

⁸³⁶ Rowlands, “Questioning Empowerment...” op cit.,

One such western NGO that is attempting to facilitate this empowerment process is Cultural Studies Canada (CSC), an NGO based in Ottawa, Canada. Their board of directors is made up of indigenous people from different areas of the world. It is the way they approach indigenous knowledge that is most in line with the goals of participatory development. They are willing to accept that 'empowerment' will eventually mean that they will no longer have a say or a role within the communities they work in once these communities are empowered. There is an explicit recognition of indigenous knowledge both in theory and in practice. This is seen in the following questions:

LPS: *What is CSC's position on the TRIP's agreement?*

CB: TRIPS is an expansion of corporate rights. If we lived in a world where the traditional values for indigenous people and their knowledge systems were respected, if we lived in a world where the original inhabitants of the land, people who had lived there for millenniums, had the freedom to practice and enforce their customary laws, there would be no way a corporation could claim ownership over it, like Columbus. So it has perpetuated a colonialist relationship. There are pragmatic aspects to it, which we are concerned about. Having to do with, first of all, if a company can claim extensive monopoly rights granted by a patent then it could potentially economically disenfranchise the community, remove from that community some options for economic development in a market economy if they chose to do so.⁸³⁷

What this illustrates is that an organisation like CSC has aligned them with a position that is supported within indigenous communities' world-wide.⁸³⁸ Graham Dutfield using a quote from the CEO of Monsanto said that, "Industry has identified a major problem for international trade; it crafted a solution, reduced it to a concrete proposal and sold it to our own and other governments."⁸³⁹

LPS: *Do you think there is any room for non-communal rights; is there any sort of protection for indigenous knowledge under the TRIPs?*

⁸³⁷ Interview with Craig Benjamin, op cit.,

⁸³⁸ International Alliance of Indigenous-Tribal Peoples of the Tropical Forests, and International Work Group for Indigenous Affairs.

⁸³⁹ James Enyart quoted in Dutfield, G. Biotechnology, Patents and the Life Science Industry. Draft Paper. September 2000.

CB: There is no room under the TRIPs agreement, the possibility that one could develop a national Sui Generis system, not of western individual property rights, but a system of indigenous cultural rights and indigenous cultural rights that would be first of all collectively held as opposed to individualised, intergenerational as opposed to a short market span notion of rights and disassociated from property and much more oriented towards the capacity of people to authorise the use of this knowledge, to maintain control not so much treated as a market commodity.⁸⁴⁰

The emphasis is on setting up a system that gives indigenous people control of their knowledge, not corporations. In essence, CSC sees the necessity in giving indigenous people the rights to control and determine the future of their knowledge resources.

LPS: How does your organisation try to build participation and encourage empowerment with the indigenous communities you work with in regards to knowledge protection?

CB: Some of the central issues around individual intellectual property rights is that it is not just a North/South issue but has to do with indigenous and local communities experiences and aims of those state governments. As you are interested in women, I will speak with them in mind. We try to act as a facilitator and to provide information about intellectual property protection. We try not to impose our views of how they should go about protecting their knowledge. Of course this is problematic, sometimes it is the women who do not want to commercialise the knowledge and the men do, however there are other issues other than gender dimension. However saying that, gender distinctions have been acknowledged by our organisation and many others such as WIPO, so clearly it is an issue. We really want to give women the power to decide what is best for them and their communities.⁸⁴¹

LPS: Giving them the power to decide means what exactly?

To educate them say about patents for example, and we feel this gives them the power to make their own choices and this is a critical step for self-empowerment.⁸⁴²

A final aspect of challenging the development establishment is to do with education and awareness raising, which are important parts of empowerment. As CSC recognized, this gives people the 'power to' make choices that they otherwise might not have. In 1989 the Overseas Development Agency issued this statement,

"Women hold the key to a more productive and dynamic society. If they themselves are more healthy and knowledgeable, if they have greater knowledge, skills and credit, they will be more economically

⁸⁴⁰ Interview with Craig Benjamin, op cit.,

⁸⁴¹ Interview with Craig Benjamin, op cit.,

⁸⁴² Interview with Craig Benjamin, op cit.,

productive. Even more, women are the dominant influence on the next generation, through their attitudes, their education and health.⁸⁴³

One of the problems with this type of logic is what 'education' is meant to achieve and once again we return to the marketplace as the answer to poverty. Yet, in four 'development decades'; the market has been incapable of addressing the problems of poverty. A GAD approach would argue that education must be about personal empowerment and change. It must also focus on women and preservation of culture and traditions and not only bringing women into 'productive' work. Finally, it must be about preserving their own knowledge and informing women that their knowledge is critical to the existence of their communities. At the same time it must recognise that this means accepting that the market and neo-liberalism is not going to go away. Education must become more focused on women following with much of the GAD philosophy.⁸⁴⁴

The state has an enormous responsibility in how it constructs gender relations and in turn how it goes about 'institutionalising methods to respect and protect women's knowledge.'⁸⁴⁵ Education and consciousness-raising are building blocks for social change and this needs to be the first step in order to build empowerment strategies that build capacity for women and their communities and strengthens women's knowledge.⁸⁴⁶ Education is a reciprocal process, which is as much about training development workers and government officials as it is about education in women's communities.

⁸⁴³ Cleves Mosse, J. Half the World: Half the Change (London: Oxfam publications 1993) p.158.

⁸⁴⁴ Heward, C. & Bunwaree, S. (editors) Gender, Education and Development: Beyond Access to Empowerment (London: Zed Books, 2001).

⁸⁴⁵ A quote from Stella Tamang when discussing Nepal and their policies towards women.

⁸⁴⁶ Townsend et al "Women voices..." op cit.,.

“Training and education and analysis are fundamental to self-empowerment as we understand it. A cognitive element is part of the process. ‘New knowledge is essential to arrive at a new understanding of gender relations and to destroy long-held beliefs which contribute so much to constructions of gender.’⁸⁴⁷

However, part of this empowerment process has got to be about organizations realigning and redistributing power. This could happen through a shift of where knowledge should start from and from what development need to learn from the women themselves. An interesting example from COMPAS follows:

‘Starting with their knowledge, their technologies, and some of their tools, and trying to evolve together with them was a rewarding approach. In this process, however, several partners also realized that their professional background made it difficult to free themselves from conventional approaches it proved difficult for them to fully appreciate the real meaning of indigenous knowledge. Formal science was the dominant paradigm and a pacesetter for development. From the formal perspective, indigenous knowledge and rural people’s cultures matter in so far as they fit into this dominant paradigm. Indigenous technical knowledge was given attention, validated, processed and judged by the standards, criteria and rules of conventional science’ And rural peoples’ knowledge was only considered relevant to the extent that it could be understood within the dominate paradigm.”⁸⁴⁸

What we can draw from the above quote is that while some development agencies are willing to learn from indigenous communities, this process is neither easy, instantaneous, or guaranteed because of the training, education’s and dominate paradigms in which development practitioners operate. However organisations such as CSC and COMPAS are starting from the right position, which are ‘willing partners who have institutional and structural ‘power over’,’ to empower, question and re-align their institutional frameworks if necessary.⁸⁴⁹

7.6 Strategies for Empowerment

It is important to recognise how challenging empowerment strategies in a globalise system really are. Is empowerment about manipulating levels of state bureaucratic

⁸⁴⁷ Stromquist quoted in Mercado, M. “ Power to do and to Make money.” In Townsend et al Women and Power: Fighting Patriarchies and Poverty (London: Zed Books, 1999).

⁸⁴⁸ Haverkort and Hiemstra “Food for Thought...” op cit., p. 12.

organisations? Ideally, yes. Empowerment is about shifting all existing levels of power. 'Empowerment is often associated with women, gender, health, education, and development'⁸⁵⁰ and, of course the relations of power and its shifting nature. Empowerment is important to this thesis and in particular this chapter because of the importance of building up a conceptual framework while empowering women at the micro level. This is an example of the practical aspect between agency/ontology and structure/epistemology which comes into play and where an ontological position supports the subjective knowledge of women while drawing upon human relations, social practices and processes which orthodox theories leave out of its analysis.

7.7 Functional Aspects of agency/ontology and structure/epistemology

As was argued in chapter two, this is where women as individuals and mainly as a group can work towards agency against global structures. It is the plural experiences of women, which are drawn together in order to achieve this agency. Chan argues that three steps towards broadening the discipline of IR are required in order to seriously open up this space for the possibility of agency.

1. "There needs to be *preliminary* emancipatory work by scholars in researching that which, from their different cultural foundations, is agreed to be right (or at least not evil); what is necessary for betterment and well-being in both moral and utilitarian terms.
2. There is a second step in understanding how each agreement might be constructed in terms of differing knowledge. There is a history and conditionality involved in how knowledge confronted modernity and internationalism, and what other cultures have sought to accept and reject from the west.
3. From such work, the idea of the international is delimited from its western enclosure of the world so that there is:
 - (a) A differentiation between an international system and the international society (or societies) that underpins or subverts it.

⁸⁴⁹ Henkel, H. & Stirrat, R. "Participation as Spiritual Duty..." op cit., p. 183.

⁸⁵⁰ Cheater, A. "Power in the Post-modern era" Cheater, A. (editor) The Anthropology of Power: Empowerment and Disempowerment in Changing Structures. (London: Routledge, 1999) p.1.

- (b) A series of 'enclosures' with doors seeking to lead onto a common courtyard of social mix, though not always homogeneity."⁸⁵¹

Chan is calling for a research programme, which is very applicable to the nature of my own work. It is valuable in the sense that it outlines some clear connections between the functional aspects of the agency/ontology and structure/epistemology problem in the discipline and how we can move towards resolving these issues to include culture and women.

Chan is calling for 'right ethics' in IR theory, first calling for an establishment of a plurality of cultural and (gendered) experiences in order to establish a heterogeneous framework. This framework will need to include the gendered experiences of women who share a 'commonality' of seeing eco-feminism and standpoint theories to express their theory into practice. The second step involves how 'an agreement might be constructed in terms of differing knowledge.' I would argue that we would need to accept many types of epistemologies, eco-feminism being one of them. This agreement could start from the point that each epistemology has something to offer the communities it represents, following on Chan's first point - this agreement could have a single starting point of recognising what is not evil or what is necessary for betterment. From the ontological starting point of the women this thesis has focused on, this would be 'protecting their knowledge' that would be a criterion necessary for their betterment.

Women have been confronted directly with modernity through development schemes for the last forty years. This is clearly an issue for my thesis as women have been told to

⁸⁵¹ Chan, S. "Seven Types of Ambiguity in Western International Relations Theory and Painful Steps

embrace knowledge from the west, that it would answer its development problems. Women have seen that this is simply not the case, in fact, what has happened is that modernist development schemes have actually eroded their knowledge in some cases. Women are willing to 'accept' some knowledge from the west, but have rejected the idea that their indigenous knowledge is 'secondary' to western knowledge. Now modernist development schemes are beginning to turn around and look at what indigenous women's knowledge can teach 'western experts.' This is a paradigm shift and there is no reason that IR, as argued by Chan, cannot begin to interrogate its universal framework and 'begin' to introduce a range of epistemologies.

It is important to follow Chan's suggestion that there needs to be some thought in how an 'international system' with its 'western enclosure' that includes mainly the experience of neo-liberal, neo-realist and radical enclosure of white, anglicised, heterosexual, economically privileged males to include the idea of international societies, which offers a multiplicity of experiences. As Harding acknowledges the way that women can add knowledge as 'outsiders' from the dominant, in this case, 'international system.'⁸⁵² Therefore this international society or societies would include a 'series of enclosures.' This thesis is calling for the acceptance of two key enclosures, that of eco-feminism and standpoint, and possibly many more interpretations, that can offer international society the ontologies and epistemologies of women from the micro level. Of course as Chan recognises, this will not necessarily lead to a homogeneous place but it could certainly result in some common ground.

towards Right Ethics." *Theoria: A Journal of Social and Political Theory* June 1997, p. 113-114.

⁸⁵² Harding, S. "Whose Science, Whose Knowledge..." op cit.,

According to Chan this research programme will help us not only ‘understand the ontologies of the oppressed’ but more importantly, ‘it needs also to assist the agency of those who struggle against domination.’⁸⁵³ Now this thesis will once again look at how women can work towards agency against the prevailing global structures. Where the functional aspect of prioritising ontology over epistemology opens up space for the subjective knowledge of women, who are using aspects of eco-feminism and standpoint in order to create agency that is necessary in fighting, managing and working with macro structures that have an effect on their knowledge.

7.8 Postcolonial states: definitions and differences

Many developing states come out of a post-colonial experiences and this section will discuss some of these differences and in turn how this has bearing in relation to this thesis. In order to discuss post-colonial states we need to have some understanding of the post-colonial experience; however, due to time constraints, this is not possible.⁸⁵⁴ As Rai and Lievesley argue the post-colonial state as well as civil society are ‘both complex terrains-fractured, oppressive, threatening, while at the same time providing spaces for struggle and negotiation.’⁸⁵⁵ In many post-colonial states, feminism has been linked with imperialism and has been seen as divisive by both men and women. On the African continent women have created a form of nationalist feminism where ‘motherhood’ is a strong part of this ideology. However feminism is often seen as ‘divisive to the struggle

⁸⁵³ Chan, S. “Seven Types of Ambiguity...” op cit., p. 114.

⁸⁵⁴ For a detailed discussion sees Rai, S. and Lievesley, G. Women and the State: International Perspectives. London: Taylor and Francis, 1996.

⁸⁵⁵ Rai, S. “Women and the State in the third world” in Rai, S. and Lievesley, G. Women and the State: International Perspectives. London: Taylor and Francis, 1996. P. 15.

for independence and national identity within Africa.’⁸⁵⁶ Stewart argues that many post-colonial African societies (and acknowledge this in Asian and Islamic societies) have clung to traditions. Often when women use state law to enforce their rights they can be seen as ‘anti-African, as imperialists, supporting a Western generated and supported philosophy of feminism, part of a tiny privileged minority, who have the capacity to undertake such alien activities at the economic and cultural expense of their country and heritage.’⁸⁵⁷ Therefore women in post-colonial countries have many other issues to deal with other than just trying to support their own rights with in the constraints of a post-colonial experience.

There are three main features of post-colonial states that are relevant to this thesis. First, many elites in the post-colonial state can act as ‘agents of social and economic transformation.’ “Through constitutions, laws and regulations, these states created a framework within which they sought to change and develop societies marked by the experience of colonial exploitation.”⁸⁵⁸ Second, is the ‘infrastructural capacity of the state is varied within both the global and the national context.’⁸⁵⁹ In other words if this infrastructure is weak, then this affects how decisions are implemented-for example, the ‘personal attributes of enforcers rather than the capacity of the state to ensure the implementation of its laws.’⁸⁶⁰ Finally corruption is key in many post-colonial states and this is particularly important in the ‘weak state’. Rai argues

⁸⁵⁶ Stewart, A. “Should Women Give Up on the State? The African Experience” in Rai, S and Lievesley, G. *Women and the State: International Perspectives*. London: Taylor and Francis, 1996. 39.

⁸⁵⁷ *Ibid.*, p. 39.

⁸⁵⁸ Rai, S. “Women and the State...” p. 15.

⁸⁵⁹ *Ibid.*, p. 15.

⁸⁶⁰ *Ibid.*, p. 16.

“As implementation of rules is undermined by endemic corruption working with- (in) the state is not always possible. Protest has to replace petition, and support mobilised outside the institutions and corridors of state power. This can bring women into confrontation with the state. At this stage rules of the political game can change significantly as the state no longer feasible to contain the demands of groups. The strength of the opposition as well as the mobilisation of state power against the opposition as well as the mobilisation of state power against the opposition will be important factors in the political struggle at this point. Visibility in confrontation is one thing that states try to avoid; gaining visibility is important for oppositional (women’s) groups.”⁸⁶¹

What has been demonstrated is some of the key differences between post-colonial states.

Now I would like to touch briefly on how different post-colonial states are than western liberal states, and how they affect women lives directly, citing several examples.

Rai argues that women in post-colonial countries are further removed from ‘state manifestations’ mainly due to the fact that the post-colonial state does not have the safety network that western states have and many women end up falling through. The second issue she identifies is that many ‘weak’ states do not disseminate information evenly or fairly as a western liberal state would. ‘Illiteracy and exclusionary social practices further exacerbate women’s isolation from the processes of the state.’ In the post-colonial state traditional family values are not challenged or disturbed even if they are harmful or unfair to women. Even when they are challenged by the state they are often difficult to regulate because of poor institutional changes. Another consequence of poor regulation is the high levels of state violence, and women in post-colonial states having fewer resources to deal with state violence. Some of these coping structures might be information, education and economic stability.

⁸⁶¹ Ibid.,p.16.

In turn civil society is not an open and democratic space as it may be in liberal states, instead it can be a “deeply fraught space with hidden and explicit dangers that lurk there in the garb of national, religious, and ethnic identities as fashioned by male-directed movements.”⁸⁶² Finally Rai argues that many post-structuralist arguments have been taken up against the state argument because of its embedded masculinity, which can be ‘positively dangerous’ as civil society can be as deeply masculine in its structures. “Third world women (and for that matter Western women) cannot look to one to oppose the other. Both spaces-of informal and formalized networks of power-are imbued with masculinist discourses; neither is ‘uncoerced’, however different the forms and mechanisms of coercion.”⁸⁶³

The state is not solely a liberal democratic system that has no gender identity and ‘would be as open to women’s demands as any other articulate interest group’. The structuralist view, believes that ‘women could expect to obtain nothing from the state and should rather work for its overthrow.’⁸⁶⁴ Instead there needs to be a middle ground that recognises the gendered nature of states and that states have different ways of incorporating or ignoring women’s interests, at the same time the state is affected by the political organisation of women and is not impermeable.

⁸⁶² Ibid.,p.17.

⁸⁶³ Ibid.,p.18.

⁸⁶⁴ Lievesley, G. “State of Growth? Women dealing with the State and Each Other in Peru” in Rai, S. and Lievesley, G. Women and the State: International Perspectives. London: Taylor and Francis, 1996. P.47.

7.9 0. Section two: Gender and National Bureaucracies

Often the state has claimed gender neutrality in its division of the public and private sphere. However, it is impossible for the state to separate the two; rather policy is seen as gender-neutral but it is gendered in its very nature.

“ By confirming and institutionalising the arrangements that distinguish the public from the private, states are involved in the social and political institutionalisation of gendered power differences... “This has practical implications for women and men’s experience of state development policy. Typically states have both assumed and construed women’s identity for public policy as being conditioned by their social relationships as dependants of men...”⁸⁶⁵

The state has been recognised as a gendered institution serving patriarchal interests. Women are beginning to recognise just how intrinsic men’s interests are in state and international organisation. Naturally this alters from state to state. “The project of institutionalising gender-sensitive policy, therefore, should be orientated to routinising gender-equitable forms of social interaction and limiting the possibilities for choosing discriminatory forms of social organisation.”⁸⁶⁶ Therefore, the state most definitely can be a force to liberate women from oppression through imposing public policy that is gender-sensitive. In order for states to protect women’s knowledge in the context of intellectual property regimes it would seem logical that gender must be integrated into state planning, and women need to participate heavily in the political process.

7.9 1. Mainstreaming Gender

“In the 1990’s, shifts in the conceptualization of WID/GAD issues are reflected in new approaches to the state as a vehicle for change. The focus has shifted from integration to institutionalisation, or ‘mainstreaming.’ Mainstreaming looks beyond the promotion of projects and programmes for women, to the consideration of gender issues across all sectors, ministries and departments. This in turn, may imply

⁸⁶⁵ Millar, C. & Razavi, S. “Missionaries and Mandarins,” op cit., p. 45.

⁸⁶⁶ Ibid., p. 45.

transformation of the institutional structures of government and the state and requires close attention to the links between national women's machineries and other areas of governments."⁸⁶⁷

National women's machineries (NWMs) were set up in the 1970's when the need to bring women specific development issues into government was recognized. What occurred over the next few decades were NWMs being marginalized within social and welfare departments of governments. In the 1990's many NWMs were moved into more prominent government departments such as finance. However, in some cases 'the rhetoric of gender mainstreaming is not always translated into practice and NWMs continue to conform to the old welfare-oriented model.'⁸⁶⁸

7.9 2. From Integration to Institutionalization⁸⁶⁹

The WID mandate called for the integration of women within development by setting up NWMs as the fundamental part of this integration. However, this strategy has been called into question as 'the emphasis on WID has resulted in the ghettoization and increased marginalization of women's issues.'⁸⁷⁰ Moser argues that setting up separate units to deal with WID and women's issues may have led to a reduction in actual resources that reach women.⁸⁷¹ Now integration or the 'adding on' of women has shifted to a focus on institutionalization or 'mainstreaming' of gender issues. This moves from 'gaining access' to transforming agendas.

⁸⁶⁷ Byrne, B., Koch Laier J., Baden, S., and Marcus, R. "National machineries for women in development: experiences, lessons and strategies for institutionalising gender in development policy and planning." (Institute of Development studies, BRIDGE report no 36, 1996) p. intro. i.

⁸⁶⁸ Ibid., p. intro. i.

⁸⁶⁹ Ibid., p. 10. This subheading is a subheading in the footnote.

⁸⁷⁰ Ibid., p. 10.

⁸⁷¹ Ibid., p. 10.

This is really a practical shift from WID to GAD, which involves entire modifications in the gender relations between men and women. Razavi and Miller argue that “Mainstreaming measures are intended to provoke gender-sensitive institutional, policy, and operational changes across the public sector in order to make responsiveness to women’s interests a routine part of each sector’s activities.”⁸⁷² This conceptual shift also involves changing the role of NWMs from ‘welfare-oriented projects’, which focus primarily on women, to institutionalization, which focuses on the wider issues of gender relations. Mainstreaming gender and policy development is very much about ‘politically chosen’ priorities. Goetz argues that true integration of gender into development plans and budgets should include:

...political and economic groundwork by WID/GAD advocates (thus requiring personnel with financial skills);

...top-level commitment to WID/GAD priorities;

...action programmes and earmarked funds for every planning sector;

...gender-disaggregated data and indicators dealing with issues such as physical security, reproduction health, political participation or legal rights;

...gender-specific quantitative and qualitative achievements targets and progress indicators at macro and sectoral levels.⁸⁷³

This macro economic framework has had varying degrees of success. One successful example is Chile, which has developed legal and constitutional change in order to protect women. They have encouraged participation in education for both men and women, as well as women’s access to employment, ‘promoting anti-sexist messages in the media and strengthening the public institutional apparatus for implementation and evaluation of

⁸⁷² Goetz, A. M. “Mainstreaming gender equity to national development planning” in Miller, C. & Razavi, S. (editors) *Missionaries and Mandarins* (London: Intermediate Technology Publications, 1998) p. 62.

⁸⁷³ *Ibid.*, p. 25.

equal opportunities policies.’⁸⁷⁴ This incorporates a gender standpoint because it looks beyond women and focuses on gender relations as well as race relations. However, in countries struggling with the uncertainty of economic pressures, many mainstreaming programmes have been suspended or once again women are targeted within welfare programmes.⁸⁷⁵ What this means is that once again, gender issues are not considered on a macro-economic policy level.

One of the main concerns of the 1980’s, which trend has continued up until now, is gender mainstreaming and good government. This was in part a result of decades of ‘repressive undemocratic and corrupt regimes’ that were criticised for the poor distribution of aid, which was attributed to ‘poor governance.’⁸⁷⁶ Up until now the ‘good governance’ debate has ignored gender issues.

7.9 3. Getting into Government

Lobbying government is an important part of the empowerment process as is the process of representing women at local and national levels. Returning to Nelson and Wright, it is necessary ‘for the marginalized group to gain treatment as equal partners in a process of development from people in such in situations, so that they have long-term access to resources and decision-making.’⁸⁷⁷ This is important to women as it delves into existing power structures and asks if ‘power to’ can lead to the possible notion of women gaining ‘power from’ which in turn results in those who have ‘power over’. As Nelson and

⁸⁷³ Ibid., p. 25.

⁸⁷⁴ Ibid., p. 25.

⁸⁷⁵ Ibid., p. 26.

⁸⁷⁶ The World Bank quoted in Ibid., p. 34.

Wright identify 'these analyses of 'power over' viewed power relations as coercive, centred in institutions in government.'⁸⁷⁸ In order for women to participate in politics, to gain 'power to', this means that this political 'power' is gained 'from' men. As Thakur argues this is about challenging deep-seated biases within government. Within the Indian Administration women are often given posts in the 'soft' sectors - health, rural development and education. "When women are brought into the domains of men, economics and finance, If women get a chance to work in male preserves they are given personnel, housekeeping and co-ordination jobs and invariably asked whether they have science and math qualifications. This is a question rarely put to a male."⁸⁷⁹ Kabeer argues that these 'gender intensified disadvantages' occur at every level and institutions need to be 'deconstructed' in order to identify 'gender relations and outcomes.'⁸⁸⁰

7.9 4. Local government

Decentralisation and a transfer to local government could benefit women. It could 'create spaces at local levels' and 'opportunities for more democratic governance.'⁸⁸¹ Increasing participation of women could eventually lead to greater transparency, which in turn means women would be able to hold local government accountable to their needs. Some of the constraints that have been uncovered, are that women who enter local government

⁸⁷⁷ Nelson and Wright, op cit., p.9.

⁸⁷⁸ Ibid., op cit., p. 9.

⁸⁷⁹ Thakur, S. "More Equal than Others: Gender Bias in the Constitution of Bureaucratic Merit in the Indian Administrative Service." In Kabeer, N. & Subrahmanian, R. Institutions, Relations and Outcomes: Framework and Case Study for Gender Awareness Planning (London: Zed Books, 2001) p. 117.

⁸⁸⁰ Kabeer, N. "From Feminist Insights to an Analytical Framework: An institutional framework on gender inequality." In Kabeer, N. & Subrahmanian, R. Institutions, Relations and Outcomes: Framework and Case Study for Gender Awareness Planning (London: Zed Books, 2001) pp. 16-19.

⁸⁸¹ Byrne, B., Koch Laier, J., Baden, S., and Marcus, R. "National Machineries for Women in Development: experiences, lessons and strategies for institutionalising gender in development policy and planning (Institute of Development studies, BRIDGE report no 36, 1996).

effectively become 'sociological males' through divorce, childlessness or other factors which separate them from experiencing gender divisions of labour-and thus practical needs.'⁸⁸² Being a successful politician often depends on adopting 'dominant modes of behaviour and priorities. This may make women reluctant to raise gender issues, given the few political 'rewards' expected from alignment with 'soft' sectors.'⁸⁸³ Another issues besides gender is class. 'Elite women may well act in solidarity with men of their class, and promote class interests over gender interests.'⁸⁸⁴ In Bangladesh, an affirmative action policy is in place. However, a study of 191 local female politicians showed that this does not necessarily mean a dramatic shift in equality. The Bangladeshi study showed that 'a majority of these women were not having much impact: they tended not to speak up in meetings, were unaware of the practical implications of their positions, and lacked knowledge about the problems faced by women in the constituencies.'⁸⁸⁵ However this is consistent with findings in India, which shows that a lack of awareness and effectiveness is higher when politicians are nominated as opposed to elect.⁸⁸⁶ argues that it is necessary to identify and address issues and problems for women. 'Reality checks' are needed in order to move from a 'gender blind' to a 'gender aware' policy and that 'rethinking assumptions and practices from a gender perspective does not necessarily lead to the adoption of practices which go straight to the heart of unequal relationships between women and men.'⁸⁸⁷

⁸⁸² Ibid., p. 35

⁸⁸³ Ibid., p. 35

⁸⁸⁴ Ibid., p. 35.

⁸⁸⁵ Qadir and Islam quoted in Ibid., p. 35.

⁸⁸⁶ Manidyamba quoted in Ibid., p. 35.

⁸⁸⁷ Kabeer, N. "From Feminist Insights to an Analytical Framework..." op cit., p. 37.

However, saying that, it can be argued that the opportunity of decentralization could further institutionalise issues of gender at the local level, which is very likely to have a direct impact on women's lives.⁸⁸⁸ Local governments are mainly responsible for education, health, and infrastructure. Women's roles as 'careers' make them the main benefactors of services on behalf of their families in many instances. Decentralisation might lead to a more equitable distribution of power and in which local authorities can meet the needs of women and in turn women will have more control over how these needs are met.⁸⁸⁹ Promoting women's involvement in local government through decentralisation could result in clarifying issues at a local level, while allowing more space to address larger societal/gender concerns at the national level.⁸⁹⁰ According to Bryne et al,

"In theory, local government may provide a platform for the political participation of groups who are too small and weak to influence central government. This can be beneficial for women given their limited and weak public political participation in many developing countries. However, in practice, local government is often more hierarchical than other levels of government and strong local interests groups act as barriers to women's entry."⁸⁹¹

Bryne et al, argues that emphasis needs to be placed on awareness raising, training for female candidates, building links between women NGOs and women's local government and looking at finding ways of providing adequate childcare, instead of just focusing on improving representation through seat reservations.⁸⁹² Now the focus will turn to central decision making powers to investigate if this is a more optimistic route for women.

⁸⁸⁸Byrne, B., Koch Laier, J., Baden, S., and Marcus, R. "National Machineries for Women..." op cit., p. 35.

⁸⁸⁹ Ibid., p. 35.

⁸⁹⁰ Ibid., p. 30-50.

⁸⁹¹ Ibid., p. 39.

⁸⁹² Ibid., p. 40.

7.9 5. State based institutions for gender equity

Incorporating gender equity into the state apparatus is perhaps one of the most important ways of protecting women's knowledge at a macro-level. It challenges epistemic conceptualisations and helps free the ontological space of women's situations and women's knowledge. Recently, many Southern and Northern countries have instituted departments for gender equity, and ministries and minister of gender into their departments. This has opened a political space for women to voice their opinions and concerns. Areas that have evolved are law making in areas such as violence against women, better maternity and child care benefits and increasing women's rights in all areas of public policy.

When we are referring to 'power over' in governments for example, Townsend et al argues "that power, even 'power over', is about far more than decision making, for the most efficient forms of oppression are hidden and unconscious, and 'the most effective and insidious use of power is to prevent...conflict arising in the first place.'"⁸⁹³ This is to prevent even 'thinking' about the full participation of women into all aspects of government. In order for women to have full access to decision making, this is of course difficult as governments are patriarchal and men are the universal point of reference. Moser argues that, 'management support structures' must be in place in order for GAD to be implemented into national policy mechanisms. Otherwise, GAD will be seen as a drain on resources rather than seen as building up the profile of ministries.⁸⁹⁴

⁸⁹³Townsend et al "Women and Power..." op cit, p. 27.

“Organisation and mobilisation behind a separate agenda (woman’s agenda) is essential if such gains are not to be relegated to secondary status, or sacrificed as other priorities come to the fore.”⁸⁹⁵ However, when WID/GAD is implemented, NWMs often suffer from underfunding and are not seen as a great priority within the overall bureaucracy.⁸⁹⁶ Again this goes back to the fact that WID/GAD challenges traditional structures and the “deeply embedded gendered conventions in public bureaucracies, where women’s needs are largely seen as a matter for private provision, not public administration.”⁸⁹⁷ Gender programs are seen as soft issues and are often the first to go during budget cuts.⁸⁹⁸ Part of the problem with empowering women’s knowledge/intellectual property is the fact that male-dominated bureaucracies are responsible for the decline in the status of women.⁸⁹⁹ While WID with its welfare-oriented nature was easier to introduce into national planning, GAD on the other hand with its gender transformative conceptualizations faces much more resistance.⁹⁰⁰ Resistance to GAD is not only a reaction to structures, but is also a response to the means in which GAD may be seen to have individual consequences for those working in bureaucracies. “Gender redistribution politics are as conflict-laden as any other redistribution issues but are subtle in the personalised resistance they incur and complex in their confusion with cross-sex interpersonal relations.”⁹⁰¹ Men often feel that they have been demoted when they are placed in WID/GAD departments.⁹⁰² Jahan

⁸⁹⁴ Moser, C. Gender Planning and Development. Theory, Practice and Training (London: Routledge, 1993).

⁸⁹⁵ Third World Politics, op cit., p. 245.

⁸⁹⁶ Byrne, B. et al. “National machineries for women...” op cit., p. 16.

⁸⁹⁷ Miller, C. & Razavi, S. (editors) Missionaries and Mandarins: Feminist Engagement with Development Institutions (London, UK: Intermediate Technology Publications Ltd., 1998). p. 81.

⁸⁹⁸ Bryne et al. “National machineries for women”... op cit., p. 16.

⁸⁹⁹ Visavanathan, N “ The Gender, Women and Development Reader” op cit., p. 13.

⁹⁰⁰ Bryne et al. “National Machineries for Women”... op cit., p. 22.

⁹⁰¹ Staudt quoted in Ibid., p. 22.

⁹⁰² Moser, C. “Gender Planning...” op cit.,

argues that there are many factors involved in the disappointing results for women at national levels. She maintains that one of the reasons the last twenty years have not brought substantial changes is the reality that in spite of 'increasing the number of WID projects and programmes, poverty and inequality continued to grow, as donors and their development partners failed to identify the structural causes.'⁹⁰³ She states that even when governments did learn 'major lessons' they were often ignored and donors would continue to underemphasize issues, such as the importance of reproductive labour.⁹⁰⁴

This is where 'power over' comes in which involves political decision-making access within public forums. As discussed earlier it is about the marginalized group (women) gaining access as 'equal partners' so they have 'long-term access to resources and decision-making.'⁹⁰⁵ In this model of empowerment, power is viewed as a finite commodity in a closed system. If one party gains power this is at the expense of someone else. In many bureaucracies men sense the shifting balance of power away from them.⁹⁰⁶

Mainstreaming⁹⁰⁷ GAD issues into government policy has had a range of success. National women's machineries have begun to move into central decision-making locations, such as ministries of planning or finance. The incorporation of gender into government planning is essential and women need to take an active role in both local and state level government, policy that takes 'gender issues seriously and devote time and resources to these issues more likely to promote and protect women's knowledge.'⁹⁰⁸

⁹⁰³ Jahan, R. "The Elusive Agenda..." op cit., p. 75.

⁹⁰⁴ Jahan, R. "The Elusive Agenda..." op cit., p.

⁹⁰⁵ Nelson and Wright, op cit., p. 9.

⁹⁰⁶ Byrne, B. "National Machineries for women..." op cit.,

⁹⁰⁷ Ashworth, G. "Model actions to strengthen National Women's Machineries' paper written for the Commonwealth Secretariat, (London: Commonwealth Secretariat, 1994).

⁹⁰⁸ Interview with Stella Tamang, op cit.,

Kabeer and Subrahmanian argue that while considerable progress has been made at the policy level this does not necessarily always result in 'gender equitable outcomes lower down the policy process.' They agree that this is because power is densely concentrated and difficult to diffuse.⁹⁰⁹

However, participation of women in national politics is dismal. Tanzania is better (13 per cent of decision-making jobs and 16 per cent of ministerial-level positions), and Bangladesh is (3 per cent of decision-making jobs and 2 per cent of ministerial-level positions.)⁹¹⁰ Jahan argues that even though Tanzania has a lower GDP, their progress in areas of women's education and health was due to 'macro and social sector policy rather than their WID policy differences.'⁹¹¹ While women's participation increased in both countries through the reserved seating system, it was the priority of social sector investment that made the difference. Of course, the thesis cannot engage in this debate but only wants to point out that implementing WID/GAD has been difficult and problematic and is still an 'elusive agenda'. Jahan argues that what has been learnt is that 'the woman's movement' is instrumental in women's empowerment⁹¹² and 'establishing links with NGOs can provide a channel for the participation of disadvantaged groups.'⁹¹³

⁹⁰⁹ Kabeer, N. and Subrahmanian, R. "Following through the process..." In Kabeer, N. & Subrahmanian, R. Institutions, Relations and Outcomes: Framework and Case Study for Gender Awareness Planning (London: Zed Books, 2001), p. 343.

⁹¹⁰ This is a global phenomenon in Canada (6 per cent of decision-making jobs in all ministries and 17 per cent of ministerial-level positions).

⁹¹¹ Jahan, R. "The Elusive Agenda..." op cit., p. 99.

⁹¹² Ibid., p. 100.

⁹¹³ Byrne, B. et al "National Women's Machineries..." op cit., p. 45.

7.9 6. Links between government and NGOs

A strategy that has met with a good degree of success is forming links and consultations between national women machineries and NGOs. Of course this will vary from state to state, but what this does, is support an outside mechanism that can monitor and consult with government.

“In the Philippines, the NGO community plays an essential role in supporting the mainstreaming of women in government through a network of national government and non-governmental organisations. The alliance consists of some 300 national women’s NGOs and umbrella organisations, including gender workers in government. The women’s movement thus plays an advisory, consultancy and monitoring role in relation to government activities.”⁹¹⁴

The UN states:

“The appointment of former NGO leader, most of whom are women, to critical social services agencies has not only forged closer working relationships between government agencies and NGOs, but has also advanced the cause of women in the sense that there seems to be a shift from merely the integration of women in developmental efforts to one of equality between men and women.”⁹¹⁵

According to Victoria Tauli-Corpuz commenting in regards to The Philippines,

“Yes, it is a positive step, but this does not mean that we have achieved our targets of protecting women’s knowledge, women⁹¹⁶ have always had problems achieving their goals, the government may be starting to listen, but we have to be careful the NGOs still have autonomy to make independent decisions concerning women’s issues.”⁹¹⁷

Victoria agrees that it is moving in the right direction but women also need to develop their own strategies that work inside and outside of government bureaucracies.⁹¹⁸ In many ways Victoria has reason to be cautious as, ‘intellectual property has always depended on sovereign power and more recently nation upon state power, a power not generally in favour of indigenous people.’⁹¹⁹ As Lame Futah stated, “We need to tell our governments how to protect our knowledge rather than the other way around, as we know

⁹¹⁴ Ibid., p. 23.

⁹¹⁵ UN quoted in Byrne “National Machineries...” op cit., 32.

⁹¹⁶ As an Indigenous woman and as an activist for indigenous rights, Victoria knows how hard her communities have fought to have any type of recognition from the government.

⁹¹⁷ Interview with Victoria Tauli-Corpuz, op cit.

⁹¹⁸ Ibid.

⁹¹⁹ Bodley, J. Victims of Progress (Mountain View, CA: Mayfield Publishing company, 1990).

what is best for ourselves and our communities.”⁹²⁰ A general problem is that when women meet in building organisations at the national level it illustrates how unsuitable and unattractive the political structures are to women.⁹²¹

Ranjani Murthy argues that NGOs, ‘in theory, have a comparative advantage over government in bringing about gender-aware societal change, as they have greater flexibility than the government to define rules and practices, recruit people and distribute resources in favour of women.’⁹²² Keeping in mind that in theory does not always translate to practice, she discusses the necessity of gender awareness, as according to her, the majority of development training programmes continue to be gender-blind.⁹²³

Murthy argues that the need for ‘mainstreaming’ extends beyond governmental organisations to non-governmental organisations as well. She believes from her extensive experiences working with Indian NGOs that it is;

‘necessary to incorporate gender concerns within general development training programmes-not just within areas allocated to women staff of NGOs such as health and education, but also within sphere allocated to male staff such as agriculture, environment, structural adjustment and its impact, planning, monitoring and evaluation, organisation development etc. This is important from the point of view of mainstreaming gender within organisations, as well as from the viewpoint of sensitising those hard-liners (mainly men) at leadership levels, who will not attend exclusive gender training programmes.’⁹²⁴

While this may seem somewhat obvious it is not necessarily occurring. Murphy argues that many ‘Indian NGOs reflect gender hierarchies in societal institutions.’⁹²⁵ This is why training is necessary and cannot be assumed. In areas like agriculture it is a known fact

⁹²⁰ Interview with Lame Futah, op cit.

⁹²¹ Zapata, E. “Levels of Power: From the person to the world.” In Townsend, J. et al. Women in Power... op cit., p. 162.

⁹²² Murthy, R. “Gender Training Experiences with Indian NGOs.” In Kabeer, N. & Subrahmanian, R. Institutions, Relations and Outcomes: Framework and Case Study for Gender Awareness Planning. (London: Zed Books, 2001) p. 362.

⁹²³ Ibid., p. 362.

⁹²⁴ Ibid., p. 386.

⁹²⁵ Ibid., p. 386.

that women do a vast majority of work and are almost always paid less even when performing the same tasks.⁹²⁶ This is where gender training could make an impact.

It is important to note that when dealing with macro structures both government and non-governmental organisations can be instrumental in facilitating support mechanisms to protect women's knowledge.

7.10 Women Healers and State intellectual property protections

Some women support the idea of protecting their knowledge through non-market approaches.⁹²⁷ Why are women interested in non-market as opposed to market solutions? As Brush argues, 'applying the customary tools of intellectual property (patents, copyrights, trademarks, trade secrets, and plant variety protection) to indigenous knowledge is more likely to do more harm than good.'⁹²⁸ One scheme that is talked about is that states could acknowledge their biological resources and set up some form of a registration system. Presently, Thailand is drafting legislation in this area where traditional healers register ancestral medicines. Naturally the US State department, stating that it could impede medical research challenged this.⁹²⁹ If indigenous women's knowledge were to be registered, a registration system would mean the North could not claim this knowledge as novel or as its own, and ignore the place of indigenous women's knowledge in the process. This way pharmaceutical companies with their ongoing

⁹²⁶ See Kapadia, K. "Every Blade of Green: Landless Women Labours, Production and Reproduction in South India." In Kabear, N. & Subrahmanian, R. (editors) Institutions, Relations and Outcomes: Framework and Case Study for Gender Awareness Planning (London: Zed Books, 2001) pp. 80-102.

⁹²⁷ Brush, S. "A Non-Market Approach to Protecting Biological Resources" in Greaves T Intellectual Property Rights for Indigenous Peoples (Oklahoma: Society for Applied Anthropology, 1994).

⁹²⁸ Ibid., p. 133.

⁹²⁹ Ibid.

interest in medicinal plants would have to acknowledge that rights to this knowledge have been already granted. This kind of system could also acknowledge the processes behind the practice as indigenous women's knowledge in its own right. It could also mean that women could work in collaboration with NGOs, conservationists, or research institutes to set up viable alternatives to protect their knowledge. This will be discussed later.

7.11 The state as leader in the environmental process

States come together and negotiate environmental treaties and environmental conventions. However, the slaughter of indigenous peoples, whether it is the Chiapas in Mexico, or the blatant disregard of Mayan interests in Guatemala, shows that the state in these situations often has a very repressive role toward the interests of indigenous women. When I interviewed several Chiapas leaders,⁹³⁰ they said a patriarchal and oppressive government has no room to recognise women's knowledge or any other types of indigenous rights. At the same time, globalisation has limited the role of the state but it has not diminished its role altogether. In fact, this is often a neo-liberal myth. There is some space to pressure nations to respect women's rights; it is certainly not an easy process. As Lane Fudah argues, "states make promises at conventions, however, they are easily forgotten."⁹³¹ Victoria Tauli-Corpuz (discussing the CBD) says,

"The Philippines is supposed to be one of the states that honours indigenous rights and women's rights. It is being held up as a good example, yet if you look beyond the rhetoric you see the true track record; a state that has displaced people to serve the interests of multinational mining corporations. They have never protected the rights of women, only now it is convenient to say so."⁹³²

⁹³⁰ Interview with Sr. Porfirio Encino Hernandez, Secretary General of *Campesinos de Produccion Rural Chiapas*. & Ing. Ernesto Landron de Guevara Alafita, Director of *Union Nacional De Organizaciones Regionales Campesinas Autonomas*. At the CBD, May 11, 1998.

⁹³¹ Interview with Lane Fudah, op cit.,

⁹³² Interview with Vicky Tauli-Corpuz, op cit.,

However, many low-income states within the TRIPS are not fighting and questioning the overall neo-liberal agenda. States can and are being pressured to recognise the interests of women and the rise of gender bureaucracies are evidence of this.⁹³³ The CBD states; ‘Governments should recognise and foster the traditional methods and knowledge of indigenous people and their communities, emphasising the particular role of women, relevant to the conservation of biological diversity and the sustainable use of biological resources, and ensure the opportunity for participation of those groups in economic and commercial benefits derived from the use of such traditional methods and knowledge.’⁹³⁴

Again the role of the CBD will be discussed later in the chapter, but it is interesting to note that governments are being ‘urged’ to recognise indigenous rights.

Rowlands argues that empowerment processes have three levels, the personal involves ‘developing confidence and abilities,’ the second, ‘is the ability to influence close relationships’ and the third, involves ‘working collectively to have greater impact than each other could have alone.’⁹³⁵ This is closely in line with what Stella Tamang felt the empowerment process to be. Stella Tamang feels it is a layered process. ‘At the local level we come together, make friends and develop confidence and knowledge, then we are able to influence relationships at a higher level, like the national level, and finally we

⁹³³ Interview with Lucrecia Pisquil, op cit.,

⁹³⁴ Statement from, The United Nations Conference on Environment and Development, 1992, Rio de Janeiro.

⁹³⁵ Rowlands quoted in Nelson and Wright, op cit., p. 8.

realise the need to really work together and the power of organisation and networks. Empowerment is a long and difficult process.⁹³⁶

Women's groups have realised that building up regional and national networks are extremely important in working collectively toward knowledge protection. Building up national and regional associates is essential but often this can be done while lobbying local and national governments, but not always. Often 'political institutions are reluctant to let women in and are dominated by men.'⁹³⁷ Therefore women need to build alliances that extend beyond local or national boundaries.

7.12 Regional and national levels

The 'transnationalization of feminism' has meant that NGOs have moved into 'niches left empty by the withdrawal of the state.'⁹³⁸ Zapata, referring to her work with women's groups in Mexico, states:

"all the groups lack power at the national level to transform society or convince it of the need for change. But the power they know they have is the power to understand, and to know what they have done so far. They have managed to get out of the house, join other women and together demand a place in decisions by the community, the country and international organisations."⁹³⁹

This is important as for many women the road towards empowerment is realising their powerlessness. In seeing this begin to come together and realise that 'a sense of the whole being greater than the sum of the individual, especially when they tackle a problem together.'⁹⁴⁰ Rowlands argues that women have the ability to 'achieve great things and to

⁹³⁶ Interview with Stella Tamang, op cit.

⁹³⁷ Alberti, R. "Power over: Domination, Oppression and Resistance." In Townsend, et al, op cit., p.141.

⁹³⁸ Zapata, E. "Levels of Power: From the person to the world..." op cit., p. 161.

⁹³⁹ Ibid., p. 161.

⁹⁴⁰ Rowlands quoted in Townsend et al, "Empowerment Matters..." op cit., p. 33.

take charge of their own empowerment processes.’⁹⁴¹ Of course, ‘informal power’ is often of significant importance. It may not go through bureaucracies or formal channels but nevertheless it is paramount. Many of the informal links with ‘officials’ of all types are just not available for women.⁹⁴²

Mia Siscawati argues that this is where creating alliances and setting up networks are essential. Mia Siscawati’s NGO has joined the Bio-forum, a coalition of 60 NGO’s working on the Bio-diversity watch in Indonesia. She states that, “as an emerging network on Bio-diversity, Bio-forum can act as a positive force in pressuring and influencing government policies, concerning women and indigenous peoples.”⁹⁴³ Mia Siscawati also believes that it is necessary to incorporate women from the village, not only women who are working for grassroots NGO’s. For Siscawati empowerment is ‘having the opportunity to work together with other women and have options to protect their knowledge, under their own terms.’⁹⁴⁴

Victoria Tauli-Corpuz is a leading international figure in the debate of women and intellectual property rights. She argues that there are several problems with setting up strategies for protecting women’s knowledge against intellectual property rights.

She states, ‘If the main caretakers are so dis-empowered and cannot take a place in the political process then this will be debilitating. Empowerment on the local level is essential when thinking of taking it to the national level. Even if the government agrees with Article 8 (j)⁹⁴⁵ at the negotiating table, at home we have to fight against the government every day which is so violative of our rights.’⁹⁴⁶

⁹⁴¹ Ibid., p. 32.

⁹⁴² Ibid.

⁹⁴³ Interview with Mia Siscawati, op cit.,

⁹⁴⁴ Ibid.

⁹⁴⁵ Article 8(j) recognises indigenous knowledge in international law.

⁹⁴⁶ During our interview I ask Victoria two questions, 1) Women are the caretakers of IP and have fewer political powers than men will this make it more difficult to protect? 2) Is this especially true of patriarchal or repressive governments? This was her response.

While government policy shifts from state to state, most governments *still* have little desire to negotiate with indigenous people. In fact, many countries were outraged when indigenous groups appeared as participants at a CBD working group. Many governments do not want to see this issue raised at all. Giving indigenous groups this type of power moves into the territory of the state. Clearly the state will have much more to give. Mia Siscawati speaking of her own country puts it like this, 'Indonesia does not want indigenous people involved or part of the process, it means they will have more international pressure concerning their position of not recognising indigenous rights. If Indonesia had their way, indigenous people would have no say whatsoever.'⁹⁴⁷ Mia Siscawati's organisation has decided to concentrate their efforts on the international level as they feel their own governments are not listening. This has proven to be a powerful avenue.

7.13 International organisations

Jahan argues that women's participation in international organisations has grown steadily. This is evident by;

- Women's increasing participation in different people's movements and organisations;
- Women's leadership of non-governmental organisations and of various struggles for the rights of marginalized groups; and
- Women's initiatives to direct world attention to peace and democracy and a people's centred view of development.⁹⁴⁸

⁹⁴⁷ Interview with Mia Siscawati, op cit.,

⁹⁴⁸ Jahan, R. "The elusive agenda..." op cit., p. 113.

Some of the approaches women are involved in at an international level are the CBD, the WIPO indigenous working group and the GNGO movements. Building international alliances and networks is important.⁹⁴⁹ The CBD is a forum that is relatively transparent and women have been able to use this forum to set up international networks.⁹⁵⁰ This is the first time women have had a separate forum on indigenous women's knowledge, and biological diversity and gender became an issue at the CBD. There were also informal working groups of indigenous women. The question being, is the CBD an open forum for women? Here are the responses of two women I interviewed.

MS: This is the first time I have heard the voices of indigenous women at the CBD, which is a start, but it depends on what comes out of this for us. It is a way to get our issues heard, perhaps, but only time will tell.⁹⁵¹

VTC: Yes, to the extent that you can come and say these things. There is that kind of space, but I don't think it is that significant that government will listen to you. The problem with indigenous women is our governments are in cooperation with firms and because of their own interest they violate many of our rights over our communities and our resources.⁹⁵²

Although both Mia Siscawati and Victoria Tauli-Corpuz express some reservations, in many ways it is certainly one of the best international organisations to approach, primarily due to Article 8 (j). Although the CBD is very much an international agreement in its structure, it is beginning to show signs of really making an effort to incorporate indigenous voices. Therefore, it could have positive affects on women's knowledge. The CBD recognises the links between the conservation of bio-diversity and the role of indigenous communities. In recognition of this important link the CBD set up a working group in Madrid, Spain, in November 1997. It was an important step because for the first

⁹⁴⁹ There are many other important networks such as Agenda 21 and the UN women's fora, but this thesis does not examine these structures, due to time constraints. They are, however, important to women on international levels.

⁹⁵⁰ This will be discussed in greater depth later.

⁹⁵¹ Interview with Mia Siscawati, op cit,.

time indigenous leaders and government representatives were given the same status at the negotiation table. This is an extremely important advancement for indigenous people, because so far in international trading arenas, it is only the nation state that has had any 'real' bargaining power. Article 8(j) has positioned the CBD as a primary arena for negotiating indigenous rights.⁹⁵³ David Downes, who was a member of the CBD secretariat, claims that the reason why indigenous peoples were able to achieve so much is because they were a unitary organised force, that were aware of the issues and knew what interests they wanted to achieve. Following a strong turnout and vocal presence at the Conference of Parties, III in Argentina, indigenous peoples and grass roots organisations pressured the Conference of Parties to take their concerns seriously. This began the process of implementing Article 8(j) of the CBD, which calls on contracting parties to,

“ respect, preserve and maintain knowledge, innovations and practices of indigenous people and local communities... relevant for the conservation and sustainable use of biological diversity... with the approval and involvement of the holders of such knowledge, innovations and practices...”⁹⁵⁴

As seen by many indigenous groups, this is one of the strongest commitments to international law. The conference makes reference to the approval and involvement of indigenous groups. However, there has been little progress on implementing the specific terms of Article 8(j). At the Conference of Parties (COPVI) there were calls to implement an open-ended working group. However, if and when this is established it may hopefully be a step forward for indigenous groups.

⁹⁵² Interview with Victoria Tauli-Corpuz, op cit.,

⁹⁵³ Bragdon, S. & Downes, D. “ Recent Policy Developments...” op cit.,

7.14 World Intellectual Property Organisation

WIPO is beginning to take a more active role concerning indigenous knowledge and intellectual property. WIPO has set up the Global Intellectual Property Issues Division (GIPID) and is presently conducting fact-finding missions on the intellectual property needs, rights and expectations of traditional knowledge holders, as well as holding a round table on indigenous intellectual property. Shakeel Bhatti who works at WIPO, recognises that there may be “specific needs related to indigenous women.”⁹⁵⁵ He also believes there is a very strong gender dimension to traditional knowledge and its transmission. However, it is not yet clear how this can be taken into account.⁹⁵⁶ At the moment they are setting up a basic conceptual framework so that member states could then make decisions on perhaps setting up an international treaty, which has started with WIPO holding regional consultations on the protection of folklore.⁹⁵⁷ One of the problems with negotiations is the fact that there are so many diverging views and interests being brought to the table. That is why some groundwork and investigation of knowledge needs to be done before any solutions are to be proposed. The women I interviewed claim this type of international forum is welcomed. However, the compilation of documentation on the round table on intellectual property and indigenous peoples held in Geneva on July 23 and 24th, 1998 does not deal with issues of gender. An important part of empowering women is ‘de-institutionalising male preference’⁹⁵⁸ which, of course, means institutionalising a political space for women. One of the problems

⁹⁵⁴ UN “Convention on Biological Diversity” 4-15 May 1998 (COP/4/1) (Official documents United Nations Environmental Programme, Bratislava).

⁹⁵⁵ Interview with Shakeel Bhatti, Associate Officer, Global Intellectual Property Issues Division, Geneva, Switzerland, Interview took place in Geneva at the World Intellectual Property Office, May 11, 1999.

⁹⁵⁶ Ibid.

⁹⁵⁷ WIPO Compilation of the Documentation on the Roundtable on Intellectual Property and Indigenous Peoples (Geneva: WIPO, 1998).

being the wide scope of WIPOs mandate does not excuse its absence of gender. While WIPO claims it recognises the importance of the gender dimension, as an organisation it must be willing to incorporate gender as part of its agenda. One option that Shakeel Bhatti mentioned is the possibility of an international treaty on indigenous rights.⁹⁵⁹ While this type of arrangement is in its early stages, it is one possibility in the further protection of women's knowledge. This will mean a serious discussion of gender and at the moment the organisation is unable to take this on board. However, these types of international arrangements are often ambiguous and ambivalent when it comes to setting up an agreement that incorporates women, and this returns to the primary place of the state at international negotiations.

7.15 Pressuring TRIPS towards a more gender equitable structure.

This section will review some of the changes the WTO has made due to the pressure brought by organised global civil society. It will also outline what else needs to be done in order to make the TRIPS more transparent. Even so, a complete restructuring of TRIPS will not change its inherent biases towards trade liberalisation and its slant towards northern government/corporate interests. However, for the first time in its short history, the WTO held symposia on Trade and the Environment, and Trade and Development. The objectives were to "increase awareness and understanding of government positions and NGO concerns by providing participants with an opportunity to improve their understanding of how the WTO works and how the organisation is addressing the issues

⁹⁵⁸ Miller, C. & Ravazi, S. (editors) "Missionaries and Mandarins..." op cit., p. 80.

⁹⁵⁹ Interview with Shakeel Bhatti, op cit.,

of trade and environment, and trade and development.”⁹⁶⁰ The participants included NGO representatives, academics and officials from government and intergovernmental agencies. The pressure from NGOs and the backlash that occurred after the ratification of TRIPS has forced the WTO into a dialogue with the NGOs in civil society and has increased its transparency. Several measures have been taken. This includes:

- scheduling regular briefings on WTO activities for NGO representatives in Geneva;
- establishing a NGO section on the WTO web site;
- making NGO documents available to WTO members governments;
- proposing the accelerated de-restriction of almost all WTO documents;
- discussing initiatives for earlier publications of dispute settlement panel reports;
- proposing the creation of an informal structure to establish regular dialogues with civil society.

This is encouraging for two reasons: one, it shows that the WTO is not as impermeable as first anticipated. Two, there is a possibility that this type of openness could be pushed even further in regards to protecting, or at least not allowing, the monopolisation of women’s knowledge, although the TRIPS can never in the context of this thesis be a gender equitable institution that incorporates women’s knowledge alongside its neo-liberalist agenda. While it is encouraging to see the WTO incorporate NGOs when it at one time said it was a strictly a multilateral trading agreement. Yet no formal changes have been made, no formal submissions from NGOs have been made, and there are no plans for this to happen in the future. There is still no process to give NGOs ‘proven competence’ in the workings of the WTO. Finally, at this time the dispute mechanism is still strictly a process accessible to states.⁹⁶¹ However, the WTO is starting to understand the amount of criticism it faces and may well try to appease NGOs by making cosmetic changes. However, real institutional change in the favour of women is unlikely.

⁹⁶⁰ Assessed on the WTO website on May 13, 2000 at www.WTO.org/wto/new/press123.html.

7.16 The global non-governmental organisation (GNGO) movement

“At their worst, NGOs are mere reflections of the interest of the powerful. At their best, they are institutional nodes around which oppositional logics are developed and popular resistance to inequality and injustice is mobilised, organised and implemented.”⁹⁶²

Women have begun mobilising their causes on an international level as never seen before. As stated earlier the withdrawal of the state has opened up new space for NGOs. According to the Third World Network, 1000 NGOs have signed a petition to limit the WTO patenting of any life forms since the protests in Seattle.⁹⁶³ This is one of the positive aspects of the globalisation process is the ability for people to organise themselves on a massive scale. Resistance to intellectual property and the TRIPS agreement has been a primary target. One of the problems is that the WTO is representing nation states, and multinational corporations influence national economic policy. However, much of the protest against intellectual property rules has been directed at the WTO. The benefits of the GNGO movement are that it has created a “space for a large variety of women from the grass roots who are most affected, to voice their concerns in international forum.”⁹⁶⁴ What the GNGO movement does is build awareness, creates global links and often organises international lobbying groups. Although there are major obstacles with the campaign against intellectual property, many of the indigenous groups have different needs and desires and this can create problems. The most effective

⁹⁶¹ This information is paraphrased from a web site, www.192.197.196.001/trade/wto/wtoreport.html.

⁹⁶² Kloppenburg, J. and Gonzales, T. “Between State and Capital: NGOs as Allies of Indigenous Peoples.” In Greaves, T. Intellectual Property Rights for Indigenous Peoples. A Sourcebook (Oklahoma: Society for Applied Anthropology, 1994).

⁹⁶³ www.twn.org

⁹⁶⁴ Braidotti, E. et al, “Women, the Environment and Sustainable Development...” op cit.,

way of knowledge recognition and protection is by lobbying and using pressure tactics to make sure this issue makes its way into policy decisions. Again, this can happen with the joint efforts of larger NGOs as women GROs often lack the financial and social resources and political experience to make an effective impact on public decision-making.⁹⁶⁵ Women's groups and community groups understand the necessity for this type of organisational behaviour. One example is a campaign put together by the Third World Network who is pushing for WTO member countries to 'break the stalemate' and press for revision of Article 27.3 (b) as soon as possible. This pressure is needed now, because 'the review is the only chance to change this provision that allows for patents to be granted on life forms.' The transition period has expired, meaning 'developing countries now must legally implement 27.3 (b) or face taking the dispute to the settlement body of the WTO.' Now many Northern patent offices are 'granting patents on life-which is being used to facilitate the theft of biological resources and traditional knowledge from the South. The monopoly control over such essential resources will also have tremendous impact on food security and the livelihoods of farmers and communities.'⁹⁶⁶

Third World Network is calling for the following action:

Sign on to the Joint NGO Statement on the review of Article 27.3 (b)
Help disseminate this Statement, and ask others to sign on to it.
Join in the global campaign against No Patents on Life.
Tell us about your campaigns and actions.⁹⁶⁷

This is an example of the action of one NGO but it demonstrates how effective the use of the Internet is to mount global campaigns.

⁹⁶⁵ Ibid., p. 77.

⁹⁶⁶ *Seedling: The Quarterly Newsletter of Genetic Resources Action International* 09/05/01 assessed on www.grain.org/publications/dec00/dec00spi/html

7.17 GNGOs creating links

GNGOs have lobbied against intellectual property regimes, have pressured multinational corporation, and have set up massive protests, much of which has exploited new technologies like the Internet. Again, GNGOs could be instrumental in mobilising women on micro levels. 'Power is concentrated heavily in governments and corporations. Still civil society encompasses the greatest mass of the people.'⁹⁶⁸ Therefore, the sheer size of the GNGO movement makes it a force that could potentially alter the course of multinational power. One such international organisation of 170 non-governmental organisations called 50 years is enough, aims to reduce debt in the South, 'reform the World Bank, IMF, and other international financial institutions activities to be open, accountable and supportive of 'more equitable development based on the perspectives, analysis, and development priorities of women and men affected by those policies.'⁹⁶⁹

Two other organisations, which are products of GNGO networks are Peoples Global Action, with 300 members from 71 countries, their four priorities are, 'rejection of the multilateral trading system, destroying (not reforming) the WTO, direct actions (not lobbying) and being a 'basically democratic' organisation.' Another result of global networks is an indigenous-based organisation called, *The Joint Action forum of Indian Peoples against the WTO*. This group is comprised of 50 people's organisations. It refers to the WTO as 'our brutal enemy which is converting us into objects of Transnational Corporations' economy of consumerism' and aims to 'build a pro-people egalitarian

⁹⁶⁷ Ibid.

⁹⁶⁸ Kloppenburg, J., and Gonzales, T. "Between State and Capital: NGOs as Allies of Indigenous Peoples..." p. 166.

⁹⁶⁹ Starr, A. "Naming the Enemy..." op cit., p. 49.

social order through a genuinely democratic process.’⁹⁷⁰ This sounds like a potential positive step towards networks having a real impact. However, while the GNGOs have massive potential to mobilise the world’s poor, they must be critiqued.

David Korten (1990) argues that NGO’s are still often undemocratic and lack the transparency needed to be full participants in the struggle against global poverty. NGOs are a fundamental part of the ‘development process’ and are often an extension of government policy, of course there are always exceptions to the rule and the efforts above may lay claims to fully democratic organisations. Korten argues that before NGOs can represent the interests of the poor, altering democratic practices and accountability in these organisations is essential. Kloppenburg and Gonzales look at some of the potential problems indigenous groups would have working with professional NGOs.⁹⁷¹ First, they may have a non-indigenous perspective it is recognised that most NGOs are mostly made up of non-indigenous peoples. Kloppenburg and Gonzales argue that such an NGO may have difficulty understanding ‘the real nature of indigenous peoples goals and preferred means of working towards these goals.’ There may be differences in the ‘priorities’ and ‘interests’ of NGOs and indigenous peoples. Another issue is financial dependence as donors’ influence on projects can be overt, or it can be very subtle indeed... they need to create organisations in their own image.’ A final issue is that NGOs are bureaucratic and will often see a ‘project or initiative as their...self-determination should not be replaced

⁹⁷⁰ Ibid., p. 101.

⁹⁷¹ According to Kloppenburg and Gonzales, Professional NGOs are set up by activists are an organisation with salaried staff, it is a full time endeavour and have a commitment to help people other than their own membership. Grassroots organisations are membership based, as they rely on members they are lacking resources and technical expertise. I will use NGO when referring to professional NGOs.

with any species of paternalism.’⁹⁷² However, after raising those concerns, Kloppenburg and Gonzales still feel indigenous groups potentially have more to gain than to lose from associations with NGOs.

7.18 NGO/GRO Collaborations

Another issue is that many of these NGOs are based in the North and employ people from their countries. Of course problems continue to arise as outsiders are brought in as experts rather than partners. Kloppenburg and Gonzales argue that the primary advantage that indigenous groups would have working with NGOs is the information they can provide. Indigenous people need access to information about the non-indigenous world. “Much of the logic and impetus of intellectual property is from the corporate boardrooms and trade ministries of the industrialised nations.”⁹⁷³ Of course this information is often highly technical and difficult, not only to understand but also to obtain. Another area of cooperation could be in the area of fundraising. Most NGOs know how to attract funds from government agencies, private donors, and international agencies. “Association with an NGO may permit indigenous peoples to gain access to financial resources from which they might otherwise be excluded from.”⁹⁷⁴ Many NGOs have ‘technical and research assistance’ which could be useful to indigenous peoples, another aspect is networking - keeping indigenous peoples informed and putting them in touch with others who may have similar causes. This does not have to be an ‘asymmetrical relationship’, as much as indigenous groups need NGOs, NGOs need indigenous groups, they must ‘mobilise

⁹⁷²Kloppenburg, J., and Gonzales, T. “Between State and Capital: NGOs as Allies of Indigenous Peoples...” p. 170.

⁹⁷³ Kloppenburg, J., and Gonzales, T. “Between State and Capital: NGOs as Allies of Indigenous Peoples...” p 168.

people and to do so they must serve their needs.⁹⁷⁵ Those are some 'bottom down' approaches that NGOs can offer to help indigenous people, and in these case women, help them to understand and strategize against intellectual property regimes. Taking this a step further, this leads on to how 'global mass movements' can help women facilitate their causes.

7.19 Global mass movements-Seattle effective?

NGOs in practice have many common characteristics to some degree with new social movements.⁹⁷⁶ The recent protests against the WTO could be referred to as a 'global mass movement'.⁹⁷⁷ It comprised all walks of life. It is made up of the broadest definition of civil society and is made up of individuals who are exercising their right to resist global capitalism. These types of movements have huge potential and one of the reasons is the ability to exploit global technologies. The Internet was responsible for the organisation of this massive event. In November 1999, seventy thousand people came together in Seattle, Washington to protest the WTO ministerial meetings. Included in the protests were women's groups, environmental, labour, farmers and youth groups.⁹⁷⁸ This event was global in nature, people came to Seattle from the corners of the earth. However the protests against the WTO did not stop in Seattle - there were simultaneous protests throughout the world. Five thousand converged on the WTO headquarters in Geneva. In France, seventy five thousand protestors met over different locations in the country. In

⁹⁷⁴ Ibid., p. 169.

⁹⁷⁵ Ibid., p. 168.

⁹⁷⁶ Zapata, E. and Townsend, J. "Outsiders and Self-Empowerment" p. 50.

⁹⁷⁷ November 1999.

⁹⁷⁸ Starr, A. "Naming the Enemy..." op cit., p. 99.

Manila, 8000 rallied in front of the presidential palace and the American Embassy against WTO and Philippine's membership.⁹⁷⁹

As with any protests, there are criticisms. What was its primary interest? One of the main criticisms is the fact that the agenda tried to accomplish everything. However, that is precisely the problem and the solution, According to James MacKinnon, "The error is in naming the enemy-which is neither trade nor globalisation. The real target is corporate power. The fact that the Seattle protest was neither right nor left, reform nor revolution, only shows the breadth and depth of the rebellion of corporatization."⁹⁸⁰ As lawyer, Richard Grossman states, the set up of the WTO calls this shift, 'the legalization over everything that counts.'⁹⁸¹ This is precisely why 'everyone' is interested and affected by the WTO. From genetic engineering, patents on life, food security and labour laws to the environment, the WTO conflicts with almost every basic civil and human right.⁹⁸²

Another criticism is that there were some very undesirable radical groups that caused problems and tried to use violence as a method of protest. 'The anarchists who engaged in property crime got a lot of media attention which detracted from the success of the protests.'⁹⁸³ Starr claims that 'In Seattle, where European observers noted the extraordinary non-violent discipline of protesters, police violence stole the show in what

⁹⁷⁹ Ibid., p. 101.

⁹⁸⁰ Ibid., p. 65.

⁹⁸¹ Ibid., Intro. ix.

⁹⁸² Ibid., Intro. ix.

⁹⁸³ Ibid., p. 115.

my group could only conclude was an effort to use any means necessary to distract attention from the success of the non-violent direct action.⁹⁸⁴

In order for a global mass protest to be effective, it needs clear and achievable goals with an outlined agenda and sense of purpose. Its agenda was to bring the WTO to the attention of the world press and highlight the danger of WTO policies.⁹⁸⁵ Seattle achieved many things, one of them being that the WTO went from relative obscurity to becoming a household name in most parts of the industrialised world.

7.20 Conclusions

Empowering women's knowledge must happen at local, national and international levels. All levels of infrastructures have a role to play and women have recognised this. When states participate in international conferences like the CBD, they are compared to the progress of other nations where gender issues are concerned. This will often encourage governments to act if they are forced into doing so. The promises at the international level must be enforced within the state and activism at a national level is a continual process if it is going to be successful. As this chapter concludes, there are ways to band together and protect women on regional and national levels, as well as on the international level. While these solutions are not simple, nor cut and dried, they are viable alternatives. Women have used 'power to' to challenge and negotiate with those who have 'power over' them. However, it is clear that on this level, significant shifts of power will mean states and institutions relinquishing their power, which for the moment seems

⁹⁸⁴ Ibid., p. 102.

⁹⁸⁵ www.twn.org/articles/019.html assessed on April 5, 2001.

unlikely. These women have certainly gained 'power to' act, participate, make decisions, and participate on the national, regional and international levels. Within globalisation alternatives continue to emerge and mass movements could prove to be another effective alternative in fighting and identifying macro structures.

8.0 Chapter seven: Micro solutions addressing Macro problems: Empowerment in the hands of women on the micro level

‘Empowerment that is based on the “power to” involves gaining access to a range of human abilities and potential.’⁹⁸⁶

The former chapter has focused on what some might call a ‘top-down approach,’ where women work together with existing macro structures. This includes both co-operation and resistance to the existing structures. This chapter will focus on strategies for change, which could be referred to as a ‘bottom-up approach,’ which offers alternatives to traditional development. They are designed by women on the micro level and may or may not involve co-operation with outside groups, communities or organisations. They are often the result of disenfranchisement with existing structures and are based at the grass roots level, although they may filter upwards and affect the regional or national level. Remembering that Rowlands argues that this potential bottom-up concept can be used to perpetuate and disguise continued top-down attitudes and approaches.’⁹⁸⁷

However, I felt that the organisations that these women were working with or were running were truly trying to serve the interests of indigenous women. This chapter will focus on strategies women are developing on micro levels in order to protect their traditional knowledge from further exploitation. It will look at both practice and praxis that women have developed. It will outline the steps women and grass-roots organisations have made trying to keep a step ahead of intellectual property rights, in order to develop ways of strengthening and preserving their knowledge and their traditional ways of life through strengthening local, national and international networks. It will analyse methodology, the implementation of endogenous strategies and how these strategies

improve the status of women and their knowledge. Again it will rely on empowerment literature to explore further the concept of empowerment. As discussed in the previous chapter, women have achieved 'power to' but there are very few situations that have led to 'power over'. At what point does 'power to' become 'power over' and are grass root strategies more closely aligned with this goal, keeping in mind that sometimes 'bottom-up' is just a way of re-introducing the status quo of top-down development strategies. It will discuss theoretical alternatives when posing resistance strategies. Finally, it will argue that micro strategies can counter-balance globalisation and the international political economy. First, I will summarise the key theoretical finding which is the ontology of essentialism.

8.1 Theoretical contributions

Essentialism in the form of eco-feminism and standpoint theorising has much to offer women in both the theoretical and practical sense. This section will discuss how essentialism allows for 'expressions of differences within and between individuals while retaining 'the notion of collective and transformatory agency. They develop a situated and multidimensional notion of the individual and stress the need to seek ontological and imaginative mobility through democratically constructed movement activism'.⁹⁸⁸ Starr argues that the 'use of non-Western and non-first world epistemology creates opening for alternative political frameworks (and alternative conceptions of democratic practices).'⁹⁸⁹

⁹⁸⁶ Rowland quoted in Gabriel-Townsend, p. 11.

⁹⁸⁷ Rowlands quoted in Ibid., p. 11.

⁹⁸⁸ Eschle, C. Global Democracy, Social Movements and Feminism (Boulder: Westview Press, 2001).

⁹⁸⁹ Starr, A. "Naming the Enemy..." op cit., p. 198.

So far this thesis has argued that knowledge can be 'gender specific' situated in the social experiences of women's lives. This section will discuss the theoretical findings and how these findings can be applied to women's lives in a practical sense. First, a discussion of where knowledge occurs, why knowledge is important, women's unique standpoints and finally, how these ontological findings can set up 'openings for alternative frameworks.'

8.2 Where knowledge occurs

This thesis has recognised that women's knowledge in the areas of biological diversity is important to women on many levels. Women have 'special knowledge' and Agarwal has argued that this is both location and gender-specific.⁹⁹⁰ They have knowledge concerning their environment, their bodies and their household. This can range from knowledge about food, healthcare, childcare, nutrition and animal husbandry. Their knowledge is development within their working environments, whether it is in agriculture or forest management.

Women may have this knowledge as individuals, something that is taught or passed down to them. As Kesaia Tabunakawai argues, sometimes it is necessary to preserve this knowledge by re-teaching it to women that may have once known it but have not practised it. Therefore, women's knowledge is sometimes located in 'traditions and customs,' which leads to 'socially shared knowledge' or what Wendt refers to as culture. Knowledge can occur within a group or community where knowledge is shared and sometimes women have specific roles. This collective ontology is reliant on the fact that women often view themselves as caretakers of knowledge. When women come together

on an 'international level', this is where they place themselves as far as having a collective struggle.

8.3 Why knowledge is important

Firstly, in the South women may depend heavily on their knowledge as a means of survival in both physical and ecological terms. They rely on 'the plants that save lives', as Kesaia Tabunakawai argues that women use plants as traditional medicines and this knowledge needs to be protected as this ensures the 'health of their communities.'⁹⁹¹ Also, women do not have the same access to Western medicines in the South and are far more reliant on herbal medicines.

It has been recognised right up to the international level of the CBD that women's knowledge is a valuable resource for the conservation of biological diversity. Eco-feminists argue that women's knowledge is 'informed by hands-on experience' and therefore, women have a stake in protecting the environment because of their dependence on it.⁹⁹² Women's knowledge is also valuable in offering cures for modern ailments in areas of medicine and nutrition.

Women's knowledge is important because it is the ontology of essentialism that is expressed in micro communities. All of the women I interviewed felt that their

⁹⁹⁰ Agrawal, B. "Environmental Management..." op cit.,

⁹⁹¹ Interview with Kesaia Tabunakawai, op cit.,

⁹⁹² Salleh, A. "Eco-feminism..." op cit.,

knowledge was 'a part of which they were.'⁹⁹³ Chan argues that IR must 'make the ontologies of the oppressed understandable, in terms as meaningful to them as to us.'⁹⁹⁴ Chan argues that the call for 'compound universals' does not reduce it to charges of reductionism, because we can still identify 'commonalities'. Plural constructions of 'women experiences' are what standpoint theorists are calling for. IR theorists such as Chan are calling for 'plurality of cultures' to have their say within the discipline and transposing his concern for culture. I have argued that we need to expand this concern for culture and gender, taking seriously the claims women in micro communities make concerning eco-feminism and regarding it as a 'compound universal'.⁹⁹⁵ This was expressed as either eco-feminist or women's standpoints.

As this thesis has argued, there is not one single construction of 'standpoint theory' or 'eco-feminism'- there are a 'plurality of epistemologies.' Therefore as Chan argues referring to IR scholars, that 'we should be willing to transgress epistemological boundaries; that agency and ontology are the roots but we see epistemologies as branches, not as a single trunk; that generality is a complexly arrived-at rendezvous of involving entire *systems* of thought and that, therefore, I am advocating an IR of considerable greater rigour than now exists.'⁹⁹⁶

⁹⁹³ See the first footnote for the list of women.

⁹⁹⁴ Chan, S. "Seven Types of Ambiguity in Western International Relations and Painful Steps Towards Right Ethics" in *Theoria: A Journal of Social and Political Theory*, June 1997. p. 114.

⁹⁹⁵ Chan, S. "Towards A Multicultural Roshomon Paradigm in International Relations" (Tampere: Tampere Peace Institute, 1996).

⁹⁹⁶ Chan, S. "An ontologist strikes back: a further response to Hollis and Smith" in *Review of International Studies* (1998) 24, 441-443.

8.4 Adding Branches to IR

As Chan has argued we need to add branches to a discipline that is still heavily rooted in a single western epistemological project 'founded on Western ontology of history, gender, cultural and scientific perspective'.⁹⁹⁷ This account has focused on men and men's interpretation of gender and women's roles in IR, and as Enloe argues, this is precisely why women's contributions have always been marginalised in Western IR.⁹⁹⁸ In order to add branches to the IR project we need to include the epistemologies of others. In this case the branches I would like to add are those of eco-feminisms and women's standpoints.

Eco-feminism and Standpoints can offer the perspectives of women from micro communities. Both cultural and social eco-feminism has something to offer IR as they make using Chan terminology 'the ontologies of the oppressed understandable'. By expressing women's subjective viewpoints and a 'plurality of epistemologies' we have seen that within eco-feminism, and as Braidotti et al argues, 'Perhaps there are as many eco-feminisms as there are eco-feminists.'⁹⁹⁹ However while there are 'commonalities' there are also rifts between cultural and social eco-feminisms. Even though cultural eco-feminism is much more essentialist, Agrawal argues that cultural eco-feminism still offers 'a strong framework of collaboration that results in strong policy statements.'¹⁰⁰⁰ Social eco-feminisms believe that the nature-culture divide is constructed and that it is impossible to set up universal categories concerning men/women and culture/nature.

⁹⁹⁷ Ibid., p. 442.

⁹⁹⁸ Enloe, C. "Margins, silences and bottom rungs..." op cit., p. 187.

⁹⁹⁹ Braidotti, R. et al "Women, the environment and Sustainable Development..." p. 162.

¹⁰⁰⁰ Agrawal, B. "Environmental Management..." op cit., p. 53.

However, women of this branch still believe that women are closer to nature because of men and this is often a case of the gender nature of the division of labour. This is where I would like to pick up on what standpoint has said about incorporating women's epistemologies.

Harding has argued that women can make a contribution using their own experiences and 'women's lives can be used to critique dominant knowledge claims.'¹⁰⁰¹ Some of the areas that women's standpoints are useful are; women as strangers, women's oppression as well as women's perspective from the other side, the everyday, from mediating ideological dualisms and women as 'outsiders within'. Many of these categories challenge the way Western androcentric science has mis-constructed women. As Harding argues it is women as strangers and outsiders within, women as a oppressed group, their perspective from the 'other side' that counts because as they were not involved in constructing knowledge in 'dominant institutions', they are not worried about maintaining the status quo. Being on the other side 'women have struggled against male supremacy that research starting from their lives can be made to yield up clearer and more nearly complete visions of social reality than are available only from the perspectives of men's side of the struggles.'¹⁰⁰² By looking at women's work and women's perspective from mediating ideological dualisms, it helps us understand why women's labour has been marginalized by men and have rendered these activities invisible, - women's work equated with nature as natural work and men's work as culture

¹⁰⁰¹ Harding, S. "Whose Science, Whose Knowledge..." op cit.,

¹⁰⁰² Ibid., p. 126.

constructed as intellectual work.¹⁰⁰³ It is women's experiences that offer a commonality and these epistemologies can offer an opening for different ontologies to the discipline.

8.5 Openings for alternative frameworks

The ontological contributions of eco-feminism and Standpoint have emancipatory goals as well. Agarwal argues that one of the most important points that eco-feminism highlights is that it offers, 'An alternative vision of a more egalitarian and harmonious future society.'¹⁰⁰⁴ The women I interviewed were starting from an essentialist ontology that manifested itself in global action - the women at the CBD were there to protect their knowledge, their knowledge 'which is a part of them.'¹⁰⁰⁵ Eco-feminists are as concerned about 'global sustainability as much as gender justice: in fact they see the two as intrinsically interlinked.'¹⁰⁰⁶ Eschle argues that "Some essentialist claims about women's roles can be more emancipatory than others. They can generate unity between women, opening up the possibility of collective struggle."¹⁰⁰⁷ Eco-feminist praxis has also become practice as a social movement made up of men and women with diverse social and ecological interests. Standpoint argues that as with 'situated knowledge' we can also have 'situated politics'- 'marginalized groups develop political and knowledge-seeking projects that originate explicitly from their own socially devalued lives instead of from nowhere or from somebody else's life.'¹⁰⁰⁸ As Harding argues that 'starting out from women's lives'; it 'becomes clear that knowledge seeking requires democratic,

¹⁰⁰³ Ibid., p. 130.

¹⁰⁰⁴ Agarwal, B. "The Gender and Environmental Debate" op cit., p. 69.

¹⁰⁰⁵ For a list of the women see the first footnote.

¹⁰⁰⁶ Salleh, A. "Eco-feminism as Politics..." op cit., p. 91.

¹⁰⁰⁷ Eschle, C. Global Democracy, Social Movements and Feminism (Boulder: Westview Press, 2001).

¹⁰⁰⁸ Harding, S. "Whose Science, Whose Knowledge..." op cit., p. 273.

participatory politics,¹⁰⁰⁹ politics that offer women's experiences and their accounts to andro-centric institutions, research programmes and social movements. This also has practical aspects as women have started setting up social movements from this ontological ground.

8.6 New Social Movements

New social movements are often movements that promote democracy in the South as well as a range of other issues.¹⁰¹⁰ They are grass root movements and are extremely varied. However, they have some common ground as they are rooted in the principle of human relations, "from inside the family, to the global level."¹⁰¹¹ They are often seen as alternatives to the present system. Women have become social agents in many countries. New social movements are non-hierarchical and foster the sharing of power, rather than a dictation of power. These movements recognise the real experts and do not view what women know as mumbo-jumbo.¹⁰¹² "Ideally, social movements are networks, not hierarchies, and networks work horizontally, with centres everywhere and peripheries nowhere in contrast to the hierarchical pyramids of conventional institutions."¹⁰¹³ According to Zapata and Townsend, "Traditional institutions represent 'power over', while networks use 'power with' to enable genuine participation and self-empowerment."¹⁰¹⁴ They attempt to break down existing institutions, in order to build up more equitable relationships that involve individual rights and promoting new social

¹⁰⁰⁹ Ibid., p. 124.

¹⁰¹⁰ Eschle, C. Global Democracy. Social Movements and Feminism (Boulder: Westview Press, 2001).

¹⁰¹¹ Falk quoted in Townsend, J. et al. "Women and Power" op cit., p. 50.

¹⁰¹² Interview with Kesaia Tabunakawai, op cit.,

¹⁰¹³ Zapata and Townsend "Outsiders and Self Empowerment..." Nerfin quoted in op cit., p. 50.

¹⁰¹⁴ Ibid., p. 50.

actors. This is a sure indication that these meetings work in challenging power structures.¹⁰¹⁵ 'Women's awareness of gender-subordination is gained through their participation in social movements.¹⁰¹⁶ These types of movements are important to this thesis, as they change the way women perceive themselves. It gives them the 'power to do' and the confidence 'to change.' This is vital in empowering and strengthening women's knowledge. Viable empowering options means that oppressive situations do not seem so difficult to penetrate and they are not so overwhelming.¹⁰¹⁷ When women recognise and fight gender inequalities there often is resistance to these types of movements. In Mexico, women are sometimes physically assaulted when they attend such meetings. Mexico is a largely religious and homophobic society, any unmarried women are suspect and lesbianism is rare in rural areas - this has contributed to the fact that single women and women in relationships with other women cannot be dominated by men within the home.¹⁰¹⁸ New social movements give women 'power with' and the 'power to' push for knowledge protection and not fear the negative aspect of intellectual property regimes. "When we come together on a regional or national or even international level, we have similar stories and similar fears, we can reassure one another and exchange strategies - it is a very positive thing. So people think that international meetings are a waste of time - what is a waste of time is people who do not take our knowledge seriously."¹⁰¹⁹

¹⁰¹⁵ Gabriel-Townsend, J. et al. "Women and Power" op cit.

¹⁰¹⁶ Ibid., p. 51.

¹⁰¹⁷ Ibid.

¹⁰¹⁸ Ibid.

8.7 0. Knowledge and Empowerment

Although there is a wide discourse on empowerment, and how this type of discourse has shaped theories of development, this chapter will focus specifically on the empowerment of women's knowledge. "One seems to be 'empowered' to take a share of management responsibilities and decision-making, but the contemporary sense of the word does not seem to entail any direct control of resources or scope to join with the others at the same level in the structure to pursue collective bargaining with the centre."¹⁰²⁰ Is empowerment about power, altering, re-gaining or shifting its balance? Yes it is, according to the NGO's of this thesis. Many development agencies state policy and grass roots organisations have begun incorporating the 'gender mandate', but at what point does rhetoric turn into action?¹⁰²¹ This chapter, relying on primary and secondary material, will try to answer that question.

8.7 1. Who is being empowered?

Women on the micro level are in a state of flux as world conditions are constantly changing the social and political organisations within their communities, countries and the international system. What this thesis does is look at alternatives to traditional development. Recent critiques of development theories 'attempts to bring concepts of identity and difference into the thinking of development.'¹⁰²² Following Kiely's arguments this chapter will present an alternative approach, which seeks to deconstruct

¹⁰¹⁹ Interview with Stella Tamang, op cit.

¹⁰²⁰ Ibid., p. 58.

¹⁰²¹ Rodrik, D. Has Globalization Gone Too Far? (Washington, DC, Institute for International Economics, 1997).

¹⁰²² Zapata, E., Alberti, P., Townsend, J., Rowlands, J. "Where next?" in Townsend et al "Women in Power..." op cit., p. 173.

while reconstructing, which stresses the 'contradictory unity of development.'¹⁰²³ As

Miller argues,

"the alternative 'disengagement' proposed by some feminists is untenable as long as multilateral development institutions continue to exercise influence over the development policy process. In other words, if alternative development strategies, like those proposed by some women's NGOs (Sen and Grown 1987, Wee and Heyzer, 1995), are to play a role in transforming development into a more gender-equitable process, their impact may depend upon how far they can infiltrate the thinking and practice of mainstream institutions."¹⁰²⁴

This chapter argues that although development strategies are problematic, alternatives often depend upon them and this thesis proposes alternatives within the existing framework.

8.8 0. Development and women's knowledge

One of the logical conclusions of this thesis is that in order to enhance and protect women's knowledge, women must participate in local development projects. As with many of the structures that have a set agenda, it is often very difficult for local women to penetrate, change or develop any lasting forms of empowerment. Although development agencies are embracing the ideology of gender and development, the questions remain; are they *actually* implementing women's knowledge into policy decisions and what happens when it collides with their organisations existing ideology. Another important issue is how does the incorporation of women's knowledge into an overall development ethos actually help to protect and preserve it. Now it is slowly changing, and peasant women are teaching 'development experts' about subsistence, working with and

¹⁰²³ Ibid. Introduction.

¹⁰²⁴ Miller, C. "Gender Advocates and multilateral development organizations: promoting change from within." In Miller and Razavi, Missionaries and Mandarins: Feminist Engagement with Development Institutions (London: Intermediate Technology Publications, 1998).

respecting the land.¹⁰²⁵ Grass roots organisations have made strides in incorporating women's knowledge and challenging the overall development industry. The women's movement in the South has stemmed out of disenchantment with development and small southern NGOs having responded to this. Mosse argues that 'participation' is not confined to 'peoples knowledge' (or in this case women's knowledge) and planning, but it is an important element. Mosse states that 'local knowledge provides the key to the reversal of hierarchies of power in development planning', however, Mosse argues that development practitioners can often shape 'local needs'.¹⁰²⁶ Cooke and Kothari et al maintain that participatory development and empowerment have serious limitations and a long way to go before the language of empowerment and participatory development within actually empowers those it is meant to empower.¹⁰²⁷

8.8 1. Development-experts looking up.

"Traditional development does not work, you just have to have a look around you."¹⁰²⁸ As Escobar argues, development was never supposed to work, it was never about reducing poverty and this trend continues up to today.¹⁰²⁹ The women I interviewed worked in what would be considered GRO, or as Stella Tamang referred to them as people organisations (PO), or as Alicia Tamang referred to them as member organisations (MO). The common link is that all of them were wary or dissatisfied with the development industry in its present form and wanted an alternative to this system for their

¹⁰²⁵ See Food for thought; section on cosmos-vision for a through example of different worldviews.

¹⁰²⁶ Mosse, D. "Peoples Knowledge..." op cit., p. 38.

¹⁰²⁷ Cooke, B. & Kothari, U. "Participation: The New Tyranny..." op cit.,

¹⁰²⁸ Lucy talking to me during a lunch at the CBD.

¹⁰²⁹ Escobar, A. Encountering Development: The Making and Unmaking of the Third World. (Princeton: Princeton University Press, 1995).

communities. One other commonality is that they all felt that the development industry sent in the 'experts' rather than consulting them as the experts. These women recognised the value of their knowledge and that they were the true experts in this field. When these women look up at the development industry, these were their one-word responses to sum up how they felt about it. Words that emerged were, "Intimidating, bureaucratic, foreign, strange, inflexible, ignorant, unsure, inappropriate."¹⁰³⁰ I want to use the following quote once more to illustrate a very important point. The women I interviewed are community leaders, some are national leaders and two are international leaders. They would agree with the following quote and uphold that development is part of this 'political discourse', however they would claim that this is exactly what they are working to dispose of.

"On every level of political discourse, the dominant ideology of the elite and the powerful has submerged and devalued traditional knowledge, even in the eyes of women themselves. Consequently, women tend to consider their own knowledge as worthless and themselves as ignorant. For example, the knowledge of herbal medicines among tribal women is known as mumbo-jumbo or at best as second-class medicine."¹⁰³¹

Here are a few responses to the following question,

LPS: Do women see their knowledge as valuable?

KT: "I do not think they fully realise it. With awareness raising which is what WAINMATE has been conducting in the villages we are trying to make them realise the knowledge they own is theirs and no one else has that knowledge, the reason people are beginning to be interested in what they have is because it is valuable our approach is if we let women know and guard themselves against it, at least they have some control over what they have."¹⁰³²

AC: "If they have had contact with development officials, or even locals who have had contact with outsiders, generally no. They think western science has better answers and yet many will still use traditional medicine. These women know a lot, it is a part of them. Our knowledge cannot be replaced and we are in grave danger of losing so much knowledge if our communities cannot come to grips with the importance of women's knowledge."¹⁰³³

¹⁰³⁰ The women I interviewed at the CBD.

¹⁰³¹ M.A. Singamma Sreenivasan Foundation, *Intergrating Women in Development Planning: the role of traditional wisdom*. In Joycelin Massiah (Editor) *Women in Developing Economies: Making Visible the Invisible* (Oxford: Berg, 1993) pp.280-300.

¹⁰³² Interview with Kesaia Tabunakawai, op cit.,

¹⁰³³ Interview with Alicia Tamang, op. cit.,

LP: Like in most parts of Latin America, the influence of foreigners has really pushed down the indigenous cultures. Women do not place their knowledge in very high esteem. Many men in our communities do not see its importance. Development workers come in, change things, do not consult us, and when it does not work they try something else. So really women feel what they have is nothing so special.¹⁰³⁴

LF: Women have been pushed down so far, it will take a long time to empower women in our communities, to give them self empowerment and feel good about themselves and to value their own knowledge.¹⁰³⁵

The 'dominant ideology of the elite' has 'submerged and devalued' women's knowledge and has accomplished what it set out to do in the first place. This is to set up hierarchies of power, by letting women believe that their knowledge is second-rate. Until recently this ideology has not been questioned in the situations where it matters the most, that is where 'development' is supposed to take place. However, it must be questioned, if women from the South are so unhappy with traditional development schemes, -is there any room to work with organisations or with individuals from the North?

8.9 Outsiders and empowerment

"Rural women who are taking new powers to themselves do so mainly in the context of national and international women's movements which offer them alternative ways of being."¹⁰³⁶ Women on micro levels welcome partners in subsistence if they are accepted on their terms as equal members. "We are willing to work with Northern NGOs if they respect our positions and do not unsettle effective community structures."¹⁰³⁷ That means respecting their roles as mothers, maintainers of the home and their subsistence work. As seen in the past, trying to apply western feminist principles does not transfer to local communities and women often view it with contempt. Rather, it is important to develop

¹⁰³⁴ Interview with Lucenzia Pisquil, op cit.

¹⁰³⁵ Interview with Lame Futah, op cit.

¹⁰³⁶ Ibid.

¹⁰³⁷ Interview with Lame Futah, op cit.

community based gender-equitable strategies. Here are some responses to the following question.

LPS: *Do you seek the help of professional NGOs?*

LM: Yes, ones which work in local communities in Africa for example. Intellectual property rights Egos can lobby, for example, when they have an intimate knowledge of indigenous women and their communities.¹⁰³⁸

LP: Yes, they help us with funding and they help us to identify issues and get access to important information that we ourselves could not get.¹⁰³⁹

MS: The answer will be yes if they have really intensive communications, because the communication is built on the international level and we are working on a very grass roots level, they cannot represent the people from the village but they represent civil society. We have agreed that they represent civil society. We in Indonesia agree that not only one NGO can represent indigenous people, we just accompany indigenous women.¹⁰⁴⁰

Mia Siscawati and I entered into an interesting discussion about representation. She felt she was not really in a better position to represent women from the village than I was, for example, even though she herself is indigenous - although Lucy Mulenkei and Lucrecia Pisquil disagreed. Mia Siscawati pointed out that women from the village had something unique and different to say than women from the city or women who chair the indigenous women's network. Mayoux, when discussing participation in NGOs in the South says that, "Where women are involved they are likely to be more professional and articulate women, and poor women are thus by-passed. Even for SEWA and WWF, most of the intermediary negotiations are of necessity conducted by skilled professional (and hence middle or upper class) women."¹⁰⁴¹ Mia Siscawati and I discussed if she felt she was in charge or had 'power over' the women she worked with. She felt she was a transmitter of

¹⁰³⁸ Interview with Lucy Mulenkei, op cit.

¹⁰³⁹ Interview with Mia Siscawati, op cit.

¹⁰⁴⁰ Interviewer, Lisa Palleson-Stallan .

information and had nothing to gain for herself from the women. Lucy Mulenkei and Lucrecia Pisquil felt they were working with the women. One of the main differences as stated earlier is that 'new alternatives' involve 'power with' in opposition to hierarchical organisations within traditional development, which involve 'power over'.¹⁰⁴² The fact that these women are willing to discuss the power structures is encouraging.

8.10 Empowerment through organisations

The women I interviewed were all directors of the organisations they represented. Their organisations varied in scope and practice, but they were all concerned with power sharing and empowering the women they worked with. Gita Sen and Karen Grown¹⁰⁴³ argue that organisations are key to the empowerment process. The strategic role of these movements can be seen from two perspectives. The first is challenging the overall political role. In others word, to challenge the gendered division of knowledge and labour on all levels, including the local. All of the women I interviewed agreed that this was a primary goal. The second perceptive is challenging the overall priorities of organisations and making basic survival the primary goal. As the women I interviewed pointed out, 'defining basic survival' is difficult, as knowledge protection is directly linked to their basic survival.¹⁰⁴⁴ It is necessary to draw on both the strengths of an organisation as well as ways of changing its internal weaknesses. Sen and Grown argue that the strengthening of organisations needs to meet certain prerequisites. These include resources (finance, knowledge, technology), skills training, and leadership formation on the one side; and

¹⁰⁴¹ Mayoux, L. Gender "Accountability and NGOs: avoiding the black hole." in Millar and Razavi *Missionaries and Mandarins* p. 186.

¹⁰⁴² Kothari, U. "Power Knowledge and Social Control..." op cit.,

¹⁰⁴³ Mayoux, L. Gender "Accountability and NGOs..." op cit.,

democratic processes, dialogue, participation in policy and decision making, and techniques for conflict resolution on the other.”¹⁰⁴⁵ They argue that it is important for women to experiment with ‘creative choices’ that challenge organisations.

One way is by upsetting existing views within organisations. Sen and Grown argue that many organisations are not taking large public policy issues on board. There are two explanations for this; one is that women feel they are only partly susceptible to institutional regulation and that they often are unable to articulate the links between development and equality.¹⁰⁴⁶ Victoria argues that one of the reasons her organisations target the TRIPS is that they realise the direct connection between women’s knowledge and the TRIPS and she would argue that women are fully susceptible to institutional regulation. The second problem Sen and Grown have identified has to do with unstructured organisations, like grassroots organisations working in hierarchical and formalised environments. This becomes difficult when trying to pressure bureaucracies in decision-making processes. Often women’s groups need to understand the jargon and formalised environments, and this is where partnerships are effective. A third set of problems exists when women avoid leadership roles in organisations for fear of ‘mirroring’ existing hierarchies.¹⁰⁴⁷ It is necessary for women to have defined roles within their organisations so that not ‘everyone is trying to do everything’, and so that there is more definition when trying to set agendas outside their organisations. The women I interviewed were organised and knew exactly why they were at the CBD and

¹⁰⁴⁴ Follow up conversations over the Internet.

¹⁰⁴⁵ *Ibid.*, p. 89.

¹⁰⁴⁶ *Ibid.*, p. 94.

¹⁰⁴⁷ *Ibid.*, p. 94.

what they wanted to achieve. I was able to escape the issues of hierarchy as these women were educated and many were in 'higher' positions than the researcher.

A fourth problem is the suspicion of alliance building. They are suspicious of why other organisations would want to build an alliance with them and what could actually be gained from it. It is important and necessary to build links with other grass roots and women's organisations in order to build strong political alliances, which leads to the final issue, which is the ability to share power. There are two ways this can be accomplished. First is the 'democratisation' of organisations, which means organisations, which act in a fair and democratic manner and ones that practice good governance. Second, 'explicit assertion and commitment to an ethic that rejects personal aggrandisement', meaning that the internal organisations should work towards setting up and enhancing the overall organisation rather than separate individuals.¹⁰⁴⁸ Sen and Grown conclude by saying, "Our own life experiences of powerlessness, co-operation and nurturance can be enriching to our organisations, and to the world in which they function."¹⁰⁴⁹ They also want to recognise that solutions need to be hammered out at a local level and that it is important to recognise the "cultural specificity of research methods and, especially, action."¹⁰⁵⁰

¹⁰⁴⁸ Ibid., p. 94.

¹⁰⁴⁹ Ibid., p.94.

8.11 0. The relationship between intellectual property rights and empowerment

Women are empowering themselves on many levels as this thesis has demonstrated. Many women are directly resisting the TRIPS agreement and intellectual property rights, other women are studying the implications of the agreement on their communities, while others are trying to understand if intellectual property rights can be used as a tool to protect women's knowledge - for example through benefit sharing. What is important whether on the national, or international level is that women on micro levels are deciding how they should approach the TRIPS and what is the best way to empower their communities. They also recognise that changing the macro system is not easy and many micro communities are fighting just to resist the impact of these macro decisions. However, they feel their contributions are worthwhile and leading to the empowerment of their communities and themselves.

Women are truly empowered when they are in tune with their achievements, interests and traditions.¹⁰⁵¹ It does not stem from social position, political beliefs or ideology but rather the ability of women to critique and challenge their situations. One of the goals of feminism is to address the needs of women worldwide. One of the ways of empowering women is by letting them understand that their existence has meaning. Once women understand that their situations really have meaning, the empowerment process has begun. However, if women accept that non-market activity is of little value, then a paradigm shift is necessary in order to invoke change. The women I interviewed see the process of educating and creating new forms of knowledge paramount. It is about

¹⁰⁵⁰ Ibid., p.95. This section is largely paraphrased.

‘allowing women to see the power they have within, rather than re-educating them according to what we think they should know.’¹⁰⁵² New knowledge is about constructing new relationships between men and women and letting go of long-held traditions that include the subordination of women.

Regardless of the many differences women encounter in their fight against intellectual property regimes, they agreed that education is a vital form of empowerment. There are two forms of education: one being the formal, which is schooling and the second being the informal sector. Formal education as a structure teaches us what are sociable forms of knowledge. In other words, we learn what knowledge is, as well as creating bonds where we develop “a common set of knowledge and social practice.”¹⁰⁵³ Schools are important as social structures because if they accept women’s knowledge as par with other (male, scientific, technical) knowledge then this will affect other structures within society. It is an important foundation for building gender-equitable paradigms. In order to accept women’s knowledge as equal the basic levels of what we are taught about knowledge need to be changed. Education is also important as a democratic institution. However, for indigenous women formal education is not necessarily democratic or equitable. For indigenous women in the Amazon, “Formal education is embedded in an economic - maximising development ideology and denies the legitimacy of indigenous knowledge and values, while the very development it promotes undermines biodiversity and

¹⁰⁵¹ Schaeff, A.W. Women’s reality: An emerging female system in a white male society. (Minneapolis, Winston Press, 1985).

¹⁰⁵² Victoria Tauli-Corpuz, op cit.,

¹⁰⁵³ MacEwan, “Neo-liberalism or Democracy...” op cit., p. 185.

indigenous ways of life.”¹⁰⁵⁴ Aikman argues that western education is ‘ethnocidal’ and does not respect indigenous knowledge.¹⁰⁵⁵ However, in Peru, the Amazon wide Association for Development of the Peruvian Amazon (AIDSESEP) has been teaching indigenous teacher trainers that are nominated by their local ethnic organisations. Again this tends to be the exception rather than the rule for indigenous communities.¹⁰⁵⁶ Aikman argues that women’s knowledge is being threatened by formal education.¹⁰⁵⁷ Alicia Canauiri argues that this is also the case with the Aimara people where formal schooling is westernised and does not preserve language or indigenous knowledge.¹⁰⁵⁸ However, for indigenous women the most important part of learning is the learning and teaching that takes place in the home.

This second form of education is called the informal sector - what women learn and teach one another in the context of work, home and community.¹⁰⁵⁹ This is perhaps the most important area for women in low-income countries, as fewer women spend a substantial amount of time in formal education. This is where much of what they learn is taught and transmitted. Women are constantly teaching and telling their friends, neighbours and co-operatives about intellectual property. Informal sectors are extremely important, as the following examples in the next paragraphs will show, as they are ‘spaces’ where women can educate each other and devise functioning strategies in order to protect their knowledge. Alicia Canauiri argues that with Aimara women the process

¹⁰⁵⁴ Aikman, S. “Schooling and Development: Eroding Amazon Women’s Knowledge and Diversity” in Heward, C. and Bunwaree, S. (editors) Gender, Education and Development: Beyond Access to Empowerment (London: Zed Books, 2001) p. 69.

¹⁰⁵⁵ *Ibid.*, p. 69.

¹⁰⁵⁶ *Ibid.*, p. 70.

¹⁰⁵⁷ *Ibid.*, p. 70.

¹⁰⁵⁸ Interview with Alicia Canauiri, op cit,.

of learning is lifelong learning. This knowledge is acquired through practice, through practical examples, and is taught to them by their mothers and village elders. Knowledge may take place at different times in a woman's life.¹⁰⁶⁰ Aikman argues that in the case of the Arakmbut women the older they get the more knowledge they acquire; however, Aikman argues that formal schooling is seriously undermining this. 'Their obligation to attend school diverts them away from the diversity of participatory learning, which contributes over time towards a women's intimate knowledge of the environment and its biodiversity.'¹⁰⁶¹ However, it is not all-negative, and indigenous women are able to protect and teach others to protect their knowledge.

"The best way to tell women about intellectual property rights is in a manner of conservation. Do not allow people to come in and take plants and leave the community. Do not give away your knowledge to strangers when you do not know who they are. Keep that knowledge because it is very important. Outsiders will come and take that knowledge, they will take that medicinal plant and go back to Europe or the U.S., patent it and come back and sell you that medicine. It was yours, it is no longer yours, they have taken it. When you advise women in this way they start to become scared, but the issue of intellectual property rights is scaring for women in the South and we must inform women in our communities to protect their knowledge."¹⁰⁶²

Empowerment must be about scaling up and eliminating gender inequalities. However, this means identifying gender as an important issue within education. Even when empowering women is the key focus problems occur. Miller and Razavi identify several problems. First, the identification and collection of information around a woman's position is important. It is difficult to qualify women's activities in production and reproduction, and resources are spend often on programmes with the quickest results, yet this does not necessarily mean these are the most empowering. In fact Heward and Bunwaree argue that the World Bank (being the largest funding source for women's

¹⁰⁵⁹ MacEwan, "Neo-liberalism or Democracy..." op cit., p. 185.

¹⁰⁶⁰ Interview with Alicia Canauiri, op cit.,

¹⁰⁶¹ Aikman, S. "Schooling and Development..." op cit., p. 75.

education) 'views women's education mainly as a cost-effective mechanism for making women more economically productive,' that being a contributing factor in why the gender gap is as wide as ever.¹⁰⁶³

In fact, one of the problems is that women who are involved in NGOs are often middle class and educated professionals with different goals and aspirations from the grassroots women they serve.¹⁰⁶⁴ Much of the efforts of NGO's gender mandate are to empower women - this goes back to involvement at the implementation and planning stage of forming policies. Often the people that are the 'educators' are what Aikman argues as 'reconceptualizing gender according to western patriarchal concepts' and bringing indigenous women into new gender relations.¹⁰⁶⁵

Levels of empowerment vary from NGOs and GROs, and can change over space and time. Different strategies to empower women's knowledge/intellectual property are seen in the following examples. These were a result of combining education to practical knowledge protection schemes developed by women on micro levels.

The incorporation of women's knowledge in the South is beginning to occur at the very grass roots level. WAINMATE and the Indigenous Women Network are both incorporating women's ideas as a starting point into their ideological framework. WAINMATE eventually wants the women healers, the ones who hold the knowledge, to

¹⁰⁶² Interview with Lucy Mulenkei, op cit.,

¹⁰⁶³ Heward, C. and Bunwaree, S. (editors) "Gender, Education and Development..." op cit., intro.

¹⁰⁶⁴ Miller, C. & Razavi, S. "Missionaries and Mandarins..." op cit., p. 180.

¹⁰⁶⁵ Aikman, S. "Schooling and Development..." op cit., p. 79.

run the NGOs. Kesaia Tabunakawai explains this in as, the women that run the NGO, are volunteers. According to Kesaia Tabunakawai, 'we have nothing to lose if the women take over and we acted as helpers. If we were employed the power relations may be different.'¹⁰⁶⁶ Lucy Mulenkei agrees, as a volunteer, that she does not have anything to protect. Therefore, they do it their way (women in the community) and this does not cause conflict. The other women were paid members and understood how this could, though not necessarily would, cause a conflict.

8.11 1. Promoting women's participatory groups

"Getting out of the home is described as an escape from incapacitating control, and is expressed in terms of all forms of power. It is 'power for within' that enables a woman to come out and join with other women; 'power with', she builds with other women; new 'power to do', she acquires and celebrates with them, and she begins to share in 'power over' in decisions from the village to the nation."¹⁰⁶⁷

An important first step of empowerment is the step towards 'power from within', allowing rural women to see themselves as 'able to occupy that decision-making space'.¹⁰⁶⁸ Stella Tamang argues that an important step is joining women's groups and becoming activists in the struggle of protecting their knowledge. As Townsend argues, this is not easy as 'power from within' means overcoming fear and much of the fear starts form within the home.¹⁰⁶⁹ Lucy Mulenkei believes there is also an important aspect of protecting women's knowledge in its transmission. In Kenya, her organisation uses the radio as a means of communication. They go out and collect interviews and materials and then transmit it into the vernacular. Then they set up communities groups for women

¹⁰⁶⁶ Interview with Kesaia Tabunakawai, op cit.

¹⁰⁶⁷ Townsend, J. "Power from Within": Getting out of that House! In Townsend et al Women and Power: Fighting Patriarchy and Poverty. (London: Zed Books, 1999) p.73.

¹⁰⁶⁸ Ibid., p 82.

¹⁰⁶⁹ Ibid., p. 82.

to see if they are focusing on the specific issues that are important to the women. It is a delicate balance of listening and informing. As Lucy Mulenkei says, “ We want to give them the whole story but we do not want to alter the overall picture.”¹⁰⁷⁰ The majority of their work is setting up women’s participatory groups and making sure they are running effectively. This involves strong participation of micro women in every aspect of the NGO’s mandate.

On regional levels, women are organising conferences in order to establish common regional links; the First African Indigenous Women’s Conference took place in 1998. Some of the recommendations to come out of this workshop were to set up a database of which women’s groups are working towards protecting indigenous knowledge in Africa. Also, to set up small associations on regional and national levels to protect and encourage women’s knowledge as well as building up groups that are already doing this. Agreement occurred by putting pressure on governments as well as encouraging NGOs and international bodies to lobby for the protection of women’s knowledge. The IKN is focusing on biological diversity, indigenous knowledge and Article 8(j). Lucy Mulenkei says there are difficulties with taking Article 8(j) back to the community because community women’s groups focus more on biological diversity in the practical, rather than theoretical, sense. Lucy Mulenkei also believes that there needs to be a strong connection between local and national levels. In order for the local to benefit, the state must first be willing to recognise women’s knowledge at a national level. Lucy Mulenkei believes the balance needs to be right between setting up and fostering women’s groups as well as lobbying the government to take these women seriously.

¹⁰⁷⁰ Interview with Lucy Mulenkei, *op cit.*

8.11 2. Increasing the representation of grass roots women in NGO decision-making.

'Power with' is the ability of women to organise. The 'joy of sharing, meeting, working and being together develops 'power with...'¹⁰⁷¹ Women from the grassroots level have begun to develop strategies on increasing their representation in NGO decision-making starting at the local, regional, national and international levels. Jahan argues that this is one of the areas that women's representation has increased dramatically from the local to the international level.¹⁰⁷² This section will discuss examples from grass roots strategies. One such organisation, WAINIMATE, based in Suta, Fiji, works towards ensuring that women's knowledge is respected and protected. What they are doing is organising community workshops to promote the use of safe and effective traditional medicines. Planting community gardens to make medicines easily available; preparing a handbook of traditional medicine recipes to ensure that medicines are prepared and administered properly, and networking with women in the Pacific and around the world. In August 1993, in Fiji, they organised a campaign to conserve medicinal plants using the themes, *Save the Plants That Save Lives* and *Affordable Health for All*. Many of the women remember being given medicines by their grandmothers and aunts. Most did not know what the medicines were for, what plants were used, or how the medicines were prepared. The organisation realised that, in order to protect this knowledge surrounding biodiversity, it needed to be continued and experienced by the women. The campaign to *Save the Plants That Save Lives*, raises public awareness on how to protect both the forest and traditional medicines. Kesaia Tabunakawai admits that at the moment grassroots

¹⁰⁷¹ Townsend, J. "Power from Within..." op cit.,

¹⁰⁷² Jahan, R. "The Elusive Agenda..." op cit.,

women are not actually running the GRO's, but it is their hope that women healers will be the actual leaders and policy advisors like Kesaia Tabunakawai will be minimised, eventually as an assistant with the women running the GRO. This is an example of how women find strength to act in new ways, even though their situations are difficult. According to Townsend, groups fight to organise and find creative response to global changes, even when their daily struggle to survive would seem to leave them without the strength.¹⁰⁷³

The project, *Las Artesanias como Fuentes de Sobrevivencia* (Handicrafts as a Source of Survival) is another way local women are empowering themselves. The project was set up by the Methodist Foundation for Integral Development (FUDEMI), which is promoting authentic handicraft products from Guatemala. The purpose of promoting the products is to improve living conditions as well as promoting and strengthening their traditional knowledge. Their intellectual property is surrounded in how these products are made and how this knowledge is fostered to the next generation of women. This knowledge or intellectual property of how they make the garment is the aspect I want to focus on as it is affected by the TRIPS agreement. What has happened is that large corporations have copied many of these patterns. Guatemalan patterns are known through out the world for their colours and intrinsic patterns; they are often what distinguish certain tribes, similar to a family crest. In 1987 Rainbow Textiles applied for a patent based on a Guatemalan design - the pattern was not granted but they continued to mass - produce the pattern. This pattern would have been taught to young women as part of their cultural heritage, knowledge of weaving techniques and the use of dyes. Now what has

¹⁰⁷³ Ibid., p. 92.

occurred is the commercialisation of these patterns as 'ethnic fashion' has taken hold in the North. FUDEMI is working on creating authentic crafts, and organisations like Save the Children and OXFAM are encouraging consumers to buy the genuine article. FUDEMI is also actively involved in *Consejo de Organizaciones Mayas de Guatemala* (COMG) One of the objectives is to strengthen the organisational process of the Mayan people. These types of alliances are essential as this increases their power and exposure, both on a national and international level. Another important mission of FUMEDI is to alter roles of power and begin giving the decision-making role to the indigenous women themselves. An important part of 'power with' is taking women's knowledge into account and looking for collective, joint solutions.¹⁰⁷⁴

8.11 3. Increasing their participation in mixed-sex groups

To develop the 'Power to' is to face many new problems, from coping with new skills to conflicts with husbands.¹⁰⁷⁵ The home can be a very oppressive place full of gendered power relations. It is extremely important to educate and bring men into this process. All the women I interviewed agreed that this was essential to the success of their communities. Often men in their (women I interviewed) communities view development and gender programs as a western feminist project. Men in their communities will reject or resist empowerment strategies if they see them as a threat to their own existing power. The women I interviewed stressed the importance of involving men and participating with mixed-sex groups, especially at the national, regional and international levels. Stella Tamang says, "we are not men and we are not trying to replace them, we want to work

¹⁰⁷⁴ Cebotarev quoted in *Ibid.*, p. 92.

with them for the betterment of our communities.”¹⁰⁷⁶ Alicia Canabiris says that it is Aimara women who are socially active that formed this organisation. They are made up of different organisations in rural communities in Bolivia. The NGO tries to increase participation and empower women through the use of women’s community groups and by supporting women at the decision making level, in particular women who want to participate at the local level. An important part of their empowerment process is to be actively involved in working with men in their communities. Alicia Canabiris states that men and women have roles to play in protecting knowledge and in particular women’s knowledge because of its overall importance to the community. “Without men’s input we cannot move on. Our knowledge is tied to them because they often have the power to change things, they hold the position in government, and on local level men have much more influence over decisions. However, they realise our knowledge is vital to their cultural survival, so we need each other - that is why our organisation believes in meetings that include the needs of men and women.”¹⁰⁷⁷ Cultural difference needs to be taken into account, but as Mia Siscawati states, “As a strict Muslim, the idea of me working and my husband caring for our child is a problem for my parents and my parent in laws, but we can not let culture bind us to accepting inequality.”¹⁰⁷⁸ “Men need to be taught that roles are socialised and in order for they are to be an equal distribution of labour we need to work together.”¹⁰⁷⁹ Another interesting issue is that if men are willing to work together with women and learn about childbirth, etc., and work in areas that have

¹⁰⁷⁵ In Townsend et al Women and Power: Fighting Patriarchy and Poverty. (London: Zed Books, 1999) p.127.

¹⁰⁷⁶ Interview with Stella Tamang, op cit.,

¹⁰⁷⁷ Interview with Alicia Canauiri, op cit.,

¹⁰⁷⁸ Interview with Mia Siscawati, op cit.,

¹⁰⁷⁹ Interview with Alicia Canauiri, op cit.,

traditionally been viewed as 'women's domains', that means that there could be a transfer of knowledge between men and women. Of course this is a huge task that involves radically re-altering cultural norms and it will not take place overnight. This is where GAD theory has replaced WID theory in challenging and trying to change repressive norms.

8.11 4. Using participatory research methods and planning

The 'power to' also involves 'awareness and critical reflections.'¹⁰⁸⁰ The women and their NGO's I have mentioned all use participatory research methods and try to implement this in their planning. When they are in the field they use these methods, then take back the knowledge and translate it in the vernacular. As Lucy Mullenkei says, much of our research is finding out to whom we should talk, and who are the informal leaders in the community. Lucy argues that much of their time is spent collecting information and then asking other women if they feel this is a fair assessment of what is happening in the community. She claims that sometimes they get it right but not always, and also it is about altering their own perceptions as well. Once they feel they have got it right, they then provide to the planning level where women are directly consulted and make up a large part of their future agendas.¹⁰⁸¹ Mia Siscawati claims that the planning is based on grass roots women's experience and believes that these women should be incorporated at national and international levels. Mia's organisation also does field research based on local participation, which is followed through into the actual planning stages. Mia

¹⁰⁸⁰ Mercado, M. "Power to Do and the power to make money..." op cit., p. 127.

¹⁰⁸¹ Interview with Lucy Mullenkei, op cit.,

Siscawati believes that this is the only way to get a true representation of what women need and want when working with her GRO.

8.12 0. Shifting Paradigms

If the arguments in this thesis hold, then endogenous¹⁰⁸² development is perhaps one of the most substantive ways of altering how women's knowledge is perceived. It is also about challenging and upsetting the balance of power on both the macro and micro levels. This thesis has attempted to show that women's knowledge and ways of knowing are linked to bio-diversity. In the book, *Food for Thought, ancient visions and new experiments of rural visions* edited by Bertus Haverkort and Wim Hiemstra,¹⁰⁸³ they argue that Western development has been responsible for ecological disasters and a negative standard of living in many communities that it has attempted to help. However, Southern governments in the thrust to modernise, also contribute to ecological disaster by introducing Western chemicals and pesticides that break down ecosystems. Until 1988/89 Nepal exported grain, now it has to import it.¹⁰⁸⁴ While Southern governments may think they are improving national agriculture, they may be harming it. Recently 'development experts' and scientists have begun to take indigenous knowledge more seriously. In this postpositive era, this is most certainly a paradigm shift as grassroots development is beginning to have a theoretical shift on the 'development industry.'¹⁰⁸⁵ However, as Kothari argues, while there may be a few cases of 'participatory development' that is

¹⁰⁸² Oxford Dictionary, meaning "growing or originating from within".

¹⁰⁸³ Haverkort, B. and Hiemstra, W. "Food for Thought..." op cit.,

¹⁰⁸⁴ Ibid., p. 103.

¹⁰⁸⁵ Ibid., p. 175.

truly 'bottom up', the majority of 'bottom up' is just a veil to support existing power hierarchies.¹⁰⁸⁶

What kind of methodology would it take in order to support endogenous development driven by women? Of course, there could never be one single methodology or framework. However, saying that, there would need to be several components that could be easily transferred. Gender needs to be the starting point for endogenous development. COMPAS¹⁰⁸⁷ is serious about incorporating indigenous women's knowledge, as well as respecting their intellectual property rights. They argue that there needs to be a multi-faceted approach in order for endogenous development to work. While there are many methodologies available their model is useful, as it is malleable and open to change. They argue that there needs to be five aspects in order for progress to take place. They are: *relationship building, joint documentation and assessment, exchange meetings, testing effectiveness and relevance and improving experimental practice and skills.*¹⁰⁸⁸

8.12 1. Relationship building.¹⁰⁸⁹

COMPAS believes that in order to build relationships you need to have an understanding of their concepts of life, which include their natural, social and spiritual world. It is also important to understand indigenous peoples' institutions and communal knowledge systems. Instead of adopting a modernist agenda, which replaces indigenous knowledge

¹⁰⁸⁶ Kothari, U. "Power, Knowledge and Social Control..." op cit.,

¹⁰⁸⁷ Ibid., p. 214. The reason I used this example is it is one of the best I have come across that is able to blend both theory and practice.

¹⁰⁸⁸ Ibid., pp. 214-228.

¹⁰⁸⁹ Ibid., pp. 214-231. The five points I will discuss must be kept brief as they are far too extensive to go into detail in this chapter, for a through account on methodology and COMPAS strategies see above.

with a more modern counterpart, COMPAS works on the principle of strengthening indigenous knowledge. COMPAS staff goes in as a learner, not an expert. In order to fully incorporate women into development strategies women's knowledge cannot be added on at the end, or have only a token part to play, in the planning and implementing of policy.

8.12 2. Joint Documentation and assessment.

COMPAS believes that local knowledge should only be published when it benefits the community and not the academic careers of others. If it is published with the permission of the community, where the knowledge comes from needs to be recognised. They also state that any technical details should be omitted from the publication. They also believe in publishing only in the vernacular. This continues the discussion of different opinions on knowledge protection. It really should rest on what the women feel is right for their communities. For example, the women I interviewed knew that I had the intention of publishing the interviews I conducted. I was also not interested in the actual application of their traditional knowledge. If this is made explicit and they are happy with that arrangement and it is not problematic then it should be left for them to decide. However, if technical information could 'leak' out then it is a very different issue.

8.12 3. Exchange meetings.

Exchange meetings involve: meeting with other local communities and exchanging information. Indigenous knowledge is often holistic; it is often community based and uses community-based resources. COMPAS believes that it is important not to

romanticise indigenous knowledge. It has its limitations. For example, specialised knowledge may be known only to elders or midwives, other knowledge may have socio-cultural ties and may not be transferable to other communities. One important aspect of exchange meetings is looking at how indigenous knowledge differs and how it can be improved.

8.12 4. Testing effectiveness and relevance.

A very important part of COMPAS ideology is that they test for the effectiveness of local practices. They question practices based on superstition or the abuse of power. They then see if the community wants to discourage the use of that particular practice. They also test to see if there could be a synergy between Western-based technologies and traditional practice. It is important to note that, “endogenous development is a permanent process in the community, that takes place with or without support institutions.” COMPAS also carries out ‘farm level experiments based on a cosmovision’- these experiences work with spiritual leaders and rural people. They also claim that ‘local concepts’ need to be included, which means the ‘local paradigms’ and local criteria are important. If a practice is emotional or spiritual it may be hard to determine; there needs to be parameters such as ‘the ancestors being satisfied’ etc. ¹⁰⁹⁰

8.12 5. Improving experimental practices and skills.

COMPAS is heavily involved in encouraging communities to monitor experiments and improve skills. They also support the use of gender-specific training needs for improving skills. COMPAS supports improving practices and skills for their staff as well. They

recognise the inherent bias field staff may have and insist on an open attitude to indigenous knowledge. It supports networking in order to lobby for recognition of indigenous knowledge in government agencies, universities and development agencies. This is something more 'development agencies' need to do. COMPAS for the most part seems committed to fully incorporating women's knowledge. Some of the women I interviewed shared concerns with the WWF and the IUCN. While they believed that for the most part they were committed to incorporating indigenous knowledge, they still felt their knowledge was secondary to the overall ideology of the former development agencies. In some cases they felt this was problematic when development programs concerning the protection of wildlife were implemented, for example, different viewpoints on the best methods of conservation for the community.¹⁰⁹¹

The former ideas are important to women's overall strategies for several reasons - they challenge many of the epistemological and ontological assumptions of the development apparatus. While criticisms can still be generated regarding its western roots or ideology, this example is a strong overall framework, which could be adopted on a larger scale. The women I interviewed have already started relationship building on the local, national, regional and international levels, which also involves exchange meetings. They have also addressed the importance of joint documentation in areas of knowledge protection. They also understand the importance and have incorporated the idea of testing effectiveness and making changes or improving skills if necessary. All of these endogenous strategies

¹⁰⁹⁰ Ibid., p. 223.

¹⁰⁹¹ Interviews with several women at the CBD that ask not to have their names disclosed.

are really about shifting from 'power over' to 'power to' and 'power with' which means allowing women to control how they set up knowledge protections strategies.

8.13 Conclusions

Over years of inadequacy from the political systems that govern them, women have begun setting up grass roots methods for empowerment that are focused on their needs. Women realised individually and collectively through observations in their communities that 'development' was not working. In many ways they, themselves, shifted the balance of power by becoming politically active and by organising themselves. These strategies are often community based and focus on the identified needs of women in their communities. Often these strategies are set implicitly or explicitly to protect women's knowledge from intellectual property regimes.

There are all types of issues that come up and this thesis rejects the idea that all women are empowered through grass roots organisations or those women cannot be empowered through traditional development institutions. I am also somewhat hesitant to claim that all the women I interviewed are empowered at all times, only from my observations of them at the CBD and in interviews and follow-up interviews. To return to Townsend, et al, I would claim that these women 'can and do take power into and over their own lives.'¹⁰⁹² I would also argue that they are wholly committed to transferring this power to the women they work with in their communities.

9.0 Chapter eight: Conclusions and further research avenues

This thesis has argued that there are many contributing factors to the IGDK. As knowledge is politically constructed, dominant paradigms concerning knowledge will not break down or disintegrate quickly. Just as there are many contributing factors, there needs to be as many contributing solutions and strategies to overcome the IGDK. The task is huge, as it means tackling every level of the international, national, regional and local. It involves battling international institutions, governments, non-governmental organisations, bureaucracies, churches, schools, universities, research agencies and households. It means de-constructing the 'development industry', globalisation, international business, the global political economy, 'neo-liberalism', capitalist and socialist governments, whether they be democratic or military regimes. An exhaustive list, yet, the women whom I interviewed and who inspired me to write this thesis, will continue until circumstances have changed. It may take generations of women and men to eliminate the IGDK, but these women continue to teach their children and to preserve their knowledge.

This thesis has set out to do several things. Chapter one explained, however briefly, the relationship between how orthodox theories of IPE have looked at traditional women in the South and how ideas about knowledge/intellectual property have come to be known. It has demonstrated how liberalism and realism have determined what has been studied within the discipline of International Relations. It concluded that knowledge is political.

¹⁰⁹² Townsend, et al "Women and Power..." op cit.,

Chapter two also had a lengthy discussion on feminist theory and the acceptance that not all feminist theory translates to women in the South who often view 'feminist theory' as Western and ethnocentric. I have argued that representing the 'other' sometimes means abandoning one's own epistemological biases and accepting different knowledge. Eco-feminism is one such theory. In order to challenge 'traditional notions of the representation of poor women and their knowledge' we have to de-construct why some theories and forms of knowledge are more readily accepted than others. This is what I have tried to do. I have also critiqued the theoretical work already done on women's knowledge and how it is applicable to this thesis. Of course, it is impossible to cover everything, as there is a rich literature on the subject of women's knowledge and theoretical debate.

One of the important conclusions chapter two makes is that a universal epistemological legacy in international relations has been established. The ontological experience and epistemological otherness of women's knowledge is secondary within the global system. This thesis has argued that eco-feminism and standpoint theories can offer IR as a way of opening up and looking to add 'multiple epistemologies.'

Eco-feminism is a large theoretical space, which offers women both practical and theoretical ways of expressing their micro conditions. It is both a movement and a theoretical framework. Eco-feminism having two different streams offers different women different things; for example, cultural eco-feminism, being more 'essentialist', can offer women a theoretical standing point for women who feel there is a direct

connection between women and nature. It also offers women a 'commonality' and a place to start as far as activism. However, it is sometimes uncritical and could benefit from an analysis of women and nature as 'constructed' terms and also the fact that taking this viewpoint does not necessarily mean that agency will come automatically. This is where social eco-feminism can offer a more critical perspective that does not automatically accept the nature/culture divide but still argues that women are more connected to nature. Again there are 'commonalities' between women and women's experiences. Therefore this is a place which women can use as a starting point for an analysis of the global, capitalist-patriarchal world economy as well as a place for activism.

Both types of theory offer a 'plurality' of women's lives and experiences, which is important in order to expand the disciplinary space of international relations. Chan argues that this can be achieved by 'utilising different methodologies' as well as accepting a plurality of epistemologies. Standpoint theories have offered this thesis another theoretical framework to contribute as an epistemological construction as well as a methodological place to start research from. Standpoint theories also can add branches to the discipline of IR by looking at women's lives and experiences as a starting point. Methodologically this thesis has explored that not only are women 'knowable' but they are 'knowers.' Women have knowledge about their circumstances (everyday) and have knowledge from the perspective of strangers, outsiders within, etc., about dominant institutions that they have not constructed.

Western science has been based on the fact that only men and men's experiences make up what is considered legitimate knowledge. This universal legacy has had a great effect

on the social sciences, however, increasingly we can see that this is changing as feminist IR makes more of a contribution. Increasingly feminist IR is willing to look at issues like the relationship between researcher and researched. This again is where standpoint has much to offer methodologically, as the research experience is a socially situated form, which is affected by all kinds of perception between the researcher and researched. Both standpoint and actor-oriented methodologies recognise the importance of subjective truths. This thesis has argued that women's subjective knowledge is important in telling 'the stories of international relations', that the epistemological bias of IR have neglected to tell the whole story, and that the ontologies and epistemologies of women will give IR a more complete analysis. This thesis has linked the affects of intellectual property regimes on a macro level with the activities and agency of women on a micro level. It has done this by recognising the theoretical shift from WID to GAD. GAD offers the theoretical tools to allow women to become change agents. Looking at gender within the IPE explores the possibility of change. However, it has been argued that any GIPE must also include an analysis and focus on the contributions of eco-feminism.

Women's gender-specific knowledge can offer a plurality of epistemologies based on individual ontologies, gender ontologies as well as collective ontologies. Women's knowledge can be private or shared. It is a resource for women both individually and within their communities, as a way of maintaining their health and nutrition, preserving food security, and preserving bio-diversity. This thesis has argued that agency is possible on an individual level, but normally manifests itself on a communal level as women have more power to work together to both preserve and have their knowledge recognised.

Chapter three looked at institutions, and how those institutions, both primary and secondary, affect women's knowledge. One of the reasons is that the institutions that govern intellectual property have an epistemologically and ontologically biased ideological framework. This framework is neo-liberalism. With the implementation of the WTO's TRIPS agreement and the strengthening of intellectual property rules this has only expanded on this ideological framework. As an international organisation the WTO ignored women's knowledge. This is not unusual, since states and firms operating under the auspices of neo-liberalism have also minimised women's knowledge. Chapter three also looked at international trade and the role of states in the intellectual property debate. It argued that the WTO and the CBD play important roles in the managing or mis-managing of intellectual property and women's knowledge. This thesis also demonstrated the vast gulf between the CBD and the TRIPS agreement. Chapter three concludes that there most definitely are gender specific impacts of intellectual property regimes on women's knowledge.

Chapter four made several important arguments. It argued that multinational firms in many ways are one of the most powerful and important forces within the intellectual property debate. They have the ability to seriously exploit and erode women's knowledge. It demonstrated how firms affect women's knowledge and gave example of some of the sinister tactics multinational firms employ in order to extract women's knowledge. There is nothing sacred when dealing with multinational firms. They are ruthless and have little regard for women's knowledge. However, with the greening of business, some civil groups have begun mounting campaigns to pressure multinationals.

Some firms have begun giving women royalties and 'just compensation' as a way of empowering themselves. However, the examples are sparse and in order to pressure multinationals firms the heat needs to be turned up dramatically. A discussion on 'intellectual property rights as a way of empowering women' took place, not to indicate that other methods are sure to fail, but to recognise that some women are interested in being compensated for their knowledge in order to better their economic position within their communities. Although it may be problematic, it is *another* option that women have at their disposal *if they* want to use it.

Chapter five looked at the IPE and what this means in both praxis and practice to women and their knowledge. It discussed how the IPE and globalisation with their neo-liberal slants, affects women and their knowledge. One of the main conclusions that came out of this chapter is that IPE and globalisation contribute to the IGDK. It tried to present a critique of globalisation and demonstrated that globalisation is not a process that purposely includes women from the South. This chapter discussed how the globalisation narrative affects women on many different levels. It discussed the importance of the international political economy and how globalisation affects women's knowledge. This chapter wanted to get beyond the view of poor women as victims of the global economy, although global restructuring does adversely affect women in many ways. It examines the 'other' as encountering struggle in an increasingly disordered global society. In many circumstances women have been able to use the globalisation to benefit their campaigns and, if nothing else, they have been able to continue to survive under global conditions.

Chapter five concludes that women's subordination and Liberalist/neo-liberalist trade regimes are a contributing factor to the IGDK.

The climax of this thesis in many ways is reached in chapter six. Many of the arguments point to what the author refers to as the IGDK. It is argued that this division occurs on both the macro and micro levels, that all the factors of the preceding chapters are contributors to its existence. It takes the argument further and discusses how women and women's work in both the reproductive and productive realms have been constructed socially as having less value than men's work. I argue that the IGDK further contributes to the fact that women's knowledge is secondary. It is argued that there is a connection between work and knowledge. I argue that a logical conclusion can be made, that if gender is a key factor in the development in the social division of labour, then this thesis makes the assertion that gender is a key factor in the social and political division of knowledge.

Now that the existence of an IGDK had been established, the thesis then looked at how this framework has been applied to areas such as the development industry. It discussed women's differences in their ideas of conservation. It then looked at how women's knowledge has been ignored concerning development policy. Chapter seven discussed development and women's knowledge as a way of preserving knowledge and the ways 'development' could be used to benefit women. It also recognised how important implementing women's knowledge is to shifting paradigms and the acceptance of women's knowledge as equal to 'scientific or Western knowledge. Shifting paradigms

means mainstreaming gender equity in state bureaucracies and empowering women on national and international levels. The role of the state has its place in the further empowerment of women. It was argued that the state could be instrumental in representing women's rights at a national level. This chapter argued that certain international organisations could have a decisive role in representing, or even protecting, women's knowledge at an international level. This thesis argued that the WTO is powerful, but that is not to say that activism is ineffective. Not only is direct intervention effective, but GNGOs have proven to be effective at addressing where efforts need to go when battling the gendered impact of intellectual property. Finally, it tried to emphasise that regional or national strategies are also important, as effective strategies at any level are necessary in countering intellectual property regimes.

Chapter eight has focused on women and grass roots, micro strategies. In many ways this provides an 'essence' to the thesis, looking at the way women in sometimes-extraordinary circumstances manage to fight when most people would throw their hands up and give up. It is about the ability to innovate and keep one step ahead of structures that are often intentionally debilitating. This chapter focused on strategies for change, which could be referred to as a 'bottom up approach' created by women on the micro level. It tried to stress the importance of empowerment, both in the ideological sense and also in ways that empowerment is practised in communities of women. One of the conclusions that this chapter makes is that there is not just one way, which is why a pluralist approach is best. I tried to emphasise that these strategies that were once disregarded as 'so micro they will never make a difference' are now often influencing the

regional or national level. The interesting thing is women at the grass roots level have never had a grand vision of economic development. Their visions are more focused; with concern for their families and communities, it is about subsistence. In order to keep a step ahead of intellectual property rights women have developed and devised strategies to protect their knowledge. The implementation of endogenous strategies has improved the status for women and their knowledge. An important conclusion that this chapter made is that despite all the negative force women in the South encounter; they have gained new powers that are improving their lives and the lives of their communities.

9.1 Future research.

This thesis had hoped to open up an area of discussion that has not taken place in international relations, IPE or international business. The gendered impact of intellectual property regimes may also be of interest to development economics or development studies.

Areas that this thesis would have liked to investigate further, if time and space would have permitted, is a more in-depth study of how intellectual property/knowledge is constructed. This would involve a study of 'local communities, world view or cosmos vision.' This thesis touched on the issues of cultural diversity and its importance but it needs to be examined in depth. Finally, one area on which I would have expanded is how public policy directly affects women, and in turn, what strategies affect public policy. Although this was touched on, it would really need to have been examined in one or two case studies to have a better understanding of how policy operates in this debate. This

thesis has tried to make several claims; that there is an IGDK and that there are ways to tackle this division. That the strategies women are developing are a multiplicity of innovation and knowledge within themselves. Until the present circumstances are altered in the global economy, women will continue to fight and rally together to ensure their knowledge is recognised in its own right.

10.0 Appendix one, Interviews:

Interviews at the CBD.

Interview with **Kesaia Tabunakawai**, program officer, WAINMATE, Women's Association for Natural Medicine, Suva, Fiji. The interview took place May, 5, 1998 at the CBD.

Interview with **Jock Langford**, Senior Intellectual Property Lawyer for Industry, Canada. Interview took place at the CBD, May 6, 1998.

Interview with **Lucy Mulenkei**, Co-ordinator, Indigenous Information Network, Nairobi, Kenya at the CBD, May 6, 1998.

Interview with **Lame Futah**, Director, Sandama Women Empowerment Union, Accra, Ghana. The interview took place at the CBD on May, 7, 1998.

Interview with **Stella Tamang**, Director of the Nepal Tamang Women's Ghedung, Kathmandu, Nepal, at the CBD on May, 7, 1998.

Interview with **Victoria Tauli-Corpuz**, Director, Tebebba Foundation, Inc. Indigenous People's Centre for Policy Research and Education in Pasay, Philippines. Interview took place at the CBD, May 8, 1998.

Interview with **Ashish Kothari**, South Asian Regional Review of Community Involvement in Wildlife Conservation, Maharashtra, India. Interview took place at the CBD, May 8th, 1998.

Interview with **Sr. Porfirio Encino Hernandez**, Secretary General of Campina de Produccion Rural Chiapas. At the CBD, May 11, 1998.

& **Ing. Enresto Landron de Guevara Alafita**, Director of Union Nacional De Organizacones Regionales Campesinas Autonomas. At the CBD, May 11, 1998.

Interview with **Alicia Canuri**, Director of Centro de Dessrollo Integral de la Muyer Aymara, and Casilla, Bolivia at the CBD on May 11, 1998.

Interview with **Lucrecia Pisquil**, Coordinator, Guatemala Women's Network, at the CBD, on May, 11, 1998.

Interview with **Mia Siscawati**, Executive Director, The Indonesian Institute of Forests, Bogor, Indonesia. The interview took place at the CBD on May 11, 1998.

Interview with **Craig Benjamin**, Communications Director, Cultural Survival (Canada). Interview took place at the CBD on May 12, 1998.

Interview with **David Downes**, Senior Attorney for the Center of International Law in Washington, D.C. The interview took place at the CBD, May 13, 1998.

Personal conversation with **Vandana Shiva**, May 13, 1988 at the CBD.

Interviews in Geneva, 1999

Interview with **Shakeel Bhatti**, Associate Officer, Global Intellectual Property Issues Division, Geneva, Switzerland, Interview took place in Geneva at the World Intellectual Property Organisation, May 11, 1999.

Interview with **Nuno de Pires Carvalho**, Senior Intellectual Property Officer at the World Trade Organization, Geneva, Switzerland. The quote came from a one-hour interview that took place at the WTO on the May 11, 1999.

10.1 Appendix two

World Trade Organization (WTO) -The WTO was established in 1995 as a unilateral international trade organisation which is member state driven, and require members to further liberalise their economies by meeting certain criterion, developing nations are given more time to implement the rules of regulations concerning international trade. It also acts as an arbitrator through it dispute mechanism process where nation states can settle trade disputes.

World Intellectual Property Organisation (WIPO) was established in 1959 and is a UN organisation, since the birth of the WTO, WIPO largely offers a technical role to assist developing countries in implementing the WTO rules and regulations.

The Trade Related Intellectual Property Agreement, (TRIPS) is the section of the WTO that deals specifically with Intellectual Property. It outlines what countries need to do in relation to meeting the criterion set forth by the WTO concerning Intellectual Property. As many developing countries do not have strong traditions of intellectual property or patent protection, this agreement and its interpretation become increasingly important in order for them. Increasingly women on a micro level are being effect by the TRIPS agreement in areas of indigenous knowledge and knowledge protection.

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